



Jersey

## **PATENTS RULES 1982**

### **Official Consolidated Version**

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Showing the law from 1 January 2019 to Current



Jersey

## PATENTS RULES 1982

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Jersey

## PATENTS RULES 1982

**THE SUPERIOR NUMBER OF THE ROYAL COURT**, in pursuance of Article 13 of the [Royal Court \(Jersey\) Law 1948](#), and of Article 24 of the [Patents \(Jersey\) Law 1957](#), have made the following Rules –

Commencement [[see endnotes](#)]

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### 1

In these Rules –

- “Comptroller-General” has the same meaning as in the Law;
- “Court” means the “Samedi” division of the Royal Court;
- “Government department” has the same meaning as in the Law;
- “Law” means the [Patents \(Jersey\) Law 1957](#);
- “patent” has the same meaning as in the Law;
- “patentee” has the same meaning as in the Law;
- “register” has the same meaning as in the Law;
- “register of patents” has the same meaning as in the Law.

### 2

The forms set out in the Appendix to these Rules shall be used in all cases to which they are applicable, and may be modified as directed by the Judicial Greffier.

### 3

An application under Article 4 of the Law for the registration of a patent shall be made on Patents Form No. 1 and be accompanied by documents certified in the manner described therein.

**4**

An application under Article 5 of the Law for the registration of an order, grant or decision shall be made on Patents Form No. 2 and be accompanied by documents certified in the manner described therein.

**5**

An application under Article 6 of the Law for the registration of a title or interest shall be made on whichever of Patents Forms Nos. 3 or 4 is appropriate and be accompanied by documents certified in the manner described therein.

**6**

Any application made on Patents Forms Nos. 1, 2, 3 or 4 and any request made under Article 11 of the Law shall be signed –

- (a) in the case of an individual, by the individual or by the individual's lawfully constituted attorney in Jersey or by an advocate or solicitor of the Royal Court duly authorized to sign on the individual's behalf;
- (b) in the case of a body corporate, by a director or the secretary thereof or by its lawfully constituted attorney in Jersey or by an advocate or solicitor of the Royal Court duly authorized to sign on its behalf.

**7**

- (1) Every person concerned in any proceedings to which these Rules relate, and every patentee, shall furnish to the Judicial Greffier in addition to his or her full residential or business address an address for service in Jersey.
- (2) Such address for service may be treated, for all purposes connected with such proceedings or patent, as the actual address of such person or patentee and shall, in the case of a patentee, be entered on the register of patents as the person's address for service.

**8**

The advertisement required by Article 4(4) of the Law shall be in accordance with whichever of Patents Forms Nos. 5 or 6 is appropriate and shall be published twice in a Jersey newspaper printed in the English language and circulating in Jersey.

**9**

- (1) A party wishing to refer to the Court any dispute as to the exercise by a Government department or by the States, or by a person authorized by a Government department or by the States, of the powers conferred by Article 12 or 13 of the Law, or as to the terms for the use of an invention for the services of the Crown or of the States thereunder, or as to the right of any person to receive any part of a payment in respect of those services, shall present to the Court a written statement setting out the nature of the dispute.

- (2) The Court may order such persons to be convened, such evidence to be taken and such enquiries to be made as the Court may deem necessary for the determination of the dispute.

**10**

In any proceedings under the Law, or in proceedings for infringement of a patent, the Court may, at any time, appoint an independent adviser to assist the Court or to enquire and report upon any question of fact or of opinion not involving questions of law or construction.

