

Patents (Patent Agents) Rules 2001

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No. S 645

**PATENTS ACT
(CHAPTER 221)**

PATENTS (PATENT AGENTS) RULES 2001

In exercise of the powers conferred by section 104 of the Patents Act, the Minister for Law hereby makes the following Rules:

PART I

PRELIMINARY

Citation and commencement

1. These Rules may be cited as the Patents (Patent Agents) Rules 2001 and shall come into operation on 2nd January 2002.

Interpretation

2.—(1) In these Rules, unless the context otherwise requires —

“certificate of registration” means a certificate of registration issued under

rule 7(4);

[Deleted by S 1051/2020 wef 02/01/2021]

“Disciplinary Committee” means the Disciplinary Committee appointed under rule 16;

“foreign patent agency work” means any of the types of work referred to in section 105A(4)(a), (b) and (c) of the Act;

[S 80/2014 wef 14/02/2014]

“foreign patent agent certificate” means a foreign patent agent certificate issued under rule 10B(4) or 10C(5);

[S 80/2014 wef 14/02/2014]

“patent agency work” means any of the types of work referred to in section 105(4)(a), (b) and (c) of the Act, and includes, for the avoidance of doubt, any foreign patent agency work;

[S 80/2014 wef 14/02/2014]

“practice year” means the period from 1st April in a calendar year to 31st March in the next calendar year;

“practising certificate” means a practising certificate issued under rule 9;

[Deleted by S 80/2014 wef 14/02/2014]

“register of foreign patent agents” means the register of foreign patent agents maintained under rule 5(1A);

[S 80/2014 wef 14/02/2014]

“register of patent agents” means the register of patent agents maintained under rule 5(1).

[S 80/2014 wef 14/02/2014]

(2) For the purposes of these Rules, an individual is resident in Singapore if —

- (a) the individual has his place of residence in Singapore;
- (b) Singapore is the country of his permanent abode even though he is temporarily absent from Singapore; or
- (c) the individual has a valid pass issued to him under the Immigration Act (Cap. 133) to enter and remain in Singapore for any purpose other than a temporary purpose.

Fees

3.—(1) The fees to be paid in respect of matters arising under these Rules shall be

those specified in the First Schedule.

(2) A fee specified in the First Schedule shall be paid at the same time as the filing of the matter in question.

(3) Subject to paragraph (4), fees paid under these Rules shall not be refundable.

(4) The fee referred to in rule 17(2)(f)(ii), for making a complaint or giving information against a registered patent agent or a registered foreign patent agent, shall be refundable at the end of an inquiry by the Disciplinary Committee into the complaint or information, unless —

- (a) the Disciplinary Committee determines under rule 18(5) that the complaint or information is frivolous or vexatious; or
- (b) the complaint or information is withdrawn by the person who made the complaint or gave the information.

*[S 566/2009 wef 15/12/2009]
[S 80/2014 wef 14/02/2014]*

Forms

4.—(1) The Registrar shall publish in the journal —

- (a) the forms to be used for any purpose relating to —
 - (i) the registration of a patent agent or a foreign patent agent;
[S 80/2014 wef 14/02/2014]
 - (ii) any proceedings under Part XIX of the Act or these Rules; or
 - (iii) any other matter under Part XIX of the Act or these Rules;
- (b) the Registrar's directions relating to the use of any form referred to in subparagraph (a); and
- (c) any amendment or modification of any such form or direction.

(2) Any form referred to in paragraph (1)(a) may be modified on the direction of the Registrar for use in a case other than the case for which it is intended.

(3) Any reference in these Rules to any form shall be construed as a reference to the current version of that form which is —

- (a) described in the Second Schedule; and
- (b) published in the journal.

[S 92/2007 wef 01/04/2007]