

2004 No. 3335

PATENTS

The Patents (Convention Countries) Order 2004

Made - - - - - *16th December 2004*

Laid before Parliament *10th January 2005*

Coming into force - - - *31st January 2005*

At the Court at Buckingham Palace, the 16th day of December 2004

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by sections 90(1) and 124(3) of the Patents Act 1977^(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered as follows:

1. This Order may be cited as the Patents (Convention Countries) Order 2004 and shall come into force on 31st January 2005.
2. The countries specified in Schedule 1 are declared to be convention countries for the purposes of section 5 of the Patents Act 1977.
3. The Orders set out in Schedule 2 are hereby revoked.

A K Galloway
Clerk to the Privy Council

^(a) 1977 c. 37.

SCHEDULE 1

Article 2

CONVENTION COUNTRIES

Albania
Algeria
Andorra
Angola
Antigua and Barbuda
Argentina
Armenia
Australia
Austria
Azerbaijan
Bahamas
Bahrain
Bangladesh
Barbados
Belarus
Belgium
Belize
Benin
Bhutan
Bolivia
Bosnia and Herzegovina
Botswana
Brazil
Brunei Darussalam
Bulgaria
Burkina Faso
Burundi
Cambodia
Cameroon
Canada
Central African Republic
Chad
Chile
China
Columbia
Congo
Congo, Democratic Republic of the

Costa Rica
Cote d'Ivoire
Croatia
Cuba
Cyprus
Czech Republic
Denmark
Djibouti
Dominica
Dominican Republic
Ecuador
Egypt
El Salvador
Equatorial Guinea
Estonia
Faeroe Islands
Fiji
Finland
France (including Overseas Departments and Territories)
Gabon
Gambia
Georgia
Germany
Ghana
Greece
Grenada
Guatemala
Guinea
Guinea-Bissau
Guyana
Haiti
Holy See
Honduras
Hong Kong
Hungary
Iceland
India
Indonesia
Iran, Islamic Republic of
Iraq
Ireland
Israel
Italy

Jamaica
Japan
Jordan
Kazakhstan
Kenya
Korea, Democratic People's Republic of
Korea, Republic of
Kuwait
Kyrgyzstan
Lao People's Democratic Republic
Latvia
Lebanon
Lesotho
Liberia
Libyan Arab Jamahiriya
Liechtenstein
Lithuania
Luxembourg
Macao
Macedonia, Former Yugoslav Republic of
Madagascar
Malawi
Malaysia
Maldives
Mali
Malta
Mauritania
Mauritius
Mexico
Moldova, Republic of
Monaco
Mongolia
Morocco
Mozambique
Myanmar
Namibia
Nepal
Netherlands
Netherlands Antilles and Aruba
New Zealand (including the Cook Islands, Niue and Tokelau)
Nicaragua
Niger
Nigeria

Norway
Oman
Pakistan
Panama
Papua New Guinea
Paraguay
Peru
Philippines
Poland
Portugal
Qatar
Romania
Russian Federation
Rwanda
Saint Kitts and Nevis
Saint Lucia
Saint Vincent and the Grenadines
San Marino
Sao Tome and Principe
Saudi Arabia
Senegal
Serbia and Montenegro
Seychelles
Sierra Leone
Singapore
Slovakia
Slovenia
Solomon Islands
South Africa
Spain
Sri Lanka
Sudan
Suriname
Swaziland
Sweden
Switzerland
Syrian Arab Republic
Taiwan
Tajikistan
Tanzania, United Republic of
Thailand
Togo
Tonga

Trinidad and Tobago
Tunisia
Turkey
Turkmenistan
Uganda
Ukraine
United Arab Emirates
United States of America (including Puerto Rico and all territories and possessions)
Uruguay
Uzbekistan
Venezuela
Viet Nam
Zambia
Zimbabwe

SCHEDULE 2

Article 3

REVOCATIONS

Patents (Convention Countries) Order 1994**(a)**

Patents (Convention Countries) (Amendment) Order 1995**(b)**

Patents (Convention Countries) (Amendment) Order 2000**(c)**

Patents (Convention Countries) (Amendment) (No. 2) Order 2000**(d)**

Patents (Convention Countries) (Amendment) Order 2001**(e)**

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- (a)** SI 1994/3220.
 - (b)** SI 1995/2989.
 - (c)** SI 2000/1114.
 - (d)** SI 2000/1560.
 - (e)** SI 2001/2126.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, pursuant to section 90(1) of the Patents Act 1977, declares the countries specified in Schedule 1 to be convention countries for the purposes of section 5 of the Patents Act 1977. Section 5 of that Act affords certain rights of priority to applicants for patents, and this Order provides those rights of priority to applications filed in the countries specified in this Order. In this Order the term “country” includes colonies, protectorates and territories by reason of section 90(3) of that Act.

The majority of the countries specified in the Order have acceded to the International Convention for the Protection of Industrial Property (“the Paris Convention”) (as revised at Stockholm in 1967) (Cmnd. 4431) or the Agreement establishing the World Trade Organisation (including the Agreement on Trade Related aspects of Intellectual Property Rights) (Cm. 2556-59, 2561-69, 2571-74).

With the exception of Andorra, Saudi Arabia, Serbia and Montenegro and the Seychelles all of the specified countries are already considered to be convention countries for the purposes of section 5.

This Order revokes the Patents (Convention Countries) Order 1994 (SI 1994/3220) and the four other Instruments that amended that Order listed in Schedule 2. This Order provides a consolidated list of countries that are convention countries for the purposes of section 5 of the Patents Act 1977.

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