

PATENTS REGISTRATION

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Patents Registration Act 1973

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Patents Registration Act 1973

TABLE OF AMENDMENTS

The Patents Registration Act 1973 No 10 was certified on 25 October 1973 and commenced on 1 June 1976 (GN No 121/1976; Gaz 19/1976).

Amending Legislation	Certified	Date of Commencement
Civil Aviation Act 2011 No 3	25 February 2011	Sch [1]: 25 February 2011
Statute Law Revision Act 2011 No 8	15 April 2011	Sch 1[116]: 15 April 2011
Revised Written Laws Act 2021 No 7	1 June 2021	1 June 2021

An Act to provide for the registration of letters patent and of applications for letters patent and for the privileges and rights exercisable in the Republic upon such registration.

Enacted by the Parliament of Nauru as follows:

1 Short title and commencement

This Act may be cited as the *Patents Registration Act 1973* and came into effect on 1 June 1976.

2 Interpretation

In this Act:

‘complete specification’ means a specification which:

- (a) describes fully the invention in respect of which application is made in the country of principal registration for grant of a patent and the method by which it is to be performed;
- (b) discloses the best method of performing that invention which is known to the applicant and for which he or she claims to be entitled to protection; and
- (c) ends with a claim or claims defining the scope of that invention;

‘convention application’ means an application made as such to the appropriate authority in the United Kingdom, the Commonwealth of Australia or the United States of America for a patent for an invention in respect of which protection has been applied for in any other one of those countries or in any other convention country;

‘convention country’ means, in respect of an application for a patent made as a convention application to the appropriate authority in the United Kingdom, the Commonwealth of Australia or the United States of America, a country which the Government of the country in which such application is made has declared to be a convention country;

‘country of principal registration’ means, in relation to any patent or any application for the grant of a patent, the country by the appropriate authority of which that patent has been granted or to the appropriate authority of which that application for the grant of a patent has been made, as the case may be;

‘patent’ means letters patent for an invention granted by the appropriate authority in the Commonwealth of Australia, the United Kingdom or the United States of America and includes a patent of addition;

‘patentee’ means the person or persons for the time being entered in the Register of Patents maintained by the appropriate authority in the country of principal registration as the grantee or proprietor of a patent;

‘priority date’ means the date on which the complete specification was filed with the appropriate authority in the country of principal registration or, in the case of a convention application, the date on which the complete specification was first filed with the appropriate authority in a convention country in support of an application to protect the invention;

‘the Patents Gazette’ means the Patents Gazette published by the Registrar under Section 26 of this Act;

‘*the appropriate authority*’ means the person authorised by the laws of a country to grant patents in that country;

‘*the Register*’ means the Register of Patents kept as required by Section 4;

‘*the Registrar*’ means the Registrar of Patents appointed under Section 3; and

‘*the Registry*’ means the Registry of Patents established by Section 3.

3 Registrar of Patents

- (1) There shall be a Registrar of Patents, appointed by the President, with an office to be called the Registry of Patents.
- (2) The President may from time to time appoint such number of Assistant Registrars as may be required, who shall act under the control of the Registrar and have all the powers and duties of the Registrar.
- (3) The Minister shall, by notice in the Gazette, prescribe a seal for use by the Registrar and the impressions of such seal shall be judicially noticed.

4 Register

- (1) The Registrar shall keep at the Registry, a book to be known as the Register of Patents in which entries shall be made by or under the direction of the Registrar of the names and addresses of persons to whom certificates of registration are issued under this Act and of such other particulars as the Registrar deems necessary or is required by law to record.
- (2) The Register shall be *prima facie* evidence of all matters recorded and entered there.

5 Who may apply for registration

- (1) A person, who has made application to, and filed a complete specification in support of the application, the appropriate authority in the United Kingdom or the United States of America for the grant of a patent may, provided that such application has not been withdrawn by such person or the grant of the patent refused by the appropriate authority of that country, apply to the Registrar for the registration of such application in the Republic.
- (2) The patentee of a patent may, within 3 years from the date of the grant of the patent in the country of principal registration, apply to the Registrar to have such patent registered in the Republic:
Provided that, during the 12 months next following the commencement of this Act, application may be made for the registration of a patent notwithstanding that more than 3 years may have elapsed since the grant of such patent in the country of principal registration.

