
STATUTORY INSTRUMENTS

1984 No. 283

PATENTS

The Patents (Amendment) Rules 1984

<i>Made</i> - - - -	5th March 1984
<i>Laid before Parliament</i>	12th March 1984
<i>Coming into Operation</i> <i>Rules 1 and 3</i>	2nd April 1984
<i>Rules 2</i>	6th June 1984

The Secretary of State, in exercise of the powers conferred upon him by section 123 (1), (2) and (3) of the Patents Act 1977(a) and of all other powers enabling him in that behalf, and with the consent of the Treasury pursuant to subsection (4) of the said section 123, hereby makes the following Rules:—

1. These Rules may be cited as the Patents (Amendment) Rules 1984 and shall come into operation as respects rules 1 and 3 on 2nd April 1984 and as respects rule 2 on 6th June 1984.

2.—(1) There shall be substituted as Schedule 1 to the Patents Rules 1982(b) the Schedule hereto.

(2) Rules 2 and 3 of the Patents (Amendment) Rules 1983(c) are hereby revoked.

3. Where on or after 2nd April 1984 but before 6th June 1984 an application is made for renewal of a patent in respect of any year beginning on or after 6th June 1984, the fee payable on such application shall be that which would be payable if the application were made on or after 6th June 1984 and rule 2 of these Rules had come into operation.

21st February 1984.

Alexander Fletcher,
Parliamentary Under-Secretary of State,
Department of Trade and Industry.

(a) 1977 c. 37.

(b) S.I. 1982/717, as amended by S.I. 1983/180.

(c) S.I. 1983/180.

We consent to the making of these Rules.

5th March 1984.

Donald Thompson,
Alastair Goodlad,
Two of the Lords Commissioners
of Her Majesty's Treasury.

SCHEDULE

Rule 2(1)

SCHEDULE 1

Rule 3

LIST OF FEES PAYABLE

PART A

(In this part of this Schedule, any reference to a rule is a reference to that rule of these Rules.)

Number of corresponding Patents Form	Item	Amount
		£
1/77	On request for the grant of a patent (the filing fee).....	10
2/77	On reference under section 8(1), 12(1) or 37(1)	27
3/77	On application under section 8(5) or 37(3) for authorisation by comptroller	27
4/77	On request for directions under section 10 or 12(4)	27
5/77	On reference under section 11(5) or 38(5) to determine the question of a licence.....	27
6/77	On application to comptroller under section 13(1) and/or 13(3).....	19
7/77	Statement of inventorship and of right to the grant of a patent.....	—
8/77	On request for comptroller's certificate authorising the release of a sample from a culture collection	8
9/77	On request for preliminary examination and search or request for further search	75
10/77	On request for substantive examination.....	90
11/77	On request to amend application before grant.....	22
12/77	*On payment of renewal fee:—	
	Before the expiration of the 4th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 5th year	70
	Before the expiration of the 5th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 6th year.....	76
	Before the expiration of the 6th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 7th year.....	82
	Before the expiration of the 7th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 8th year.....	90
	Before the expiration of the 8th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 9th year.....	98

*One half of these fees payable if entry in the register "Licences of Right".

LIST OF FEES PAYABLE

PART A (Continued)

Number of corresponding Patents Form	Item	Amount
	Before the expiration of the 9th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 10th year.....	110
	Before the expiration of the 10th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 11th year.....	122
	Before the expiration of the 11th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 12th year.....	134
	Before the expiration of the 12th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 13th year.....	146
	Before the expiration of the 13th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 14th year.....	162
	Before the expiration of the 14th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 15th year.....	178
	Before the expiration of the 15th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 16th year or in the case of an old existing patent in respect of the remainder of its term	194
	† Before the expiration of the 16th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 17th year	210
	† Before the expiration of the 17th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 18th year	224
	† Before the expiration of the 18th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 19th year	246
	† Before the expiration of the 19th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 20th year	268
13/77	†Not applicable to old existing patents On extension of the period for payment of a renewal fee under section 25(4):— Not exceeding one month	15

LIST OF FEES PAYABLE

PART A (Continued)

Number of corresponding Patents Form	Item	Amount
	Each succeeding month (but not exceeding six months)	15
14/77	On application to amend specification after grant.....	43
15/77	On notice of opposition to amendment of specification after grant.....	19
16/77	On application for the restoration of a patent.....	27
17/77	Additional fee on the application for restoration of a patent	69
18/77	On offer to surrender a patent.....	—
19/77	On notice of opposition to offer to surrender a patent	19
20/77	On request for alteration of name, address or address for service in the register, for each patent or application.....	2
21/77	On application to register or to give notice of a transaction, instrument or event affecting the rights in a patent or application for a patent.....	19
	On each application covering more than one patent or application for a patent, the devolution of title being the same as in the first patent or application for a patent. For each additional request	2
22/77	On request for the correction of an error in the register or in any connected document.....	14
23/77	On request for the furnishing of or access to miscellaneous information..... Each	0.50
24/77	On request for certificate of the comptroller:— (a) by impressed stamp.....	2
	(b) sealed and attached to documents.....	6
25/77	On application for entry of order of court in the register.....	—
26/77	On application for compensation by employee.....	27
27/77	On application under section 41(8) in connection with an order made under section 40(1) or 40(2).....	27
28/77	On application by proprietor for entry to be made in the register to the effect that licences under the patent are to be available as of right.....	11
29/77	On application for settlement of terms of a licence of right	27
30/77	On application by proprietor under section 47(1) for cancellation of entry in the register.....	19
31/77	On application under section 47(3) by person interested for cancellation of entry in the register.....	19
32/77	On notice of opposition to an application under section 47(1) or 47(3) for cancellation of entry in the register	19
33/77	On application under section 48(1) for a compulsory licence or entry in the register.....	27
34/77	On application by Crown in case of monopoly or merger.....	27
35/77	On notice of opposition to application made under section 48 or 51	19

