

## SCHEDULES

### SCHEDULE 6

#### SPECIAL TRANSITIONAL PROVISIONS WITH RESPECT TO PATENTS FOR INVENTIONS AND REGISTERED DESIGNS

- 7 (1) The reference in paragraph 9(1) of Schedule 5 to the foregoing provisions of the 1981 Act shall be construed as referring to the foregoing provisions of this Act.
- (2) The reference in paragraph 9(1) of Schedule 5 to any licence, assignment or agreement made, on or after 1st October 1969, between the patentee or applicant for the patent or any person who derives title from him or from whom he derives title and any person other than the Post Office shall be construed as referring to any licence, assignment or agreement made, on or after 1st October 1969 and before 1st October 1981, between any such persons.
- (3) The reference in paragraph 9(1) of Schedule 5 to any licence, assignment or agreement made, on or after the appointed day, between the patentee or applicant for the patent or any person who derives title from him or from whom he derives title and any person other than British Telecommunications shall be construed—
- (a) as referring to any licence, assignment or agreement made, on or after 1st October 1981 and before the transfer date, between any such persons ; and
  - (b) as including a reference to any licence, assignment or agreement made, on or after the transfer date, between the patentee or applicant for the patent or any person who derives title from him or from whom he derives title and any person other than the successor company.
- (4) The excepted case stated in paragraph 9(3) of Schedule 5 shall be construed as including the case where an agreement as to the proportions in which any sum payable in relation to the use of the invention should be divided was made before the transfer date under that paragraph as originally enacted, or a determination as to those proportions was made before that date under paragraph 10 of that Schedule as originally enacted.
- (5) The excepted case stated in paragraph 9(4) of Schedule 5 shall be construed as including the case where an agreement as to the recovery from the patentee of a part of the payments made under section 46(3) of the Patents Act 1949 in respect of the use of the invention was made before the transfer date under that paragraph as originally enacted, or a determination as to such recovery was made before that date under paragraph 10 of that Schedule as originally enacted.
- (6) The reference in paragraph 9(4) of Schedule 5 to a notice given before the appointed day to the Post Office in pursuance of paragraph 8 of Schedule 10 to the Post Office Act 1969 shall be construed as including a reference to a notice given before the transfer date to British Telecommunications in pursuance of the said paragraph 9(4) as originally enacted.