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Statutory Rules 1993 No. L¹

340

Patents Regulations² (Amendment)

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Patents Act 1990*.

Dated L 1993.

2 December

L
Governor-General

BILL HAYDEN

By His Excellency's Command,

L
Minister for Science and Small Business

C. SC. HACH

1. Amendment

1.1 The Patents Regulations are amended as set out in these Regulations.

[NOTE: These Regulations commence on gazettal: see *Acts Interpretation Act 1901*, s. 48.]

2. Regulation 5.10 (Conduct of proceedings to which this Chapter applies)

2.1 Subregulation 5.10 (2):
Omit “(a);”, substitute “(a).”.

3. New regulation 22.7A

3.1 Before regulation 22.8, insert in Division 2 of Part 1 of Chapter 22:

Proceedings to which this Division applies

“22.7A This Division applies to proceedings before the Commissioner.”.

4. Regulation 22.8 (Costs)

4.1 Subregulation 22.8 (1):
After “costs” (first occurring), insert “in proceedings to which this Division applies”.

5. Schedule 4 (Convention countries)

5.1 Omit the Schedule, substitute:

SCHEDULE 4

Subregulation 8.5 (1)
and regulation 11.1

CONVENTION COUNTRIES**PART 1****CONVENTION COUNTRIES THAT ARE PRESCRIBED FOREIGN COUNTRIES**

Algeria
Argentina
Austria
Bahamas
Bangladesh
Barbados
Belarus
Belgium

Benin
Bolivia
Brazil
Bulgaria
Burkina Faso
Burundi
Cameroon
Canada

Central African Republic	Libyan Arab Jamahiriya
Chad	Liechtenstein
Chile	Luxembourg
China	Madagascar
Congo	Malawi
Côte d'Ivoire	Malaysia
Croatia	Mali
Cuba	Malta
Cyprus	Mauritania
Czech Republic	Mauritius
Denmark (including Faroe Islands)	Mexico
Dominican Republic	Moldova
Egypt	Monaco
Finland	Mongolia
France (including all Overseas Departments and Territories)	Morocco
Gabon	Netherlands (including the Netherlands Antilles and Aruba)
Gambia	New Zealand (excluding the Cook Islands, Niue and Tokelau)
Germany	Niger
Ghana	Nigeria
Greece	Norway
Guinea	Philippines
Guinea-Bissau	Poland
Haiti	Portugal
Holy See	Romania
Hungary	Russian Federation
Iceland	Rwanda
Indonesia	San Marino
Iran, Islamic Republic of	Senegal
Iraq	Slovak Republic
Ireland	Slovenia
Israel	South Africa
Italy	Spain
Japan	Sri Lanka
Jordan	Sudan
Kazakhstan	Suriname
Kenya	Swaziland
Korea, Democratic People's Republic of	Sweden
Korea, Republic of	Switzerland
Latvia	Syrian Arab Republic
Lebanon	Togo
Lesotho	

Trinidad and Tobago

Tunisia

Turkey

Uganda

Ukraine

United Kingdom (including Hong
Kong and the Isle of Man)

United Republic of Tanzania

United States of America (including
all territories and possessions,
including the Commonwealth
of Puerto Rico)

Uruguay

Uzbekistan

Viet Nam

Yugoslavia

Zaire

Zambia

Zimbabwe

PART 2

CONVENTION COUNTRIES THAT ARE NOT PRESCRIBED FOREIGN COUNTRIES

India

6. Schedule 7 (Fees)

6.1 Part 2 (General fees):

Item 14:

Omit the item, substitute:

- “14 On making a representation to the
Commissioner:
- (a) under subregulation 5.9 (3) \$100
 objecting to a proposed
 amendment; or
 - (b) under subparagraph 5.10 (5) (c) (i) \$100
 objecting to an application or
 proposed action”.

6.2 Part 2 (General fees):

Item 28:

Omit the item, substitute:

"28	For granting an extension of time, on a ground specified in paragraph 223 (2) (a) of the Act, greater than that applied for by the applicant—for each month, or part of a month, of extension granted	\$55 less any amount paid under paragraph (a) of item 27".
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7. Schedule 8 (Costs, expenses and allowances)

7.1 Heading:

Omit "Regulation 22.8", substitute "Subregulation 20.30 (2) and regulation 22.8".

7.2 Part 2 (Expenses and allowances):

Clauses 1, 2, 3 and 4:

Omit "Registrar" wherever it occurs, substitute, in each case, "Commissioner or the Patent Attorneys Disciplinary Tribunal".

8. Application—effect of awards of expenses or allowances

8.1 An award of expenses or allowances made under subregulation 20.30 (2) or paragraph 22.8 (2) (b) of the Patents Regulations on or after 1 July 1993 and before the commencement of this regulation has effect on and from the commencement of this regulation as if, at the time that the award was made, Schedule 8 of the Patents Regulations had been amended in accordance with subregulation 7.2 of these Regulations.

NOTES

10 December 1993

1. Notified in the *Commonwealth of Australia Gazette* on ~~year~~
2. Statutory Rules 1991 No. 71 as amended by 1991 No. 456; 1992 No. 148; 1993 Nos. 113 and 227.