

# PATENTS (AMENDMENTS) RULES, 1974.

### STATUTORY INSTRUMENTS.

### S.I. No. 20 of 1974.

(Prl. 3660)

### PATENTS (AMENDMENT) RULES, 1974.

I, JUSTIN KEATING, Minister for Industry and Commerce, in exercise of the powers conferred on me by sections 80 and 96 of the Patents Act, 1964 (No. 12 of 1964), and, insofar as the rules are made under the said section 80, with the sanction of the Minister for Finance, hereby make the following rules:

1.—

(1) These Rules may be cited as the Patents (Amendment) Rules, 1974.

(2) These Rules shall come into operation on the 1st day of April, 1974.

(3) The Patents Rules, 1965 to 1970 and these Rules may be cited as the Patents Rules 1965 to 1974.

2. The Patents Rules, 1965 (S.I. No. 268 of 1965), are hereby amended by the substitution for Schedule I of the following:

Notice of the making of this Statutory Instrument was published in "Iris Oifigiúil" of 22nd February, 1974.

£

## SCHEDULE I. FEES PAYABLE.

1. On application for a patent, Rule 26 (1)	2.00
2. On convention application for a patent, Rule 26 (1) and Section 7 (5) In respect of each application for protection in a convention country	2.00
3. On filing provisional specification, Rule 26 (1)	Nil
4. On filing complete specification Rule 26 (1)	10.00
5. On application for extension of any of the periods allowed under Rules 26 (2), 27 (3) (other than the extension allowed for in the first proviso thereto), 34 (5), 35 (1) and 50 (4) For each month of extension	1.00
6. On application for extension of time for filing complete specification, Rule 28 For each month of extension	3.00
7. On application for post-dating under section 11 (3) For each month	3.00
8. On request to the Controller to state grounds of his decision in any ex parte proceedings, Rule 19 (2)	2.00
9. On application for deletion of a reference, Rule 35 (3)	2.00
10. On application for extension of the period for putting an application in order, Rule 36 (3) For each month of extension	2.00
11. On application for postponement of acceptance of complete specification, Rule 36 (4) For each month of extension	2.00
12. On notice of opposition to the grant of a patent, Rule 38	2.00
13. On filing counter-statement in any inter partes proceeding, Rule 39 and Rules dependent thereon	2.00
14. On notice of desire to be heard in any <i>inter partes</i> proceeding by Controller, Rule 46 (2) and Rules dependent thereon By each party	2.00
15. On request to the Controller to state grounds of his decision in any <i>inter partes</i> proceeding, Rule 46 (5) and Rules dependent thereon	3.00
16. On request under section 21 (3), Rule 51, or claim under section 21 (4), Rule 52	1.00
17. On application for extension of period under section 21 (5), Rule 53	1.00
18. On application for certificate under section 21 (8), Rule 54	2.00
19. On making claim under section 22 (1) for change of applicant, Rule 56	2.00
20. On application for directions under section 22 (5), Rule 57	5.00
21. On request for the sealing of a patent. Rule 58 (1)	5.00
22. On application for extension of time for the sealing of a patent, Rule 58 (3) For each month	2.00
23. On application for amendment of patent under section 24, Rule 60	5.00

