P.U.(A) 327/86
PATENTS REGULATIONS 1986

Preamble

IN exercise of the powers conferred by section 87 of the Patents Act 1983, the Minister makes the following regulations:

Regulation 1. Citation and commencement.

These Regulations may be cited as the **Patents Regulations 1986** and shall come into force on the 1 October 1986.

Regulation 2. Fees.

(1) The fees to be paid in respect of all matters arising under the Act and these Regulations shall be as specified in Schedule I.

(2) The fees shall be paid to the Patent Registration Office by such means and in such manner as the Registrar may direct.

Regulation 3. Forms.

The forms referred to in these Regulations are those set out in Schedule II.

Regulation 4. Interpretation.

In this Part, unless the context otherwise requires, "application" means an application for the grant of a patent and "applicant" shall be construed accordingly.

Regulation 5. Application for Grant of Patent.

(1) An application shall contain-

(a) a request for the grant of a patent;

(b) a description;

(c) a claim or claims;

(d) a drawing or drawings, where required; and

(e) an abstract.

(2) The application shall be filed at the Patent Registration Office.

Regulation 6. Name and declaration of inventor.

(1) The application shall contain the name and address of the inventor.

(2) An inventor who does not wish to be named in a patent may, by declaration in writing signed by him and submitted to the Registrar, indicate that he does not wish to be so named.

Regulation 7. Request for the grant of a patent.

(1) A request for the grant of a patent shall be made to the Registrar on Form 1 together with the payment of the prescribed fee.

[Am. P.U.(A) 262/95]

(2) The title of the invention shall indicate clearly and concisely the subject-matter to which the invention relates.

[Ins. P.U.(A) 262/95]

Regulation 8. Names and addresses.

Names and addresses given in the application shall in all cases be the full names and addresses.

Regulation 9. Nationality and residence.

(1) The applicant's nationality shall be indicated by the name of the State of which he is a national or, if the applicant is not a natural person, the name of the State under whose laws it is constituted.

(2) The applicant's residence shall be indicated by the name of the State of which he is a resident.

Regulation 10. Applicant's right to patent.

(1) Where the applicant is the inventor, the request shall state that fact.

(2) Where the applicant is not the inventor, the request shall be accompanied by a statement justifying the applicant's right to the patent.

Regulation 11. Common representative.

If an application is submitted by more than one applicant and the applicants have not appointed a patent agent to represent all of them-

(a) the request shall designate one of the applicants as their common representative; or

(b) if the request does not designate one of the applicants as their common representative, the applicant first named in the request shall be considered the common representative.

Regulation 12. Description.

(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 is known to the applicant, can be regarded as useful for the understanding, searching and examination of the invention, and, wherever possible, cite the documents reflecting such art;
(c) disclose the invention in such terms that it can be understood and in a manner sufficiently clear and complete for the invention to be evaluated and to be carried out by a person having ordinary skill in the art, and state any advantageous effects of the invention with reference to the background art;

(d) briefly describe figures in the drawings, if any;

(e) describe the best mode contemplated by the applicant for carrying out the invention, using examples where appropriate and referring 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 description shall be presented in the manner and order specified in sub-regulation (1) unless, because of the nature of the invention, a different manner or a different order would result in a better understanding and a more economical presentation.

(3) The description shall not contain drawings.

Regulation 13. Claims.

(1) The claims shall be clear and concise and fully supported by the description; and the number of the claims shall be reasonable taking into consideration the nature of the invention.

[Am. P.U.(A) 295/90]

(2) If there are several claims they shall be numbered consecutively in arabic numerals.

(3) Claims shall not contain drawings and shall not, unless necessary, rely, in respect of the technical features of the invention, on references to the description or drawings.

(4) Where the application contains drawings, the technical features mentioned in the claims shall, wherever possible be followed by reference signs relating to such features and placed between parentheses, subject to the following:

(a) reference signs which do not particularly facilitate quicker understanding of a claim, should not be included;

(b) the same features, when denoted by reference signs, shall, throughout the application, be denoted by the same signs.

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

(6) Whenever appropriate, claims shall contain

> (a) a statement indicating those technical features of the invention which are necessary for the definition of the claimed subject-matter but which, in combination, are part of the prior art;
>
> (b) a characterizing portion, preceded by the words "characterized in that", "characterized 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.

Regulation 14. Dependent claims.

(1) Any claim which includes all the features of one or more other claims ("dependent claim") shall contain, if possible at the beginning, a reference to the other claim or claims and shall then state the additional features claimed.

(2) [Deleted by P.U.(A) 262/95]

(3) A dependent claim shall be construed as including all the limitations contained in the claims to which it refers or, if the dependent claim is a multiple dependent claim, all the limitations contained in the particular claim in relation to which it is considered.

(4) All dependent claims referring back to a single previous claim, and all dependent claims referring back to several previous claims, shall be grouped together to the extent and in the most practical way possible.

Regulation 15. Drawings.

(1) Subject to sub-regulation (2), drawings shall be required when they are necessary for the understanding of the invention.

(2) Notwithstanding sub-regulation (1), where the nature of the invention admits of illustration by drawings the applicant may include drawings in the application when field.

(3) Flow sheets and diagrams shall be considered drawings for the purposes of these Regulations.

Regulation 16. Abstract.

(1) The abstract shall commence with a title for the invention.

(2) The abstract shall contain-

> (a) a summary of the disclosure as contained in the description and the claims and drawings, if any; and
>
> (b) where applicable, the chemical formula which, among all the fomulae contained in the application, best characterizes the invention.

(3) The summary mentioned in sub-regulation (2)(a) shall indicate the technical field to which the invention pertains and shall be 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.

[Am. P.U.(A) 262/95]

(4) The abstract shall be as concise as the disclosure permits and shall preferably not contain more than one hundred and fifty words.

(5) The abstract shall not contain statements on the alleged merits or value of the invention or on its speculative application.

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

(7) The abstract shall not contain drawings but shall be accompanied by the most illustrative of any drawings furnished by the applicant.

(8) The abstract shall be so drafted that it constitutes an efficient instrument for the purposes of searching in the particular technical field, in particular by making it possible to assess whether there is a need to consult the description, the claims or the drawings.

Regulation 17. Measures terminology and signs.

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

(2) Tempretures shall be expressed in degrees Celsius.

(3) Densities shall be expressed in metric units.

(4) For heat, energy, light, sound, and magnetism, as well as for mathematical formulae and electrical units, the rules of international practice shall be observed.

(5) For chemical formulae, the symbols, atomic weights, and molecular formulae in general use shall be employed.

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

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

Regulation 18. Physical requirements.

(1) Unless provided otherwise, the application and any accompanying statements or documents shall be filed in duplicate, but the Registrar may require that they be filed in more than two copies.

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

(3) All sheets shall be free from cracks, creases and folds and only one side of each sheet contained in the application shall be used.

(4) All documents of the application shall be on A4 paper (29.7 cm x 21 cm) which shall be strong, white, smooth, non-shiny and durable.

(5) Notwithstanding sub-regulation (4), the Registrar may accept sheets of sizes other than A4.

(6) The minimum margins of sheets shall be 2 cm.

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

(8) The text matter of the application shall be typed or printed in a dark, indelible colour and in at least 1½ line spacing, but graphic symbols, chemical or mathematical formulae and certain characters may, if necessary, be hand written or drawn.

(9) In the application, every fifth line of each sheet of the description and the claims shall be numbered in arabic numerals placed to the left of the relevant lines but to the right of the margin.

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

(11) The application and any associated statement or document shall be filed in the national language or in the English language.

Regulation 19. Unity of invention.

(1) For the purposes of section 26 of the Act, the same patent application may include-

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

(2) Subject to section 26 of the Act, an application may contain two or more independent claims of the same category which cannot be covered readily by a single generic claim.

(3) Subject to section 26 of the Act, an application may contain a reasonable number of dependent claims claiming specific forms of the invention claimed in an independent claim even when the features of any dependent claim could be considered as constituting in themselves an invention.

Regulation 19A. Division of application.

For the purpose of section 26B (1) of the Act -

(a) where an application is divided pursuant to an objection in an Examiner's report made under section 30 (1) or 30 (2) of the Act, for non-compliance with section 26 of the Act, the request for the division of the application shall be made within three months from the date of mailing of such report;

(b) in any other case, the applicant may, of his own volition, request for the division of the application not later than three months from the date of mailing of the Examiner's first report made under section 30 (1) or 30 (2) of the Act.

[Ins. P.U. (A) 262/95]

Regulation 20. Disclosures to be disregarded for prior art purposes.

An applicant shall state in the request or at any other time any disclosure which he is aware of and which in his opinion should be disregarded for prior art purposes under section 14 (3) of the Act and shall state the facts in an accompanying statement.

[Am. P.U. (A) 295/90]

Regulation 21. Declaration claiming priority.

(1) A declaration claiming priority under section 27 (1) of the Act shall state-

(a) the date of each earlier application;

(b) subject to sub-regulation (2), the number of each earlier application,

(c) subject to sub-regulation (3), the symbol, if any, of the International Patent Classification which has been allocated to each earlier application;

(d) the name of the State in which each earlier application was filed or, where the earlier application is a regional or an international application, the name of 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 sub-regulation (1) the number of any earlier application is not known, that number shall be furnished within three months from the date on which the application containing the declaration was filed.

(3) When 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 sub-regulation (1), the applicant shall state this fact in the declaration.

(4) Where the priorities of two or more earlier applications are claimed in accordance with sub-regulation (1), the information relating to those earlier applications may he included in a single declaration.

(5) *[Deleted by P.U. (A) 262/95]*

Regulation 22. Copy of earlier application.

(1) Where section 27(2) of the Act applies, the applicant shall furnish the certified copy of each earlier application within three months from the date of the Registrar's request.

(2) Where the copy referred to in sub-regulation (1) has already been furnished for another application, the applicant may make a reference to that other application.

(3) Where the earlier application referred to in sub-regulation (1) is in a language other than the national language or the English language, the Registrar may require the applicant to furnish him, within three months from the date of the Registrar's request, with a translation of the earlier application in the national language or in the English language.

Regulation 23. Corrections in declaration claiming priority.

(1) If the Registrar finds that the requirements of regulations 21 and 22 have not been complied with he shall request the applicant to file the required particulars, documents or corrections within three months from the date of the request.

(2) If the applicant does not comply with the request referred to in sub-regulation (1), the Registrar shall inform the applicant in writing that the declaration is deemed to be invalid under section 27 (4) of the Act and shall state the reasons.

Regulation 24. Withdrawal of application.

(1) An applicant may withdraw his application by a declaration on Form 2 addressed to the Registrar and signed by the applicant or his agent so authorized for that specific purpose.

[Subs. P.U.(A) 296/90]

(2) In the case of several applicants the declaration referred to in sub-regulation (1) shall be signed by all the applicants or on behalf of all the applicants by their agent so authorized for that specific purpose.

[Subs. P.U.(A) 262/95]

(3) Where a declaration is signed by an agent, such declaration shall be accompanied by the letter authorizing him to sign the declaration.

Regulation 25. Filing date.

(1) When the Registrar records the filing date of the application he shall send to the applicant a certificate of filing in the form of a copy of the request with the filing date and application number marked thereon.

