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STATUTORY INSTRUMENTS

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**2002 No. 247**

**The Patents and Plant Variety Rights  
(Compulsory Licensing) Regulations 2002**

PART IV

APPEALS AND GENERAL PROVISIONS

**Application of existing rules and regulations**

**22.**—(1) Subject to the exercise by the Secretary of State of her powers under section 123 of the 1977 Act as extended by regulation 20, the Patents Rules in respect of—

- (a) applications for the grant and revocation of compulsory licences under section 48(1) of the 1977 Act including forms,
- (b) proceedings before the Comptroller General of Patents in relation to—
  - (i) the grant of such applications, and
  - (ii) the revocation of compulsory licences granted under section 48(1) of the 1977 Act, and
- (c) other matters provided for in the Patents Rules related to applications and proceedings in respect of such compulsory licences,

shall, subject to paragraph (2), extend and apply to and be taken to make corresponding provision in respect of applications for the grant of licences under regulation 3(1), proceedings before the controllers in relation to the grant of such applications, the variation or revocation of compulsory patent licences and cross licences under regulations 7(2), 7(3) and 15(3), and other matters related to or arising under these Regulations.

(2) For the purposes of paragraph (1), the Patents Rules shall have effect as if a reference to the Comptroller General of Patents in the Patents Rules were to the controllers, other than in rule 71(1) of the Patents Rules and in relation to an application under regulation 15(1), and with any other necessary modifications.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Patents and Plant Variety Rights (Compulsory Licensing) Regulations 2002. Any changes that have already been made by the team appear in the content and are referenced with annotations. [View outstanding changes](#)

**Changes and effects yet to be applied to :**

- reg. 22(1) words substituted by [S.I. 2019/801 reg. 14\(2\)](#)
- reg. 22(2) words substituted by [S.I. 2019/801 reg. 14\(3\)](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

- Blanket amendment words substituted by [S.I. 2011/1043 art. 3-68-10](#)