

Patents Rules

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PATENTS RULES

[Section 28.]

[16th May, 1898.]

1. Citation

These Rules may be cited as the Patents Rules.

2. Definition

In the construction of these Rules, "the Act" shall mean the Patents Act and any words herein used which are defined in the Act shall have the meaning thereby assigned to them respectively.

3. Forms

The three forms in the First Schedule to the Act shall be altered or amended by the substitution therefor of the forms in the First Schedule to these Rules.

4. Application for patent

An application for a patent must be signed by the applicant, but all other communications between the applicant and the Registrar and all attendances by the applicant upon the Registrar may be made by or through an agent duly authorised to the satisfaction of the Registrar, and if the latter so require resident in the State.

5. Documents

(1) As a general rule, all documents, except statutory declarations and affidavits, sent or furnished to the Registrar, shall be written or printed in the English language upon strong wide-ruled paper of a size thirteen inches by eight inches leaving a margin of two inches on the left hand thereof.

(2) Duplicate documents shall at any time be left, if required, by the Registrar.

6. Notification

The Registrar shall forward to the applicant or his or her agent any notification which the Attorney-General may require to be given pursuant to section 13 of the Act.

7. Application for extension of time

Applications to the Attorney-General for an extension of time under section 12 of the Act shall be in writing and shall be left with the Registrar who shall duly forward the same to the Attorney-General.

8. Amendments and corrections

Any document for the amending of which no special provision is made by the Act may be amended, and any irregularity in procedure which in the opinion of the Registrar may be obviated without detriment to the interests of any person, may be corrected, if, and on such terms as the Registrar may think fit.

9. Specification

The provisional or complete specification need not be accompanied by drawings if the specification sufficiently describes the invention without them, but if drawings are furnished they should accompany the provisional or complete specification to which they refer, except in the case provided for by rule 12. No drawing or sketch such as requires a special engraving for letterpress should appear in the specification itself.

10. Drawings

(1) Drawings, if any, must be delivered at the Patent Office either in a flat state or on rollers so as to be free from folds, breaks, or creases.

(2) They must be made on pure white, hot-pressed, rolled, or calendered drawing paper of smooth surface and good quality, and where possible without colour or Indian-ink washes.

(3) They must be on sheets of one of the two following sizes (the smaller being preferable), thirteen inches at the sides by eight inches at the top and bottom, or thirteen inches at the sides by sixteen inches at the top and bottom, including margin, which must be half an inch wide. If there are more figures than can be shown on one of the smaller-size sheets, two or

more of these sheets should be used in preference to employing the larger size. When an exceptionally large drawing is required, it should be continued on subsequent sheets. There is no limit to the number of sheets that may be sent in.

(4) To ensure their satisfactory reproduction, the drawings must be executed with absolutely black indian-ink; the same strength and colour of fine and shade lines to be maintained throughout. Section lines and lines for effect, or shading lines must be closely drawn. Reference figures and letters must be bold, distinct, not less than one-eighth of an inch in height; and the same letters should be used in different views of the same parts. In cases of complicated drawings, the reference letters must be shown outside the figure, and connected with the part referred to by a fine line.

(5) The scale adopted should be large enough to show clearly wherein the invention consists, and only so much of the apparatus, machine, etc., need be shown as effects this purpose. When the scale is shown on the drawing it should be denoted, not by words, but by a drawn scale.

(6) Drawings must bear the name of the applicant (and in the case of drawings left with a complete specification after a provisional specification, the number and year of the application) in the left-hand top corner; the number of sheets of drawings sent, and the number of each sheet in the right-hand top corner; and the signature of the applicant or his or her agent in the right-hand bottom corner.

(7) No written description of the invention should appear on the drawings.

(8) Wood engravings, or representations of the invention, other than the drawings prepared as above described, will not be received, unless of such a character as to be suitable for reproduction by the process of photo-lithography.

11. Facsimile

A facsimile of the original drawings, but without colour or indian-ink washes, and prepared strictly in accordance with the regulations prescribed in rule 10, must accompany the originals, and be marked "true copy".

12. Provisional specification

If an applicant desires to take advantage of section 6(3) of the Patents Act and to adopt the drawings lodged with his or her provisional specification as the drawings for his or her complete specification, he or she should refer to them as those "left with the provisional specification".

13. Advertisements

Unless otherwise ordered by the Registrar all advertisements required to be made shall be inserted in the *Gazette* and in one newspaper published in the State.

14. Failure of patentee to make payment within prescribed time

If a patentee fails to make any prescribed payment within the prescribed time or any enlargement thereof duly granted, such failure shall be duly entered in the register.