(2) The required correction under section 28 (2) of the Act shall be filed within three months from the date of the Registrar's request.

(3) Where the Registrar treats the application as invalid in accordance with section 28 (3) of the Act, he shall inform the applicant in writing of the reasons.

(4) The drawings under section 28 (4) of the Act shall be furnished within three months from the date of the Registrar's request.

Regulation 26. Preliminary examination.

(1) The requirements of regulations 5, 6, 7 (1), 8, 9, 11, 18 and 51 shall be formal requirements for the purposes of section 29 (1) of the Act.

(2) Where section 29 (2) of the Act applies, the Registrar shall notify the applicant of his findings and the applicant shall make any observation on such finding or any amendment to the application or both within three months from the date of mailing of the Registrars notification.

[Subs. P.U. (A) 262/95]

Regulation 27. Request for substantive examination.

(1) A request for a substantive examination shall be made to the Registrar on Form 5 together with the payment of the prescribed fee within two years from the filing date of the application.

(2) Where an application is divided under regulation 19A more than two years from the filing date of the application, a further request for a substantive examination shall be made at the time of the filing of the request for the division of the application.

(3) A request for a substantive examination shall, where appropriate, be accompanied by -

> (a) information relating to the application number and filing date of any application for a patent or other title of industrial property protection filed with any prescribed industrial property office relating to the same or essentially the same invention as that claimed in the application;
>
> (b) information relating to the number assigned to a patent or other title of industrial property protection granted for the same or essentially the same invention as that claimed in the application by any prescribed industrial property office;
>
> (c) the results of any searches or examinations carried out by any prescribed industrial property office relating to the same or essentially the same invention as that claimed in the application and where the results of any searches or examinations are not in the English language, a certified translation in the English language of such search or examination.
>
> *[Am. P.U.(A) 357/2002]*

(4) The Registrar may waive, as he deems fit, any requirement under subregulation (3) .

(5) Where an application is deemed to be withdrawn under section 29A (5) of the Act, the Registrar shall inform the applicant in writing of that fact and shall state the reasons therefore.

(6) For the purposes of these Regulations,"prescribed industrial property office' means the Patent Office of Australia, the Patent Office of Japan, the Patent Office of the Republic of Korea, the Patent Office of the United Kingdom, the Patent Office of the United States of America or the European Patent Office, as the case may require, in its capacity as a national office or, where appropriate, as an International Searching Authority or as an international Preliminary Examination Authority under the Patent Cooperation Treaty.

[Subs. P.U.(A) 262/95; Am. P.U.(A) 357/2002; Am P.U.(A) 222/2003]

Regulation 27A. Request for modified substantive examination.

(1) A request for a modified substantive examination shall be made to the Registrar on Form 5A together with the payment of the prescribed fee within two years from the filing date of the application.

(2) Where an application is divided under regulation 19A more than two years from the filing date of the application, a further request for a modified substantive examination shall be made at the time of the filing of the request for the division of the application.

(3) A request for a modified substantive examination shall be accompanied by -

> (a) a certified true copy of the patent or other title of industrial property protection granted to the applicant or his predecessor in title in the prescribed country or under the prescribed treaty or Convention, and where the patent or other title of industrial property protection is not in the English language, a certified translation in the English language thereof,
>
> (b) where the description, claims or drawings of the invention granted a patent or other title of industrial property protection by the prescribed country or under the prescribed treaty or Convention are not, apart from matters of form, substantially the same as the description, claims or drawings of the invention claimed in the application, the amendments required for the purpose of bringing them into conformity.

(4) Where an application is deemed to be withdrawn under section 29A (5) of the Act, the Registrar shall inform the applicant in writing of that fact and shall state the reasons therefor.

(5) For the purposes of these Regulations-

"prescribed country" means Australia, Japan, the Republic of Korea, the United Kingdom or the United States of America, as the case may require;

[Am. P.U.(A) 357/2002; Am P.U.(A) 222/2003]

*prescribed treaty or Convention" means the European Patent Convention.

[Ins. P.U. (A) 262/95]

Regulation 27B. Deferment of filing of request for substantive examination and modified substantive examination.

(1) A request for a deferment of the filing of a request for a substantive examination under regulation 27 or a modified substantive examination under regulation 27A or a deferment of the provision of information or documents required under regulation 27 (3) shall be made to the Registrar of Form 5B.

(2) For the purposes of section 29A (7) of the Act, the maximum period of deferment allowed-

> (a) for the filing of a request under regulation 27, shall be three years from the filing date of the application;
>
> (b) for the filing of a request under regulations 27A, shall be four years from the filing date of the application;

(c) for the provision of the information or documents required under regulation 27 (3), shall be three years from the filing date of the application.

[Ins. P.U. (A) 262/95]

Regulation 27C. Substantive examination.

(1) The requirements of sections 13,14,15 and 16, Part V, and sections 26, 26A, 26B, and 27 of the Act and regulations 7 (2) ,10, 12 to 17, 21 and 50 shall be substantive requirements for the purposes of section 30 (1) of the Act.

(2) For the purpose of determining whether the application complies with the substantive requirements, in particular sections 14 and 15 of the Act, the Examiner shall search such documents as the Registrar deems necessary.

(3) Upon receipt of the Examiner's report under section 30(1) (b) of the Act, the Registrar may request the Examiner to conduct a further search or other investigation to determine whether the requirements of sections 14 and 15 of the Ad have been satisfied and subregulation (2) shall apply in relation to such further search or other investigation.

(4) Where section 30 (3) of the Act applies, the Registrar shall send a copy of the Examiner's report to the applicant and the applicant shall make any observation on such report or any amendment to the application or both within three months from the date of mailing of the report.

(5) Where the applicant makes any observation on the Examiner's report or any amendment to the application or both within the prescribed period, the Registrar shall refer them to the Examiner who shall report his determination to the Registrar.

(6) Without prejudice to the foregoing provisions the prescribed period for compliance with the substantive requirements shall be five years from the filing date of the application.

[Ins. P.U. (A) 262/95]

Regulation 27D. Modified substantive examination.

(1) The requirements of sections 13 and 14, Part V, and sections 26A, 26B and 27 of the Act and regulations 10, 21 and 50 shall be substantive requirements for the purposes of section 30 (2) of the Act.

(2) In addition, it shall also be a substantive requirement that the description, claims and drawings of the invention claimed in the application, whether as filed or as amended under the Act or these Regulations, apart from matters of form, shall be the same or substantially the same as the description, claims and drawings of the invention granted a patent or other title of industrial property protection by the prescribed country or under the prescribed treaty or Convention.

(3) For the purpose of determining whether the application complies with the substantive requirements, in particular section 14 of the Act, the Examiner shall search such documents as the Registrar deems necessary.

(4) Upon receipt of the Examiner's report under section 30 (2)(b) of the Act, the Registrar may request the Examiner to conduct a further search or other investigation to determine whether the requirements of section 14 of the Act have been satisfied and subregulation (3) shall apply in relation to such further search or other investigation.

(5) Where section 30 (3) of the Act applies, the Registrar shall send a copy of the Examiner's report to the applicant and the applicant shall make any observation on such report or any amendment to the application or both within three months from the date mailing of the report.

(6) Where the applicant makes any observation on the Examiner's report or any amendment to the application or both within the prescribed period, the Registrar shall refer them to the Examiner who shall report his determination to the Registrar.

(7) Without prejudice to the foregoing provisions, the prescribed period for compliance with the substantive requirements shall be five years from the filing date of the application.

[Ins. P.U. (A) 262/95]

Regulation 28. Notification of refusal of application.

Where an application is refused under section 29 (2), 30 (3), 30 (6), 31 (1) or 85 of the Act, the Registrar shall notify the applicant in writing of that decision and shall state the reasons therefor.

[Am. P.U.(A) 262/95]

Regulation 29. Certificate of grant of patent.

(1) The certificate of the grant of a patent referred to in section 31 (2) (a) of the Act shall contain-

(a) the number of the patent;

(b) the name and address of the owner of the patent;

(c) the name of the inventor (except where he has indicated he does not wish to be named) ;

(d) the filing date and the priority date, if any, of the application;

(e) the date of the grant of the patent; and

(f) the title of the invention; and

[Am. P.U. (A) 229/2001]

(g) the date the certificate of grant of the patent is issued.

[Ins. P.U. (A) 229/2001]

(2) [Deleted by P.U. (A) 262/95]

Regulation 30. Contents of patent.

The patent granted pursuant to section 31 (2) of the Act shall contain-

(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 indicated he does not wish to be named);

(d) the name and address of the agent, if any;

(e) the filing date of the application;

(f) the priority date of the application, if any, and the name of the country or countries in which or for which the earlier application was filed;

(g) the date of the grant of the patent;

(h) the title of the invention;

(i) the symbol of the International Patent Classification;

(j) the abstract;

(k) the description;

(l) the claims, and

(m) all the drawings, if any.

Regulation 31. Register.

(1) The Register shall be kept in such form and on such medium as the Registrar may determine.

(2) The Register shall contain the particulars specified in paragraphs (a) to (j) of regulation 30.

[Subs. P.U. (A) 262/95]

Regulation 31A. Request for certified copies of or extracts from Register, etc.

A request for certified copies or extracts for the purposes of sections 33, 33A (2) , 34 and 83A of the Act shall be made to the Registrar on Form 5C together with the payment of the prescribed fee.

[Ins. P.U. (A) 262/95]

Regulation 31B. Amendment of Register.

(1) A request under section 33B of the Act to amend the Register shall be made to the Registrar on Form 5D together with the payment of the prescribed fee.

(2) The Registrar may require the submission of such information or documents, including a written explanation by the owner of the patent, in support of the request for the-amendment.

[Ins. P.U. (A) 262/95]

Regulation 32. Contents of reference to grant of patent published in Gazette.

A reference to the grant of a patent published pursuant to section 31 (3) (a) of the Act shall include the particulars specified in paragraphs (a) to (j) of regulation 30 as well as the most illustrative of any drawings.

[Am. P.U. (A) 262/95]

Regulation 33. Annual fees.

(1) The prescribed annual fee shall be paid to the Registrar who shall record the payment in the Register.

(2) The lapse of a patent for non-payment of the prescribed annual fee shall be recorded in the Register.

[Am. P.U. (A) 262/95]

(3) Annual fees paid shall not be refundable.

Regulation 33A. Reinstatement of lapsed patent.

(1) A request under section 35A (1) of the Act for the reinstatement of a lapsed patent shall be made to the Registrar on Form 5E together with the payment of the prescribed fee.

(2) The Registrar may require the, submission of such information or documents, including a written explanation by the Person making the request, in support of the request for the reinstatement of the lapsed patent.

(3) Where a case for reinstatement has not been made out to the satisfaction of the Registrar, he shall notify the person making the request in writing of that fact and shall state the reasons therefor and shall give the person making the request an opportunity to be heard.

(4) Upon receipt of a notification under subregulation (3), the person making the request may, within one month from the date of the mailing of the notification, request for a hearing.

(5) Where the Registrar receives a request for a hearing under subregulation (4), he shall give the person making the request an opportunity to present his case and shall thereafter give his decision.

