

	In exercise of the powers conferred upon him by section 19 of the Patents Law, 1957, the Governor in Council makes the following rules :—
Short title.	1. These Rules may be cited as the Patents Rules, 1958.
Interpretation.	2. In these Rules unless the context otherwise requires— “ agent ” means an advocate or other person duly authorized to the satisfaction of the Registrar ;
40 of 1957.	“ Law ” means the Patents Law, 1957 ; “ Office ” means the office of the Official Receiver and Registrar.
Forms. First Schedule.	3. The forms for use under the Law shall be those contained in the First Schedule hereto and such forms shall be used in all cases to which they are applicable and may be modified as directed by the Registrar to meet other cases.
Second Schedule.	4. The fees payable in respect of applications, registrations and other matters under the Law or these Rules shall be those contained in the Second Schedule hereto, and shall be payable in such manner as the Registrar may from time to time direct.
Size of documents.	5. Subject to any other directions that may be given by the Registrar all applications, notices or other documents required by the Law or by these Rules to be left with or sent to the Registrar shall be upon strong foolscap paper and, except in the case of affidavits, written on one side only (of a size of approximately 13 inches by 8 inches) and shall have on the left-hand part thereof a margin of not less than one inch and a half. Duplicate documents shall at any time be left, if required, by the Registrar.
Signature of documents by partner- ships, companies and asso- ciations.	6. 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 the partners or by any qualified partner 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. 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. A document purporting to be signed for or on behalf of an association of persons may be signed by any person who appears to the Registrar to be duly qualified.
Leaving and serving documents.	7.—(1) Any application, notice or other document authorized or required to be left, made or given at the Office, or to or with the Registrar, or with or to any other person under the Law or these Rules, may be sent by prepaid or official paid letter through the post and if so sent shall be deemed to have been left, made or given at the time when the letter containing the same would be delivered in the ordinary course of post. In proving such service or sending, it shall be sufficient to prove that the letter was properly addressed and put into the post. (2) A letter addressed to an applicant or registered proprietor of a patent at his address for service, as hereinafter provided, or, if there is no such address, at the address appearing on the application or the Register, as the case may be, shall be deemed to be sufficiently addressed.
Address.	8. Where any person is by the Law or these Rules bound to furnish the Registrar with an address the following provisions shall apply— (a) the address given shall in all cases be as full as possible, for the purpose of enabling any person easily to find the place of business of the person whose address is given ;

- (b) when a person resides in a town, the address given shall include the name of the street and the number in the street or name of premises ;
 (c) when a person does not reside in a town, the Registrar may require the address to include such particulars as he thinks necessary.

9. The Registrar may require an applicant, agent, or registered proprietor of a patent who does not reside or carry on business within Cyprus to give an address for service within Cyprus, and such address may be treated as the actual address of that person for all purposes connected with the matter in question.

Address for service.

10.—(1) An application for the registration of a patent and all communications between an applicant and the Registrar, and between the registered proprietor of a patent and the Registrar or any other person may be made by or through an agent.

Agents.

(2) Any such applicant or proprietor may appoint an agent to represent him in the matter of the patent by signing and sending to the Registrar an authority in writing to that effect in Form No. Pat. 1, or in any other such form as the Registrar may deem sufficient. In case any applicant or registered proprietor of a patent shall appoint such an agent, service upon such agent of any document relating to such patent shall be deemed to be service upon the person so appointing him, and all communications directed to be made to such person in respect of such patent may be addressed to such agent.

11.—(1) Every application for the issue of a certificate of registration shall be made on Form No. Pat. 2, and shall be signed by the applicant or his agent.

Application for a certificate and proceedings thereon.

(2) On or after the receipt of an application the Registrar shall furnish the applicant with an acknowledgement thereof.

12.—(1) The Registrar shall file every application and the enclosures thereto and if satisfied that the applicant is entitled to the issue of a certificate, shall make an entry in the Register in Form No. Pat. 3.

Entry in the Register and certificate of registration.

(2) On the registration of a patent the Registrar shall under his hand and seal issue to the applicant a certificate in Form No. Pat. 4 of the registration thereof.

13. No notice of any trust, express, implied or constructive, can be entered in the Register.

Notice of trust in Register.

14. Where registration of a patent is not completed within twelve months from the date of the application by reason of default on the part of the applicant, the Registrar may, after giving notice of the non-completion to the applicant in writing, treat the application as abandoned unless it is completed within the time specified in that behalf in the notice.

Non-completion within twelve months.

