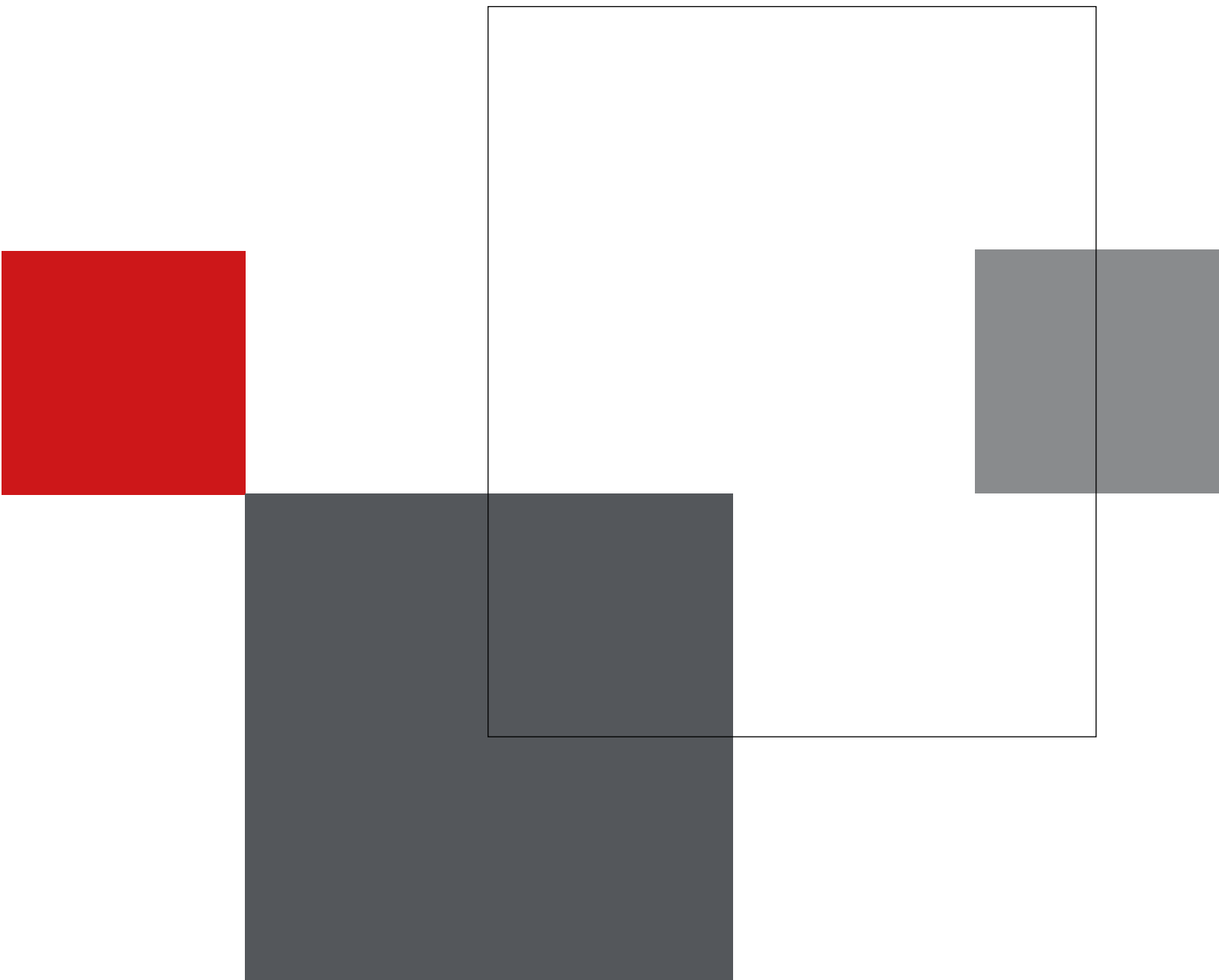


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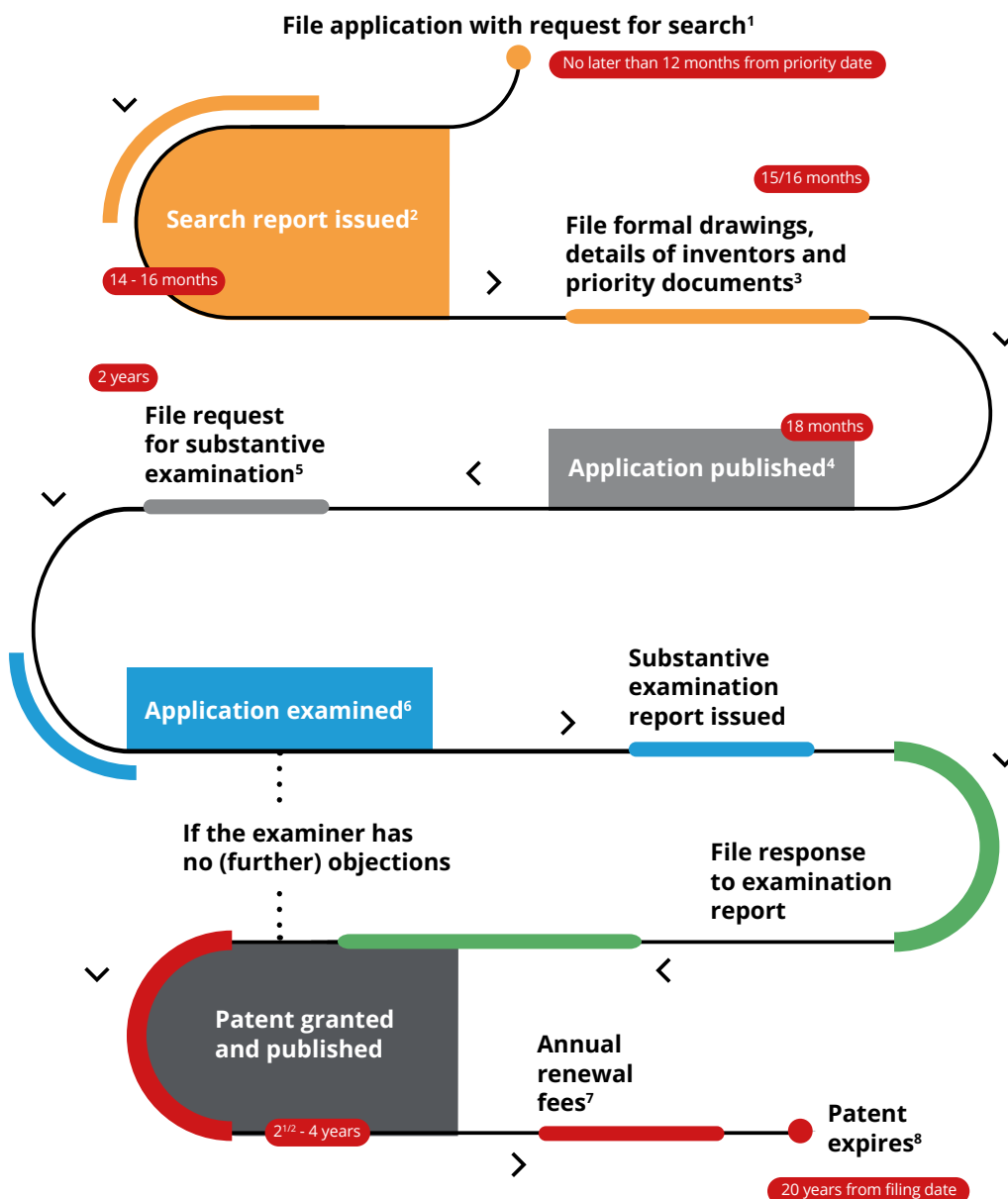
# **UK patent application**



**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 (which can  
be that of the applicant) 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.
- 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\*)



**Approximate time scale**  
(from priority date)

## Notes

<sup>1</sup> The application must be filed with a full specification (including claims and an abstract).

<sup>2</sup> It is not necessary to respond to the search report, but in certain circumstances it may be beneficial to amend the claims.

<sup>3</sup> If rough informal drawings are filed initially, formal drawings must now be filed to meet the Patent Office's requirements. A certified copy of the priority application also must be filed.

<sup>4</sup> Publication may be accelerated on request.

<sup>5</sup> 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.

