



ANGUILLA

REVISED REGULATIONS OF ANGUILLA

under

PATENTS ACT R.S.A. c. P15

Showing the Law as at 15 December 2004

This Edition was prepared under the authority of the Revised Statutes and Regulations Act, R.S.A. c. R55 by the Attorney General as Law Revision Commissioner.

Regulation	Citation	Page
PATENTS REGULATIONS <i>Revises R.A. 12/2004, in force 7 July 2004</i>	R.R.A. P15-1 <i>(15/12/2004)</i>	3

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Revised Regulations of Anguilla: P15-1

PATENTS ACT, R.S.A. c. P15

PATENTS REGULATIONS

Note: These Regulations are enabled under section 39 of the Patents Act, R.S.A. c. P15.

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PART 1
PRELIMINARY

Interpretation

1. In these Regulations, unless the context otherwise requires—

“Act” means the Patents Act;

“published” includes publication on the internet.

Fees

2. The fees to be paid in respect of matters arising under the Act or these Regulations shall be those specified in Schedule 1.

Forms

3. (1) The forms referred to in these Regulations are those set out in Schedule 2.

(2) Documents required or authorized by the Act or these Regulations to be sent to the Registrar may be transmitted by telefacsimile or electronic mail, and the date of application shall be the date of transmission, provided that the original of the document so transmitted is filed with the Registrar within 1 month of such transmission.

Language of documents and translations

4. Applications shall be in the English language, and any document forming part of an application or submitted to the Registrar pursuant to the Act or these Regulations and which is in a language other than English shall be accompanied by an English translation.

Indication of names, addresses, nationality and residence

5. (1) Names of natural persons shall be indicated by the person’s family name and given name(s), the family name being indicated before the given name(s); the names of legal entities shall be indicated by their full, official designations.

(2) Addresses shall be indicated in such a way as to satisfy the customary requirements for prompt postal delivery at the indicated address and, in any case, shall consist of all the relevant administrative units, including the house number, if any; addresses shall also indicate telegraphic and telex addresses and telephone numbers.

(3) Nationality shall be indicated by the name of the State of which a person is a national; legal entities shall indicate the name of the State under whose laws they are constituted and their Registered Office.

(4) Residence shall be indicated by the name of the State of which a person is a resident.

Signatures by partnerships, companies and associations

6. (1) A document purporting to be signed for or on behalf of a partnership shall contain the names of all the partners in full and shall be signed by all or by any partner qualified to sign, stating that he signs on behalf of the partnership, or by any other person who satisfies the Registrar that he is authorized to sign the document.

(2) A document purporting to be signed for or on behalf of a body corporate shall be signed by a director or by the secretary or other principal officer of the body corporate, or by any other person who satisfies the Registrar that he is authorized to sign the document and shall bear the seal of the body corporate.

(3) A document purporting to be signed for or on behalf of an association of persons may be signed by any person who satisfies the Registrar that he is duly authorized.

(4) The Registrar may, whenever he deems it necessary, request evidence of authorization to sign.

PART 2

APPLICATION AND PROCEDURE FOR GRANT OF PATENTS

Classification of patents

7. The Registrar shall apply the International Patent Classification, as adopted under the Strasbourg Agreement of March 24, 1971, and updated in its subsequent editions, for all purposes relating to the grant and publication of patents, as well as for the maintenance of classified search files.

Request for grant of patent

8. (1) The request for the grant of a patent shall be made in Form No. 1 and shall be signed by each applicant.

(2) The request shall indicate each applicant's name, address, nationality and residence.

(3) Where the applicant is the inventor, the request shall contain a statement to that effect, and, where he is not, it shall indicate each inventor's name and address and be accompanied by the statement justifying the applicant's right to the patent.

(4) If the applicant is represented by an agent, the request shall so indicate and state the agent's name and address.

(5) The title of the invention shall be short (preferably from 2 to 7 words) and precise.

Description

9. (1) The description shall first state the title of the invention as appearing in the request and shall—

- (a) specify the technical field to which the invention relates;
- (b) indicate the background art which, as far as known to the applicant, can be regarded as useful for the understanding, searching and examination of the invention, and, preferably, cite the documents reflecting such art;
- (c) disclose the invention in such terms that it can be understood and state its advantageous effects, if any, with reference to the background art;
- (d) briefly describe the figures in the drawings, if any;
- (e) set forth at least one mode contemplated by the applicant for carrying out the invention; this shall be done in terms of examples, where appropriate, and with reference to the drawings, if any; and
- (f) indicate explicitly, when it is not obvious from the description or nature of the invention, the way in which the invention is industrially applicable and the way in which it can be made and used, or, if it can only be used, the way in which it can be used.

(2) The manner and order specified in subsection (1) shall be followed except when, because of the nature of the invention, a different manner or a different order would result in a better understanding and a more concise presentation.

Claims

10. (1) The number of the claims shall be reasonable taking into account the nature of the invention; if there are several claims, they shall be numbered consecutively in Arabic numerals.

(2) The claims shall define the invention in terms of the technical features of the invention.

(3) Whenever appropriate, claims shall contain—

- (a) a statement indicating those technical features of the invention which are necessary for the definition of the latter but which, in combination, are part of the prior art;
- (b) a characterising portion preceded by the words “characterised in that”, “characterised by”, “wherein the improvement comprises”, or any other words to the same effect stating concisely the technical features which, in combination with the features stated under paragraph (a), it is desired to protect.