£

12.00

13.00

14.00

15.00

17.00

19.00

21.00

23.00

25.00

25.00

27.00

27.00

2.00

2.00

2.00

4.00

4 00

4.00

10.00

2.00

5.00

15.00

2.00

5.00

15.00

2.00

5.00

2.00

3.00

5.00

2.00

2.00

2.00

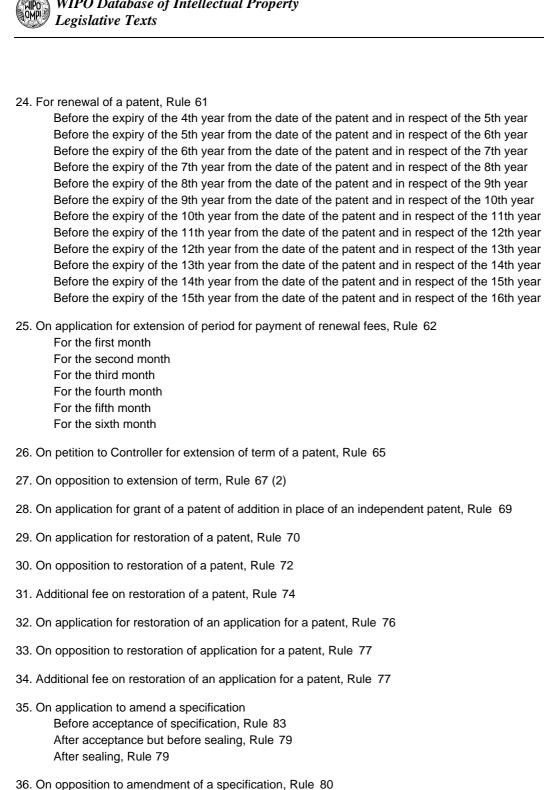
2.00

5.00

5.00

5.00

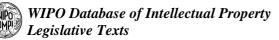
2.00



38. On application for revocation of patent under section 35, Rule 87 39. On opposition to surrender of patent, Rule 91 40. On application under section 37 for endorsement of patent "Licences of Right ",Rule 93 41. On application for settlement of terms, Rule 94 42. On application for cancellation of endorsement "Licences of Right", Rule 95 43. On opposition to cancellation of endorsement "Licences of Right ",Rule 96

37. On application to amend an application for a patent, Rule 84

	£
44. On application for compulsory licence or endorsement under section 39, Rule 98	5.00
45. On application for compulsory licence under section 42, Rule 99	5.00
46. On application for revocation of a patent under section 43, Rule 98	5.00
47. On opposition to compulsory licence, endorsement or revocation of a patent under section 44 (3), Rule 101	2.00
48.On notice of intention to exhibit or publish under section 48 (2), Rule 112	2.00
49. On application for direction to co-owners under section 52, Rule 103	5.00
50. On application to determine a dispute under section 53, Rule 104	5.00
51. On application to alter name or nationality or address or address for service in register, Rule 106 For each patent	0.25
52. On application to register a subsequent proprietor of, or a mortgage, licence or other instrument concerning a patent, or of, or concerning. two or more patents standing in the same name and where the change of title or interest is the same in each case, Rule 107	
(a) If made within six months from the date of acquisition of proprietorship or interest	
(i) For one patent	2.00
<ul><li>(ii) For every other patent included in the application</li><li>(b) If made after expiration of six months but within twelve months from the date of acquisition of proprietorship or interest</li></ul>	0.50
(i) For one patent	4.00
<ul> <li>(ii) For every other patent included in the application</li> <li>(c) If made after expiration of twelve months but within twenty-four months from the date of acquisition of proprietorship or interest</li> </ul>	0.50
For one patent For every other patent included in the application	6.00 0.50
<ul> <li>(d) If made more than twenty-four months after the date of acquisition of proprietorship or interest</li> </ul>	0.50
(i) For one patent	8.00
(ii) For every other patent included in the application	0.50
53. On application for the cancellation of an entry in the register of patents, Rule 109	1.00
54. On application to the Controller for rectification of the register of patents under section 65, Rule 110	3.00
55. On opposition to rectification by the Controller of the register of patents, Rule 110	2.00
56. On application to correct a clerical error, Rule 113	0.50
<ul><li>(a) Up to sealing of the patent</li><li>(b) After sealing of the patent</li></ul>	0.50 1.00
57. For certificate of Controller other than a certificate under Item 58, Rule 114	1.00
58. For certifying office copies, MSS., typed, printed or photographic, Rule 114, each	0.50
<ul> <li>59. On request–</li> <li>(a) for the furnishing within three years of the date of the request of information of the kind referred to in sub-paragraph (a) or (b) of Rule 116 (1), or</li> </ul>	
(b) for the furnishing within one year of the date of the request of information of the kind referred to in sub-paragraph (c) (d) (e) or (f) of the said Rule 116 (1) or in Rule 116 (2)	1.00
60. On application for a duplicate patent, Rule 118	5.00
61. On lodgment of notice of Order of Court, Rule 123	1.00



	£
62. For typed copies of documents, Rule 115 For each 100 words or less	0.15
63. For photographic copies of documents, Rule 115 For each foolscap sheet	0.05
64. For inspection of a register or other document or thing open to public inspection, Rule 37, 111 and 117 For every quarter of an hour	0.15
65. On application for insertion of notice in the Journal for the purposes of section 13 (7) of the Copyright Act, 1963	1.00
66. On application under Rule 17 for a hearing	4.00

GIVEN under my Official Seal this eleventh day of February, 1974.

### JUSTIN KEATING,

Minister for Industry and Commerce.

The Minister for Finance hereby sanctions the making of the foregoing Rules insofar as they are made under section 80 of the Patents Act, 1964 (No. 12 of 1964).

GIVEN under the Official Seal of the Minister for Finance, this eleventh day of February, 1974.

#### RICHIE RYAN, Minister for Finance.

### EXPLANATORY NOTE.

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Rules provide for certain revisions of the fees payable in respect of patents.