

---

STATUTORY INSTRUMENTS

---

**1992 No. 3162**

**PATENTS**

**The Patents (Supplementary Protection  
Certificate for Medicinal Products) Rules 1992**

*Made* - - - - *11th December 1992*  
*Laid before Parliament* *11th December 1992*  
*Coming into force* *2nd January 1993*

**THE PATENTS (SUPPLEMENTARY PROTECTION  
CERTIFICATE FOR MEDICINAL PRODUCTS) RULES 1992**

PART I  
GENERAL

1. Citation, commencement and extent
2. Interpretation

PART II

PROVISIONS RELATING TO ARTICLES 4 TO 18 OF THE EC REGULATION

3. Application and fee in respect of application (Article 8 and 9(1))
  4. Certificate of grant (Article 10)
  5. Fees in respect of effective period of certificate (Article 12)
  6. If the certificate is surrendered or declared invalid on or...
  7. Declaration of lapse or invalidity of certificate (Articles 14(d) and 15(1)(a) and (c))
  8. If it appears to the comptroller that a certificate has...
  9. Forms for use in connection with certificates and applications for certificates (Article 18(1))
  10. Publication of: application, grant of certificate, rejection of application, declaration of lapse or of invalidity or of termination of grounds of lapse of certificate (Articles 9(2), 11(1) and (2) and 16)
- Signature

*Status:* This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

SCHEDULE 1 — COUNCIL REGULATION (EEC) NO. 1768/92 OF 18TH JUNE  
1992 CONCERNING THE CREATION OF A SUPPLEMENTARY  
PROTECTION CERTIFICATE FOR MEDICINAL PRODUCTS.  
THE COUNCIL OF THE EUROPEAN COMMUNITIES

*Article 1*

Definitions

*Article 2*

Scope

*Article 3*

Conditions for obtaining a certificate

*Article 4*

Subject-matter of protection

*Article 5*

Effects of the certificate

*Article 6*

Entitlement to the certificate

*Article 7*

1. Application for a certificate
2. Notwithstanding paragraph 1, where the authorization to place the product...

*Article 8*

1. Content of the application for a certificate
2. Member States may provide that a fee is to be...

*Article 9*

1. Lodging of an application for a certificate
2. Notification of the application for a certificate shall be published...

*Article 10*

1. Grant of the certificate or rejection of the application
2. The authority referred to in Article 9(1) shall, subject to...
3. Where the application for a certificate does not meet the...
4. If the irregularity is not rectified or the fee is...
5. Member States may provide that the authority referred to in...

*Article 11*

1. Publication

2. Notification of the fact that the application for a certificate...

*Article 12*

Annual fees

*Article 13*

1. Duration of the certificate
2. Notwithstanding paragraph 1, the duration of the certificate may not...

*Article 14*

Expiry of the certificate

*Article 15*

1. Invalidity of the certificate
2. Any person may submit an application or bring an action...

*Article 16*

Notification of lapse or invalidity

*Article 17*

Appeals

*Article 18*

1. Procedure
2. Notwithstanding paragraph 1, the procedure for opposition to the granting...

*Article 19*

1. Transitional provisions
2. An application for a certificate as referred to in paragraph...

*Article 20*

*Article 21*

*Article 22*

FINAL PROVISION —

*Article 23*

Entry into force

SCHEDULE 2 — GENERAL FORMS

SCHEDULE 3 — CERTIFICATE

SCHEDULE 4 — FEES

Explanatory Note