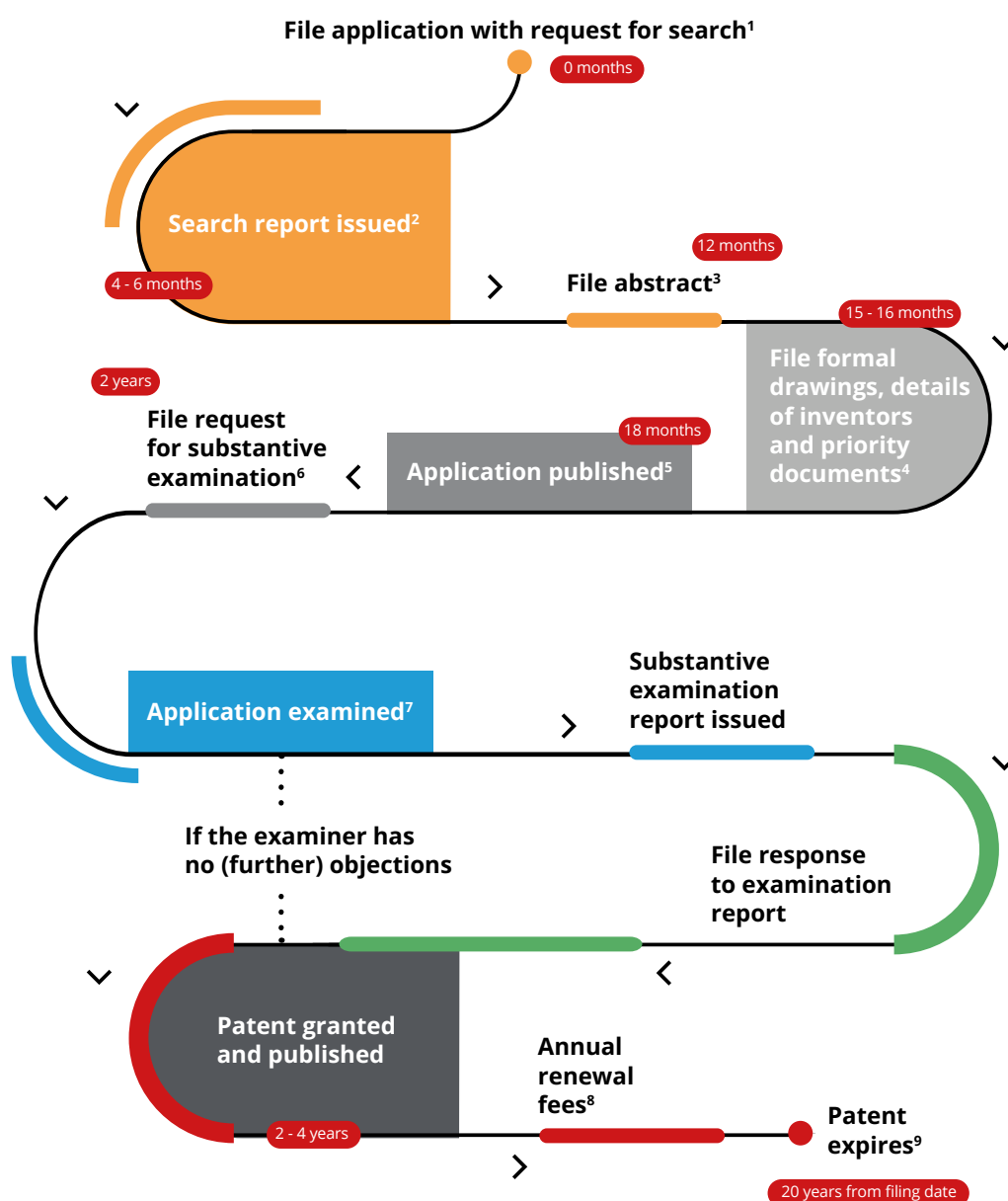
<sup>6</sup> If the examiner's objections to the patentability of the invention raised in the examination report are not overcome by the response, which may include amendments to the claims and/or arguments, a further one or more examination reports may be issued until the objections are overcome and the application is accepted, or the application is abandoned by the applicant or finally rejected as being unpatentable.

<sup>7</sup> These fees increase each year as the patent gets older.

<sup>8</sup> 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 claims priority from an earlier filed application under the Paris Convention.

# The prosecution states of a United Kingdom patent application (first filing\*)



**Approximate time scale**  
(from priority date)

## Notes

<sup>1</sup> Boulton recommends filing the application with a full specification (including claims) and a search request so that the UKIPO carries out their prior art search before you have to make any decisions about overseas applications. However, the search request may be filed up to 12 months after the filing date to defer some costs. We recommend filing without an abstract to avoid the application publishing inadvertently. A surcharge is also levied on the search fee for each claim in excess of 25.

<sup>2</sup> It is not necessary to respond to the search report, but in certain circumstances it may be beneficial to amend the claims.

<sup>3</sup> This is also the time by which you should file overseas applications.

<sup>4</sup> 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.

<sup>5</sup> Publication may be accelerated on request.

<sup>6</sup> 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.

