



## PATENTS (AMENDMENT) RULES, 1970.

STATUTORY INSTRUMENTS.

S.I. No. 159 of 1970.

DUBLIN:  
PUBLISHED BY THE STATIONERY OFFICE.

To be purchased from the  
GOVERNMENT PUBLICATIONS SALE OFFICE, G.P.O. ARCADE, DUBLIN 1,  
or through any Bookseller.

3 1/2p

(Prl. 1297)

I, PATRICK J. LALOR, 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, in so far 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, 1970.
- (2) The Rules of 1965 and these Rules may be cited together as the Patents Rules, 1965 to 1970.

2. In these Rules “the Rules of 1965” means the Patents Rules, 1965 (S.I. No. 268 of 1965).

3. Rule 8 of the Rules of 1965 is hereby amended by the substitution for “a translation thereof (attested to the satisfaction of the Controller) shall be furnished to the Controller” of “it shall be accompanied by a translation thereof attested to the satisfaction of the Controller”.

4. The following rule is hereby substituted for Rule 25 of the Rules of 1965:

“25. The period referred to in section 6 (3), during which a convention application may be made, shall be, and shall be deemed always to have been, twelve months and one day”.

*Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 21st July, 1970.*

5. Rule 26 of the Rules of 1965 is hereby amended by the substitution of the following paragraphs for paragraph (2):

“(2) The second copy of the specification and drawings referred to in paragraph (1) (a), the authority referred to in paragraph (1) (b) and the statement referred to in paragraph (1) (h) may be furnished at any time not later than three months after the date of filing the application or specification, as the case may be, and the probate or letters of administration referred to in paragraph (1) (d), the declarations referred to in subparagraphs (e) and (f) of paragraph (1) and the specifications and drawings referred to in paragraph (1) (g) may be furnished at any time not later than six months after the date of filing the application.

(3) The period referred to in paragraph (2) may be extended by the Controller for a further period not exceeding, in the case of the documents referred to in the said subparagraphs (a) and (h), six months, in the case of the documents referred to in the said subparagraph (b), nine months, and in the case of the documents referred to in the said subparagraphs (d), (e), (f) and (g), twelve months, if request for such extension, accompanied by the prescribed fee or evidence of the payment thereof, is made on Form 3 in Schedule II at any time within the extended period specified in the request”.

6. Rule 27 of the Principal Rules is hereby amended—

(a) by the substitution in subparagraph (3) (a) for “two years” of “two years and six months”, and

(b) by the substitution for the second proviso to paragraph (3) of the following proviso:

“provided also that the period referred to in paragraph (3) (a) may be extended by the Controller for a further period not exceeding six months and that the period referred to in paragraph (3) (b) may, subject to section 17 and Rule 36, be extended by the Controller if, in each case, request for such extension, accompanied by the prescribed fee, or evidence of payment thereof, is made on Form 3 in Schedule II at any time within the extended period specified in the request”.

7. Rule 32 of the Rules of 1965 is hereby amended by the substitution for “A marginal line should be drawn at a distance of half an inch or 2 cm. from each side of the sheet and the figures must lie within this line”, of “A clear margin of half an inch or 2 cm. must be left at each side of the sheet”.

8. Rule 46 of the Rules of 1965 is hereby amended by the insertion of the following paragraph after paragraph (6):

“(7) Where a written statement of the grounds of a decision is furnished to one of the parties, the Controller shall notify every other party and the statement shall be open to public inspection”.

9. Schedule I to the Rules of 1965 is hereby amended—

(a) by the substitution at reference number 5 for “27 (2)”, of “27 (3) (other than the extension allowed for in the first proviso thereto)”, and

(b) by the substitution for the matter at reference number 59 of the following:

“On request—

(a) for the furnishing within three years of the date of the request of information of the kind referred to in subparagraph (a) or (b) of Rule 116 (1), or

(b) for the furnishing within one year of the date of the request of information of the kind referred to in subparagraph (c), (d), (e) or (f) of the said Rule 116 (1) or in Rule 116 (2) £1.0.0.”.

GIVEN under my Official Seal, this 9th day of  
July, 1970.

PATRICK J. LALOR.

The Minister for Finance hereby sanctions the making of the foregoing Rules in so far 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 9th day of July, 1970.

SEOIRSE Ó COLLA.



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EXPLANATORY NOTE.

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

These Rules provide for amendment of the Patents Rules, 1965, by modifying the time-limits laid down in certain cases.