



# Copyright, Designs and Patents Act 1988

## 1988 CHAPTER 48

### PART V

#### PATENT AGENTS AND TRADE MARK AGENTS

##### *Patent agents*

#### **276 Persons entitled to describe themselves as patent agents.**

- (1) An individual who is not a registered patent agent shall not—
- (a) carry on a business (otherwise than in partnership) under any name or other description which contains the words “patent agent” or “patent attorney”; or
  - (b) in the course of a business otherwise describe himself, or permit himself to be described, as a “patent agent” or “patent attorney”.
- (2) A partnership shall not—
- (a) carry on a business under any name or other description which contains the words “patent agent” or “patent attorney”; or
  - (b) in the course of a business otherwise describe itself, or permit itself to be described as, a firm of “patent agents” or “patent attorneys”,
- unless all the partners are registered patent agents or the partnership satisfies such conditions as may be prescribed for the purposes of this section.
- (3) A body corporate shall not—
- (a) carry on a business (otherwise than in partnership) under any name or other description which contains the words “patent agent” or “patent attorney”; or
  - (b) in the course of a business otherwise describe itself, or permit itself to be described as, a “patent agent” or “patent attorney”,
- unless all the directors of the body corporate are registered patent agents or the body satisfies such conditions as may be prescribed for the purposes of this section.
- (4) Subsection (3) does not apply to a company which began to carry on business as a patent agent before 17th November 1917 if the name of a director or the manager of

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*Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 276. (See end of Document for details)*

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the company who is a registered patent agent is mentioned as being so registered in all professional advertisements, circulars or letters issued by or with the company's consent on which its name appears.

- (5) Where this section would be contravened by the use of the words "patent agent" or "patent attorney" in reference to an individual, partnership or body corporate, it is equally contravened by the use of other expressions in reference to that person, or his business or place of business, which are likely to be understood as indicating that he is entitled to be described as a "patent agent" or "patent attorney".
- (6) A person who contravenes this section commits an offence and is liable on summary conviction to a fine not exceeding level 5 on the standard scale; and proceedings for such an offence may be begun at any time within a year from the date of the offence.
- (7) This section has effect subject to—
  - (a) section 277 (persons entitled to describe themselves as European patent attorneys, &c.), and
  - (b) section 278(1) (use of term "patent attorney" in reference to solicitors).

**Status:**

Point in time view as at 01/02/1991. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 276.