LIST OF FEES PAYABLE

PART A (Continued)

Number of corresponding Patents Form	Item	Amount
36/77	On reference to the comptroller of a dispute as to infringement	27
37/77	On application for declaration of non-infringement	27
38/77	On application for the revocation of a patent	19
39/77	On application to register copy of entry made in European Register of Patents.....	8
40/77	On payment of filing fee upon conversion of European patent application to an application under the Act.....	10
41/77	On request for conversion of European patent application	10
42/77	On request for national processing of an international application for a patent (UK) (the filing fee).....	10
43/77	On payment of prescribed fee and request for publication of translation	8
44/77	On application to the comptroller for an international application to be treated as an application under the Act	10
45/77	On application for order for evidence to be obtained in the United Kingdom.....	27
46/77	On notice that hearing before the comptroller will be attended.....	10
47/77	On request for the correction of an error of translation or transcription, clerical error or mistake.....	14
48/77	On notice of opposition to the correction of an error, clerical error or mistake	19
49/77	On request for information relating to a patent or an application for a patent.....	7
50/77	On request for extension of time:..... Each	88
51/77	On declaration of authorisation where agent appointed during progress of application or in substitution for another	—
	As Receiving Office or International Preliminary Examining Authority under the Patent Co-operation Treaty:—	
—	Transmittal Fee (Rule 117(1)).....	10
—	Preliminary Examination Fee (Rule 120)	40
—	Additional fee (Rule 121)..... Maximum	40

PART B

(In this Part of this Schedule—

- (1) any reference to a section is a reference to that section of the Patents Act 1949(a); and
 (2) any reference to a rule is a reference to that rule of the Patents Rules 1968(b), as it continues to apply by virtue of rule 124 of the Patents Rules 1978(c).).

Number of corresponding Patents form	Item	Amount
		£
7	For extension of time under rule 30 or 33 or 50:—	
	Not exceeding one month.....	14
	Each succeeding month	14
8	On application for result of search made under sections 7 and 8.....	0.50
9	On application under section 9(2) for deletion of reference	—
13	On notice that hearing before the comptroller will be attended.....	10
14	On request under section 16(3).....	7
15	On a claim under section 16(4).....	7
16	On application for extension of the period under section 16(5).....	10
17	On application for a certificate under section 16(8)	19
18	On a claim under section 17(1) for application to proceed in name of claimants.....	22
19	On application for directions under section 17(5).....	27
20	On request for sealing of a patent.....	20
21	On application for extension of the period for requesting the sealing of a patent under section 19(3):—	
	Not exceeding one month.....	14
	Each succeeding month	14
	(but not exceeding three months)	
22	On application for extension of the period for requesting the sealing of a patent under section 19(4):—	
	Not exceeding one month.....	14
	Each succeeding month	14
23	On application under section 20 for amendment of a patent.....	20
32	On application under section 28 for sealing of patent	27
33	On opposition to application under section 28.....	19
34	Additional fee for sealing under section 28	69
35	On application to amend specification after acceptance	43
36	On notice of opposition to amendment. By opponent	19
37	On application to amend specification not yet accepted.....	22
38	On application to amend an application for a patent	22

(a) 1949 c. 87.

(b) S.I. 1968/1389, to which there are amendments not relevant to these Rules.

(c) S.I. 1978/216, to which there are amendments not relevant to these Rules.

LIST OF FEES PAYABLE

PART B (Continued)

Number of corresponding Patents Form	Item	Amount
39	On application for revocation of a patent under section 33	19
43	On application for settlement of terms of licence under patent endorsed "Licences of Right".....	27
44	On application by patentee for cancellation of endorsement of patent "Licences of Right".....	19
45	On application for cancellation of endorsement "Licences of Right".....	19
46	On notice of opposition to cancellation of endorsement of patent "Licences of Right"	19
53	On application under section 55(1) for directions of comptroller	27
54	On application under section 55(2) for directions of comptroller	27
55	On application under section 56(1) to determine dispute.....	27
63	On application for entry in the register of claim to a licence under a patent extended under section 23, 24 or 25	—
64	On request to comptroller to correct a clerical error.....	14
65	On notice of opposition to the correction of a clerical error.....	19
68	For duplicate of patent.....	19
69	On application for entry of order of court in the register	—

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules amend the Patents Rules 1982 so as to abolish the fees formerly corresponding to Patents Forms 27 and 28 in Part B of Schedule 1 to those Rules, and increase other fees. The new fees are payable on or after 6th June 1984 except in the case of certain renewal fees paid in advance. Fees payable for the renewal of a patent in respect of any year beginning on or after 6th June 1984 are increased on 2nd April 1984.

It is estimated that the total amount of fees collected per annum at the new levels will be 4.8 per cent greater than the amount collected per annum at the existing levels.

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