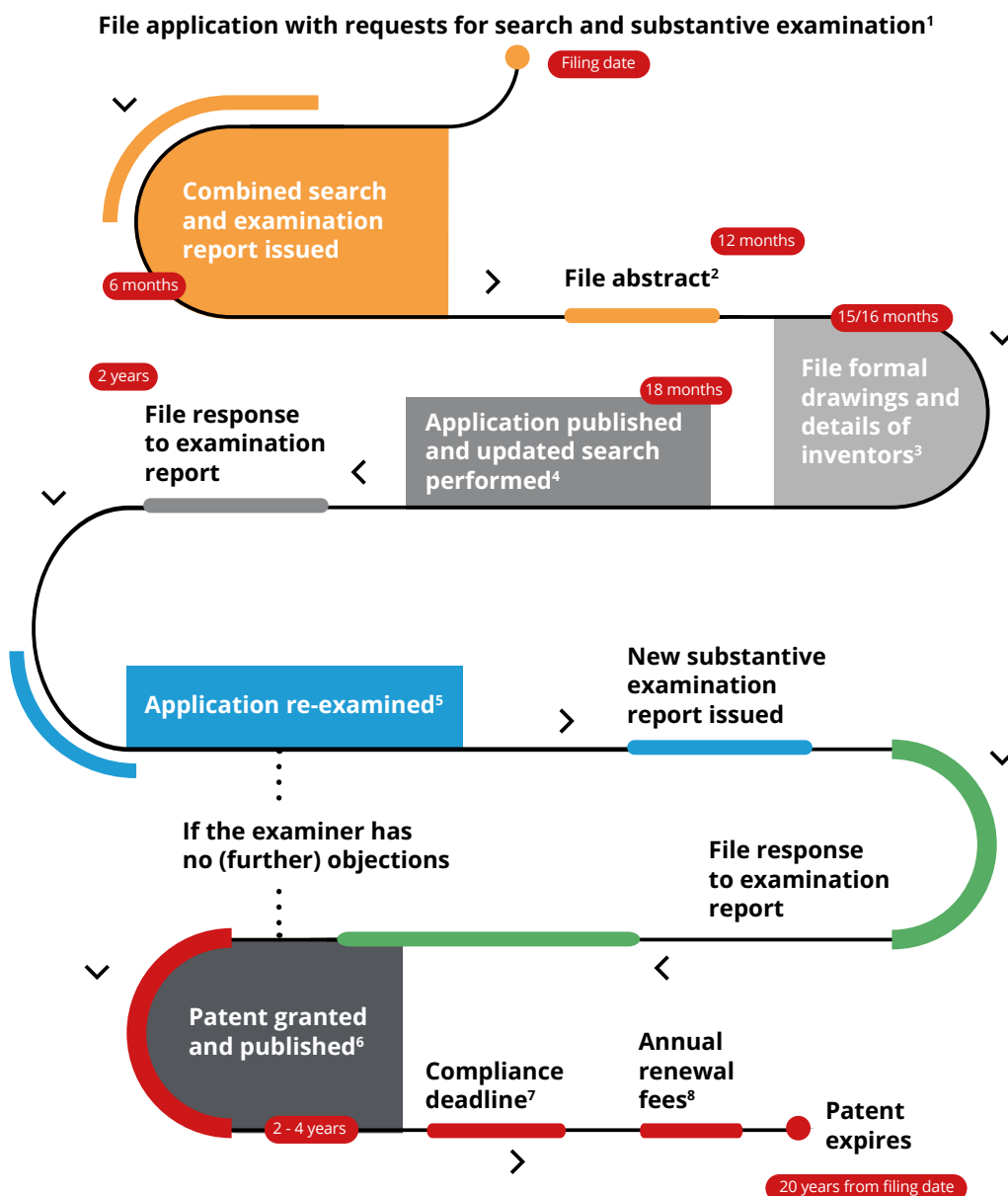
<sup>7</sup> If the examiner's objections to the patentability of the invention raised in the examination report are not overcome by the response, which may include amendments to the claims and/or arguments, a further one or more examination reports may be issued until the application is accepted, is abandoned by the applicant or rejected as being unpatentable.

<sup>8</sup> These fees increase each year as the patent gets older.

<sup>9</sup> 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\*)



**Approximate time scale**  
(from priority date)

## Notes

<sup>1</sup> The application must include a full specification including claims, drawings and request for search and examination. We recommend this route so the application is searched and examined before any decisions are made before filing overseas applications. We recommend filing without an abstract to avoid the application publishing inadvertently. A surcharge is also levied on the search fee for each claim in excess of 25.

<sup>2</sup> This is also the time by which you should file overseas applications.

<sup>3</sup> We can file rough informal drawings with the initial application to keep the costs down early on. Formal drawings meeting the Intellectual Property Office's requirements can then be filed at this later stage.

<sup>4</sup> Publication may be accelerated on request. The Intellectual Property Office carries out an updated search for any prior art which may have been filed before but published after, this application's filing date.

<sup>5</sup> 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 application or reject as being unpatentable.

<sup>6</sup> If publication of the granted patent is accelerated, it is possible to obtain grant in less than one year.

<sup>7</sup> The UK application must be placed in order for grant by the compliance deadline, otherwise the application will expire. Any divisional application must be filed before the last three months of the compliance period. The compliance period can be extended as of right by two months if necessary.

<sup>8</sup> 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.



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