

SCHEDULE 4

Rule 108

EXTENSION OF TIME LIMITS

PART 1

PERIODS OF TIME THAT CANNOT BE EXTENDED

- rule 6(2)(b) (declaration of priority for the purposes of section 5(2) made after the date of filing)
- rule 7(1) (period for making a request to the comptroller for permission to make a late declaration of priority)
- rule 32(1) (application to reinstate a terminated application)
- rule 37 and 38 (renewal of patents)
- rule 40(1) (application to restore a lapsed patent)
- [^{F1}rule 41A (payment of fees under section 77(5A) following restoration of a European patent (UK))]
- rule 43(4) (application to cancel entry that licence available as of right)
- rule 58(3) (request for a direction under section 81)
- rule 59(1) (request from a foreign industrial property office for a direction under section 81)
- rule 66(3) (period for making a request to the comptroller for permission to make a late declaration of priority in respect of an international application for a patent (UK))
- rule 76(2) (notice of opposition), except in relation to an opposition under section 27(5) where there are pending before the court or the comptroller proceedings in which the validity of the patent is put in issue
- rule 77(8) and (10) (opposition periods)
- ^{F2} ...
- rule 109 (extension of time limits specified by comptroller)
- rule 116(2) (fee for supplementary protection certificate)
- paragraph 8(5) of Schedule 1 (new deposits of biological material)

Textual Amendments

- F1** Sch. 4 Pt. 1 entry inserted (1.10.2014) by [The Patents \(Amendment\) \(No. 2\) Rules 2014 \(S.I. 2014/2401\)](#), rules 1, **8**
- F2** Words in Sch. 4 Pt. 1 omitted (1.10.2016) by virtue of [The Patents \(Amendment\) \(No. 2\) Rules 2016 \(S.I. 2016/892\)](#), rules 1(2), **16(a)**

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Changes to legislation: There are currently no known outstanding effects for the The Patents Rules 2007, SCHEDULE 4. (See end of Document for details)

PART 2

PERIODS OF TIME THAT MAY BE EXTENDED UNDER RULE 108(2) OR 108(3)

rule 8(1) and (2) (filing of information and priority documents)
rule 10(3) (filing of statement of inventorship and the right to be granted a patent)
rule 18(1) (missing parts)
rule 21 (extensions for new applications)
rule 22(1), (2) and (5) (periods prescribed for the purposes of sections 15(10) and 17(1))
rule 28(2), (3) and (5) (request for substantive examination)
rule 30 (period for putting an application in order)
[^{F3}rule 30A (fee for the grant of a patent under section 18(4))]
rule 56(6) and (7) (filing of a translation of European patent (UK) specifications)
rule 58(4) (request under section 81(2)(b)(i))
rule 59(3) (request under section 81(2)(b)(ii))
rule 60 (request for substantive examination following a direction under section 81)
rule 66(1) and (2) (international applications for patents: entry into national phase)
rule 68 (international applications for patents: altered prescribed periods)
[^{F4}rule 104(2) (period for furnishing an address for service), in relation to an application for a patent]
paragraph 3(2) of Schedule 1 (filing of information in relation to the deposit of biological matter)

Textual Amendments

- F3** Words in Sch. 4 Pt. 2 inserted (6.4.2018) by [The Patents and Patents \(Fees\) \(Amendment\) Rules 2017 \(S.I. 2017/1100\)](#), rules 1(1), 4 (with rule 11(1))
- F4** Words in Sch. 4 Pt. 2 inserted (1.10.2016) by [The Patents \(Amendment\) \(No. 2\) Rules 2016 \(S.I. 2016/892\)](#), rules 1(2), **16(b)**

Textual Amendments

- F3** Words in Sch. 4 Pt. 2 inserted (6.4.2018) by [The Patents and Patents \(Fees\) \(Amendment\) Rules 2017 \(S.I. 2017/1100\)](#), rules 1(1), 4 (with rule 11(1))
- F4** Words in Sch. 4 Pt. 2 inserted (1.10.2016) by [The Patents \(Amendment\) \(No. 2\) Rules 2016 \(S.I. 2016/892\)](#), rules 1(2), **16(b)**

PART 3

PERIODS OF TIME TO WHICH RULE 108(5) AND 108(7) RELATE

rule 10(3) (filing of statement of inventorship and the right to be granted a patent)

- rule 12(3) and (9) (filing of name and address and translations)
- rule 19 (new applications filed as mentioned in section 15(9))
- rule 21(1)(a) and (2)(a) (extensions for new applications)
- rule 22 (periods prescribed for the purposes of sections 15(10) and 17(1))
- rule 28 (request for substantive examination)
- rule 30 (period for putting application in order)
- [^{F5}rule 30A (fee for the grant of a patent under section 18(4))]
- rule 58(4) (request under section 81(2)(b)(i))
- rule 59(3) (request under section 81(2)(b)(ii))
- rule 60 (request for substantive examination following a direction under section 81)
- rule 66(1) and (2) (international applications for patents: entry into national phase)
- [^{F6}rule 104(2) (period for furnishing an address for service), in relation to an application for a patent]
- rule 68 (international applications for patents: altered prescribed periods)

Textual Amendments

- F5** Words in Sch. 4 Pt. 3 inserted (6.4.2018) by [The Patents and Patents \(Fees\) \(Amendment\) Rules 2017 \(S.I. 2017/1100\)](#), rules 1(1), 4 (with rule 11(1))
- F6** Words in Sch. 4 Pt. 3 inserted (1.10.2016) by [The Patents \(Amendment\) \(No. 2\) Rules 2016 \(S.I. 2016/892\)](#), rules 1(2), **16(b)**

Textual Amendments

- F5** Words in Sch. 4 Pt. 3 inserted (6.4.2018) by [The Patents and Patents \(Fees\) \(Amendment\) Rules 2017 \(S.I. 2017/1100\)](#), rules 1(1), 4 (with rule 11(1))
- F6** Words in Sch. 4 Pt. 3 inserted (1.10.2016) by [The Patents \(Amendment\) \(No. 2\) Rules 2016 \(S.I. 2016/892\)](#), rules 1(2), **16(b)**

Changes to legislation:

There are currently no known outstanding effects for the The Patents Rules 2007, SCHEDULE 4.