(4) Claims shall not, except where absolutely necessary, rely in respect of the technical features of the invention on references to the description or drawings and in particular, they shall not rely on such references as “as described in part of the description” , or “as illustrated in figure of the drawings”.

(5) Where the application contains drawings, the technical features mentioned in the claims shall preferably be followed by the reference signs relating to such features and when used, the reference signs shall preferably be placed between parentheses and if inclusion of reference signs does not particularly facilitate quicker understanding of a claim, it should not be made.

(6) Any claim submitted after the filing date of the application and which is not identified with the claims previously appearing in the application shall, at the choice of the applicant, be submitted either as an amended claim or as a new claim.

(7) The deletion of any claim previously appearing in the application shall be made by indicating the number of the previous claim followed by the word “cancelled”.

Drawings

11. (1) Drawings forming part of an application for a patent shall be on sheets the usable surface area of which shall not exceed 26.2 cm by 17 cm.

(2) The sheets shall not contain frames round the usable or used surface. The minimum margins shall be as follows—

top	2.5 cm
left side	2.5 cm
right side	1.5 cm
bottom	1.0 cm.

(3) Drawings shall be executed as follows—

- (a) without colouring in durable, black sufficiently dense and dark, uniformly thick and well-defined lines and strokes to permit satisfactory reproduction;
- (b) cross-sections shall be indicated by hatching which does not impede the clear reading of the reference signs and leading lines;

- (c) the scale of the drawings and the distinctness of their graphical execution shall be such that a photographic reproduction with a linear reduction in size to two-thirds would enable all details to be distinguished without difficulty and if, as an exception, the scale is given on a drawing it shall be represented graphically;
 - (d) all numbers, letters and reference signs appearing in the drawings shall be simple and clear and brackets, circles and inverted commas shall not be used in association with numbers and letters;
 - (e) elements of the same figure shall be in proportion to each other, unless a difference in proportion is indispensable for the clarity of the figure;
 - (f) the height of the numbers and letters shall not be less than 0.32 cm and for the lettering of drawings, the Latin and, where customary, the Greek alphabet shall be used;
 - (g) the same sheet of drawings may contain several figures but where figures drawn on two or more sheets are intended to form one whole figure, the figures on the several sheets shall be so arranged that the whole figure can be assembled without concealing any part of the partial figures. The different figures shall be arranged without wasting space, clearly separated from one another. The different figures shall be numbered consecutively in Arabic numerals, independently of the numbering of the sheets;
 - (h) reference signs not mentioned in the description or claims shall not appear in the drawings, and vice versa. The same features, when denoted by reference signs, shall, throughout the application, be denoted by the same signs;
 - (i) the drawings shall not contain textual matter, except, when required for the understanding of the drawings, a single word or words such as “water”, “steam”, “open”, “closed”, “section on AA” and in the case of electric circuits and block schematic or flow sheet diagrams, a few short catchwords;
 - (j) the sheets of the drawings shall be numbered in accordance with section 14(7).
- (4) Flow sheets and diagrams are considered drawings.

Abstract

- 12.** (1) The abstract shall be so drafted that it can efficiently serve as a scanning tool for purposes of searching in the particular art.
- (2) The abstract shall consist of the following—
- (a) a summary of the disclosure as contained in the description, the claims, and any drawings, indicating the technical field to which the invention pertains and drafted in a way which allows the clear understanding of the technical problem, the gist of the solution of that problem through the invention and the principal use or uses of the invention; and
 - (b) where applicable, the chemical formula which, among all the formulae contained in the application, best characterises the invention.
- (3) The abstract shall be as concise as the disclosure permits (preferably 50 to 150 words).
- (4) The abstract shall not contain statements on the alleged merits or value of the invention or on its speculative application.

(5) Each main technical feature mentioned in the abstract and illustrated by a drawing in the application shall be followed by a reference sign, placed between parentheses.

(6) The abstract shall be accompanied by the most illustrative of any drawings furnished by the applicant.

Measures, terminology and signs

13. (1) Units of weights and measures shall be expressed in terms of the metric system.

(2) Temperatures shall be expressed in degrees centigrade (Celsius).

(3) Density shall be expressed in metric units.

(4) For indications of heat, energy, light, sound, and magnetism, as well as for mathematical formulae and electrical units, rules in general use shall be observed; for chemical formulae, the symbols, atomic weights, and molecular formulae, in general use, shall be employed.

(5) In general, only such technical terms, signs and symbols should be used as are generally accepted in the art.

(6) The terminology and the signs shall be consistent throughout the application.

Number of copies and physical requirements

14. (1) Subject to section 18(7), the application and any accompanying statements or documents shall be filed in 2 copies, but the Registrar may require the applicant to supply additional copies.

(2) All elements of the application shall be so presented as to admit of direct reproduction by photography, electrostatic processes, photo offset microfilming and electronic document scanning.

(3) Only one side of each sheet contained in the application shall be used.

(4) All elements of the application shall be on paper which is flexible, strong, white, smooth, non-shiny and durable.

(5) The size of the sheets shall be A4 (29.7cm x 21cm), although the Registrar may accept sheets of other sizes.

(6) The minimum margins of sheets shall be as follows—

(a) upper margin of each page, except the first page: 20 mm;

(b) upper margin of the first page: 30 mm;

(c) side margin adjacent to the binding: 25 mm;

(d) other side margin: 20 mm;

(e) bottom margin: 20 mm.

(7) All sheets shall be numbered at the top of the sheet, in the middle, in consecutive Arabic numerals.