15.—(1) The Registrar may on application made jointly by a registered proprietor of a patent and any person to whom he has assigned the privileges and rights conferred by the certificate of registration of such patent, register the assignee as the proprietor of the patent. Such application shall be made on Form No. Pat. 5.

Assignment, transmission etc.

(2) If the Registrar so requires the assignee shall furnish an affidavit before registration is effected.

16.—(1) Where no such joint application is made, any person who has become entitled to the privileges and rights conferred by a certificate of registration of a patent, by assignment, transmission or other operation of law, may make an application at the Office for the entry of his name in the Register as proprietor thereof.

Application for assignment, etc. by assignee.

(2) The application shall be on Form No. Pat. 6 and such application shall contain the name, address and description of the person claiming to be entitled to the patent, hereinafter called the claimant.

(3) Together with such application the claimant shall furnish full particulars of the document or instrument under which he claims, or, if he does not claim under any document or instrument which is capable of itself of furnishing proof of his title, state a case verified by affidavit setting forth full particulars of the assignment, transmission or other operation of law by virtue of which he claims to be entered in the Register as proprietor of the patent. The Registrar may in any case call for production of the document or instrument or for such other proof of title as he may require and if the claimant requests the return of the document or instrument the Registrar may require and retain an attested copy thereof, but such copy shall not be open to public inspection.

(4) Every such application shall be accompanied by the certificate of registration.

(5) The Registrar if satisfied that the claimant is entitled to be registered as proprietor of the patent shall enter his name in the Register.

Form of entry of assignment etc. in the register and endorsement of certificate.

Request for substitution of amended specifications.

Lapse and revocation.

17. Every entry in the Register of an assignment, transmission or other operation of law shall be made in Form No. Pat. 7 and the certificate of registration shall be endorsed in Form No. Pat. 8.

18. A request for the substitution of copies of the specifications or drawings as amended, for the specifications and drawings originally filed, as provided by section 11 of the Law shall be made on Form No. Pat. 9.

19. Notification of lapse and revocation of a patent shall be made in writing and shall be accompanied by the certificate of registration of the patent and a certificate from the Comptroller General of the United Kingdom Patent Office that the patent has lapsed or been revoked in the United Kingdom or if such revocation or lapse is a matter of record in the United Kingdom or Cyprus an office or certified copy thereof may be produced. The Registrar shall make an entry to this effect in the Register and shall also endorse the certificate of registration in Form No. Pat. 12.

Extension and restoration after lapse.

20. Notification of extension or restoration after lapse shall be made on Form No. Pat. 10 or Form No. Pat. 11, as the case may be, and shall be accompanied by a certificate from the Comptroller General of the United Kingdom Patent Office that such extension or restoration has been effected in the United Kingdom or if such matter is a matter of record in the United Kingdom or Cyprus an office or certified copy thereof may be produced. The Registrar shall make an entry to this effect in the Register. The notification may also be accompanied by the certificate of registration in which case the Registrar shall endorse the certificate in Form No. Pat. 12 but, if the notification is not so accompanied or if the person making the notification so requests, a separate certificate shall be issued in Form No. Pat. 13 or Form No. Pat. 14, as the case may be.

Request for correction or change by Registrar.

21. A request for any correction or change under sub-section (1) of section 14 of the Law shall be made on Form No. Pat. 15.

Power of amendment, etc.

22. Any document for the amending of which no special provision is made by the Law may be amended and any irregularity in procedure, which in the opinion of the Registrar may be obviated without detriment to the interests of any person, may be corrected, if and on such terms and in such manner as the Registrar may think fit.

Lost certificates.

23. A duplicate of any certificate issued under the Law or these Rules which has been lost or destroyed shall be supplied by the Registrar on payment of the fee set out in the Second Schedule hereto and upon the production of an affidavit that the original has been lost or destroyed and setting

Second Schedule.

out the circumstances as far as they are known to the applicant under which the same became lost or destroyed.

24.—(1) Before exercising any discretionary power adversely to any person, the Registrar shall, if so required, hear the person who will be affected by the exercise of such power. Discretionary power.

(2) An application for a hearing shall be made within two months from the date of notification by the Registrar of his intention to exercise a discretionary power.

(3) Upon receiving such application the Registrar shall give the person applying twenty days notice of a time when he may be heard by himself or his agent.

(4) Within ten days from the date when such notice would be delivered in the ordinary course of post the person applying shall notify the Registrar whether or not he intends to be heard on the matter.

(5) The decision of the Registrar in the exercise of any such discretionary power as aforesaid shall be notified to the person affected.