(6) Where no request for a hearing is received within the prescribed period or where the person making the request does not appear on the date fixed for the hearing of the request the Registrar shall refuse the request for reinstatement and shall inform the person making the request in writing of that decision.

(7) Where a case for reinstatement has been made out to the satisfaction of the Registrar, he shall notify the person making the request in writing of that fact.

(8) Upon receipt of a notification under subregulation (7), the person making the request shall, within one month from the date of the mailing of the notification, pay to the Registrar all annual

fees due and the prescribed surcharge for reinstatement.

(9) The Registrar shall, upon receipt of the annual fees due and the prescribed surcharge for reinstatement, reinstate the patent; and the date of reinstatement shall be recorded in the Register.

[Ins. P.U. (A) 262/95]

Regulation 33B. Protection of persons who exploit lapsed patents.

(1) Any person who has exploited or taken definite steps, by contract or otherwise, to exploit a patent after it is notified in the *Gazette* that the patent has lapsed and before it is notified in the *Gazette* that the patent has been reinstated may request for a licence to exploit the patented invention.

(2) A request under subregulation (1) shall be made to the Registrar on Form 5F

(3) A copy of the request shall be served on the owner of the patent.

(4) The Registrar may require the person making the request or the owner of the patent or both to appear before him for the purpose of giving a statement or submitting any document or other information.

(5) The Registrar may, where he is satisfied that a licence to exploit the patented invention should be granted, grant a licence to the person making the request subject to such terms and conditions as the Registrar deems fit and the owner of the patent shall be deemed to have consented to such grant.

(6) The Registrar shall inform the person making the request and the owner of the patent in writing of his decision.

[Ins. P.U. (A) 262/95]

Regulation 33C. Conversion of applications.

(1) A request under section 17B (3) of the Act to convert an application for a patent into an application for a certificate for a utility innovation or to convert an application for a certificate for a utility innovation into an application for a patent shall be made to the Registrar on Form 5G together with the payment of the prescribed fee.

(2) Where a case for conversion has been made out to the satisfaction of the Registrar, he shall notify the person making the request in writing of that fact.

(3) Upon receipt of a notification under subregulation (2), the person making the request shall, within one month from the date of the mailing of the notification, pay to the Registrar

> (a) in the case of a request to convert an application for a patent into an application for a certificate for a utility innovation, the prescribed fee payable under regulation 45;
>
> (b) in the case of a request to convert an application for a certificate for a utility innovation into an application for a patent, the prescribed fee payable under regulation 7.

(4) For the avoidance of doubt it is declared that where an application has been converted in accordance with this regulation, the prescribed fee paid on the original application shall not be refundable.

[Ins. P.U. (A) 262/95]

Regulation 34. Application to record or transmission.

(1) Any application under section 39 (2) of the Act to record in the Register the assignment or transmission of a patent application or a patent shall be made to the Registrar on Form 6 together with the payment of the prescribed fee.

[Am. P.U. (A) 262/95]

(2) The application shall be signed, in the case of an assignment, by or on behalf of the parties to the transfer and, in the case of a transmission, by or on behalf of the person entitled to the patent application or patent.

(3) The application shall be accompanied by documents proving to the satisfaction of the Registrar the change of ownership.

(4) When sub-regulations (1) to (3) have been complied with, the Registrar shall record the assignment or transmission in the Register.

(5) Where a change in ownership relates to a patent, a reference thereto shall also be published in the *Gazette.*

Regulation 35. Entry in Register that any person may obtain a licence.

(1) An application under section 42 (1) of the Act shall be made on Form 7 together with the payment of the prescribed fee.

(2) An application under section 42 (6) of the Act shall be made on Form 8 together with the payment of the prescribed fee.

[Am. P.U. (A) 295/90

Regulation 36. Request to record particulars of licence contracts.

A request under section 42 (4) of the Act shall be made to the Registrar on Form 9 together with the payment of the prescribed fee.

Regulation 37. Request to record expiry or termination of recorded licence contracts

A request under section 47 (a) of the Act shall be made to the Registrar on Form 10 together with the payment of the prescribed fee.

Regulation 38. Application for compulsory licence.

(1) An application under section 49 and 49A of the Act shall be made to the Registrar on Form 11 together with the payment of the prescribed fee.

(2) For the purpose of section 49(2) of the Act, the reasonable period of time shall be six months from the initial efforts made to obtain authorization from the owner of the patent.

[Ins. P.U. (A) 229/2001]

Regulation 39. Procedure for Grant of Compulsory Licence

(1) The Registrar shall, within three months from the date of the application, examine whether the requirements of section 50 (1) of the Act and regulation 38 are satisfied and, if the requirements are satisfied, send a copy of the application to the licensor and licensee and invite the licensor or licensee, as the case may be, to make any observations.

(2) The Registrar shall give the notice required by section 50 (2) of the Act, in writing, not later than three months before the date set for the Board to consider the application.

Regulation 40. Notification of the Board's decision.

(1) The Registrar shall notify in writing any party required to appear before the Board under section 51 (1) of the Act not later than one month before the date set for the appearance.

(2) Within one month from the date the Board makes its decision, and the Registrar shall notify the applicant, the licensor or the licensee, as the case may be, of the decision and shall record the decision in the Register setting out the following particulars:

[Am. P.U. (A) 262/95]

(a) the name and address of the applicant;

(b) the date of filing of the application;

(c) the applicable statutory provision under which the application was made;

(d) the title of the patented invention;

(e) the number and date of the grant of the patent in question;

(f) the date and nature of the decision; and

(g) if a compulsory licence was granted, the particulars referred to in section 52 of the Act.

(3) The Registrar shall publish the decision of the Board under section 51 (1) of the Act in the *Gazette* setting out the particulars mentioned in paragraphs (a) to (f) of sub-regulation (2).

[Am. P.U. (A) 262/95]

Regulation 41. Amendment and cancellation of compulsory licence.

(1) The request under section 54 (1) of the Act to amend the decision granting a compulsory licence shall be made to the Registrar on Form 12 together with the payment of the prescribed fee.

(2) The request under section 54 (2) of the Act to cancel a compulsory licence shall be made to the Registrar on Form 13 together with the payment of the prescribed fee.

(3) The procedure set out in section 50 and 51of the Act and in regulations 38, 39 and 40 shall apply, to the extent relevant, for amending or cancelling a compulsory licence.

Regulation 42. Surrender of compulsory licence.

(1) The written declaration of surrender of a compulsory licence under section 54 (3) of the Act shall be accompanied by the payment of the prescribed fee.

(2) The Registrar shall record the surrender in the Register and notify the owner of the patent as required by section 54 (3) within one month from the date of receipt of the declaration of surrender.

(3) The Registrar shall publish the surrender as required by section 54 (3) of the Act in the *Gazette*.

Regulation 43. Surrender of patent.

The written declaration of surrender of a patent under section 55 (1) of the Act shall be accompanied by the payment of the prescribed fee.

Regulation 44. Invalidation of patent.

(1) The owner of the patent shall notify any licensees of any proceedings brought under section 56 of the Act.

(2) The person requesting the invalidation shall notify any beneficiaries of compulsory licences of any proceedings brought under section 56 of the Act.

Regulation 45. Certificate for a utility innovation.

(1) An application for the grant of a certificate for a utility innovation under Part IV A of the Act shall be made to the Registrar on Form 14 together with the payment of the prescribed fee.

(2) An application to extend the term of a certificate for a utility innovation shall be made to the Registrar on Form 15 together with the payment of the prescribed fee.

(3) The provisions of these Regulations, except regulation 19 and Part IV, shall apply to utility innovations to the extent relevant.

(4) In the forms made applicable to utility innovations under subregulation (3), "certificate" means a certificate for a utility innovation.

Regulation 45A. Interpretation.

In this Part, unless the context otherwise requires -

"Board of Examiners" means the board of Examiners of Patent Agents established under regulation 45G;

"Secretary-General" means the Secretary-General of the Ministry charged with the responsibility for the development of industrial property.

[Ins. P.U. (A) 262/95]

Regulation 45B. Representation in proceedings.

(1) Unless the Act or any regulation made thereunder otherwise prescribes, or the Registrar otherwise directs, any person may be represented in proceedings before the Patent Registration Office by a patent agent who may attend, file documents and sign documents on that person's behalf.

(2) The appointment or change of a patent agent shall be made on Form 17, signed by the person or persons to be represented by the agent and submitted to the Registrar.

[Ins. P.U. (A) 262/95]

Regulation 45C. Registration of patent agents.

(1) An application to be registered as a patent agent in the Register of patents Agents shall be made to the Registrar on Form 18 together with the payment of the prescribed fee.

(2) In order to be registered in the Register of Patents Agents, the applicant shall satisfy the Registrar-

(a) that he is domiciled in or is a permanent resident of Malaysia;

(b) that he is an advocate and solicitor of the High Court in Malaya or an advocate of the High Court in Sabah and Sarawak, or has a relevant degree or its equivalent in an appropriate branch or engineering or science from an institution of higher learning approved by the Board of Examiners, or has qualifications entitling him to graduate membership of a professional engineering or scientific institution or the like recognized by the Board of Examiners ; and

(c) that he has passed the examination specified in regulation 45D.

(3) The Registrar may, at any time, require proof of the matters specified in paragraphs (a), (b) and (c) of subregulation (2).

(4) The Registrar may refuse to register any person who has been convicted of an offence involving fraud or dishonesty.

(5) The Registrar, upon being satisfied that the applicant qualifies to be registered in the Register of Patents Agents, shall register the applicant for a term expiring on 31 December of that year.

[Ins. P.U. (A) 262/95]

Regulation 45D. Examination for patent agents.

(1) For the purposes of regulation 45C(2)(c), the board of Examiners shall conduct an examination which shall consist of the following subjects:

(a) technology;

(b) Malaysian patent law and practice;

(c) Malaysian trade mark and designs law and practice; and

(d) foreign industrial property law and practice.

(2) An application for registration as a candidate for the examination specified in subregulation (1) shall be made to the Board of Examiners of Form 18A together with the payment of the prescribed fee.

(3) An application under subregulation (2) shall be sent to the Secretary to the Board of xaminers at the Patent Registration Office on or before the date determined by the board of Examiners for the submission of such applications.

(4) A candidate shall be required to sit for each of the subjects specified in subregulation (1) at a sitting of the examination.

(5) A candidate who has sat for and failed to pass any of the subjects specified in subregulation (1) may, if he is dissatisfied with his result appeal to the Secretary-General for re-scrutiny of the results within fourteen days from the date of the notification of such results together with the payment of the prescribed fee.

(6) Upon receipt of an appeal under subregulation (5), the Secretariat General shall consider the appeal and make a decision of thereon.

(7) The decision of the Secretary-General shall he final and conclusive.

(8) A candidate who has sat for and failed to pass any or all of the subjects specified in subregulation (1) at an examination may apply to re-sit such subject or subjects, as the case may be, at the next sitting of the examination and such application shall be made to the Board or Examiners on Form 18B together with the payment of the prescribed fee.

(9) Any candidate who has failed to pass all of the subjects specified in Subregulation (1) after three attempts shall be deemed to have failed the overall examination and subregulations (5), (6), (7) and (8) shall not apply thereto.