(8) In effecting the sequential numbering of the sheets, the elements of the application shall be placed in the following order: the request, the description, the claims, the abstract, the drawings.

(9) The sequential numbering of the sheets shall be effected by using 3 separate series of numbering, the first series applying to the request only and commencing with the first sheet of the request, the second series commencing with the first sheet of the description and continuing through the claims until the last sheet of the abstract, and the third series being applicable to the sheets of the drawings only and commencing with the first sheet of the drawings.

(10) The text matter of the application shall be typed; graphic symbols, chemical or mathematical formulae and certain characters, if necessary, may be handwritten or drawn.

(11) Drawings shall be executed in durable, black, sufficiently dense and dark, uniformly thick and well-defined lines and strokes without colourings.

Unity of invention

15. (1) Section 7(1) of the Act shall be construed as permitting, in particular, one of the following 3 possibilities—

- (a) in addition to an independent claim for a given product, the inclusion in the same application of an independent claim for a process specially adapted for the manufacture of the said product, and the inclusion in the same application of an independent claim for a use of the said product;
- (b) in addition to an independent claim for a given process, the inclusion in the same application of an independent claim for an apparatus or means specifically designed for carrying out the said process; or
- (c) in addition to an independent claim for a given product, the inclusion in the same application of an independent claim for a process specially adapted for the manufacture of the product, and the inclusion in the same application of an independent claim for an apparatus or means specifically designed for carrying out the process.

(2) Subject to section 7(1) of the Act, it shall be permitted to include in the same application 2 or more independent claims of the same category which cannot readily be covered by a single generic claim.

(3) Subject to section 7(1) of the Act, it shall be permitted to include in the same application a reasonable number of dependent claims, claiming specific forms of the invention claimed in an independent claim.

Division of application

16. (1) A divisional application shall contain a reference to the initial application.

(2) If the applicant wishes a divisional application to benefit from any priority claimed for the initial application, the divisional application must contain a request to that effect; in such a case, the declaration of priority and the documents furnished in accordance with section 18 for the initial application shall be deemed to relate also to the divisional application.

(3) Where the priorities of 2 or more earlier applications were claimed for the initial application, a divisional application may benefit only from the priority or priorities that are applicable to it.

Disclosures to be disregarded for prior art purposes

17. An applicant who wishes a disclosure of the invention to be disregarded, in accordance with section 3(4) of the Act for prior art purposes, shall so indicate on the application and shall furnish, in writing, with the application or within 1 month of filing the application, full particulars of the disclosure; where the disclosure was made at an exhibition, the applicant shall file, within the same period, a duly authenticated certificate issued

by the authority responsible for the exhibition containing particulars of the exhibition and stating that the invention was in fact exhibited there.

Declaration of priority and translation of earlier application

18. (1) The declaration referred to in section 8(1) of the Act shall be made at the time of filing the application for the patent and shall indicate—

- (a) the date of filing of the earlier application;
- (b) the number of the earlier application, subject to subsection (2);
- (c) the symbol of the International Patent Classification which has been allocated to the earlier application, subject to subsection (3);
- (d) the State in which the earlier application was filed or, where the earlier application is a regional or an international application, the State or States for which it was filed; and
- (e) where the earlier application is a regional or an international application, the Office with which it was filed.

(2) Where at the time of filing the declaration referred to in subsection (1) the number of the earlier application is not known, that number shall be furnished within the period of 16 months after the priority date.

(3) Where a symbol of the International Patent Classification has not been allocated to the earlier application, or had not yet been allocated at the time of filing the declaration referred to in subsection (1), the applicant shall state this fact in the said declaration and shall communicate such symbol as soon as it has been allocated.

(4) The applicant may, at any time before the grant of the patent, amend the contents of the declaration referred to in subsection (1).

(5) The period for furnishing the certified copy of the earlier application, referred to in section 8(2) of the Act shall be 3 months from the date of the request by the Registrar, and where a copy has already been furnished for another application, the applicant may respond by making a reference to that other application.

(6) Where the earlier application is in a language other than English, the applicant shall, within 6 months from the date of the aforementioned request, furnish an English translation of the earlier application.

(7) Unless the Registrar requests otherwise, the earlier application and any translation thereof shall be filed in 1 copy.

Furnishing information on foreign patents

19. (1) The time limits to be specified for furnishing the information requested under section 9 of the Act shall not be less than 2 or more than 6 months from the date such a request is made and upon a reasoned request by the applicant, the Registrar may extend such time limit.

(2) If the applicant replies that the documents requested under section 9 of the Act are not yet available, the Registrar may suspend the procedure for the examination of the application until such time as the documents are furnished.

Withdrawal and amendment of application

20. (1) The application shall be withdrawn by written declaration submitted to the Registrar and signed by each applicant.

(2) The application fee shall not be refunded if the application is withdrawn.

(3) Any amendment pursuant to section 7(2) of the Act shall be made together with the payment of the fee set out in Schedule 1.

Marking application

21. (1) Upon receipt, the Registrar shall mark, on each document making up the application, the actual date of receipt and the application number consisting of the letters AI, slant, the letter P, slant, the last two numbers of the year in which the initial papers were received, slant, and a five-digit number allotted in the sequential order in which applications are received and, where any corrections or other later filed documents are received on different dates, the Registrar shall also mark their actual date of receipt in the appropriate place of the request for grant of the patent.

(2) The application number allotted under subsection (1) shall be quoted in all subsequent communications concerning the application.

Accordinging filing date

22. (1) The Registrar shall examine whether the application fulfills the requirements of section 10(1) of the Act.

