

# B1 Information on Contracting States B1

## GB UNITED KINGDOM GB

### General information

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| Name of Office:   | Intellectual Property Office <sup>1</sup> (United Kingdom)   |
| Location and mailing address:   | Concept House, Cardiff Road, Newport, South Wales NP10 8QQ, United Kingdom.<br>Filings by hand may additionally be made at: <sup>2</sup><br>3 <sup>rd</sup> Floor, 10 Victoria Street, London SW1H 0NB, United Kingdom |
| Telephone:  | (44-1633) 81 45 86 (for international applications)<br>(44-1633) 81 40 00 (operator service)<br>(44-3000) 20 00 15 (Minicom number for deaf or hard of hearing)<br>0300 300 2000 (within the United Kingdom)           |
| E-mail:   | pto@ipo.gov.uk (for PCT enquiries only)<br>information@ipo.gov.uk (for general enquiries only)   |
| Internet:   | www.gov.uk/government/organisations/intellectual-property-office   |
| Does the Office accept the filing of documents by means of telecommunication (PCT Rule 92.4)?   | Yes, by e-mail <sup>3</sup>  |
| Which kinds of documents may be so transmitted?   | All kinds of documents   |
| Must the original of the document be furnished in all cases?  | No, only upon invitation   |
| Does the Office send notifications via e-mail in respect of international applications?   | No   |
| Would the Office accept evidence of mailing a document, in case of loss or delay, where a delivery service other than the postal authorities is used (PCT Rule 82.1)? | Yes  |
| Is the Office prepared to allow applicants to make applications available to the WIPO Digital Access Service for Priority Documents (DAS) (PCT Rule 17.1(b-bis))?     | Yes, the Office is prepared to allow applicants to make national applications filed in electronic form available to the WIPO DAS <sup>4</sup>  |

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<sup>1</sup> Intellectual Property Office is an operating name of the Patent Office.

<sup>2</sup> The London address should be used for hand filings only. All postal correspondence must be sent to the Newport address.

<sup>3</sup> The following address should be used for the filing of documents by e-mail: [paperformcontingency@ipo.gov.uk](mailto:paperformcontingency@ipo.gov.uk)

<sup>4</sup> For further details on how to request this Office to make applications available to DAS see, [www.gov.uk/government/publications/how-to-file-documents-with-the-intellectual-property-office](http://www.gov.uk/government/publications/how-to-file-documents-with-the-intellectual-property-office).

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| Competent receiving Office for nationals and residents of the United Kingdom:   | Intellectual Property Office <sup>5</sup> (United Kingdom), European Patent Office (EPO) or International Bureau of WIPO, at the choice of the applicant (see Annex C)  |
| Does national legislation <sup>6</sup> restrict the filing of international applications with the European Patent Office (EPO) or the International Bureau of WIPO? | Yes, filing restrictions apply to:<br>Applications by residents <sup>7</sup>  |
| Competent designated (or elected) Office if the United Kingdom is designated (or elected):  | National protection: Intellectual Property Office <sup>5</sup> (United Kingdom) (see National Phase)<br>European patent: European Patent Office (EPO) (see National Phase)  |
| May the United Kingdom be elected?  | Yes (bound by Chapter II of the PCT)  |
| Types of protection available via the PCT:  | National: Patents<br>European: Patents  |
| Provisions of the law of the United Kingdom concerning international-type search:   | None  |
| Provisional protection after international publication:   | Where the designation is made for the purposes of a national patent: See Sections 89, 89A and 89B of the Patents Act 1977. The publication of the international application in English by the International Bureau of WIPO, or of the translation into English by the Intellectual Property Office <sup>5</sup> (United Kingdom), gives the applicant generally the same right as he would have had, if the patent had been granted on the date of publication of the application or of the translation, to bring proceedings in the court or before the Comptroller for damages in respect of any act which would have infringed a patent. However, such proceedings may only be brought after grant of the patent. Section 89B(3), in addition, gives effect to the option specified in PCT Article 29(2)(iii). |

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<sup>5</sup> See footnote 1.

<sup>6</sup> Patents Act 1977, Section 23.

<sup>7</sup> In most cases, a United Kingdom resident may file an application direct at the European Patent Office or at the International Bureau of WIPO. However, restrictions apply where the application contains information which relates to military technology or which might be prejudicial to United Kingdom national security or the safety of the public. In these cases, a United Kingdom resident may only file such an application direct at the European Patent Office or at the International Bureau of WIPO: (i) after having obtained written authorization from the Office; or (ii) after an application for a patent for the same invention has been filed at the Office and not less than six weeks have elapsed without the Comptroller of the Office giving a direction prohibiting publication or communication of the invention. These restrictions do not apply to an application for a patent for an invention for which an application for a patent has first been filed in a country outside the United Kingdom by a person resident outside the United Kingdom. Further details can be obtained from the Office: Security Section, Concept House, Cardiff Road, Newport, South Wales, NP10 8QQ; tel: (44-1633) 81 35 58.

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Provisional protection after international publication (*cont'd*):

Where the designation is made for the purposes of a European patent:

See Sections 78(7) and 79(3) of the Patents Act 1977.

(1) International application published in English: the right referred to above applies once the application has been published by the International Bureau of WIPO.

(2) International application published in French or German: the right referred to in paragraph (1) does not become effective until a translation into English of the claims has been filed at, and published by, the Intellectual Property Office<sup>8</sup> (United Kingdom) and the prescribed fee paid, or unless the applicant has supplied the infringer, before the infringing act occurred, with a translation into English of the claims.

(3) International application published in a language which is not an EPO official language: the right referred to above does not become effective until the EPO republishes the international application supplied to it in one of its official languages except that if the EPO republishes the application in French or German, paragraph (2) applies.

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**Information of interest if the United Kingdom is designated (or elected)**

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**For national protection**

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Time when the name and address of the inventor must be given if the United Kingdom is designated (or elected):

May be in the request or must be furnished within 33 months from the priority date

Are there special provisions concerning the deposit of microorganisms and other biological material?

Yes (see Annex L)

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**For a European patent — See European Patent Organisation (EP) in Annex B2**

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<sup>8</sup> See footnote 1.