



## Patents Act 1983 Patents Regulations (Amendment) 2001

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In exercise of the powers conferred by section 87 of the Patents Act 1983 [*Act 291*], the Minister makes the following regulations:

#### **Citation and Commencement**

- 1.—(1) These regulations may be cited as the Patents Regulations (Amendment) 2001.
- (2) These Regulations come into operation on 1 August 2001.

#### **Amendment of Regulation 29**

2. Regulation 29 of the Patents Regulation 1986 [*P.U. (A) 327/86*], which in these Regulations are referred to as the “principal Regulations” are amended—

- (a) by substituting for the full stop at the end of paragraph (f) the words “; and”; and
- (b) by inserting after paragraph (f) the following paragraph:  
“(g) the date the certificate of grant of the patent is issued.”.

#### **Amendment of Regulation 38**

3. Regulation 38 of the principal Regulations are amended:

- (a) by renumbering regulation 38 as subregulation 38(1); and
- (b) by inserting after subregulation (1) the following subregulation:

“(2) For the purpose of section 49(2) of the Act, the reasonable period of time shall be six months from the initial efforts made to obtain authorization from the owner of the patent.”.

**Amendment of Schedule I**

4. Part II of Schedule I to the principal Regulations is amended—

(a) by substituting for item No. 8 the following item:

<i>(1)</i> Item No.	<i>(2)</i> Matter/Proceeding	<i>(3)</i> Fee (RM)
“8.	Annual fee for patent:	
	<i>(a)</i> for second year after grant of patent	200.00
	<i>(b)</i> for third year after grant of patent	250.00
	<i>(c)</i> for fourth year after grant of patent	300.00
	<i>(d)</i> for fifth year after grant of patent	350.00
	<i>(e)</i> for sixth year after grant of patent	400.00
	<i>(f)</i> for seventh year after grant of patent	450.00
	<i>(g)</i> for eight year after grant of patent	500.00
	<i>(h)</i> for ninth year after grant of patent	550.00
	<i>(i)</i> for tenth year after grant of patent	600.00
	<i>(j)</i> for eleventh year after grant of patent	650.00
	<i>(k)</i> for twelfth year after grant of patent	700.00
	<i>(l)</i> for thirteenth year after grant of patent	800.00
	<i>(m)</i> for fourteenth year after grant of patent	900.00
	<i>(n)</i> for fifteenth year, after grant of patent	1000.00
	<i>(o)</i> for sixteenth year after grant of patent	1200.00
	<i>(p)</i> for seventeenth year after grant of patent	1400.00
	<i>(q)</i> for eighteenth year after grant of patent	1600.00
	<i>(r)</i> for nineteenth year after grant of patent	1800.00
	<i>(s)</i> for twentieth year after grant of patent	2000.00

Provided that the duration of a patent shall not exceed twenty years from the filing date of the application.”;



(b) by substituting for item No. 12 the following item:

(1) Item No.	(2) Matter/Proceeding	(3) Fee (RM)
"12.	Annual fee for certificate for utility innovation:	
	(a) for third year after grant of certificate	120.00
	(b) for fourth year after grant of certificate	160.00
	(c) for fifth year after grant of certificate	160.00
	(d) for sixth year after grant of certificate	200.00
	(e) for seventh year after grant of certificate	200.00
	(f) for eighth year after grant of certificate	240.00
	(g) for ninth year after grant of certificate	240.00
	(h) for tenth year after grant of certificate	280.00
	(i) for eleventh year after grant of certificate	400.00
	(j) for twelfth year after grant of certificate	600.00
	(k) for thirteenth year after grant of certificate	700.00
	(l) for fourteenth year after grant of certificate	800.00
	(m) for fifteenth year after grant of certificate	1000.00
	(n) for sixteenth year after grant of certificate	1100.00
	(o) for seventeenth year after grant of certificate	1200.00
	(p) for eighteenth year after grant of certificate	1300.00
	(q) for nineteenth year after grant of certificate	1400.00
	(r) for twentieth year after grant of certificate	1500.00

Provided that the duration of a certificate for a utility innovation shall not exceed twenty years from the filing date of the application.”; and



(c) by inserting after item No. 17 and the particulars relating to it the following items:

(1) Item No.	(2) Matter/ Proceeding	(3) Fee (RM)
“18.	Surcharge for late payment of annual fee	100% of fee for year concerned
19.	Public search through computer	20.00 per hour
20.	Computer print-out (Bibliography data)	5.00 per page
21	Permitted information (upon request)	100.00 for less than 10 pages and 5.00 for the subsequent pages”.