(2) The invitation to file any correction, under section 10(2) of the Act, shall be in writing and it shall specify the correction or corrections required and request that these be filed within 2 months from the date of the invitation, together with the payment of the fee set out in Schedule 1.

(3) Once the Registrar accords a filing date, he shall notify the applicant in writing; if the application is treated as if it had not been filed, under section 10(2) of the Act, the Registrar shall notify the applicant in writing, specifying the reasons.

Examination as to form

23. (1) In addition to the requirements of section 6(1) and (2) of the Act and the Regulations pertaining thereto, the requirements of sections 9 and 28 of the Act and sections 4, 5, 6, 13, 14 and 38(2), to the extent applicable, shall be considered formal requirements for the purposes of the Act.

(2) Where the Registrar finds that the conditions referred to in section 10(4) of the Act are not fulfilled, he shall invite the applicant, in writing, to file the required correction within 2 months from the date of the invitation, together with the payment of the fee set out in Schedule 1; where no abstract is provided, the Registrar shall invite the applicant to correct the deficiency either by providing an abstract or by paying the fee set out in Schedule 1 for the preparation of the abstract by the Registrar himself; if the applicant does not comply with the invitation to correct a deficiency, or where, despite the corrections submitted by the applicant, the Registrar is of the opinion that the conditions referred to in section 10(5) of the Act are not fulfilled, he shall reject the application and notify the applicant, in writing, stating the reasons.

(3) Refusal of the application shall not affect its filing date which shall remain valid.

Decision to grant or refuse to grant patent

24. (1) Where 2 or more applications for grant of a patent for the same invention, having the same filing or, where applicable, the same priority date, are filed by the same applicant, the Registrar may, on that ground, refuse to grant a patent in pursuance of more than one of the applications.

(2) The Registrar shall notify the applicant, in writing, of his decision to grant or to refuse to grant a patent, and, in the case of a refusal, stating the reasons therefor, and in the case of a decision to grant a patent, requesting the applicant to pay the grant and publication fee within 3 months from the date of the notification.

Grant of patent, publication of reference thereto

25. Subject to the payment of the grant and publication fee, the Registrar shall grant the patent in accordance with section 11(2) of the Act.

Certificate

26. (1) (a) The Registrar shall allot to each patent he grants a number (to be known as the “publication number of the patent”) in the sequential order of grant;
- (b) The patent shall be granted on Form No. 4 and shall contain, in addition to the information indicated in subsection (3), the date of publication of the patent, the documents or references cited of the prior art, the description, the claims and the drawings, if any;
- (c) The patent shall be deemed to be granted on the date the Registrar publishes a reference to the grant in accordance with section 11(2)(a) of the Act .
- (2) The publication of the reference to the grant of the patent shall include—
- (a) the number of the patent;
- (b) the name and address of the owner of the patent;
- (c) the name and address of the inventor, except where he has asked not to be named in the patent;
- (d) the name and address of the agent, if any;
- (e) the filing date;
- (f) if priority has been claimed and the claim has been accepted, a statement of the priority, the priority date and the name of the country or countries in which or for which the earlier application was filed;
- (g) the effective date of grant of the patent;
- (h) the title of the invention;
- (i) the abstract;
- (j) the most illustrative of the drawings, if any; and
- (k) the symbol of the International Patent Classification.
- (3) The certificate of grant shall be issued on Form No. 5 or 5A, shall be signed by the Registrar and shall contain—
- (a) the number of the patent;
- (b) the name and address of the owner of the patent;
- (c) the filing date and, where applicable, priority date of the application;
- (d) the effective date of grant of the patent; and
- (e) the title of the invention.

Exploitation of patented invention by Government or by third persons authorized

27. (1) The Governor in Council shall, before making a decision under section 14(1) to (4) of the Act, consult the Registrar, and give the owner of the patent, and any other persons whose participation he considers useful, at least 21 days' written notice of the date on which they may be heard; the owner of the patent shall give all licensees written notice of the hearing and they shall have the right to participate therein.

(2) The Governor in Council shall make his decision after the hearing, in writing, stating the grounds upon which it is based, and, if he has decided that the invention shall be exploited under section 14(1) of the Act, stating the terms of exploitation, and shall transmit the decision to the Registrar.

(3) The Registrar shall record and publish the decision of the Governor in Council and, in writing, notify the owner of the patent and the other participants in the hearing.

(4) If the decision of the Governor in Council is the subject of an appeal, the Registrar of the Court shall notify the Registrar of the Court's decision once it becomes final, and the Registrar shall record the decision and publish it.

Annual fees

28. (1) Upon payment of an annual fee in accordance with section 13(2) of the Act, the Registrar shall, within 2 weeks from the date payment is received, furnish or send to the applicant or to the owner of the patent a receipt of payment.

(2) The Registrar shall record and publish a notification of the lapse of a patent.

(3) Annual fees shall not be refundable.

Invalidation

29. (1) Where the provisions of section 15(2) of the Act apply only to some of the claims or some parts of a claim, such claims or parts of a claim shall be invalidated.

(2) The patent owner shall, in writing, notify any licensee of any court proceeding instituted for the invalidation of the patent; the person requesting invalidation shall so notify any beneficiaries of authorizations granted under section 14 of the Act and, where the ground of invalidity invoked is that the patent owner is not the inventor or his successor in title, also the person alleged to have the right to the patent.

