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**Fifth Session Fifth Parliament Republic of Trinidad
and Tobago**



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 54 of 2000

[L.S.]

AN ACT to amend the Patents Act, 1996.

[Assented to 12th October, 2000]

ENACTED by the Parliament of Trinidad and Tobago as Enactment
follows:—

1. This Act may be cited as the Patents (Amendment) Short title
Act, 2000.

Interpretation
Act, No. 21 of 1996

2. In this Act “the Act” means the Patents Act, 1996.

Section 91 amended

3. Section 91 of the Act is amended by inserting immediately after subsection (5) the following new subsections:

Act No. 54 of 2000

“ (6) Where, before the coming into force of the Patents (Amendment) Act, 2000—

1977 c 37

(a) a national patent, an application for which has been filed before 1st December, 1997 and has been granted under the United Kingdom Patents Act, 1997, on or after 1st December, 1994;

(b) a European patent, an application for which has been filed before 1st December, 1997, and has been granted in respect of the United Kingdom, on or after 1st December, 1994;

(c) an application for a national patent under the United Kingdom Patents Act, 1977 has been accorded a filing date:

(i) which is before 1st December, 1997; or

(ii) which is on or after 1st December, 1997 and which claims the priority of an application filed before 1st December, 1997 and the application is still pending;

(d) an application for a European patent designating the United Kingdom has been accorded a filing date:

(i) which is before 1st December, 1997; or

(ii) which is on or after 1st December, 1997 and which claims the priority of

- an application filed before 1st December, 1997 and the application is still pending; or
- (e) an international application for a patent designating the United Kingdom for a national patent and/or for a European patent has been accorded an international filing date:
- (i) which is before 1st December, 1997; or
 - (ii) which is on or after 1st December, 1997 and which claims the priority of an application filed before 1st December, 1997 and the international application is still pending,

the applicant or owner of the patent or his successor in title may, within twelve months of the coming into force of the Patents (Amendment) Act, 2000, make an application for the grant of a patent for the same invention under the Act and such application shall be accorded the date of filing accorded to it under the United Kingdom Patents Act, 1977, the European Patent Convention or the Patent Co-operation Treaty, as the case may be, and, where such application claims the priority of an early application, it shall enjoy the same right of priority as claimed under the United Kingdom Patents Act, 1977, the European Patent Convention or the Patent Co-operation Treaty, as the case may be.

(7) Where, an application for the grant of a patent for the same invention is made in accordance with subsection (6) such application shall, notwithstanding the provisions of

subsection (1), be dealt with under the former Act but the grant shall thereafter be subject to the Act.

(8) In this section—

“European Patent” means a patent granted under the Convention on the Grant of European Patents;

“European Patent Convention” means the Convention on the Grant of European Patents;

“national patent” means a patent granted in the United Kingdom.”.

Passed in the Senate this 29th day of August, 2000.

N. COX
Clerk of the Senate

Passed in the House of Representatives this 20th day of September, 2000.

D. DOLLY
Acting Clerk of the House