

Serial Number 1951/185

THE PATENTS AMENDING REGULATIONS 1951

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 15th day of
August, 1951

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL 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, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Patents Amending Regulations 1951, 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) These regulations shall come into force on the 1st day of September, 1951.

2. The First Schedule to the principal regulations is hereby amended—

(a) By omitting the items relating to the fees payable on an application with provisional specification, on an application with complete specification, and on filing a complete specification subsequently; and substituting the following items—

	£	s.	d.
“ On filing application for patent	2	0	0
“ On filing complete specification	3	0	0” :

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

Amendments in force :—

Gazette, 1923, Vol. II, page 1634.

Gazette, 1924, Vol. III, page 2972.

Gazette, 1925, Vol. I, page 1041.

Statutory Regulations 1945, Serial number 1945/121, page 295.

Statutory Regulations 1946, Serial number 1946/143, page 405.

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

Statutory Regulations 1947, Serial number 1947/136, page 495.

Statutory Regulations 1948, Serial number 1948/39, page 124.

Statutory Regulations 1949, Serial number 1949/139, page 575.

Statutory Regulations 1950, Serial number 1950/124, page 418.

(b) By omitting the items relating to the fees payable before the expiration of the third and sixth years from the commencement of a patent, and substituting the following items—

“ Before the expiration of the fourth year from the date of the patent	£	s.	d.
“ Before the expiration of the seventh year from the date of the patent	4	0	0
“ Before the expiration of the tenth year from the date of the patent	7	0	0
“ Before the expiration of the thirteenth year from the date of the patent	10	0	0
“ Before the expiration of the thirteenth year from the date of the patent	13	0	0”.

3. Notwithstanding anything to the contrary in the principal regulations as amended by the last preceding regulation, where a patent has been granted before the 1st day of September, 1951, or is granted at any time thereafter, upon an application filed before the 1st day of September, 1951,—

(a) If the sixth year from the date of the patent has expired before the 1st day of September, 1951, and the two renewal fees prescribed by the scale of fees in force before that date have been duly paid, whether before or after that date, no additional renewal fees shall be payable in respect of the patent :

(b) If the sixth year from the date of the patent has not expired before the 1st day of September, 1951, but the two renewal fees prescribed by the scale of fees in force before that date have been duly paid before the 17th day of July, 1951, no additional renewal fees shall be payable in respect of the patent :

(c) If the sixth year from the date of the patent has not expired before the 1st day of September, 1951, and paragraph (b) of this regulation does not apply, the renewal fees payable in respect of the patent shall be as follows :—

Before the expiration of the third year from the date of the patent	£	s.	d.
Before the expiration of the sixth year from the date of the patent	3	0	0
Before the expiration of the tenth year from the date of the patent	6	0	0
Before the expiration of the tenth year from the date of the patent, or the expiration of the period of six months after the date on which the Commissioner sends notice requiring payment of the renewal fee by post to the patentee and his authorized agent (if any) at their usual or last known places of business, whichever later expires	10	0	0
Before the expiration of the thirteenth year from the date of the patent	13	0	0

4. Where a fee on filing an application for a patent or on filing a complete specification has been paid on or after the 1st day of September, 1951, and not later than the 31st day of December, 1952, according to the scale of fees in force before the 1st day of September, 1951, the Commissioner may accord the date of that payment to the

document conditionally upon the balance of the fee, according to the scale of fees in force on and after the 1st day of September, 1951, being paid within such extended time as the Commissioner may allow. No additional fee shall be payable upon any such extension of time.

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

EXPLANATORY NOTE

[This note is not part of the regulations, but is intended to indicate their general effect.]

These regulations vary the fees payable on and after the 1st September, 1951, in respect of applications for patents, the filing of complete specifications, and the renewal of patents, and increase the number of renewal fees payable.

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette*: 16th day of August, 1951.
These regulations are administered in the Department of Justice.