PART 3**REGISTRATION OF TITLE TO UK PATENTS****UK Patents**

30. Sections 1 to 6, 26(4), 27, 28, 35 to 36, and 38 to 45 shall apply, *mutatis mutandis*, to the registration of UK Patents subject to the additional provisions of this Part.

Application for registration of title

31. The application for the registration of a patent shall be made on Form 2 and shall be accompanied by—

(a) a certificate of the Comptroller-General setting forth the title of the applicant to the patents;
and

(b) a copy of the specification.

Advertisement

32. Any person may within the prescribed period give notice of opposition of the registration of a patent under this Part on the ground that they are the rightful owner of the invention or that the invention has already been granted a patent in Anguilla. The advertisement of application by the Registrar shall be in Form 2B.

Amended specifications and drawings

33. Where an applicant desires to substitute amended specifications and drawings for those originally filed he shall transmit the request with the certificate of the Comptroller General of the United Kingdom Patent Office supported by an affidavit or declaration as to his rights through a solicitor with an address in Anguilla.

Assignment of interest

34. Any person who, by assignment or other form of transfer, becomes entitled to the privileges and rights conferred by a certificate of registration and who desires to have his name entered on the register as subsequent registered proprietor shall make application in writing on Form 7 to the Registrar and such application shall be accompanied by a certificate of the Comptroller General of the United Kingdom Patent Office of the assignment or other mode of transfer thereof.

PART 4

GENERAL

Address for service

35. There shall be furnished to the Registrar—

- (a) by every applicant for the registration of a patent, an address for service in Anguilla for the purpose of the application; and
- (b) by every person (including the applicant for, or the owner of, a patent) concerned in any proceedings to which any of these Regulations relate, an address for service in Anguilla;

and the address so furnished or, where another address (being an address in Anguilla) has been furnished in place thereof, that address shall be treated for the purposes of that application or those proceedings, as appropriate, as the address of that applicant or, as the case may be, of that person.

Change of name, address or address for service

36. (1) A request by the owner of, or applicant for, a patent for the alteration of a name, nationality, address or address for service on record in respect of an application shall be made on Form 8 and shall be accompanied by the fee set out in Schedule 1.

(2) Before acting on a request to alter a name or nationality, the Registrar may require such proof of the alteration as he thinks fit.

(3) If the Registrar is satisfied that the request should be allowed, he shall cause the application and, where the name, nationality or address has been recorded in the register, the register to be altered accordingly.

Changes in ownership; licence contracts

37. (1) The request, under section 26 of the Act, for the recording of a change of ownership of a title granted under the Act or of an application therefor shall be made to the Registrar on Form No. 7 and shall be subject to payment of the fee set out in Schedule 1.

(2) The publication of the change of ownership shall specify—

- (a) the title of registration concerned;
- (b) the filing date, the priority date, if any, and the date of registration;
- (c) the owner and the new owner; and
- (d) the nature of the change of ownership.

(3) A licence contract submitted for recordal under section 27 of the Act shall be accompanied by the fee set out in Schedule 1.

Appointment of agent

38. (1) The appointment of an agent shall be by a power of attorney which shall be signed by the applicant or, if there are more than one, by each applicant.

(2) The appointment of an agent may be filed together with Form 1 or within 2 months from its filing date, and if the appointment is not thus made and is not in accordance with section 28 of the Act, any procedural steps taken by the agent, other than the filing of the application, shall be deemed not to have been taken.

(3) The address of the agent shall, for all purposes connected with the Act and these Regulations, be treated as the address to which communications to the person or persons who appointed the agent shall be transmitted.

Excluded days

39. When the last day for doing any act or taking any proceeding falls on a day when the Companies and Intellectual Property Registry is not open to the public for business, it shall be lawful to do the act or to take the proceeding on the day when the Office is next open for business.

Consultation of registers; extracts and copies of documents

40. Consultation of the Registers shall be subject to payment of the fee set out in Schedule 1 and requests for certified copies of extracts from a Register or for copies of documents shall be made to the Registrar in writing and shall be subject to payment of the fee set out in Schedule 1.

Corrections of errors

41. Corrections of errors, under section 29 of the Act, may be made by the Registrar upon receipt of a request in writing and subject to such terms as he may consider appropriate, or on his own initiative; corrections made shall be communicated in writing to all interested persons, and, where considered necessary, shall be published by the Registrar.

Hearing

42. (1) Before exercising adversely to any person any discretionary power given to the Registrar by the Act or these Regulations, the Registrar shall notify such person, in writing, of the opportunity to be heard thereon, and indicating a time limit, which shall not be less than one month, for filing a request for a hearing.

(2) The request for a hearing shall be in writing and shall be subject to payment of the fee set out in Schedule 1.

(3) Upon receiving such request, the Registrar shall give the person applying, and any other interested persons, at least 2 weeks' notice, in writing, of the date and time of the hearing.

Service by mail

43. (1) Any notice, application or other document sent to the Registrar by mail shall be deemed to have been given, made or filed at the time when it would be delivered in the ordinary course of the mail and in proving such sending, it shall be sufficient to prove that the letter containing such notice, application or other document was properly addressed and sent by registered mail.

(2) Subsection (1) does not apply to the accordance of the filing date.

Evidence

44. (1) Where under these Regulations evidence may be filed, it shall be by statutory declaration or affidavit.

(2) The Registrar may, if he thinks fit, in any particular case, take oral evidence *in lieu* of or in addition to such evidence and shall allow any witness to be cross-examined on his affidavit or declaration.

Statutory declarations and affidavits

45. (1) Any statutory declaration or affidavit filed under the Act or these Regulations shall be made before any officer authorized by law in any part of Anguilla to administer an oath for the purpose of any legal proceedings.

