

UK patent application



The documents/information/instructions required by us to prepare a UK patent application are as follows:

- The full name, address and nationality/state of incorporation of each applicant.
- A patent specification consisting of description, claims, abstract and drawings (if any). If the specification is not in English, we can arrange for a translation to be prepared. If time is short, it is possible to file the application with a foreign language specification and to provide the English translation within two months from the date of a request to do so from the UK Intellectual Property Office. Drawings can be filed informally at first, but formal drawings must be filed within 15 months from the priority date.
- If priority is to be claimed for the UK application, the country, date of filing and application number of the priority application. The UK application must be filed within 12 months from the date of the first filing.
- If priority is claimed, a certified copy of the priority application may be needed although increasingly it is possible to request that the relevant documents be transferred electronically from the office of first filing to the IPO. If the priority document is not in English, an English translation is no longer required as a matter of course. An examiner may request the filing of a translation during the examination process.
- A request for preliminary examination and search must be filed within 12 months from the priority date. We will automatically file this request with applications claiming priority unless you specifically instruct us not to do so.
- A request for substantive examination must be filed within six months from the date of publication of the UK application, which takes place approximately 18 months from the priority date. However, if the examination request is filed at the same time as the search request, the application will automatically be subjected to expedited prosecution and a combined search and examination report will be issued. We will typically file a request for combined search and examination unless instructed otherwise.
- The full name and address of each inventor and, if the inventor(s) is/are not the applicant(s), an explanation of how the applicant(s) obtained its/their right(s) to the application. This information is required for the statement of inventorship, which must be filed within 16 months from the priority date.

This information has been prepared by Boulton Wade Tennant.

For further information please contact your usual adviser.

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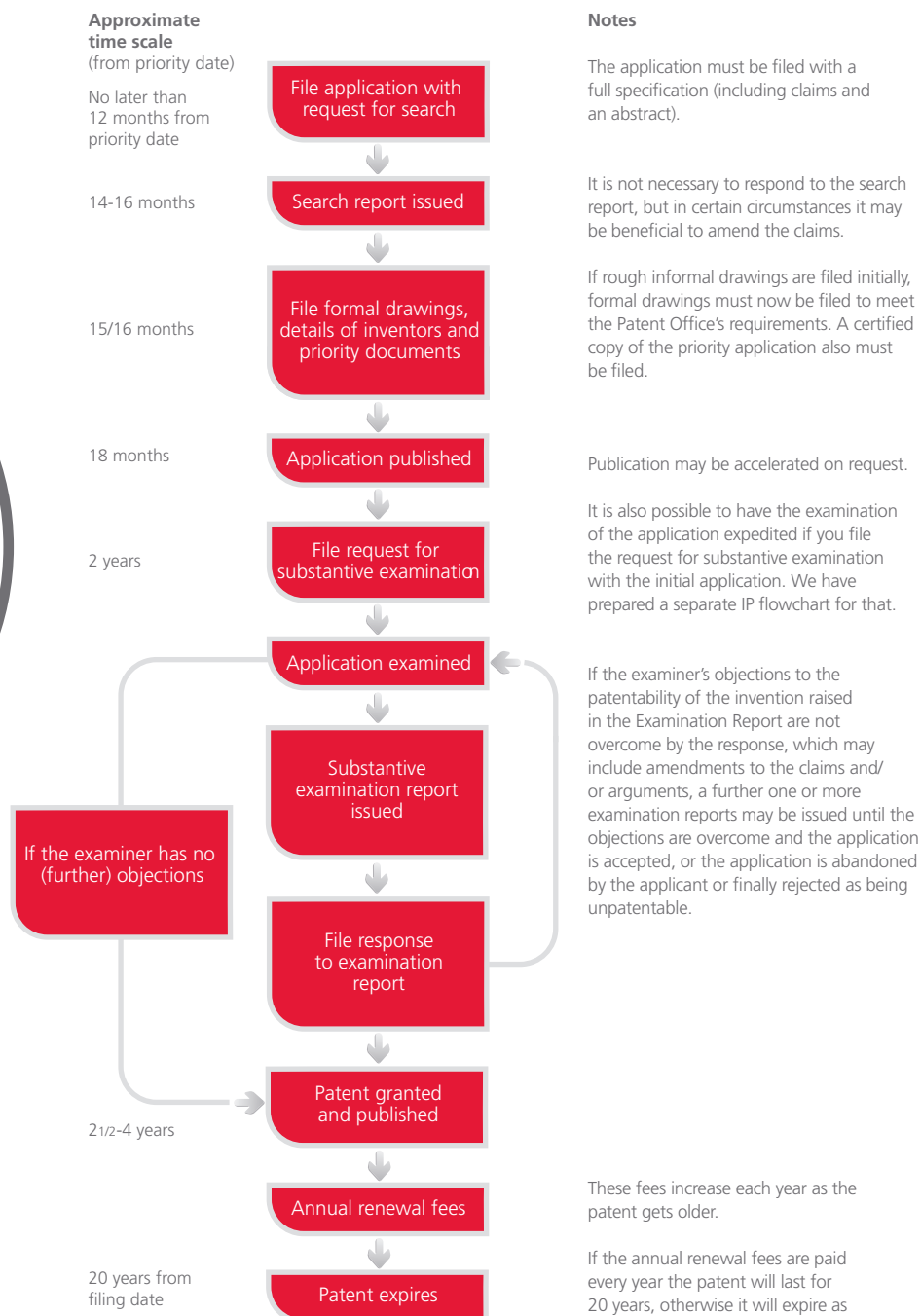
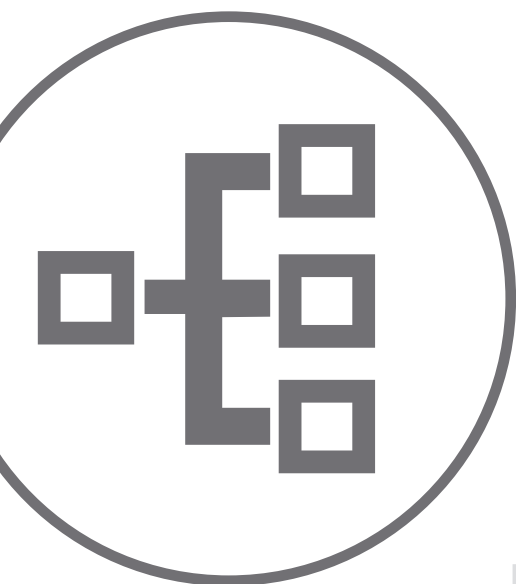
Offices also in Reading,
Oxford and Cambridge