15. Licence

An attested copy of every licence granted under a patent shall be left at the Patent Office by the licensee, with a request that a notification thereof may be entered in the register. The licensee shall cause the accuracy of such copy to be certified as the Registrar may direct, and the original licence shall at the same time be produced and left at the Patent Office if required for further verification.

16. Certified copies

Certified copies of any entry in the register, or certified copies of, or extracts from, patents, specifications, disclaimers, affidavits, statutory declarations, and other public documents in the Patent Office, or of or from registers and other books kept there, may be furnished by the Registrar on payment of the prescribed fee.

17. Powers of Registrar

Where under these Rules any person is required to do any act or thing, or to sign any document, or to make any declaration on behalf of himself or of any body corporate, or any document or evidence is required to be produced to or left with the Registrar, or at the Patent Office, and it is shown to the satisfaction of the Registrar that from any reasonable cause such person is unable to do such act or thing, or to sign such document, or make such declaration, or that such document or evidence cannot be produced or left as aforesaid, it shall be lawful for the Registrar, with the sanction of the Cabinet, and upon the production of such other evidence, and subject to such terms as they may think fit, to dispense with any such act or thing, document, declaration or evidence.

18. Fees

The fees detailed in the Second Schedule shall be paid by stamps in respect of the several matters therein specified.

First Schedule

Forms

FORM 1

(To be accompanied by two copies of Form 2 or Form 3)

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Application for Patent

[Section 5 and Rule 3.]

(a) do hereby declare that in possession of an invention the title of which is (b) that (c) is the true and first inventor thereof; and that the same is not in use by any other person or persons to the best of knowledge and belief, and humbly pray that a Patent may be granted to for the said invention.

Dated the day of , 20 .

(d)

(a) Here insert name and full address, and calling of applicant or applicants.

(b) Here insert title of invention.

(c) In the case of more than one applicant, state whether all, or if not who is or are the inventor or inventors.

(d) To be signed by applicant or applicants.

In the case of a firm, each member of the firm must sign.

Note.—Where application is made through an agent (rule 4), the authorisation on the back (if used) should be signed by the applicant or applicants.

To the Registrar of Patents,

Patent Office,

Grenada, W.I.

For the convenience of applicants, suggested forms of authorisation to an Agent and statement of address respectively, are printed below.

(1) *Where application is made through an Agent (rule 4 and section 5 of Patents Act)*

hereby appoint of

to act as agent in respect of the within application for a Patent, and request that all notices, requisitions, and communications relating thereto may be sent to such agent at the above address.

* day of , 20

*

(2) *Where an application is made without an agent (section 5 of Patents Act).*

hereby request that all notices, requisitions and communications in respect of the within application may be sent to at

day of , 20

*

(To be used with Form 1)

FORM 2

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Provisional Specification
(To be furnished in duplicate)

(a)

(b)

do hereby declare the nature of this invention to be as follows—

(c)

(a) Here insert title as in declaration.

(b) Here insert name, and full address, and calling of applicant or applicants as in declaration.

(c) Here insert short description of invention.

Note.—This document forms the commencement of the provisional specification; the continuation to be upon wide-ruled foolscap paper (but on one side only) with a margin of two inches on left hand of paper. The provisional specification and the duplicate thereof must be signed by the applicant, or his or her agent, on the last sheet, the date being first inserted as follows—

Dated this _____ day of _____, 20____

To the Registrar of Patents,

Patent Office,

Grenada, W.I.

Where provisional specification has been left, quote No. and date. No. Date

FORM 3

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*Complete Specification
(To be furnished in duplicate)*

(a)

(b)

do hereby declare the nature of this invention and in what manner the same is to be performed to be particularly described and ascertained in and by the following statement—

(c)

(a) Here insert title as in declaration.

(b) Here insert name, and full address, and calling of applicant or applicants as in declaration.

(c) Here insert full description of invention, which must end with a distinct statement of claim or claims, in the following form:

Having now particularly described and ascertained the nature of my said invention, and in what manner the same is to be performed I declare that what I claim is [Here state distinctly the features of novelty claimed]

1

2

3

Note.—This document must form the commencement of the complete specification; the continuation to be upon wide-ruled foolscap paper (but on one side only) with a margin of two inches on left hand of paper. The complete specification and the duplicate thereof must be signed by the applicant, or his or her agent, on the last sheet, the date being first inserted as follows—

Dated this _____ day of _____, 20_____

To the Registrar of Patents,

Patent Office,

Grenada, W.I.