(2) Statutory declarations or affidavits made outside Anguilla shall be made before a Consul or Notary Public.

Publication

46. Particulars of patents and other information required to be published under the Act or these Regulations shall be published in accordance with the directions of the Registrar.

Citation

47. These Regulations may be cited as the Patents Regulations, Revised Regulations of Anguilla P15-1.

SCHEDULE 1

(Section 2)

FEEES

Matter or Proceeding	Amount (US\$)	Corresponding Form
Application for a patent	\$200.00	Form No. 1 or 2
Each divisional application for a patent	\$100.00	Form No. 1
Correction of application to comply with requirements for according filing date	\$25.00	
Correction of application to comply with formal requirements	\$25.00	
Amendment of application at instance of applicant	\$50.00	
Amendment of application on invitation of Registrar	25.00	
Grant and publication fee	\$50.00 plus amount payable to Publisher	

Annual fees for patents

1st year	\$100.00
2nd year	\$100.00
3rd year	\$100.00
4th year	\$100.00
5th year	\$100.00
6th year	\$150.00
7th year.....	\$150.00
8th year	\$150.00
9th year.....	\$150.00
10th year	\$150.00
11th year	\$200.00
12th year	\$200.00
13th year	\$200.00
14th year	\$200.00
15th year	\$200.00
16th year	\$250.00
17th year	\$250.00
18th year	\$250.00
19th year	\$250.00
20th year	\$250.00
Surcharge for late payment of annual fee	10% of the overdue fee
Application to register, or to give notice of, transaction, etc	\$50.00
Request for a recordal of change in ownership	\$50.00
Submission of licence contract for recordal	\$50.00
Inspection of Register	\$10.00 to \$15.00
Certified copies of documents	\$5.00 per page
Photocopies	\$2.00 per page
Request for correction of an error	\$25.00
Request for an extension of time limit	\$25.00
Request for hearing	\$25.00

SCHEDULE 2

(Section 3)

FORMS

REGISTRAR'S OFFICE, ANGUILLA

FORM NO. 1

For Official Use

PATENTS ACT

Date of Receipt by Registrar's
Office:

APPLICATION No.:

(Office's Stamp)

REQUEST FOR GRANT OF PATENTTo: The Registrar
Anguilla

FILING DATE:

Applicant's or Representative's File Reference:

THE APPLICANT(S) REQUEST(S) THE GRANT OF A PATENT IN RESPECT OF THE FOLLOWING
PARTICULARS:

I. TITLE OF INVENTION:

II. APPLICANT(S) (The data concerning each applicant must appear in this box or, if the space is
insufficient, in the supplemental box.) Additional information is contained in
supplemental box

Name:

Address:

Nationality:

Country of residence or principal place of business:

Telephone Number:

Facsimile Number:

Email:

III. AGENT

The following agent has been appointed by the applicant(s) in the power of attorney

 accompanying this Form to be filed within 2 months
from the filing of this Form

Name:

Address:

Telephone Number:

Facsimile Number:

Email:

- IV. INVENTOR
- Additional information is contained in supplemental box
- The inventor is the applicant
- If inventor is not the applicant:

Name:

Address:

- The statement justifying the applicant's right accompanies this Form

V. DIVISIONAL APPLICATION

- This application is a divisional application
- The benefit of the filing date priority date of the initial application is claimed inasmuch as the subject matter of the present application is contained in the initial application identified below.

Initial Application No.:

Date of filing of initial application:

VI. DISCLOSURES TO BE DISREGARDED FOR PRIOR ART PURPOSES

- Disclosure occurred not more than 6 months before the filing date or priority date of the present application:
- by reason or in consequence of acts of the applicant or his predecessor in title;
- by reason or in consequence of an abuse committed by a third party with regard to the rights of applicant or his predecessor in title.
- Additional information is contained in a statement accompanying this Form

VII. PRIORITY DECLARATION (if any)

- The priority of (an) earlier application(s) is claimed as follows:
- The priority of more than one earlier application is claimed; the data are indicated in the supplemental box

Country (if the earlier application is a regional or international application, indicate the office with which and the countries for which it was filed):

Filing Date:

Application No.:

Symbol of the International
Patent Classification:

- not yet allocated

- The certified copy of the earlier application accompanies this Form
- Will be furnished upon request by the Registrar, as prescribed by section 18(5).
-

- The English translation of the earlier application accompanies this Form will be furnished upon request, as prescribed by section 18(6).

VIII. SUPPLEMENTAL BOX*

IX. CHECK LIST

A. This application contains the following:

- 1. requestsheet(s)
 - 2. descriptionsheet(s)
 - 3. claim(s)sheet(s)
 - 4. abstractsheet(s)
 - 5. drawing(s)sheet(s)
- Totalsheets

C. Figure number of the drawings (if any) is suggested to accompany the abstract for publication

B. This Form, as filed, is accompanied by the items ticked below:

- separate signed power of attorney
- statement justifying the applicant's right
- statement that certain disclosures be disregarded
- priority document(s)
- (certified copy of earlier application(s))
- English translation of earlier application(s) on which priority declaration is based
- application fee
- other document(s) (specify)

X. SIGNATURE(S)**.....

.....
(Date)

TO BE FILLED IN BY THE REGISTRAR

1. Date of receipt of corrections or later filed documents completing the application:

2. Date fees received:

* Use this box if any of the boxes is not large enough to contain information to be furnished. Indicate the boxes continued in this box by their roman numerals and title (e.g., "II. APPLICANT(S) (continued)").