**11**

- (1) Any person desirous of taking proceedings under the Law *in forma pauperis* may lay the person's suit before an advocate or solicitor of the Royal Court and, if such advocate or solicitor is of opinion that such person has a good cause of action, the person shall deliver to the Viscount a statement of the material facts which may be alleged, and of the points of law which may be raised, by such person, together with such documents appertaining to such suit as the person may have in his or her possession.
- (2) If the Viscount is satisfied that such person has *prima facie* a good cause of action, the Viscount shall grant a certificate by virtue whereof such person shall be exempt from the payment of all court fees to which the person would otherwise have been liable by reason of such suit.
- (3) The Viscount may, before granting such certificate, require such affidavits as the Viscount considers necessary.
- (4) Every document presented by a person to whom such a certificate has been granted shall, if it would otherwise have been required to have stamps affixed thereto, be marked "*gratis*" by the person designated in the tariff as being responsible for cancelling the stamps.

**12**

Any proceedings for the purposes of the Law may be instituted, at any time and may be heard on any day on which the Court may sit.

**13**

These Rules may be cited as the Patents Rules 1982.

**SCHEDULE****APPENDIX****PATENTS FORM NO. 1**

PATENTS (JERSEY) LAW 1957

**APPLICATION FOR THE REGISTRATION OF A PATENT.**

(a)

Full name(s) of  
applicant(s). A  
married woman should  
give her maiden  
surname and the full  
name of her husband,  
stating whether  
“wife”, “widow” or  
“divorced”

I/We (a) .....  
of (b) .....  
apply for the registration in the register of patents of  
Patent No.....granted to  
.....  
.....

(b)

Address of  
applicant(s)

.....  
for the sole use and advantage of an invention for  
.....  
which patent is in force in the United Kingdom.

I/We enclose a copy of the specification(s) and  
drawings of the patent certified by the Comptroller-  
General and a certificate of the Comptroller-General  
setting forth the rights or interests to which my/our  
application relates.

My/Our address for service in Jersey is

**When the applicant(s) is/are not the grantee(s) of  
the patent, the following section must also be  
completed.**

(c)

Specify the nature of  
the claim

I/We claim to be entitled to apply for the registration of  
the patent described above by virtue of (c).....

.....

and I/we enclose a certificate of the Comptroller-  
General relating to the registration in the United  
Kingdom of my/our title as aforesaid.

Dated this .....day of  
20 .

Signature of .....  
applicant(s) (d) .....

(d)

The advocate, solicitor  
or attorney in Jersey of  
the applicant(s) may  
sign on his/her/their  
behalf

**Where any partial assignment or transmission of  
the patent has been made, the following section  
must also be completed.**

I/We (a) .....  
of (b) .....  
declare that I/we am/are entitled by virtue of (c) .....  
to a share in the patent described above (e)

(e)

Delete if inapplicable

or  
to an interest in the patent described above (e) and I/we  
enclose a certificate of the Comptroller-General  
relating to the registration in the United Kingdom of  
my/our title/interest.  
AND I/we declare that I/we also apply for the  
registration in the register of patents of the patent  
described above.

My/Our address for service in Jersey is

Dated this .....day of  
20 .

Signature of person(s)  
entitled to .....

a share or interest. (d) .....



## PATENTS FORM NO. 2

PATENTS (JERSEY) LAW 1957

### APPLICATION FOR THE REGISTRATION OF AN ORDER, GRANT OR DECISION UNDER ARTICLE 5

- (a) Full name(s) of applicant(s). A married woman should give her maiden surname and the full name of her husband, stating whether “wife”, “widow” or “divorced”
- I/We (a) .....  
of (b) .....  
apply for the registration in the register of patents of
- (i) an order extending the term of (c)  
or
- (ii) a patent of addition for the improvement or modification of (c)  
or
- (b) Address of applicant(s)
- (iii) a decision/an order restoring (c)  
or
- (c) Delete if inapplicable
- (iv) a decision/an order allowing the amendment of the specification/drawings of (c)
- Patent No. .... in force in the  
United Kingdom which is registered in Jersey in  
my/our name.
- I/We enclose a copy of the said order/grant/decision  
certified by the Comptroller-General.
- (d) The advocate, solicitor or attorney in Jersey of the applicant(s) may sign on his/her/their behalf
- My/Our address for service in Jersey is .....  
.....
- Dated this .....day of ..... 20 ..

