



REPUBLIC OF VANUATU

**REGISTRATION OF UNITED KINGDOM PATENTS
(AMENDMENT)
ACT NO. 14 OF 2008**

Arrangement of Sections

- 1 Amendment**
- 2 Commencement**

REPUBLIC OF VANUATU

Assent: 12/06/2008
Commencement: 07/07/2008

REGISTRATION OF UNITED KINGDOM PATENTS (AMENDMENT) ACT NO. 14 OF 2008

An Act to amend the Registration of United kingdom Patent Act [CAP 80].

Be it enacted by the President and Parliament as follows:

1 Amendment

The Registration of United Kingdom Patents Act [CAP 80] is amended as set out in the Schedule.

2 Commencement

This Act commences on the day on which it is published in the Gazette.

SCHEDULE

AMENDMENTS OF THE REGISTRATION OF UNITED KINGDOM PATENT ACT [CAP 80]

1 Title of the Act

Delete “UNITED KINGDOM”, substitute “EU”.

2 Before section 1

Insert

“1AA. Interpretation

For the purposes of this Act unless the context requires otherwise:

Comptroller means the Comptroller – General of Patents, Designs, and Trade Marks of a Member State or any Government authority entrusted with the granting of Patents in a Member State;

EU means the European Union established by the Maastricht Treaty (formerly the Treaty on European Union);

Member State means a country which is a member state of the European Union.”

3 Section 1 (heading)

Delete “United Kingdom”, substitute “Member States”

4 Section 1

(a) Delete “the grantee of a patent in the United Kingdom” substitute “the proprietor of a patent granted in a Member State under the law of the Member State, or in accordance with the terms of an International Treaty, Convention, Arrangement or Agreement to which the Member State is a party”

(b) Delete “grantee” (second occurring) substitute “proprietor”

5 Section 2

(a) Delete “United Kingdom”

(b) Delete “,who shall be a public servant”

6 Section 3

Delete “the United Kingdom patent and a certificate of the Comptroller-General of the United Kingdom Patent Office” substitute “the patent granted in the Member State and a certificate of the Comptroller of the Member State”

7 Section 4

After “Registrar may”, insert “on payment of the prescribed fee”

8 Section 5

Delete “United Kingdom”,(wherever occurring) substitute “Member State”

9 Section 6

(a) Delete “United Kingdom”,(first occurring),substitute “Member State, in which the patent is granted”

(b) Delete “United Kingdom” (second occurring), substitute “Member State”

10 Subsection 8(1)

(a) Delete “the United Kingdom”

(b) Delete “for the time being in force in the United Kingdom”, substitute “of the Member State in which the patent is granted.”

11 Subsection 8(2)

(a) Delete “United Kingdom” (first, second and third occurring) substitute “Member State”

(b) Delete all the words from and including “in section 5 of the Patents Act, 1949, of the United Kingdom.”, substitute “under the law of the Member State in which the patent is granted.”

12 Section 9

Repeal the section, substitute

“9. Substitution amended for original specification, etc

Whenever the specification or drawings of a patent registered in Vanuatu under this Act has been amended under the law of a Member State, a request accompanied by a copy of the specification and drawings (if any) as amended duly certified by the Comptroller of the Member State may be made to the Registrar to substitute a copy of the specification and drawings as amended for the specification and drawings originally filed.”

13 Schedule

Repeal the Schedule, substitute

“SCHEDULE

(section 13)

The fees specified in the second column are to be paid in respect of the acts specified in the first column, corresponding to such fees.

	<i>Fee US\$</i>
To issue a certificate of registration under section 4	250
To inspect any document filed or any entry made in the Register	25
To substitute any amended specification and drawings	100
To register any assignment, or other transmission under section 10	100
To provide a certified copy or an extract of an entry in the Register	25
To file any document not otherwise provided for	20
To:	
(a) provide a copy of any document filed under this Act, for each page (subject to a minimum of US\$10)	2
(b) certify any such copy	50”