** Type name(s) under signature.

REGISTRAR'S OFFICE, ANGUILLA

FORM NO. 2

For Official Use

PATENTS ACT

Date of Receipt by Registrar's

Office:

APPLICATION No.:

(Office's Stamp)

**REQUEST FOR REGISTRATION
OF A UK PATENT**To: The Registrar
Anguilla

FILING DATE:

Applicant's or Representative's File Reference:

I. THE APPLICANT(S) REQUEST(S) THE GRANT OF A CERTIFICATE OF REGISTRATION IN ANGUILLA FOR UK PATENT NO:

GRANTED ON:

TITLE OF INVENTION:

II. APPLICANT(S) (If space is insufficient please use separate sheet of paper)

Name:

Address:

Nationality:

Country of residence or principal place of business:

Telephone Number:

Facsimile Number:

Email:

III. AGENT

The following agent has been appointed by the applicant(s) in the power of attorney

 accompanying this Form to be filed within one month from the filing of this Form

Name:

Address:

Telephone Number:

Facsimile Number:

Email:

This Form, as filed, is accompanied by the items ticked below:

 power of attorney certificate of the Comptroller-General copy of specification

REGISTRAR'S OFFICE, ANGUILLA

FORM NO. 2B

Notice is hereby given that.....have applied for registration in Anguilla of United Kingdom Patent No.....which took effect on.....and have filed in the Registrar's Office in the Valley, Anguilla a complete copy of the specifications and the certificate of the Comptroller General of the United Kingdom Patent Office giving full particulars of this patent which will be open to public inspection at the said office at any time between the hours of 9:00a.m. and 3:30 p.m. on working days.

Any person may, within 2 months from the date of this advertisement, give notice to the Registrar of opposition to the issue of a certificate of registration upon any of the grounds prescribed in section 32 of the Patents Regulations for opposition of the grant of patent.

Dated this day of....., 20.....

.....
Registrar of Patents
Registrar's Office
The Valley
Anguilla
BWI

REGISTRAR'S OFFICE, ANGUILLA

FORM NO. 3

For Official Use

PATENTS ACT

Date of Receipt by Registrar's Office:

APPLICATION No.:

(Office's Stamp)

NOTICE OF OPPOSITION TO GRANT OF PATENT

To: The Registrar Anguilla

FILING DATE:

Applicant's or Representative's File Reference:

In the matter of Application No. for grant of a Patent

I/We*, of give notice of my/our* intention to oppose the grant of the above identified patent published in of the day of No., pagehttp

The grounds for this opposition are as follows:

**
.....
.....
.....
.....
.....
.....
.....
.....
.....

Name of Agent (if any):

Address of agent:

- Supporting evidence accompanies this Form
Power of Attorney accompanies this Form
Fees accompany this Form

Date: Signature: (Opponent/Agent)***

* Delete whichever does not apply.
** Continue on a separate sheet, if the space provided is insufficient.
*** Delete whichever does not apply and type name under signature.

REGISTRAR'S OFFICE, ANGUILLA

FORM NO. 4

(11) Publication No.*:

PATENTS ACT

(51) Int. Cl.

(19) ANGUILLA

(12) PATENT

(Front Page)

(21) Application No.:

(73) Owner(s)

Name:

Address:

(22) Filing date:

(30) Priority:

(72) Inventor(s)

Name:

Address:

(45) Date of publication:

(24) Effective date of grant:

(74) Agent

Name:

Address:

(56) Documents/References cited
of prior art:

(54) Title:

(57) Abstract (with the most illustrative of the drawings, if there are any):

The description and claims are attached hereto and form an integral part hereof.
Drawings are attached hereto and form an integral part hereof.

Additional Information or Comments:

* The numbers in parentheses before the bibliographic data are the Internationally Agreed Numbers for the Identification of Data (INID codes), as defined in WIPO Standard ST.9, whereby the various bibliographic data appearing on the first page of a patent document can be identified without knowledge of the language used and the industrial property laws applied. The list of definitions of the bibliographic data, with their corresponding INID codes, are published in the [...].

REGISTRAR'S OFFICE, ANGUILLA

FORM NO. 5

PATENTS ACT

CERTIFICATE OF GRANT OF PATENT

In accordance with section 11(2)(b) of the Patents Act, R.S.A. c. P15, it is hereby certified that a patent having the Number has been granted to:

Name:

Address:

on (date), in respect of an invention disclosed in an application for that patent having a:

Filing date:

Priority date:

being an invention for:

.....
(title)

Dated this day of

.....
Registrar

REGISTRAR'S OFFICE, ANGUILLA

FORM NO. 5A

PATENTS ACT

CERTIFICATE OF REGISTRATION IN ANGUILLA OF UK PATENT

In accordance with section 18 of the Patents Act, R.S.A. c. P15, it is hereby certified that the United Kingdom Patent having the Number dated in the name of being an invention for:

..... (title)

has been registered in Anguilla.

Dated this day of

.....