(10) Any candidate who is deemed to have failed the overall examination under subregulation (9) may re-apply to he registered as a candidate under subregulation (2).

[Ins. P.U. (A) 262/95]

Regulation 45E. Renewal of registration of patent agents.

(1) An application for the renewal of registration as a patent agent shall be made to the Registrar on Form 19 together with the payment of the prescribed fee by 31 January of each year:

Provided that in the case of a person who immediately before the date of coming into force of this regulation was registered as a patent agent the application for the renewal of registration as a patent agent shall be made within thirty days of the expiry of the registration.

(2) The Registrar shall, upon being satisfied that the conditions specified in regulation 45C continue to be satisfied, renew the registration of the patent agent for a term expiring on 31 December of that year:

Provided that a person who immediately before the date of coming into force of this regulation was registered as a patent agent shall be deemed to have satisfied the conditions specified in regulation 45C (2)(c) .

(3) Notwithstanding subregulation (2), the Registrar may refuse to renew the registration of any person who has been convicted of an offence involving fraud or dishonesty.

[Ins. P.U. (A) 262/95]

Regulation 45F. Cancellation of registration of patent agents.

(1) The Registrar may cancel the registration of any person who has been convicted of an offence involving fraud or dishonesty.

(2) Where the registration of any person is cancelled under this regulation no fees paid for the purpose of registration or renewal of registration shall be refundable.

Regulation 45G. Board of Examination of Patent Agents.

(1) There is established a Board of Examiners of Patent Agents which consist of -

(a) the Registrar of Patents, who shall be Chairman; and

(b) four other persons proficient in the field of industrial property appointed by the Secretary-General.

(2) An officer of the Patent Registration Office shall be Secretary to the Board of Examiners.

(3) A member of the Board of Examiners appointed under subregulation (1)(b) shall, unless his appointment is sooner revoked or he sooner resigns, hold office for such period not exceeding three years as the Secretary-General may determine and shall be eligible for reappointment.

(4) At a meeting of the Board of Examiners three members shall from a quorum.

(5) In the absence of the Chairman, a member nominated by the Chairman shall preside at the meeting and such member may exercise all the powers of the Chairman in respect of that meeting.

(6) If on any question to be determined there is an equality of votes, the Chairman shall have the casting vote in addition to his deliberative vote.

(7) The Board of Examiners shall be responsible for -

(a) the conduct of the examination specified in regulation 45D;

(b) preparing and publishing the examination syllabus and determining the study material to be recommended;

(c) preparing examination papers;

(d) registering and admitting candidates;

(e) determining the time, date and place for examination;

(f) awarding certificates; and

(g) advising the Registrar as to the persons who have satisfied the requirements of paragraphs (b) and (c) of subregulation 45C (2) .

(8) The Board of Examiners shall enjoy the prerogative of awarding and withdrawing certificates, withholding and cancelling the results of any candidate, and barring any person from taking the examination.

[Ins. P.U. (A) 262/95]

Regulation 45H. Setting, assessing and marking of examinations questions and answers.

(1) The Board of Examiners may appoint suitably qualified persons to be examiners for the purpose of setting, assessing and marking questions or answers for the examination specified in regulation 45D.

(2) The Board of Examiners may give such instructions in relation to the setting, assessing and marking of questions or answers as it considers necessary.

(3) The examiners appointed under subregulation (1) shall be paid such allowances as the Minister may direct.

[Ins. P.U. (A) 262/95]

Regulation 46. Amendment of application.

A request under section 79 (1) of the Act to correct a clerical error or obvious mistake in an application for the grant of a patent shall be made to the Registrar on Form 16 together with the payment of the prescribed fee.

[Am. P.U.(A) 262/95]

Regulation 46A. Amendment of Patent.

A request under section 79A (1) of the Act to correct a clerical error or obvious mistake in a patent or any other document associated with the patent, or to amend a patent or any other document associated with the patent for any other reason shall be made to the Registrar on Form 16A together with the payment of the prescribed fee.

[Ins. P.U. (A) 262/95]

Regulation 47. Hearing.

(1) The Registrar shall give the person entitled to a hearing pursuant to section 81of the Act not less than one month's notice of the date of hearing.

(2) Within twenty-one days of the date of the notice, the person notified shall inform the Registrar whether he desires to be heard.

(3) If the person notified fails to inform the Registrar within twenty-one days of his desire to be heard, the Registrar may proceed to exercise his power in the absence of such person.

(4) The Registrar may invite an Examiner to assist him in the hearing.

Regulation 48. (Deleted).

[Deleted by P.U. (A) 262/95]

Regulation 49. (Deleted).

[Deleted by P.U. (A) 262/95]

Regulation 50. Signatures by partnerships, companies and associations.

(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-

(a) by all the partners; or

(b) by any qualified partner stating that he signs on behalf of the partnership; or

(c) 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-

(a) by a director or the secretary or other principal officer of the body corporate; or

(b) by any other person who satisfies the Registrar that he is authorized to sign the document.

(3) 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.

Regulation 51. Address for service.

(1) Every person concerned with any proceedings under the Act or any regulation made thereunder and every owner of a patent shall furnish to the Registrar, on Form 20 together with the payment of the prescribed fee, an address for service in Malaysia, which may be treated for all purposes concerning or connected with such proceedings or patent as the address of the person concerned.

(2) Notwithstanding sub-regulation (1), where a patent agent has been appointed, the address for service shall be the address of the patent agent.

(3) The furnishing of Form 20 is not required the address for service has already been furnished in any other Form in Schedule II to these Regulations, and that address for service has not changed in any way.

[Ins. P.U (A) 295/90]

Regulation 52. Service by post.

(1) Any notice, application or other document sent to the Registrar by post shall be deemed to have been given, made or filed at the time when it would have been delivered in the ordinary course of the post.

(2) For the purpose of proving that a notice, application or other document has been sent to the Registrar by post, it shall be sufficient to prove that the letter containing such notice, application, or other document was addressed sent by registered post.

Regulation 53. Request for extension of time.

A request under section 82 of the Act shall be made to the Registrar on Form 21 together with the payment of the prescribed fee.

SCHEDULE I

(Regulation 2 (2))

FEES

PART I

(1)	(2)	(3)	(4)
Item No	Matter / Proceeding	Fee (RM)	Corresponding Form
1	(a) Request for grant of patent	200. 00	Form 1
	(b) Claims		
	(i) for first ten claims	Nil	
	(ii) for every additional claim	10. 00 per claim	
2	Declaration of withdrawal of application	-	Form 2
3	Request for substantive examination	700. 00	Form 5
4	Request for modified substantive examination	450. 00	Form 5A
5	Request for deferment of filing of request for examination or provision of information	-	Form 5B
6	Request for certified copies or extracts	50. 00	Form 5C
7	Request to amend Register	50. 00	Form 5D
8	Request for reinstatement of lapsed patent	100. 00	Form 5E
9	Request for licence to exploit patented invention	-	Form 5F
10	Request to convert application for patent into application for certificate for utility innovation or *vice versa*	200. 00	Form 5G
11	Application for recording of assignment or transmission	100. 00	Form 6
12	Application for entry in Register that any person may obtain a licence	50. 00	Form 7
13	Application for cancellation of entry in Register that any person may obtain a licence	50. 00	Form 8
14	Request for recording of particulars of licence contract in Register	100. 00	Form 9

15	Request for recording expiry or termination of licence contract in Register	75. 00	Form 10
16	Application for compulsory licence	75. 00	Form 11
17	Request for amendment of decision granting compulsory licence	75. 00	Form 12
18	Request for cancellation of compulsory licence	75. 00	Form 13
19	Application for grant of certificate for utility innovation	100. 00	Form 14
20	Application to extend term of certificate for utility innovation	100. 00	Form 15
21	Request to amend application for grant of patent	50. 00	Form 16
22	Request to amend patent	50. 00	Form 16A
23	Appointment or change of patent agent	-	Form 17
24	Application for registration of patent agent	2000. 00	Form 18
25	Application for registration as candidate for examination	100. 00	Form 18A
26	Application to re-sit examination	100. 00	Form 18B
27	Examination fee	100. 00 per subject	
28	Application for renewal of registration of patent agent	400. 00	Form 19
29	Furnishment of address for service	100. 00	Form 20
30	Request for extension of time	200. 00	Form 21

[Subs. P. U. (A) 262/95]

PART II

(1) Item No	(2) Matter / Proceeding	(3) Fee (RM)	
1	Copy of patent	30. 00	
2	Copy of search report	20. 00	
3	Examination of Register	10. 00	per hour
4	Certified extract from Register	10. 00	per page
5	Photocopy of extract from Register	2. 00	per page
6	Inspection of file relating to patent or patent application	10. 00	per hour
7	Certified extracts from file relating to patent or patent application-		
	(a) for first five pages	10. 00	per page
	(b) for every additional page	2. 00	per page
8	Annual fee for patent:		
	(a) for second year after grant of patent	200. 00	
	(b) for third year after grant of patent	250. 00	

(c) for fourth year after grant of patent	300. 00
(d) for fifth year after grant of patent	350. 00
(e) for sixth year after grant of patent	400. 00
(f) for seventh year after grant of patent	450. 00
(g) for eighth year after grant of patent	500. 00
(h) for ninth year after grant of patent	550. 00
(i) for tenth year after grant of patent	600. 00
(j) for eleventh year after grant of patent	650. 00
(k) for twelveth year after grant of patent	700. 00
(l) for thirteenth year after grant of patent	800. 00
(m) for fourteenth year after grant of patent	900. 00
(n) for fifteenth year after grant of patent	1000. 00
(o) for sixteenth year after grant of patent	1200.00
(p) for seventeenth year after grant of patent	1400.00
(q) for eighteenth year after grant of patent	1600.00
(r) for nineteenth year after grant of patent	1800.00
(s) for twentieth year after grant of patent	2000.00

Provided that the duration of a patent shall not exceed twenty years from the filing date of the application.

[Subs. P.U. (A)229/2001]

9	Surcharge for reinstatement	100% of fee for year concerned
10	Surrender of compulsory licence	60. 00
11	Surrender of patent	60. 00
12	Annual fee for certificate for utility innovation:	
	(a) for third year after grant of certificate	120. 00
	(b) for fourth year after grant of certificate	160. 00
	(c) for fifth year after grant of certificate	160. 00
	(d) for sixth year after grant of certificate	200. 00
	(e) for seventh year after grant of certificate	200. 00
	(f) for eighth year after grant of certificate	240. 00
	(g) for ninth year after grant of certificate	240. 00
	(h) for tenth year after grant of certificate	280. 00
	(i) for eleventh year after grant of certificate	400. 00
	(j) for twelfth year after grant of certificate	600. 00
	(k) for thirteenth year after grant of certificate	700. 00
	(l) for fourteenth year after grant of certificate	800. 00
	(m) for fifteenth year after grant of certificate	1000.00
	(n) for sixteenth year after grant of certificate	1100.00
	(o) for seventeenth year after grant of certificate	1200.00

(p) for eighteenth year after grant of certificate	1300.00
(q) for nineteenth year after grant of certificate	1400.00
(r) for twentieth year after grant of certificate	1500.00

Provided that the duration of a certificate for a utility innovation shall not exceed twenty years from the filing date of the application.

