



VIRGIN ISLANDS

REGISTRATION OF UNITED KINGDOM PATENTS ACT **Statutory Instrument**

Revised Edition

showing the law as at 1 January 2020

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act 2014.

This edition contains a consolidation of the following laws—

REGISTRATION OF UNITED KINGDOM PATENTS RULES

S.R.O. 14/1927 .. in force 22 September 1927

Amended by S.R.O.: 18/1978 .. in force 1 July 1978

S.I. 10/2014 .. in force 17 March 2014

S.I. 12/2014 .. in force 28 March 2014

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Published in 2021
On the authority and on behalf of the Government of The Virgin Islands
by
The Regional Law Revision Centre Inc.

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Printed on the authority and on behalf of the Government of The Virgin Islands
by
The Regional Law Revision Centre Inc.
P.O. Box 1626, 5 Mar Building,
The Valley, AI-2640, Anguilla
Authorised Printers for this Revised Edition

REGISTRATION OF UNITED KINGDOM PATENTS RULES

ARRANGEMENT OF RULES

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3. Form of application
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SCHEDULE 1: Application for Registration

SCHEDULE 2: Fees

REGISTRATION OF UNITED KINGDOM PATENTS RULES -SECTION 11

(S.R.O.s 14/1927, 18/1978 and S.I.s 10/2014 and 12/2014)

Commencement

[22 September 1927]

Short title

1. These Rules may be cited as the Registration of United Kingdom Patents Rules.

A solicitor in the Territory to represent non-resident applicants

2. Where the applicant does not reside in the Territory, a solicitor with an address in the Territory shall be appointed to attend upon the Registrar, receive notices and other communications and pay all fees in respect of any application.

Form of application

3. Application for registration shall contain an affidavit or a declaration in Form “A” or Form “B” respectively of Schedule 1.

Endorsement of solicitor’s name

4. On the back of the affidavit or declaration the applicant shall endorse the name and address of the solicitor for the reception of notices and other communications and payment of fees in respect of the application.

Specification and United Kingdom’s certificate

5. The affidavit or declaration shall be accompanied by the certified copy of the specification or specifications (including drawings if any) of the patent and the relative certificate of the Comptroller General of the United Kingdom Patent Office, which are to be marked with the attesting officer’s signature.

Execution of affidavits, etc.

6. Affidavits or declarations may be sworn or declared—
 - (a) in the United Kingdom, before any Justice of the Peace, or any Commissioner or other officer authorised by law to administer an oath for the purpose of any legal proceedings;
 - (b) in any other part of Her Majesty’s Dominions, before any Court, Judge, Justice of the Peace, or any officer authorised by law to administer an oath for the purpose of any legal proceedings;
 - (c) if made out of Her Majesty’s Dominions, before a British Minister or person exercising the functions of a British Minister, a British Consul or other British Consular Officer, or before a Notary Public or before a Judge or Magistrate.

Statutory Declarations under the Statutory Declarations Act, 1835, (5 & 6 Wm. 4. c. 62), may be used in the United Kingdom or at a British Embassy or Consulate, elsewhere an affidavit shall be used.

Power of solicitor

7. All communications to the Registrar, other than those mentioned in the foregoing rules, may be signed by and all attendances upon the Registrar may be made by or through a solicitor.

Form of advertisement

8. Advertisement of application by the Registrar shall be in Form “C” of Schedule 1.

Preparation of advertisement

9. The notice of advertisement shall be prepared by the applicant’s solicitor and submitted to the Registrar with the application.

Amended specifications and drawings

10. Where an applicant desires to substitute amended specifications and drawings for those originally filed he or she 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 or her rights through a solicitor with an address in the Territory.

Change of name and address

10A. Where an applicant desires to change the name or address in relation to a registered patent, he or she shall transmit the request along with a certificate issued by the UK Patent Office attesting that the requested change had been effected by that Office. *(Inserted by S.I. 12/2014)*

Assignment, etc.

11. Where a person by assignment, transmission, merger or other operation of law has become entitled to the privileges and rights conferred by a certificate of registration, he or she shall transmit for entry in the register the assignment, merger or other document showing his or her title or interest through a legal practitioner with an address in the Territory. *(Substituted by S.I. 12/2014)*

Renewal of certificate of registration

11A. Where an application is submitted to the Registrar for the renewal of a certificate of registration, the Registrar may renew the registration upon payment of the fee prescribed in Schedule 2. *(Inserted by S.I. 12/2014)*

Fees

12. The fees to be paid to general revenue in respect of proceedings under these rules are contained in Schedule 2. *(Amended by S.I. 12/2014)*

SCHEDULE 1

FORM A

(Rule 3)

GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
REGISTRATION OF UNITED KINGDOM PATENTS ACT
APPLICATION FOR REGISTRATION UNITED KINGDOM PATENTS

AFFIDAVIT

I of
make oath and say as follows: I am the Grantee (or the assignee or as the case may be) of the
United Kingdom Patent No. issued on the day of 20..... I am
in possession of the invention therein described, and the same is not in use by any other
person or persons to the best of my knowledge, information and belief: and I humbly pray
that a certificate of registration in the Territory may be granted to me.

Sworn at this day of 20.....
before me:

FORM B

(Rule 3)

GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
REGISTRATION OF UNITED KINGDOM PATENTS ACT
APPLICATION FOR REGISTRATION UNITED KINGDOM PATENTS

DECLARATION

I of
do solemnly and sincerely declare that I am the Grantee (or the assignee or as the case may
be) of the United Kingdom Patent No. issued on the day of
20 that I am in possession of the invention therein described, and that the same is
not in use by any other person or persons to the best of my knowledge, information and
belief: and humbly pray that a certificate of registration in the Territory may be granted to
me.

And I make this solemn declaration conscientiously believing the same to be true and
by virtue of the provisions of the Statutory Declarations Act, 1835 (5 & 6 Wm. 4. C. 62).

Subscribed and declared at

this day of 20.....

before me:

FORM C

(Rule 8)

GOVERNMENT OF THE BRITISH VIRGIN ISLANDS
REGISTRATION OF UNITED KINGDOM PATENTS ACT

NOTICE

NOTICE IS HEREBY GIVEN that
have applied for registration in the Territory of United Kingdom Patent No.....
dated the day of 20..... and issued on the day of
20..... and have filed in the Registrar’s Office 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 a.m. and 3.30 p.m. on working days except
on Saturdays when the hours will be from 9 a.m. to 12 noon.

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 10 of the Patents Act, for opposition to the grant of Letters Patent.

Dated the day of 20.....

Registrar.

Registrar’s Office
Tortola, Virgin Islands.

SCHEDULE 2*(Rule 12)***FEEES***Fees payable to Registrar:*

1. Certificate of registration \$50.00
2. For advertisement of application \$50.00
3. On filing every amended or substituted specification..... \$35.00
4. On notice of opposition to grant of certificate of registration..... \$30.00
5. On hearing of every opposed application \$75.00
6. For every office copy of any document \$ 5.00
7. For a change of name or address..... \$25.00
8. On deposit of every assignment or document affecting title..... \$40.00
9. On deposit of every merger and related document \$40.00
10. On every search \$10.00
11. Renewal of certificate of registration..... \$50.00
12. For every matter or thing not above provided..... \$25.00

(Substituted by S.I. 12/2014)
