STATUTORY INSTRUMENTS

1961 No. 1016

PATENTS

The Patents Appeal Tribunal (Amendment) Rules, 1961

Made - - - - 17*th May*, 1961
Coming into Operation 19*th June*, 1961

I, the Honourable George Harold Lloyd-Jacob, the Judge of the High Court nominated by the Lord Chancellor to be the Appeal Tribunal constituted under section 85 (2) of the Patents Act, 1949(a), do, by virtue of section 85 (8) of the Act and all other powers enabling me in this behalf, hereby make the following Rules :—

1.—(1) These Rules may be cited as the Patents Appeal Tribunal (Amendment) Rules, 1961.

(2) The Interpretation Act, 1889(b), shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

(3) In these Rules a Rule referred to by number means the Rule so numbered in the Patents Appeal Tribunal Rules, 1950(c), as amended.

2. In Rule 1 for the words "Room 174" there shall be substituted the words "Room 169".

3.—(1) After Rule 5 there shall be inserted the following Rule :—

"5A. Where a respondent desires to contend on the appeal that the decision appealed against should be affirmed on grounds other than those set out in the decision, he shall, within seven days after receipt by him of the notice of appeal, send to the appellant and the Comptroller notice of his desire, specifying the grounds of his contention, and shall, within two days after doing so, furnish the Registrar with two copies of the notice."

(2) Nothing in this Rule shall affect any appeal brought before the coming into operation of these Rules.

4. Except as provided in the last foregoing Rule these Rules shall come into operation on the 19th day of June, 1961.

Dated the 17th day of May, 1961.

G. H. Lloyd-Jacob.

EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to indicate their general purport.)

These Rules insert in the Patents Appeal Tribunal Rules, 1950, a provision requiring a respondent to give notice of any intention on his part to support the decision appealed against on new grounds. They also make a minor correction in Rule 1 of the 1950 Rules.

(a) 12, 13 & 14 Geo. 6. c. 87. (b) 52 & 53 Vict. c. 63.
(c) S.I. 1950/392 (1950 II, p. 201).