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STATUTORY INSTRUMENTS

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**2007 No. 3291**

**The Patents Rules 2007**

**PART 7**

**PROCEEDINGS HEARD BEFORE THE COMPTROLLER**

*Conduct of hearings*

**Evidence rounds and the hearing**

**80.**—(1) When the defendant files a counter-statement, the comptroller must as soon as practicable—

(a) send the counter-statement to the claimant; <sup>F1</sup>...

[<sup>F2</sup>(aa) specify the period within which the claimant must file Patents Form 4; and]

(b) specify the periods within which evidence may be filed by the claimant and the defendant.

[<sup>F3</sup>(1A) If the claimant wishes to continue the proceedings following receipt of the counter-statement, the claimant must file Patents Form 4.]

(2) The comptroller may, at any time he thinks fit, give leave to either party to file evidence upon such terms as he thinks fit.

(3) Under this rule, evidence shall only be considered to be filed when—

(a) it has been received by the comptroller; and

(b) it has been sent to all the other parties to the proceedings.

(4) The comptroller must then give the parties an opportunity to be heard.

(5) If any party requests to be heard, the comptroller must send to the parties notice of a date for the hearing.

(6) When the comptroller has decided the matter he must notify all the parties of his decision, including his reasons for making the decision.

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**Textual Amendments**

**F1** Word in rule 80(1)(a) omitted (6.4.2010) by virtue of [The Patents and Patents and Trade Marks \(Fees\) \(Amendment\) Rules 2010 \(S.I. 2010/33\)](#), rules 1, 3 (with rule 15)

**F2** Rule 80(1)(aa) inserted (6.4.2010) by [The Patents and Patents and Trade Marks \(Fees\) \(Amendment\) Rules 2010 \(S.I. 2010/33\)](#), rules 1, 3 (with rule 15)

**F3** Rule 80(1A) inserted (6.4.2010) by [The Patents and Patents and Trade Marks \(Fees\) \(Amendment\) Rules 2010 \(S.I. 2010/33\)](#), rules 1, 4 (with rule 15)

**Status:**

Point in time view as at 06/04/2010.

**Changes to legislation:**

There are currently no known outstanding effects for the The Patents Rules 2007, Section 80.