Registrar

REGISTRAR'S OFFICE, ANGUILLA

FORM NO. 6

For Official Use

PATENTS ACT

**REQUEST FOR GRANT OF NON-VOLUNTARY
LICENCE ON GROUNDS OF NON-WORKING
OR INSUFFICIENT WORKING**

Application received on:

Fee received on:

To: The Registrar
Anguilla

Date of mailing:

Applicant's or Agent's file reference:

I. IN THE MATTER OF:

Patent No:

Date of Grant:

II. APPLICANT

Name:

Address:

Address for service in Anguilla

Nationality:

Country of residence or principal place of business:

Telephone Number:

Facsimile Address:

Email address:

III. REQUEST

The above applicant hereby requests the Registrar, in respect of the patent/utility model certificate*, identified above, to grant a non-voluntary licence under section 14 of the Patents Act, R.S.A. c. P15, in accordance with the terms proposed and upon the grounds set out below.

IV. PROPOSED TERMS

Amount and conditions of payment of remuneration:

Conditions of exploitation of invention:

Others:

V. FACTS JUSTIFYING GRANT

VI. ADDITIONAL INFORMATION

The following items accompany this Form:

- evidence that the owner of the patent/utility model certificate* has received a request from the applicant to obtain a licence but that the applicant has been unable to obtain such a licence on reasonable terms and within a reasonable time;
- plan according to which the applicant intends to work the invention, including evidence that he has the ability to do so in Anguilla.
- Other (specify)

VII. SIGNATURE

.....
(Applicant/Agent)*.....
(Date)

* Delete whichever does not apply.

REGISTRAR'S OFFICE, ANGUILLA

FORM NO. 7

For Official Use

PATENTS ACT

RECORDING OF CHANGE IN OWNERSHIP

Received on:

To: The Registrar
The Valley
Anguilla

I. IN THE MATTER OF:

Patent application No.:

Filing Date:

Patent No.:

Date of Grant:

II. APPLICANT(S) OWNER(S)*

Name:

Address:

III. REQUEST

The Registrar is hereby requested to record the change in ownership of the above-identified**
The present applicant(s)/owner(s)* is/are identified above.
The new applicant(s)/new owner(s)* is/are identified below.

IV. NEW APPLICANT(S)/NEW OWNER(S)*

Name:

Address:

Nationality:

Residence or principal place of business:

Telephone Number:

Facsimile Number:

e-mail address:

Address for service in Anguilla:

Telephone Number:

Facsimile Number:

e-mail address:

V. ADDITIONAL INFORMATION

The following items accompany this Form:

- the original or a certified copy of the document evidencing the change of ownership, signed by or on behalf of the contracting parties
- other documents evidencing the change in ownership (specify)
- certificate of the Comptroller General
- fees
- other (specify)

REGISTRAR'S OFFICE, ANGUILLA

FORM NO. 8

For Official Use

PATENTS ACT

**RECORDING OF CHANGE
IN NAME(S) OR ADDRESS(S)**

Received on:

To: The Registrar
Anguilla

I. IN THE MATTER OF:

II. APPLICANT(S)/OWNER(S)*

Name:

Address:

III. REQUEST

The Registrar is hereby requested to record the change in name(s) or addresse(s) in the present request

IV. INDICATION OF THE CHANGES

Data to be changed:

Data as changed:

Check here if space is insufficient and an additional sheet is attached

Address for service in Anguilla:

Telephone Number:

Facsimile Number:

e-mail address:

V. ADDITIONAL INFORMATION

The following items accompany this Form:

- the original or a certified copy of the document evidencing the change of name
- other documents evidencing the change in name (specify)
- fees

VI. SIGNATURE

.....
(Applicant/Agent*)

.....
(Date)

* Delete whichever does not apply and type name under signature.

REGISTRAR'S OFFICE, ANGUILLA

FORM NO. 9

For Official Use

PATENTS ACT

Date of Receipt by Registrar's
Office:

APPLICATION No.:

POWER OF ATTORNEY

I. APPOINTMENT

The undersigned hereby appoints as his representative the person identified in item III, below.

II. NAME OF THE PERSON MAKING THE APPOINTMENT**:

ADDRESS:

III. REPRESENTATIVE

Name:

Address:

Telephone number:

Facsimile number(s):

Email address:

IV. APPLICATION(S) AND/OR REGISTRATION(S) CONCERNED

This power of attorney concerns:

- all existing and future applications and/or registrations of the person making the appointment, subject to any exception indicated on an additional sheet.
- the following application(s) and/or registration(s):
- the application(s) concerning the following patent(s):
- the application(s) having the following application number(s) as well as any registration(s) resulting therefrom:
- if the space is not sufficient, check this box and provide the information on an additional sheet.

V. SIGNATURE OR SEAL

Name of the natural person who signs or whose seal is used:

Date of signature or of sealing:

Signature or seal:

VI. ADDITIONAL SHEETS AND ATTACHMENTS

- Check this box if additional sheets and/or attachments are enclosed and indicate the total number of such sheets and/or attachments:

REGISTRAR'S OFFICE, ANGUILLA

FORM NO. 10

For Official Use

PATENTS ACT

REQUEST FOR CORRECTION OF MISTAKES

Received on:

To: The Registrar
Anguilla

I. IN THE MATTER OF:

II. APPLICANT(S)/OWNER(S)*

Name:

Address:

III. REQUEST

The correction(s) identified in the present request is (are) hereby requested.

IV. INDICATION OF THE CHANGES

Data to be changed:

Data as changed:

Check here if space is insufficient and an additional sheet is attached

Address for service in Anguilla:

Telephone Number:

Facsimile Number:

e-mail address:

V. ADDITIONAL SHEETS AND ATTACHMENTS

Check this box if additional sheets and/or attachments are enclosed and indicate the total number of such sheets and/or attachments.

VI. SIGNATURE

(Applicant/Agent**)

(Date)

** Delete whichever does not apply and type name under signature.