[Sub. P.U. (A)229/2001]

13	Holding of hearing	100. 00	
14	Certificate of grant of a patent	150. 00	
15	Certificate for a utility innovation	100. 00	
16	Appeal against examination results	200. 00	per subject
17	Extension of time (for every month or part of a month)	50. 00	per month
18.	Surcharge for late payment of annual fee	100% of fee for year concerned	
19.	Public search through computer	20.00	per hour
20.	Computer print-out (Bibliography data)	5. 00	per page
21.	Permitted information (upon request)	100. 00 for less than 10 pages and 5.00 for the subsequent pages".	

[No.18-21:Ins. P.U. (A) 229/2001]

SCHEDULE II [Form No.1- 5]

(Regulation 29)

FORM

Patents Form No 1 PATENTS ACT 1983 REQUEST FOR GRANT OF PATENT [Regulation 7 (1)] To: The Registrar of Patents Patent Registration Office Kuala Lumpur Malaysia	**For Official Use** Application received on. :..... Filing Date: ..... *Fee received on: ..... Amount: ..... *Cheque/Postal Order/Money Order/ Draft/Cash No. :.....
Please submit this Form in duplicate together with the prescribed fee.	Applicant'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 space below):

Name: .....
H.S.C. /Passport No: .....
Address: .....
Address for service in Malaysia: .....
Nationality .....

* Permanent residence or principal place of business:

.....
.....
Telephone No. (if any) : ..... Fax No.(if any) : .....

Additional Information (if any)

III. INVENTOR:

Applicant is the inventor Yes ☐ No ☐

If the applicant is not the inventor:
Name of inventor:.....
Address of inventor: .....
A statement justifying the applicant's right to the patent accompanies this Form:

Yes ☐ No ☐

Additional Information (if any)

IV. AGENT OR REPRESENTATIVE:

Applicant has appointed a patent agent in accompanying Form No.17

Yes ☐

No ☐

Agent's registration No: .....

Applicants have appointed ..... to be their common representative

V. DIVISIONAL APPLICATION:

This application is a divisional application ☐

The benefit of the filing date ☐ priority date ☐ of the initial application is claimed in as much 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:

Additional information is contained in supplemental box:

(a) Disclosure was due to acts of applicant or his predecessor in title ☐

Date of disclosure: .....

(b) Disclosure was due to abuse of rights of applicant or his predecessor in title ☐

Date of disclosure: .....

A statement specifying in more detail the facts concerning the disclosure accompanies this Form

Yes ☐

No ☐

Additional Information (if any)

VII. PRIORITY CLAIM (if any) :

The priority of an earlier application is claimed as follows:
Country (if the earlier application is a regional or international application, indicate the office
with which it is filed) :
.....
Filing Date: .....
Application No: .....
Symbol of the International Patent Classification:

If not yet allocated, please tick ☐
The priority of more than one earlier application is claimed:

Yes ☐ No ☐
The certified copy of the earlier application (s) accompanies this Form:

Yes ☐ No ☐
If No, it will be furnished by ..... (date)

Additional Information (if any)

VIII. CHECK LIST:

A. This application contains the following. .

1. request

2. description ..... sheets

3. claim..... sheets

4. abstract..... sheets

5. drawings..... sheets

Total..... sheets

B. This Form, as filed, is accompanied by the items checked below (please tick where appropriate) :

(a) signed Form No 17 ☐

(b) declaration that inventor does not wish to be named in the patent ☐

(c) statement justifying applicant's right to the patent ☐

(d) statement that certain disclosures be disregarded ☐

(e) priority document (certified copy of earlier application) ☐

(f) cash, cheque, money order, banker's draft or postal order for the payment of application fee ☐

(g) other documents (specify) ☐

IX. SIGNATURE ..... ** *(Applicant/Agent)*	..... *(Date)*
If Agent, indicate Agent's Registration No:	
For Official Use 1. Date application received: ..... 2. Date of receipt of correction, later filed papers or drawings completing the application :.....	

*Delete where inapplicable.
**Type name under signature and delete where inapplicable.

[Subs. P.U. (A) 229/2001]

Patents Form No 2 PATENTS ACT 1983 DECLARATION OF WITHDRAWAL OF APPLICATION (Regulations 24 and 45 (3)) To: The Registrar of Patents Patents Registration Office Kuala Lumpur Malaysia	For Official Use APPLICATION NO: ..... Filing Date: ..... Declaration received on: ..... Date of mailing:
Please submit this Form in duplicate.	Applicant's or Agent's file reference .....

1. IN THE MATTER OF:

Patent Application No: ..... Filing Date: .....

Certificate Application No: ..... Filing Date : .....

II APPLICANT (S) :

Name: .....
Address: .....

III DECLARATION:

*I / WE declare *my / our desire that the above-identified application be withdrawn under section 25 of the Patents Act 1983.

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

If Agent, indicate Agent's Registration No: .....

---

*Delete whichever does not apply.
**Type name under signature. Pursuant to regulation 24, a declaration of withdrawal must be signed
by the applicant(s) or by the agent so authorized for that specific purpose.

Patents Form No 3
PATENTS ACT 1983
(Deleted)

REQUEST FOR PRELIMINARY
EXAMINATION AND SEARCH
(Regulations 26 (1) and 45 (3))

Patents Form No 4
PATENTS ACT 1983
(Deleted)

REQUEST FOR SEARCH IN RELATION To
SECOND OR SUBSEQUENT INVENTION
(Regulation 26 (7))

Patents Form No 5 PATENTS ACT 1983 REQUEST FOR SUBSTANTIVE EXAMINATION (Regulation 27 (1) and 45(3)) To: The Registrar of Patents Patents Registration Office Kuala Lumpur Malaysia	For Official Use APPLICATION NO: ..... Filing Date: ..... Request received on : ..... Fee received on : ..... Amount : ..... *Cheque/Postal Order/Money Order/Draft/Cash No: .....
	Date of mailing: .....
Please submit this Form in duplicate together with the prescribed fee.	Applicant's or Agent's file reference .....

I IN THE MATTER OF :

Patent Application No: ..... Filing Date : .....

Certificate Application No: ..... Filing Date : .....

II APPLICANT (S):

Name: .....

Address: .....

III REQUEST:
+
The applicant (s) request (s) the Registrar to refer the patent application identified above to an Examiner for a substantive examination in accordance with section 29A (1) of the Patents Act 1983.

IV ADDITIONAL INFORMATION accompanies this Form

Yes ☐ No ☐

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

If Agent, indicate Agent's Registration No: .....

---

*Delete whichever does not apply.

Continue on Next Page.

SCHEDULE II- (Regulations 29) [Form No.5A- 5G]

Patents Form No 5A	For Official Use

Patents Act 1983 REQUEST FOR MODIFIED SUBSTANTIVE EXAMINATION (Regulations 27A (1) and 45 (3) To: The Registrar of Patents Patents Registration Office Kuala Lumpur Malaysia	APPLICATION No: ..... Filing Date: ..... Request received on: ..... Fee received on: ..... Amount: ..... *Cheque/Postal Order/Money Order/ Draft/Cash No: .....
Please submit this Form in duplicate together with the prescribed fee.	Applicant's or Agents file reference .....

I. IN THE MATTER OF:

Patent Application No: ..... Filing Date: .....

Certificate Application No: ..... Filing Date: .....

II. APPLICANT (S) :

Name : .....
Address :.....

III. REQUEST:

The applicant (s) request the Registrar to refer the patent application identified above to an Examiner for a modified substantive examination in accordance with section 29A (2) of the Patents Act 1983.

IV. PRESCRIBED FOREIGN PATENT:

I provide herewith a certified copy of the specification of Patent No: ..... granted in ..... on .....

Copy of granted patent from: * UK/US/EP/Australia

V. AMENDMENTS:

Amendments in accordance with regulation 27A (3)(b) accompany this form.

Yes _____ No _____

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

If Agent, indicate Agent's Registration No: .....

---

*Delete whichever does not apply.
**Type name under signature and delete whichever does not apply.

Patents Form No 5B PATENTS ACT 1983 REQUEST FOR DEFERMENT OF FILING OF REQUEST FOR EXAMINATION OR PROVISION OF INFORMATION (Regulations 27B (1) and 45 (3)) To: The Registrar of Patents Patent Registration Office Kuala Lumpur Malaysia	For Official Use APPLICATION NO:..... Filing Date: ..... Request received on: .....
Please submits this Form in duplicate.	Applicant's or Agents file reference .....

I. IN THE MATTER OF:

Patent Application No: ..... Filing Date: .....

Certificate Application No: ..... Filing Date: .....

II. APPLICANT (s)

Name:.....

Address:.....

III. REQUEST:

*(a) The applicant requests deferment of the filing of a request for examination referred to in section 29A (1) or 29(A) (2) of the Patents Act 1983.

Particulars of the *patent/certificate application for essentially the same invention referred to in section 29A (2) of the Patents Act 1983 are as follows:

Name of Country:

Application No:

Date Application Lodged:

I certify that a *patent/certificate has not been granted in ..... or is not available in respect of the above application.

or

(b) The applicant requests deferment of the provision of the *information supporting document referred to in section 29A (4) of the Patents Act 1983.

I certify that the *information / supporting document is not available in respect of the above application.

IV. ADDITIONAL INFORMATION accompanies this Form:

Yes _____ No _____

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

If Agent, indicate Agents Registration No: .....

---

*Delete whichever does not apply.
**Type name under signature and delete whichever does not apply.

Patents Form No 5C PATENTS ACT 1983 REQUEST FOR CERTIFIED COPIES OR EXTRACTS (Regulations 31A and 45 (3)) To: The Registrar of Patents Patent Registration Office Kuala Lumpur Malaysia	For Official Use APPLICATION NO: Filing Date: ..... Request received on: ..... Fee received on: ..... Amount: ..... *Cheque/Postal Order/Money Order/Draft/Cash No: .....
Please submit one copy of this Form together with the prescribed fee.	Applicant's or Agents file reference .....

I. APPLICANT :

Name: .....

Address: .....

II. REQUEST:

The applicant requests the Registrar to issue a certified copy / extract of the matter specified below in accordance with section 33/33A (2)/34/83A of the Patents Act 1983:
.....

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

If Agent, indicate Agent's Registration No: .....

---

* Delete whichever does not apply.
**Type name under signature and delete whichever does not apply.

Patents Form No 5D PATENTS ACT 1983 REQUEST TO AMEND REGISTER (Regulations 31B (1) and 45 (3)) To: The Registrar of Patents Patent Registration Office Kuala Lumpur Malaysia	For Official Use APPLICATION NO: ..... Filing Date: ..... Request received on: ..... Fee received on: ..... Amount: ..... *Cheque/Postal Order/Money Order/ Draft/Cash No: .....
Please submit this Form in duplicate together with the prescribed fee.	Applicant's or Agent's file reference .....

I. IN THE MATTER OF:

Patent No: ..... Date of Grant: .....

Certificate No:..... Date of Grant: .....

II. OWNER (S)

Name: .....

Address : .....

