



Jersey

PATENTS RULES 1982

Official Consolidated Version

This is an official version of consolidated legislation compiled and issued under the authority of the Legislation (Jersey) Law 2021.

05.575.50

Showing the law from 1 January 2019 to Current



Jersey

PATENTS RULES 1982

Contents

Rule

1	.....	5
2	.....	5
3	.....	5
4	.....	6
5	.....	6
6	.....	6
7	.....	6
8	.....	6
9	.....	6
10	.....	7
11	.....	7
12	.....	7
13	.....	7

SCHEDULE **8**

PATENTS FORM NO. 1	8
APPLICATION FOR THE REGISTRATION OF A PATENT.	8
PATENTS FORM NO. 2	10
APPLICATION FOR THE REGISTRATION OF AN ORDER, GRANT OR DECISION UNDER ARTICLE 5	10
PATENTS FORM NO. 3	11
APPLICATION FOR THE REGISTRATION OF THE TITLE OF A PERSON BECOMING ENTITLED BY ASSIGNMENT, TRANSMISSION OR OTHER OPERATION OF LAW TO A REGISTERED PATENT OR TO A SHARE THEREIN	11
PATENTS FORM NO. 4	12
APPLICATION FOR THE REGISTRATION OF AN INTEREST IN A REGISTERED PATENT	12
PATENTS FORM NO. 5	13
PATENTS FORM NO. 6	14

ENDNOTES	15
Table of Legislation History	15
Table of Renumbered Provisions	15
Table of Endnote References	15



Jersey

PATENTS RULES 1982

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

Commencement [[see endnotes](#)]

1

In these Rules –

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

2

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

3

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

4

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

5

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

6

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

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

7

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

8

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

9

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

services, shall present to the Court a written statement setting out the nature of the dispute.

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

10

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

11

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

12

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

13

These Rules may be cited as the Patents Rules 1982.

SCHEDULE

APPENDIX

PATENTS FORM NO. 1

PATENTS (JERSEY) LAW 1957

APPLICATION FOR THE REGISTRATION OF A PATENT.

(a)

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

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

(b)

Address of
applicant(s)

.....
for the sole use and advantage of an invention for
.....

which patent is in force in the United Kingdom.

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

My/Our address for service in Jersey is

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

(c)

Specify the nature of the claim

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

.....

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

Dated thisday of 20 .

Signature of
applicant(s) (d)

(d)

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

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

I/We (a)

of (b)

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

(e)

Delete if inapplicable

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

My/Our address for service in Jersey is

Dated thisday of 20 .

Signature of person(s) entitled to

a share or interest. (d)

PATENTS FORM NO. 2

PATENTS (JERSEY) LAW 1957

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

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

Signature of

.....

applicant(s) (d).....

PATENTS FORM NO. 3

PATENTS (JERSEY) LAW 1957

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

(a)

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

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

(b)

Address of
applicant(s)

(c)

Specify the
nature of
the claim

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

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

(d)

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

My/Our address for service in Jersey is

Dated this day of 20 ..

Signature of
applicant(s) (d)

PATENTS FORM NO. 4

PATENTS (JERSEY) LAW 1957

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

(a)

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

I/We (a)

of (b)

apply that you will enter in the Register of Patents

a notice of the following interest in a patent: –

(b)

Address of applicant(s)

(c)

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

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

(d)

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

.....

by virtue of (d).....

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

(e)

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

My/Our address for service in Jersey is

Dated this

day of 20

Signature of applicant(s) (d)

PATENTS FORM NO. 5**IN THE ROYAL COURT OF JERSEY****PATENTS (JERSEY) LAW 1957**

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

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

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

Dated this day of 20 ..

PATENTS FORM NO. 6**IN THE ROYAL COURT OF JERSEY****PATENTS (JERSEY) LAW 1957**

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

.....

..... for the registration in Jersey of

an order extending the term of

or

a patent of addition for the improvement or modification of

or

a decision/an order restoring

or

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

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

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

Dated this day of 20 .

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Patents (Jersey) Rules 1982	R&O.7047	17 May 1982

Table of Renumbered Provisions

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

Table of Endnote References

There are currently no endnote references