Regulated by IPReg

The UK Patent Office does not require any forms to be signed by the applicant. Although it does have the right to request a Power of Attorney, it rarely does so.



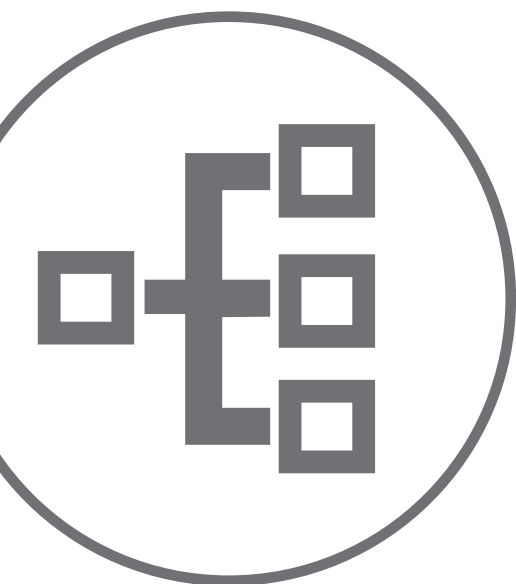
The prosecution stages of a United Kingdom patent application (claiming priority*)



*This chart is for an application which claims priority from an earlier filed application under the Paris Convention.



The prosecution stages of a United Kingdom patent application (first filing*)



Notes

Boulton Wade Tennant recommends filing the application with a full specification (including claims) and "Request for Preliminary Examination and Search" so that the Patent Office carries out their prior art search before you have to make any decisions about overseas applications. However, the search request and abstract may be filed up to 12 months after the filing date to defer some costs.

It is not necessary to respond to the search report, but in certain circumstances it may be beneficial to amend the claims.

This is also the time by which you should file overseas applications.

We can file rough informal drawings with the initial application to keep the costs down early on. Formal drawings, meeting the Patent Office's stringent requirements can then be filed at this later stage.

Publication may be accelerated on request.

It is also possible to have the examination of the application expedited if you file the request for substantive examination with the initial application. We have prepared a separate IP flowchart for that.

If the examiner's objections to the patentability of the invention raised in the Examination Report are not overcome by the response, which may include amendments to the claims and/or arguments, a further one or more examination reports may be issued until the application is accepted, is abandoned by the applicant or rejected as being unpatentable.