III. REQUEST

The owner (s) request (s) the Registrar to amend the Register in accordance with section 33B of the Patents Act 1983 by-

*(a) correcting an error in the *name/address of the owner(s); or

(b) changing the *name/address of the owner(s)

in respect of the above identified *patent/certificate.

IV. *CORRECTED/CHANGED *NAME/ADDRESS OR OWNER (s)

Name: .....

Address: .....

V. SIGNATURE ....
**(Owner (s)Agent)* *(Date)*

If Agent, indicate Agent's Registration No: .....

---

*Delete whichever does not apply.
*Type name under signature and delete whichever does not apply.

Patents Form No 5E PATENTS ACT 1983 REQUEST FOR REINSTATEMENT OF LAPSED PATENT (Regulations 33A (1) and 45 (3)) To: The Registrar of Patents Patent Registration office Kuala Lumpur Malaysia	For Official Use APPLICATION NO: ..... Filing Date: ..... Request received on:..... Surcharge received on: ..... Amount: ..... Annual fees due received on: ..... *Cheque/Postal Order/Money Order/ Draft/Cash No: .....
Please submit this Form in duplicate together with the prescribed fee.	Applicant's or Agents file reference .....

I. IN THE MATTER OF:

Patent No: ..... Date of Grant: .....

Certificate No: ..... Date of Grant: .....

II. OWNER (S) :

Name: .....

Address: .....

III. REQUEST

The owner (s) request (s) the Registrar to reinstate the *patent/certificate identified above in accordance with section 35A of the Patents Act 1983.

IV. EVIDENCE IN SUPPORT accompanies this Form:

Yes _____ No _____

V. SIGNATURE ....
**(Owner (s)/Agent)* *(Date)*

If Agent, increase Agent's Registration No: .....

---

*Delete whichever does not apply.
**Type name under signature and delete whichever does not apply.

Patents Form No 5F PATENTS ACT 1983 REQUEST FOR LICENCE TO EXPLOIT PATENTED INVENTION (Regulations 33B (2) and 45(3) To: The Registrar of Patents Patent Registration Office Kuala Lumpur Malaysia	For Official Use APPLICATION NO: ..... Filing Date: ..... Application received on: .....
Please submits this Form in duplicate.	Applicant's or Agent's file reference .....

I. IN THE MATTER OF:

Patent No: ..... Date of Grant: .....
Certificate No: ..... Date of Grant: .....
Date of Reinstatement of *Patent/Certificate:
.....

II. OWNER (S):

Name : .....

Address : .....

III. REQUEST:

The applicant applies to the Registrar for a licence under the *patent/ certificate identified above in accordance with regulation 33B of the Patents Regulations 1986.

IV. ADDITIONAL INFORMATION accompanies this Form:

Yes _____ No _____

V. A COPY OF THIS REQUEST HAS BEEN SERVED ON THE OWNER (S) IDENTIFIED ABOVE

Yes _____ No _____

VI. SIGNATURE ....
***(Applicant (s)/Agent)* *(Date)*

If Agent, indicate Agent's Registration No: .....

---

*Delete whichever does not apply.
**Type name under signature and delete whichever does not apply.

Patents Form No 5G PATENTS ACT 1983 REQUEST TO CONVERT APPLICATION FOR PATENT INTO APPLICATION FOR CERTIFICATE FOR UTILITY INNOVATION OR VICE VERSA (Regulations 33C and 45 (3)) To: The Registrar of Patents Patent Registration Office Kuala Lumpur Malaysia	For Official Use APPLICATION NO: ..... Filing Date: ..... Application received on: ..... Fee received on: ..... Amount: ..... *Cheque/Pos. Order/Money Order Draft/Cash No:.....
Please submit this Form in duplicate together with the prescribed fee.	Applicant's or Agent's file reference ..... .

I. IN THE MATTER OF:

*Patent/Certificate
Application No: ..... Filing Date: .....

II. APPLICANT (s) :

Name: .....

Address: .....

III. REQUEST:

The applicant applies to the Registrar for the conversion of the *patents certificate application identified above into an application for a *certificate for a utility innovation/patent in accordance with section 17B (3) of the Patents Act 1983.

VI. SIGNATURE ....
***(Applicant (s)/Agent)* *(Date)*

If Agent, indicate Agent's Registration No: .....

---

*Delete whichever does not apply.
**Type name under signature and delete whichever does not apply.

SCHEDULE II- (Regulations 29) [Form No.6 -12]

Patents Form No 6 PATENTS ACT 1983 APPLICATION FOR RECORDING OF ASSIGNMENT OR TRANSMISSION (Regulations 34 (1) and 45 (3) To: The Registrar of Patents patent Registration Office Kuala Lumpur Malaysia	For Official Use APPLICATION NO: ..... Filing Date: ..... Application received on: ..... Fee received on: ..... Amount: ..... *Cheque/Postal Order/Money Order/ Draft/Cash No: ..... Date of mailing: .....
Please submit this Form in duplicate together with the prescribed fee.	Applicant's or Agent's file reference .....

I. IN THE MATTER OF:

Patent Application No: ..... Filing Date: .....

Patent No: ..... Date of Grant: .....

Certificate Application No: ..... Filing Date: .....

Certificate No: ..... Date of Grant: .....

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

Name: .....
Address: .....

III. APPLICATION.

The new *applicant(s) /new owner(s) below *applies/apply to the Registrar to record the *assignment/transmission of the above identified *patent application/patent/certificate application/certificate.

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

Name: .....
Address : .....
Address for service in Malaysia: .....
Nationality: .....
* Permanent residence or principal place of business: .....

Telephone Number (if any)	Fax Number (if any)
.....	.....

V. ADDITIONAL INFORMATION:

The following items accompany this Form:

(a) the original or a certified copy of the assignment signed by or on behalf of the contracting parties _____

(b) other documents evidencing the change of ownership (specify) _____

(c) other (specify) _____

VI. SIGNATURE ....

***(New Application/New Owner/Agent for New Applicant or New Owner)* *(Date)*

If Agent, indicate Agent's Registration No: .....

(in case of assignment) ....

***(Applicant/ Owner/ Agent for Applicant of Owner)* *(Date)*

If Agent, indicate Agent's Registration No: .....

---

*Delete wInchever does not apply.
** Type name under signature and delete whichever does not apply.

Patents Form No. 7 PATENTS ACT 1983 APPLICATION FOR ENTRY IN REGISTER THAT ANY PERSON MAY OBTAIN LICENCE (Regulations 35 (1) and 45 (3)) To: The Registrar of Patents Patent Registration Office Kuala Lumpur Malaysia	For Official Use APPLICATION NO: ..... Filing Date: ..... Application received on: ..... Fee received on: ..... Amount: ..... *Cheque/Postal Order/Money Order/ Draft/Cash No: ..... Date of mailing: .....
Please submit one copy of this Form together with the prescribed fee.	Applicant's or Agent's file reference .....

I. IN THE MATTER OF:

Patent No: ..... Date of Grant: .....
Certificate No: ..... Date of Grant: .....

II. *PATENT/CERTIFICATE OWNER (S) :

Name : .....
Address: .....

III. APPLICATION.

The *patent/certificate owner(s) *applies/apply to the Registrar for an entry to be made in the register to the effect that any person may obtain a licence under the *Patent/certificate identified above. (The *patent/ certificate owner(s) *is/are not precluded by contract from granting licences under the *patent/certificate) .

IV. ADDITIONAL INFORMATION accompanies this Form:

Yes ____ No ____

V. SIGNATURE ....
**(Applicant/Agent) (Date)
If Agent, indicate Agent's Registration No: .....

Patents Form No 8 PATENTS ACT 1983 APPLICATION FOR CANCELLATION OF ENTRY IN REGISTER THAT ANY PERSON MAY OBTAIN A LICENCE (Regulations 35 (2) and 45 (3) To: The Registrar of Patents Patent Registration Office Kuala Lumpur Malaysia	For Official Use APPLICATION NO: ..... Filing Date: ..... Application received on: ..... Fee received on: ..... Amount: ..... *Cheque/Postal Order/Money Order/ Draft/Cash No: ..... Date of mailing : .....
Please submit one copy of this Form together with the prescribed fee.	Applicant's or Agent's file reference .....

I. IN THE MATTER OF:

Patent No: ..... Date of Grant: .....
Certificate No: ..... Date of Grant: .....

II. LICENSOR:

Name: .....
Address: .....

III. APPLICATION:

The licensor applies to the Registrar for the cancellation of the entry made that any person may obtain a licence.

IV. ADDITIONAL INFORMATION accompanies this Form:

Yes _____ No _____

V. SIGNATURE ....
**(Licensor / Agent) *(Date)*

If Agent, indicate Agent's Registration No: .....

*Delete whichever does not apply.
**Type name under signature and delete whichever does not apply.

Patents Form No. 9 PATENTS ACT 1983 REQUEST FOR RECORDING OF PARTICULARS OF LICENCE CONTRACT IN REGISTER (Regulations 36 and 45 (3))	For Official Use APPLICATION NO: ..... Filing Date: ..... Request received on: ..... Fee received on: ..... Amount: ..... *Cheque/Postal Order/Money Order/ Draft/Cash No: .....
To: The Registrar of Patents Patent Registration Office Kuala Lumpur Malaysia	Date of mailing: .....
Please submit one copy of this Form together with the prescribed fee.	Applicant's or Agent's file reference .....

I. IN THE MATTER OF:

Patent No: ..... Date of Grant: .....
Certificate No: ..... Date of Grant: .....
and the licence contract relating thereto.

II. LICENSOR:

Name: .....
Address: .....

III. LICENSEE:

Name: .....
Address: .....

IV. REQUEST:

The above parties request the Registrar to record in the Register the following particulars relating to the licence contract:

V. ADDITIONAL INFORMATION accompanies this Form:

Yes ____ No _____

VI. SIGNATURE ....
**(Licensor /Agent for Licensor) *(Date)*

If Agent, indicate Agent's Registration No: .....

....
**(Licensee /Agent for Licensee) *(Date)*

If Agent, indicate Agent's Registration No: .....

---

*Delete whichever does not apply.
**Type name under signature and delete whichever does not apply.

Patents Form No. 10 PATENTS ACT 1983 REQUEST FOR RECORDING EXPIRY OR TERMINATION OF LICENCE CONTRACT IN REGISTER (Regulations 37 and 45 M) To: The Registrar of Patents Patent Registration Office Kuala Lumpur Malaysia	For Official Use APPLICATION NO: ..... Filing Date: ..... Request received on: ..... Fee received on: ..... Amount: ..... *Cheque/Postal, Order/Money Order/ Draft/Cash No: ..... Date of mailing .....
Please submit one copy of this Form together with the prescribed fee.	Applicants or Agents file reference .....

I. IN THE MATTER OF:

Patent No: ..... Date of Grant: .....
Certificate No: ..... Date of Grant: .....
and the licence contract relating thereto.

_____
_

II. LICENSOR:

Name: .....
Address: .....

_____
_

III. LICENSEE:

Name: .....
Address: .....

_____
_

IV. REQUEST:

The parties to the licence contract identified above request the Registrar to record in the Register the

expiry _____ or termination _____

of the licence contract

_____
_

V. ADDITIONAL INFORMATION

The following items accompany this Form:

(a) documentation evidencing the above fact (specify)

(b) other (specify)

VI. SIGNATURE ....
***(Licensor /Agent for Licensor)* *(Date)*

If Agent, indicate Agent's Registration No: .....