25. Where under these Rules any person is required to do any act or thing, or to sign any document or to make any affidavit on behalf of himself or of any body corporate, or any document or evidence is required to be produced to or left with the Registrar or at the Office, and it is shown to the satisfaction of the Registrar that from any reasonable cause such person is unable to do such act or thing, or to sign such document, or make such affidavit or that such document or evidence cannot be produced or left as aforesaid, it shall be lawful for the Registrar, upon the production of such other evidence, and subject to such terms as he may think fit, to dispense with any such act or thing, signature, affidavit, document or evidence. Power to dispense with evidence.

26. The affidavit required by these Rules, or used in any proceedings thereunder, shall be made and subscribed as follows :—

- (a) In Cyprus before a Registrar or Assistant Registrar of any District Court ;
 - (b) In the United Kingdom before any Justice of the Peace, or any Commissioner or other Officer authorized by law in any part of the United Kingdom to administer an oath for the purpose of any legal proceeding ;
 - (c) In any other part of Her Majesty's dominions, before any Court, Judge, Justice of the Peace, or any Officer authorized by law to administer an oath for the purpose of any legal proceeding ; and
 - (d) If made out of Her Majesty's dominions, before a British Minister, or person exercising the functions of a British Minister, or a Consul, Vice-Consul, or other person exercising the functions of a British Consul, or a Notary Public, or before a Judge or Magistrate.
- Manner in which, and person before whom, affidavit is to be taken.

27. Any document purporting to have affixed, impressed or subscribed thereto or thereon the seal or signature of any person hereby authorized to take such affidavit in testimony of such affidavit having been made and subscribed before him, may be admitted by the Registrar without proof of the genuineness of any such seal or signature, or of the official character of such person or his authority to take such declaration. Notice of seal of officer taking declaration to prove itself.

28. Any person may inspect the documents kept by the Registrar under the Law and these Rules and obtain certified copies or extracts or copies or extracts thereof on payment of the fees set out in the Second Schedule hereto. Inspection, certified copies, etc. Second Schedule.

29. When any person intends to appeal to the Court, such appeal shall be made in the usual way, and no such appeal shall be entertained unless notice of such appeal is given to the Registrar within two months of the decision appealed against or within such further time as the Registrar may allow. The notice shall be on Form No. Pat. 16 and shall be accompanied by a Appeals to the Court.

statement in writing of the appellant's grounds of appeal and of his case in support of the appeal.

Applications to and orders of the Court.

30.—(1) Every application to the Court under the Law shall be served on the Registrar.

(2) Where an order has been made by the Court in any case under the Law, the person in whose favour such an order has been made, or such one of them if more than one, as the Registrar may direct, shall forthwith leave at the Office an office copy of such order together with Form No. Pat. 17.

(3) The Register may, if necessary, thereupon be rectified or altered by the Registrar.

Advertisement of order of Court.

31. Whenever an order is made by the Court under the Law, the Registrar may, if he thinks that such order should be made public, advertise it in the *Gazette* and in such local papers as he may deem necessary.

Advertisements.

32. The Registrar shall cause a notice of the registration of a patent and of every assignment, transmission, extension and restoration after lapse to be advertised in the *Gazette*. In all other cases notices may be advertised in the *Gazette* relating to any other matter entered in the Register if the person on whose application the entry is made so requests, or the Registrar so requires. All such notices shall be advertised during such times and in such manner as the Registrar may direct.

Revocation.

33. The Patents Rules are hereby revoked without prejudice to anything done thereunder or to the pendency of any application or other matter then pending.

FIRST SCHEDULE.

Form No. Pat. 1.

No fee.

The Patents Law, 1957.

FORM OF AUTHORIZATION OF AGENT IN A MATTER OR PROCEEDING UNDER THE LAW.

(Rule 10).

I (or We) (a)

.....

have appointed (b)

of

to act as my (or our) agent for (c)

and request that all notices, requisitions and communications relating thereto may be sent to such agent at the above address.

I (or We) hereby revoke all previous authorizations, if any, in respect of the same matter or proceeding.

I (or We) hereby declare that I am (or we are) a (d)

Dated this.....day of..... 19.....

Signature (e)

Address (f)

- (a) Here insert name of grantee of patent. The full name of all the partners in a firm must be inserted, and the kind and country of incorporation of bodies corporate stated.
- (b) Here insert name of agent.
- (c) Here state the particular matter or proceeding for which the agent is appointed, giving the reference number, if known.
- (d) Here state nationality.
- (e) If a firm or partnership it may be signed in the name or for and on behalf of the firm or partnership by all the partners or by any qualified partner. If a body corporate it may be signed by a director or by the secretary or other principal officer.
- (f) Here insert the full trade or business address of the person appointing the agent.