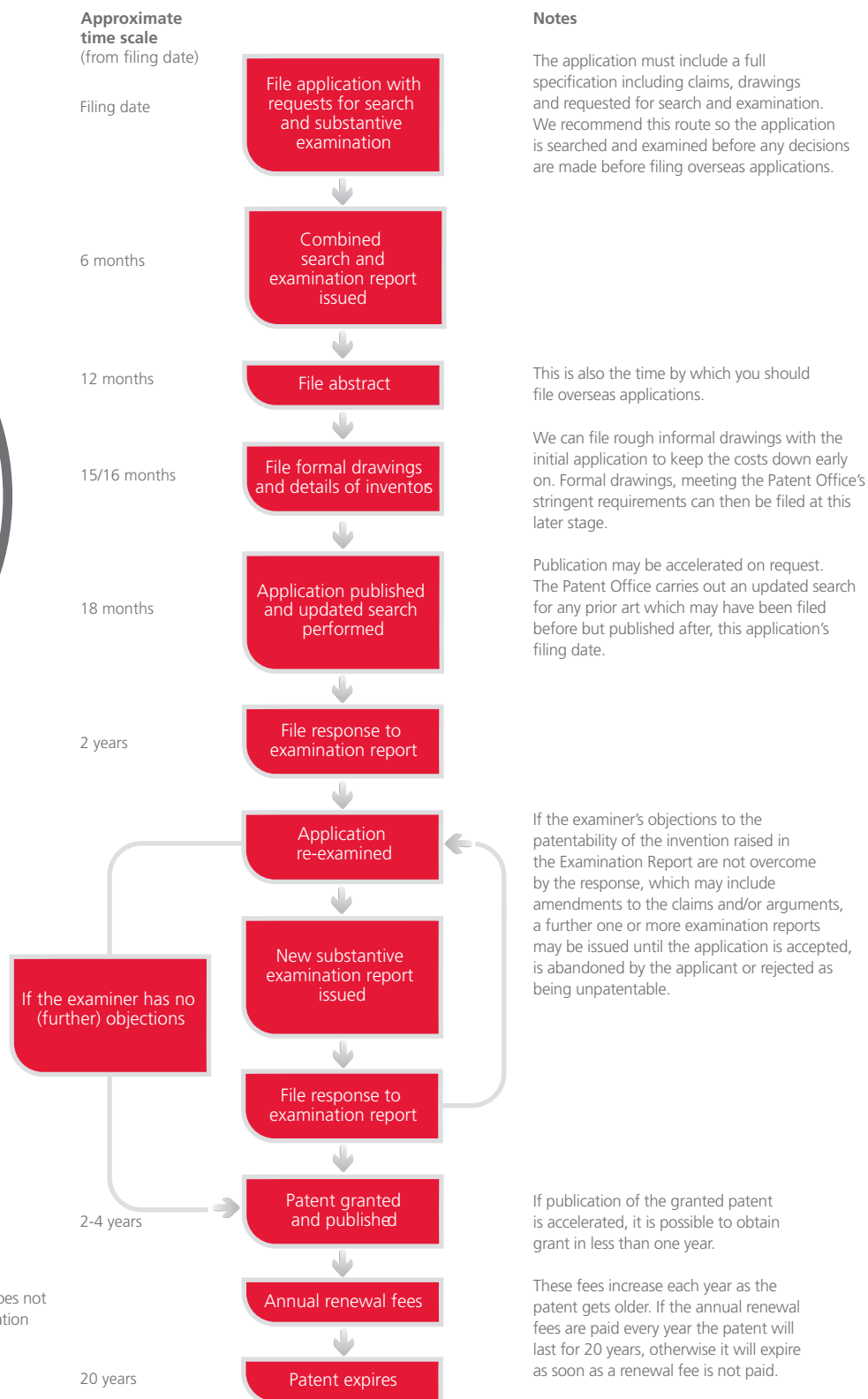
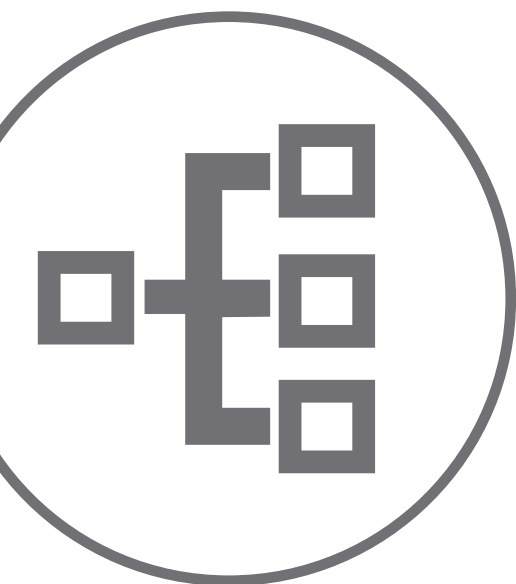
These fees increase each year as the patent gets older.

If the annual renewal fees are paid every year the patent will last for 20 years, otherwise it will expire as soon as a renewal fee is not paid.

*This chart is for an application which does not claim priority from an earlier filed application under the Paris Convention.



The prosecution stages of a United Kingdom patent application under accelerated prosecution (first filing*)



*This chart is for an application which does not claim priority from an earlier filed application under the Paris Convention.