....
***(Licensee /Agent for Licensee)* *(Date)*

If Agent, indicate Agent's Registration No: .....

---

*Delete whichever does not apply.
**Type name under signature and delete whichever does not apply.

Patents Form No. 11 PATENTS ACT 1983 APPLICATION FOR COMPULSORY LICENCE (Regulations 38) To: The Registrar of Patents Patent Registration Office Kuala Lumpur Malaysia	For Official Use APPLICATION NO: ..... Filing Date: ..... Application received on: ..... Fee received on: ..... Amount: ..... *Cheque/Postal Order/Money Order/ Draft/Cash No: ..... Date of mailing .....
Please submit one copy of this Form together with the prescribed fee.	Applicants or Agents file reference .....

I. IN THE MATTER OF:

Patent Application No: ..... Filing Date: .....

II. APPLICANT:

Name: .....
Address: .....
Address for service in Malaysia: .....
Nationality : .....
* Permanent residence or principal place of business: .....

Telephone Number (if any)	Fax Number (if any)
.....	.....

_____

III. REQUEST:

The above applicant applies to the Registrar to transmit to the Board the request, in respect of the patent identified above, for the grant of a compulsory licence under section 49 and/or 49A of the Patents Act 1983, in accordance with the terms proposed in Part IV of this Form and upon the grounds set out in Part V of this Form.

_____
_

IV. PROPOSED TERMS:

A statement setting out the amount of royalty, the conditions of the exploitation of the patent and the restriction of the rights of the licensor or licensee, as the case may be, is attached.

_____
_

V.**STATEMENT OF GROUNDS attached.

_____
_

VI. ADDITIONAL INFORMATION

The following items accompany this Form:

(a) evidence that the patent owner has received a request from the applicant to obtain a licence contract but that he has been unable to obtain such a licence on reasonable terms and within a reasonable time _____

(b) plan according to which the applicant intends to work the patented invention, including evidence that he has the ability to do so in Malaysia _____

(c) other (specify) _____
.....
_____

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

If Agent, indicate Agent's Registration No: .....

*Delete whichever does not apply.

** The ground upon which the request is based shall be indicated by a reference to the statutory provision the applicant considers applicable (section 49(1) (a) and/ or 49A of the Patents Act 1983) and to the facts he considers as justifying the grant of a compulsory licence.

*** Type name under signature and delete whichever does not apply.

Patents Form No. 12 PATENTS ACT 1983 REQUEST FOR AMENDMENT OF DECISION GRANTING COMPULSORY LICENCE (Regulation 41 (1)) To: The Registrar of Patents Patent Registration Office Kuala Lumpur Malaysia	For Official Use APPLICATION NO: ..... Filing Date: ..... Request received on: ..... Fee received on: ..... Amount: ..... *Cheque/Postal Order/Money Order/ Draf/Cash No: ..... Date of mailing: .....
Please submit one copy of this Form together with the prescribed fee.	Applicant's or Agent's file reference .....

I. IN THE MATTER OF:

Patent No: ..... Date of Grant: .....
and the compulsory licence relating thereto.

II. PATENT OWNER(S) :

Name : .....
Address: .....

III. BENEFICIARY OF COMPULSORY LICENCE:

Name: .....
Address : .....

IV. REQUEST

The above *patent owner(s) beneficiary of a compulsory licence ask(s) the Registrar to transmit to the Board the present request for the following amendment of the decision granting the compulsory licence identified above upon the grounds that the new facts set out below justify such amendment.

_____

V. STATEMENT OF GROUNDS, including new facts that justify the amendment are attached.

_____

VI. ADDITIONAL INFORMATION accompanies this Form:

Yes ____ No ____

_____

VII. SIGNATURE ....
**(Patent Owner/Beneficiary/Agent) *(Date)*

If Agent, indicate Agent's Registration No: .....

_____

*Delete whichever does not apply.
**Type name under signature and delete whichever does not apply.

_____

SCHEDULE II- (Regulations 29) [Form No.13- 21]

Patents Form No. 13	For Official Use

PATENTS ACT 1983 REQUEST FOR CANCELLATION OF COMPULSORY LICENCE (Regulation 41 (2)) To: The Registrar of Patents Patent Registration Office Kuala Lumpur Malaysia	APPLICATION NO: ..... Filing Date: ..... Request received on: ..... Fee received on: ..... Amount: ..... *Cheque/Postal Order/Money Order/ Draft/Cash No: ..... Date of mailing: .....
Please submit one copy of this Form together with the prescribed fee.	Applicant's or Agent's file reference .....

I. IN THE MATTER OF:

Patent No: ..... Date of Grant: .....
and the compulsory licence relating thereto.

II. PATENT OWNER(S):

Name: .....
Address : .....

III. REQUEST

The above patent owner(s) ask(s) the Registrar to transmit to the Board the present request for the cancellation of the compulsory licence identified above upon the grounds set out below.

IV. **STATEMENT OF GROUNDS attached.

V. ADDITIONAL INFORMATION accompanies this Form:

Yes _____ No _____

VI. SIGNATURE ....
***(Patent Owner / Agent)* *(Date)*

If Agent, indicate Agent's Registration No: .....

---

*Delete whichever does not apply.

**The ground upon which the request is based shall be indicated by a reference to the statutory provision the applicant considers applicable (section 54 (2)(a) or 54 (2)(b) or 54 (2)(c) or 54 (2)(d) of the Patents Act 1983) and to the facts he considers as justifying the cancellation of the compulsory licence.

***Type name under signature and delete whichever does not apply.

Patents Form No 14 PATENTS ACT 1983 APPLICATION FOR GRANT OF CERTIFICATE FOR UTILITY INNOVATION (Regulation 45 (1))	For Official Use APPLICATION NO: ..... Filing Date: ..... Application received on: ..... Fee received on: ..... Amount: ..... *Cheque/Postal Order/Money Order/ Draft/Cash No: .....
To: The Registrar of Patents Patent Registration Office Kuala Lumpur Malaysia	Date of mailing: .....
Please submit this Form in duplicate together with the prescribed fee.	Applicant's or Agent's file reference .....

THE APPLICANT(S) REQUEST(S) THE GRANT OF A CERTIFICATE FOR A UTILITY INNOVATION 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 space below) :

Name: .....
I/C Passport No: .....
Address:.....
Address for service in Malaysia: .....
Nationality: .....

* Permanent residence or principal place of business:
.....

Telephone Number (if any)	Fax Number (if any)
.....	.....

III. INNOVATOR:

Applicant is the innovator

Yes ____ No____

If the applicant is not the innovator.

Name of innovator : .....
Address of innovator : .....

A statement justifying the applicant's right to the certificate accompanies this Form:

Yes ____ No ____

IV. AGENT or REPRESENTATIVE:

Applicant has appointed a patent agent in accompanying Form No. 17

Yes____ No ____

Agent's Registration No: .....
Applicant's have appointed ..... to be their common representative

V. DIVISIONAL APPLICATION

This application is a divisional application _____

The benefit of the

filing date _____ priority date _____

of the initial application is claimed in as much 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:

Additional information is contained in supplemental box:

(a) Disclosure was due to acts of applicant or his predecessor in title _____
Date of disclosure:.....
(b) Disclosure was due to abuse of rights of applicant or his predecessor in title _____

Date of disclosure :.....

A statement specifying in more detail the facts concerning the disclosure accompanies this Form

Yes _____
No _____

_____
_

VII. PRIORITY CLAIM (if any) :

The priority of an earlier application in claimed as follows:

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

Filing Date: .....
Application No: .....

Symbol of the International Patent Classification:

If not yet allocated, please tick _____

The priority of more than one earlier application is claimed:

Yes ____ No ____

The certified copy of the earlier application (s) accompanies this Form:

Yes ____ No ____

If No, it will be furnished by ..... (date)

_____
_

VIII. CHECK LIST

A. This application contains the following

1. request
2. description ..... sheets
3. claim ..... sheets
4. abstract ..... sheets
5. drawings ..... sheets
Total ..... sheets

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

(a) signed Form No 17 _____

(b) declaration that innovator does not wish to be named in the certificate _____

(c) statement justifying applicant's right to the certificate _____

(d) statement that certain disclosures be disregarded _____

(e) priority document (certified copy of earlier application) _____

(I) cash, cheque, money order banker's draft or postal order for the payment of application fee _____

(g) other documents (specify) _____

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

If Agent, indicate Agent's Registration No: .....

For Official Use

1. Date application received: .....

2. Date of receipt of correction, later filed papers or drawings completing the application:.....

---

*Delete whichever does not apply.
**Type name under signature and delete whichever does not apply.

Patents Form No. 15 PATENTS ACT 1983 APPLICATION TO EXTEND TERM OF CERTIFICATE FOR UTILITY INNOVATION (Regulation 45 (2)) To: The Registrar of Patents Patent Registration Office Kuala Lumpur Malaysia	For Official Use APPLICATION NO: ..... Filing Date: ..... Application received on: ..... Fee received on: ..... Amount: ..... *Cheque/Postal Order/Money Order/ Draf/Cash No: ..... Date of mailing: .....
Please submit one copy of this Form together with the prescribed fee.	Applicant's or Agent's file reference .....

I. IN THE MATTER OF:

Certificate No: ..... Date of Grant: .....

II. APPLICANT(s) (The data concerning each applicant must appear in this box or, if the space is insufficient, in the space below)

Name : .....
Address : .....
Address for service in Malaysia: .....

Telephone Number (if any)	Fax Number (if any)
.....	.....

III. APPLICATION

The owner of the Certificate applies for an extension of the term of the Certificate for an additional period of five years.

IV. AFFIDAVIT:

An affidavit showing that the utility innovation is in commercial or industrial use in Malaysia satisfactorily explaining its non-use is attached in accordance with section 35 (3) of the Patents Act 1983.

V. ADDITIONAL INFORMATION accompanies this Form:

Yes _____ No _____

VI. SIGNATURE ....
***(Owner(s) / Agent* *(Date)*

If Agent, indicate Agent's Registration No: .....

---

*Delete whichever does not apply.
**Type name under signature and delete whichever does not apply.

Patents Form No. 16 PATENTS ACT 1983	For Official Use APPLICATION NO: ..... Filing Date: .....

REQUEST TO AMEND APPLICATION FOR GRANT OF PATENT (Regulations 46 and 45 (3)) To: The Registrar of Patents Patent Registration Office Kuala Lumpur Malaysia	Request received on: ..... Fee received on: ..... Amount: ..... *Cheque/Postal Order/Money Order/ Draft/Cash No: ..... Date of mailing: .....
Please submit one copy of this Form together with the prescribed fee.	Applicant's or Agent's file reference .....

I. IN THE MATTER OF:

Patent Application No: ..... Filing Date: .....
Certificate Application No: ..... Filing Date: .....
Other documents (identify) : .....

II. PERSON(S) MAKING REQUEST

Name : .....
Address : .....

Address for service in Malaysia:.....

Telephone Number (if any)	Fax Number (if any)
.....	.....