### Amendment of Schedule II

5. Schedule II to the principal Regulations is amended by substituting for Form 1 the following form:

SCHEDULE  
(Regulation 29)

FORM

<p><b>Patents Form No. 1</b> PATENTS ACT 1983</p> <p>REQUEST FOR GRANT OF PATENT (Regulation 7(1))</p> <p>To: The Registrar of Patents Patent Registration Office Kuala Lumpur Malaysia</p>	<p><b>For Official Use</b></p> <p>APPLICATION NO.: .....</p> <p>Filing Date: .....</p> <p>Request received on: .....</p> <p>*Fee received on: .....</p> <p>Amount: .....</p> <p>*Cheque/Postal Order/Money Order/Draft/Cash No.: .....</p>
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Please submit this Form in duplicate together with the prescribed fee.	Applicant's or Agent's file reference .....
THE APPLICANT (S) REQUEST (S) THE GRANT OF A PATENT IN RESPECT OF THE FOLLOWING PARTICULARS:	
I. TITLE OF INVENTION: ..... .....	
II. APPLICANTS) (the data concerning each applicant must appear in this box or, if the space is insufficient in the space below)	
Name: ..... H.S.C./Passport No.: ..... Address: ..... Address for service in Malaysia: ..... Nationality: ..... *Permanent residence or principal place of business: ..... ..... Telephone No. (if any): ..... Fax No. (if any): .....	
Additional Information (if any):	
III. INVENTOR	
Applicant is the inventor: Yes <input type="checkbox"/> No <input type="checkbox"/>	
If the applicant is not the inventor:	
Name of inventor: ..... Address of inventor: .....	
A Statement justifying the applicant's right to the patent accompanies this Form:	
Yes <input type="checkbox"/> No <input type="checkbox"/>	
Additional Information (if any):	



IV. AGENT OR REPRESENTATIVE

Applicant has appointed a patent agent in accompanying Form No. 17:

Yes

No

Agent's Registration No.: .....

Applicants have appointed ..... to be their common representative.

V. DIVISIONAL APPLICATION

This application is a divisional application

The benefit of the

filing date

priority date

of the initial application is claimed in as much as the subject-matter of the present application is contained in the initial application identified below:

Initial Application No.: .....

Date of filing of initial application: .....

VI. DISCLOSURES TO BE DISREGARDED FOR PRIOR ART PURPOSES

Additional information is contained in supplemental box:

(a) Disclosure was due to acts of applicant or his predecessor in title

Date of disclosure: .....

(b) Disclosure was due to abuse of rights of applicant or his predecessor in title

Date of disclosure: .....

A statement specifying in more detail the facts concerning the disclosure accompanies this form:

Yes

No

Additional Information (if any):



VII. PRIORITY CLAIM (if any)

The priority of an earlier application is claimed as follows:

Country (if the earlier application is a regional or international application, indicate the office with which it is filed):

.....

Filing Date: .....

Application No: .....

Symbol of the International Patent Classification:

If not yet allocated, please tick

The priority of more than one earlier application is claimed:

Yes  No

The certified copy of the earlier application (s) accompanies this Form:

Yes  No

If No, it will be furnished by ..... (date)

Additional Information (if any):



VIII. CHECK LIST

A. This application contains the following:

1. request	.....	sheets
2. description	.....	sheets
3. claim	.....	sheets
4. abstract	.....	sheets
5. drawings	.....	sheets
Total	.....	sheets

B. This Form, as filed, is accompanied by the items checked below (please tick where appropriate):

(a) signed Form No. 17	<input type="checkbox"/>
(b) declaration that inventor does not wish to be named in the patent	<input type="checkbox"/>
(c) statement justifying applicant's right to the patent	<input type="checkbox"/>
(d) statement that certain disclosures be disregarded	<input type="checkbox"/>
(e) priority document (certified copy of earlier application)	<input type="checkbox"/>
(f) cash, cheque, money order, banker's draft or postal order for the payment of application fee	<input type="checkbox"/>
(g) other documents (specify)	<input type="checkbox"/>

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IX. SIGNATURE ..... (Date) .....  
*\*\*(Applicant/Agent)*

If Agent, indicate Agent's Registration No.: .....

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**For Official Use**

1. Date application received: .....

2. Date of receipt of correction, later filed papers or drawings completing the application: .....

\* Delete where inapplicable.

\*\* Type name under signature and delete where inapplicable.?

Made 23 July 2001.

[KPDN/BHI/PAT/201JSJ.1; PN(PU2)410/V]

TAN SRI DATO' HAJI MUHYIDDIN HAJI MOHD. YASSIN  
Minister of Domestic Trade and Consumer Affairs