
STATUTORY INSTRUMENTS

2004 No. 3205

**The Patents Act 2004 (Commencement No. 2 and
Consequential, etc. and Transitional Provisions) Order 2004**

Transitional provisions

9.—(1) The following transitional provisions have effect notwithstanding the amendments to the 1977 Act made by the provisions brought into force by article 2, or the amendments to the Rules made by articles 4 and 5.

(2) If before the appointed day a question is referred to the comptroller under section 8 or 12 of the 1977 Act, sections 8, 11 and 12 of that Act and rules 9 and 13 have effect in relation to that reference as if the amendments to those sections and rules had not been made.

(3) Where proceedings are brought under section 70 of the 1977 Act in respect of an alleged threat made before the appointed day, that section has effect in relation to that alleged threat as if the amendments to that section had not been made.

(4) Where proceedings are brought before the appointed day, section 75(1) of the 1977 Act has effect in relation to those proceedings as if the amendment to that subsection had not been made.

(5) Where the national phase (as defined by section 89A(3) of the 1977 Act) of an international application for a patent (UK) begins before the appointed day, section 89B(2) of that Act has effect in relation to that application as if the amendment to that subsection had not been made.