



Advancing Industry's View On Intellectual Property Since 1920

TMPDF comments to UKPO consultations re proposed changes to the Patent Rules

Our Ref: PP02/07

1. Consultation ending 7 February 2007 re Patent Rules

Proposal 1 : confidentiality of documents;

Proposal 2: duplicate copies of patent application filings;

Proposal 3: late declaration of priority in respect of PCT applications.

We are content as proposed.

2. Consultation ending 23 February re Choice of address for service for EP (UK) patents on grant

We prefer option B *i.e. change the system so that unless told of another AFS the UKPO will chose the EP representative as AFS.*

Please note that the AFS before the EPO will be an office familiar with patent formalities and generally located within the EU or at least EPO contracting states. The first named applicant may be outside the EPO states and unfamiliar with the significance of any formal notices served on it. IF the EP AFS is a professional adviser he will be bound by his professional rules of conduct to contact the proprietor even if the AFS is no longer retained as an adviser.

Moreover for large companies the EP AFS will normally be the IP department whereas the address of the proprietor will be the registered office which may be physically and organisationally remote.

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NOTE: TMPDF represents the views of UK industry in both IPR policy and practice matters within the EU, the UK and internationally. These comments represent the views of the innovative and influential companies which are members of this well-established trade association; see list of members below.

TMPDF members 2007

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