

NOTICE 1358 OF 2003

DEPARTMENT OF TRADE AND INDUSTRY

PATENTS ACT, 1978 (ACT NO. 57 OF 1978)

AMENDMENT OF REGULATIONS 67B, 67C, 67E AND 67F

I, ALEXANDER ERWIN, Minister of Trade and Industry, hereby publish the amendments of Regulations 67B, 67C, 67E and 67F (**Annexure A**).

The amendments will come into effect on the date of publication of this Notice.

Alec Erwin, MP

MINISTER OF TRADE AND INDUSTRY

GENERAL EXPLANATORY NOTICE:

[] Words in bold type in square brackets indicate omissions from existing regulations

____ Words underlined with solid line indicate insertions in existing regulations

PATENTS AMENDMENT REGULATIONS**Amendment of regulation 67B of the Patent Regulations, 1978**

1. Regulation 67B of the Patent Regulations, 1978, is hereby amended by

(a) the insertion of the following subregulation:

"(2) The translation referred to in section 43E(1)(b) shall be lodged within six months of the date of lodgement of form P25."

(b) by the substitution for subregulations (2) and (3) of the following subregulations:

"[(2)]3. Within one month of complying with sections 43E(1)(a), the applicant shall lodge a form P2.

[(3)]4. Within six months of complying with section 43E(1)(a), or within such further time as the Registrar may on request allow, the applicant shall lodge a form P3."

Amendment of regulation 67C of the Patent Regulations, 1978

2. Regulation 67C of the Patent Regulations, 1978, is hereby amended by the deletion in subregulation (a) of the numeral [21] and the substitution therefor of the numeral 31.

Amendment of regulation 67E of the Patent Regulations, 1978

3. [(2) **If the missing translation is not furnished within that time limit, the amendment shall be deemed not to have been made.**]

Amendment of regulation 67F of the Patent Regulations, 1978

4. The following regulation is hereby substituted for regulation 67F of the Patents Regulations, 1978:

"Appointment of agent

67F. Regulation 9 and 10 shall apply to section 43F(3)(a)(ii) and the prescribed time referred to in section 43F(3)(a)(ii) shall be [two] six months

calculated from the date on which the applicant complies with the requirements of section 43E(1), or such further period as the registrar may on request allow."

Amendment of regulation 67H of the Patent Regulations, 1978

5. The following regulation is hereby substituted for regulation 67H of the Patents Regulations, 1978:

"Acceptance, publication and sealing

- 67H. Subject to the provisions of section 40, when read with section 43F(h), sections 42 and 44 and regulations 44 and 47 shall apply *mutatis mutandis* to the national phase of an international application."