Signature ..... of  
.....  
applicant(s) (d).....

# PATENTS FORM NO. 3

PATENTS (JERSEY) LAW 1957

## APPLICATION FOR THE REGISTRATION OF THE TITLE OF A PERSON BECOMING ENTITLED BY ASSIGNMENT, TRANSMISSION OR OTHER OPERATION OF LAW TO A REGISTERED PATENT OR TO A SHARE THEREIN

(a)

Full name(s) of  
applicant(s). A  
married woman  
should give her  
maiden surname and  
the full name of her  
husband, stating  
whether “wife”,  
“widow” or  
“divorced”

I/We (a).....  
of (b) .....  
apply that you will enter my/our name(s) in the  
register of patents as proprietor(s)/co-proprietor(s) of  
Patent No. ...., in force in the United Kingdom  
at present registered in Jersey in the name of .....

(b)

Address of  
applicant(s)

(c)

Specify the  
nature of  
the claim

I/We claim to be so entitled by virtue of (c).....

I/We append hereto a certificate of the Comptroller-  
General relating to the registration in the United  
Kingdom of my/our title as aforesaid.

(d)

The advocate,  
solicitor or attorney  
in Jersey of the  
applicant(s) may sign  
on his/her/their  
behalf

My/Our address for service in Jersey is .....

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

Signature of .....  
applicant(s) (d) .....

# PATENTS FORM NO. 4

PATENTS (JERSEY) LAW 1957

## APPLICATION FOR THE REGISTRATION OF AN INTEREST IN A REGISTERED PATENT

(a)

Full name(s) of  
applicant(s). A married  
woman should give her  
maiden surname and the  
full name of her husband,  
stating whether “wife”,  
“widow” or “divorced”

I/We (a) .....

of (b) .....

apply that you will enter in the Register of Patents

a notice of the following interest in a patent: –

(b)

Address of applicant(s)

(c)

Insert the nature of the  
claim e.g., “as licensee”

I/We claim to be entitled (c) ..... to  
an interest in Patent No. .... in force in  
the United Kingdom at present registered in Jersey  
in the name of

(d)

Give particulars of the  
document by which you  
are entitled to the interest,  
including the date and the  
names of the parties

.....

by virtue of (d) .....

I/We append hereto a certificate of the  
Comptroller-General relating to the registration in  
the United Kingdom of my/our interest as  
aforesaid.

(e)

The advocate, solicitor or  
attorney in Jersey of the  
applicant(s) may sign on  
his/her/their behalf

My/Our address for service in Jersey is .....

Dated this .....

day of ..... 20

Signature of applicant(s) (d) .....

**PATENTS FORM NO. 5**

**IN THE ROYAL COURT OF JERSEY**

**PATENTS (JERSEY) LAW 1957**

Notice is given that an application has been made to the Judicial Greffier by .....

..... for the registration in Jersey of Patent No. ....  
in force in the United Kingdom for the sole use and advantage of an invention for .....

The documents submitted in support of the application may be inspected at the Commercial Relations Department.

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

**PATENTS FORM NO. 6**

**IN THE ROYAL COURT OF JERSEY**

**PATENTS (JERSEY) LAW 1957**

Notice is given that an application has been made to the Judicial Greffier by .....

..... for the registration in Jersey of

an order extending the term of

or

a patent of addition for the improvement or modification of

or

a decision/an order restoring

or

a decision/an order/ allowing the amendment of the specification/drawings of

Patent No. .... in force in United Kingdom which is registered in Jersey in the name of the applicant.

The documents submitted in support of the application may be inspected at the Commercial Relations Department.

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

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement
Patents (Jersey) Rules 1982	<a href="#">R&amp;O.7047</a>	17 May 1982

### Table of Renumbered Provisions

Original	Current
13	spent, omitted from this revised edition
14	13

### Table of Endnote References

*There are currently no endnote references*