III. REQUEST:

The person(s) above-identified request(s) the Registrar that, after *his/ their paying the prescribed fee, the clerical error or obvious mistake in the document identified above may, in accordance with section 79 of the Patents Act 1983, be corrected as attached.

IV. ADDITIONAL INFORMATION accompanies this Form:

Yes ____ No ____

VI. SIGNATURE: ....
**(Applicant / Agent)* *(Date)*

If Agent, indicate Agents Registration No: .....

---

*Delete whichever does not apply.
**Type name under signature and delete whichever does not apply.

Patents Form No. 16A PATENTS ACT 1983 REQUEST TO AMEND PATENT (Regulations 46A and 45 (3)) To: The Registrar of Patents Patent Registration Office Kuala Lumpur Malaysia	For Official Use APPLICATION: ..... Filing Date: ..... Request received on: ..... Fee received on: ..... Amount: ..... *Cheque/Postal Order/Money Order/ Draft/Cash No: .....
Please submit one copy of this Form together with the prescribed fee.	Applicant's or Agent's file reference .....

I. IN THE MATTER OF:

Patent No: ..... Date of Grant: .....
Certificate No: ..... Date of Grant: .....

II. OWNER(S) :

Name:.....
Address: .....

III. ASSOCIATED DOCUMENT (if any) :

Document: .....

IV. REQUEST

The owner(s) request(s) the Registrar to amend, as attached, the above identified *patent/certificate/document in accordance with section 79A(1) of the Patents Act 1983.

V.REASON FOR REQUEST:

*(a) Correction of clerical error
(b) Correction of obvious mistake
(c) Other** reason.....

VI. ADDITIONAL INFORMATION accompanies this Form:

Yes ____ No _____

VII. SIGNATURE: ....
**(Applicant / Agent)* *(Date)*

If Agent, indicate Agent's Registration No: .....

---

*Delete whichever does not apply.
**Specify other reason
***Type name under signature and delete whichever does not apply.

Patents Form No 17 PATENTS ACT 1983 APPOINTMENT OR CHANGE OF PATENT AGENT (Regulations 45B (2) and 45 (3)) To: The Registrar of Patents Patents Registration Office Kuala Lumpur Malaysia	For Official Use APPLICATION NO: ..... Filing Date: ..... Received on: ..... Date of mailing : .....
Please submit one copy of this Form.	Applicant's or Agents file reference .....

*I/We the undersigned,

Name: .....
Address: .....

appoint

Name: .....
Address:.....

Telephone Number (if any) Fax Number (if any)

....

to act as *my/our agent in connection with the following matter(s):
.....

ratify all acts done by the agent on *my/our behalf in connection with *that/ those matter(s), and request that all notices, requisitions and communications relating thereto be sent to the agent at the abovementioned said address.

Any previous appointment in respect of the same matter (s) is revoked.

**SIGNATURE ....
(Date)

---

*Delete whichever does not apply.
**Must be signed by the person(s) appointing the agent; type name under signature.

Patents Form No. 18 PATENTS ACT 1983 APPLICATION FOR REGISTRATION OF PATENT AGENTS (Regulation 45C (1)) To: The Registrar of Patents Patent Registration Office Kuala Lumpur Malaysia	For Official Use Application received on: ..... Fee received on: ..... Amount: ..... *Cheque/Postal/ Order/Money Order/ Draft/Cash No: .....
Please submit one copy of this Form together with the prescribed fee.	Applicant's file reference .....

I. APPLICANT:

Name:.....
Address: .....
Nationality : .....

* Permanent residence or principal place of business: .....

Telephone Number (if any)	Fax Number (if any)
.....	.....

II. Application

The above applicant applies for registration as a patent agent in the Register of Patents Agents.

III. QUALIFICATIONS:

The applicant (tick whichever is applicable) :

(a) is an advocate and solicitor of the High Court _____

(b) has passed the examination specified in regulation 45D _____

(c) has a relevant degree or its equivalent in engineering or science _____

(d) has not been convicted of any offence involving fraud or dishonesty _____

(e) has been convicted of an offence involving fraud or dishonesty and a record thereof with a statement of explanation accompanies this Form _____

IV. Proof of the matters specified in paragraphs (a), (b), (c) and (d) of Part III of this Form, if applicable, accompanies this Form.

V. SIGNATURE ....
**(Applicant)* *(Date)*

*Delete whichever does not apply
**Type name under signature.

Patents Form No. 18A PATENTS ACT 1983 APPLICATION FOR REGISTRATION AS CANDIDATE FOR EXAMINATION (Regulation 45D (2)) To: The Secretary Board of Examiners of Patents Agents Patent Registration Office Kuala Lumpur	For Official Use Application received on: ..... Fee received on: ..... Amount: ..... *Cheque/Postal Order/Money Order/ Draft/Cash No: .....

Malaysia	
Please submit this Form in duplicate together with the prescribed fee.	Applicant's file reference .....

I. I .....of ..... hereby apply for registration as a candidate at the Examination for Registration as Patent Agents to be held in the month of .....19.....
.....

II. SIGNATURE ....
***(Applicant)* *(Date)*

Telephone Number *(if any)* ..... *Fax Number* *(if any)* .....

---

*Delete whichever does not apply.
**Type name under signature.

Patents Form No 18B PATENTS ACT 1983 APPLICATION TO RE-SIT EXAMINATION (Regulation 45D (8)) To: The Secretary Board of Examiners of Patent Agents Patent Registration Office Kuala Lumpur Malaysia	For Official Use Application received on: ..... Fee received on: ..... Amount: ..... *Cheque/Postal Order/Money Order/ Draft/Cash No: .....
Please submit one this Form in duplicate together with the prescribed fee.	Applicant's file reference .....

I. I ..... of ..... hereby apply to submit myself to re-sit the examination in the following subject (s) at the Examination for Registration as Patent
Agents to be held in the month of ..... 19 .....

Subjects :.....

SIGNATURE ....
***(Applicant)* *(Date)*

Telephone Number (if any)	Fax Number (if any)
.....	.....

*Delete whichever does not apply.
**Type name under signature.

Patents Form No.19 PATENTS ACT 1983 APPLICATION FOR RENEWAL OF REGISTRATION OF PATENT AGENT (Regulation 45E (1)) To: The Registrar of Patents Patent Registration Office Kuala Lumpur Malaysia	For Official Use Application received on: ..... Fee received on: ..... Amount: ..... *Cheque/Postal Order/Money Order/ Draft/Cash No: .....
Please submit one copy of this Form together with the prescribed fee.	Applicant's file reference .....

I. APPLICANT:

Name : .....
Address : .....
Nationality :.....

* Permanent residence or domicile: .....

Telephone Number (if any)	Fax Number (if any)
.....	.....

II. APPLICATION.

The above applicant applies for renewal of the registration in the Register of Patents Agents.

III. QUALIFICATIONS:

The applicant (tick whichever is applicable) :

(a) is an advocate and solicitor of the High Court _____

(b) has passed the examination specified in regulation 45D _____

(c) has a relevant degree or its equivalent in engineering or science _____

(d) has not been convicted of any offence involving fraud or dishonesty _____

(e) has been convicted of an offence involving fraud or dishonesty and a record thereof with a statement of explanation accompanies this Form _____

IV. ADDITIONAL INFORMATION accompanies this Form:

Yes ____ No _____

V. SIGNATURE ....
**(Applicant)* *(Date)*

---

*Delete whichever does not apply.
**Type name under signature.

Patents Form No. 20 PATENTS ACT 1983 FURNISHMENT OF ADDRESS FOR SERVICE (Regulations 51 and 45 (3)) To: The Registrar of Patents Patent Registration Office Kuala Lumpur Malaysia	For Official Use Request No: ..... Fee received On: ..... Received on : ..... Amount: ..... *Cheque/Postal Order/Money Order/ Draft/Cash No: ..... Date of mailing: .....
Please submit one copy of this Form together with the prescribed fee.	Applicant's or Agent's file reference .....

I. IN THE MATTER OF:

Patent Application No: ..... Filing Date: .....
Patent No: ..... Date of Grant: .....
Certificate Application No: ..... Filing Date: .....
Certificate No: ..... Date of Grant: .....

_

II. APPLICANT(s):

Name: .....
Address: .....

_

III. REQUEST

The applicant (s) identified above request(s) the Registrar for the *inclusion/addition/alteration/ substitution of an address for service in Malaysia as follows:
.....

_

IV. ADDITIONAL INFORMATION accompanies this Form:

Yes ____ No ____

_

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

If Agent, indicate Agent's Registration No: .....

_

*Delete whichever does not apply.
**Type name under signature and delete whichever does not apply.

_

Patents Form No. 21 PATENTS ACT 1983 REQUEST FOR EXTENSION OF TIME (Regulations 53 (1) and 45 (3)) To: The Registrar of Patents Patent Registration Office Kuala Lumpur Malaysia	For Official Use APPLICATION NO: ..... Filing Date: ..... Request received on: ..... Fee received on: ..... Amount: ..... *Cheque/Postal Order/Money Order/ Draft/Cash No: ..... Date of mailing: .....
Please submit this Form in duplicate together with the prescribed fee.	Applicant's or Agent's file reference .....

I. IN THE MATTER OF:

Patent Application No: ..... Filing Date: .....
Patent No: ..... Date of Grant: .....

Certificate Application No:..... Filing Date: .....
Certificate No: ..... Date of Grant: .....

II. APPLICANT(S) :

Name: .....
Address: .....

III. REQUEST:

**The applicant(s) request(s) the Registrar to extend the time within which to:
.....

IV. EXTENSION PERIOD SOUGHT:

From: ..... To: .....

V. ***STATEMENT OF GROUNDS attached _____

VI. ADDITIONAL INFORMATION accompanies this Form:

Yes ____ No ____

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

If Agent, indicate Agent's Registration No: .....

---

*Delete whichever does not apply.
**Insert brief description of the act or things to be done.
***The applicant shall state the facts he considers as justifying the extension.
****Type name under signature and delete whichever does not apply.

Note: Saving and transitional.

Any registration as a patent granted under the principal Regulations and in force immediately before the commencement of these Regulations shall, in so far as its grant is not inconsistent with these Regulations, be deemed to have been granted under these Regulations and shall continue in force until it expires. Any application for registration as a patent agent or application for renewal of registration as a patent agent made or pending before the date of coming into force of these Regulations shall be deemed to have been made under the principal Regulations and the principal Regulations shall continue to apply to such applications as if the principal Regulations had not been amended:

Provided that the registration of such person as a patent agent shall he for a term expiring on 31 December 1995 and for the purposes of this proviso the prescribed fee shall be propotionate to the term to be renewed.

[Ins. P.U. (A) 262/95]

LIST OF AMENDMENTS

Amending law	*Short title*	*In force from*
P.U.(A)295/90	Patents (Amendment) Regulations 1990	1-10-1986
P.U.(A)262/95	Patents (Amendment) Regulations 1995	1-8-1995
P.U.(A) 229/2001	Patents Regulations (Amendment) 2001	1-8-2001
P.U.(A) 357/2002	Patents (Amendment) Regulations 2002	1-7-2002
P.U.(A) 222/2003	Patents (Amendment) Regulations 2003	19-6-2003