
STATUTORY INSTRUMENTS

2002 No. 247

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

PART IV

APPEALS AND GENERAL PROVISIONS

23. Subject to the exercise by the Ministers of their powers under sections 24, 26(2)(a), 28, 29, 44 and 48(1) of the 1997 Act as extended by regulation 21, the Plant Breeders' Regulations in respect of—

- (a) applications for the grant, variation and revocation of compulsory licences under section 17(1) of the 1997 Act,
- (b) proceedings before the Controller of Plant Variety Rights in relation to—
 - (i) the grant of such applications, and
 - (ii) the variation or revocation of compulsory licences granted under section 17(1) of the 1997 Act,
- (c) appeals to the Tribunal, and
- (d) other matters provided for in the Plant Breeders' Regulations related to applications and proceedings in respect of such compulsory licences,

shall, subject to paragraphs (2) and (3), extend and apply to and be taken to make corresponding provision in respect of applications under regulation 11(1), proceedings before the controllers in relation to such applications, the variation or revocation of compulsory plant variety licences and cross licences granted under regulation 14(2), appeals to the Tribunal and other matters related to or arising under these Regulations.

(2) For the purposes of paragraph (1), the Plant Breeders' Regulations shall have effect as if a reference to the Controller of Plant Variety Rights in the regulations were to the controllers and with any other necessary modifications.

(3) Regulation 10 of the Plant Breeders' Regulations shall not extend and apply to and shall not be taken to make corresponding provision in these Regulations.

Changes to legislation:

There are currently no known outstanding effects for the The Patents and Plant Variety Rights (Compulsory Licensing) Regulations 2002, Section 23.