

Serial Number 1948/39



THE PATENTS AMENDING REGULATIONS 1948

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 17th day of
March, 1948

Present :

THE RIGHT HON. P. FRASER PRESIDING IN COUNCIL

PURSUANT to the Patents, Designs, and Trade-marks Act, 1921-22, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. These regulations may be cited as the Patents Amending Regulations 1948, and shall be read together with and deemed part of the regulations relating to patents made on the 26th day of June, 1922* (hereinafter referred to as the principal regulations).

2. The principal regulations, as heretofore amended†, are hereby further amended by adding, after Regulation 113, the following additional heading and regulation :—

“ DESTRUCTION OF RECORDS

“ 114. (1) Where under section 7 of the Patents, Designs, and Trade-marks Act, 1921-22, an application for a patent has been deemed to be abandoned for a continuous period of one year, the Commissioner may, at the expiration of that period, destroy all or any of the file records in respect of the said application, including the specifications and drawings (if any) accompanying or left in connection with the said application.

* *Gazette*, 1922, Vol. II, page 1669.

† Statutory Regulations 1947, Serial number 1947/2, page 3.

“(2) Where under section 72 of the Patents, Designs, and Trade-marks Amendment Act, 1939, an application for a patent remains void for a continuous period of five years, or where a patent remains unsealed for a period of five years after the last date on which it could lawfully be sealed, or where the prescribed renewal fees in respect of a patent remain unpaid for a period of five years after the due date of payment, or where a period of five years has elapsed since the expiration of a patent and any extension thereof, the Commissioner, at the expiration in each case of the said period of five years, may destroy all or any of the file records in respect of the said application or patent except the file copies of the patent specifications and drawings and any relevant search data.”

T. J. SHERRARD,
Acting Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette*: 24th day of March, 1948.
These regulations are administered in the Department of Justice.