6 Method of applying

- (1) An application for registration of a patent, or of an application for a patent, under this Act shall be made to the Registrar in the prescribed manner and shall be accompanied by the prescribed fees, 2 certified copies of the specification or specifications, including drawings, if any, lodged in the country of principal registration:
 - (a) in the case of an application made pursuant to Section 5(1), a certified copy of the application; or

- (b) in the case of an application made pursuant to Section 5(2), a certificate of the grant.
- (2) In this Section a '*certified copy*' and '*certificate*' respectively mean a copy certified and a certificate issued by the appropriate authority in the country of principal registration.

7 Opposition

- (1) Upon application for registration of a patent or of an application for a patent being received together with the fees and the documents mentioned in Section 6, the Registrar shall publish in the Patents Gazette such details of the application as may be prescribed and a person may at any time within 3 months from the date of such advertisement give notice to the Registrar of opposition to the registration.
- (2) A notice under subsection (1) shall be in the prescribed form.
- (3) The registration of a patent may be opposed on one or both of the following grounds:
 - (a) publication or use of the invention in the Republic before the priority date; or
 - (b) prior registration of a patent for the invention or of an application for a patent for the invention under this Act.
- (4) The registration of an application for a patent may be opposed on any one or more of the following grounds:
 - (a) publication or use of the invention in the Republic before the priority date;
 - (b) prior registration of a patent for the invention or of an application for a patent for the invention under this Act;
 - (c) prior grant of a patent for the invention by the appropriate authority in the United Kingdom, the Commonwealth of Australia or the United States of America; or
 - (d) prior filing of a complete specification in support of an application for a patent for the invention with the appropriate authority in United Kingdom, the Commonwealth of Australia or the United States of America:
 - Provided:
 - (i) that the registration shall not be opposed on ground (c) or ground (d) unless, before notice of opposition is given, application has been made under this Act for the registration of the patent or the application for a patent, as the case may be, which is the subject-matter of that ground; or
 - (ii) where registration is refused on either of those grounds and on no other ground, such refusal shall be conditional upon the patent or the application for a patent which is the subject-matter of that ground being registered under this Act and, where any such application for a patent is so registered, upon any patent granted in respect of the application also being so registered; and, if any such condition is not complied with, the Registrar shall, subject to the provisions of Section 8(1), register the application.
- (5) Where notice of opposition is given within the prescribed time, the Registrar shall transmit a copy of the notice to the applicant and, after

hearing both parties if they wish to be heard and considering any submissions which they may make in writing, shall decide whether or not to register the application or the patent, as the case may be.

8 Registration and issue of certificate of registration

- (1) If there is no opposition and the Registrar is satisfied from the documents lodged with the application that it is in order and, in the case of opposition, if the Registrar considers that there are no good grounds for such opposition, he or she shall, if the application is accompanied by the prescribed fees and the required documents:
 - (a) in the case of an application made pursuant to Section 5(1), register the application and issue to the applicant a certificate of registration of the application; and
 - (b) in the case of an application made pursuant to Section 5(2), register the patent and issue to the applicant a certificate of registration of the patent, and every such certificate shall be in the prescribed form and under his or her hand and seal.
- (2) Upon registration of a patent, the registration in respect of the application for that patent shall lapse.
- (3) The holder of a certificate of registration of an application may lodge with the Registrar any amended or additional documents, specifications or drawings lodged in the country of principal registration accompanied by a certificate of the grant and the prescribed fees; if he or she does so, the provisions of Section 7 shall apply as though there were a new application for registration. If there is no opposition or, in the case of opposition, if the Registrar considers that there are no good grounds for not doing so, he or she shall amend the original registration and issue a certificate of registration in the prescribed form under his or her hand and seal in substitution for the certificate previously issued, which shall be surrendered.
- (4) The holder of a certificate of registration of a patent:
 - (a) shall pay on or before the anniversary in each year of the date on which the patent is registered, such annual fee as may be prescribed;
 - (b) if he or she fails to pay any such fee by the due date, the Registrar shall forthwith cancel the registration;
 - (c) publish in the Patents Gazette a notice of the cancellation; and
 - (d) the certificate of registration shall be deemed to have been cancelled and shall cease to be valid.
- (5) Where a certificate of registration has been cancelled under subsection (4), the Registrar may, upon the application of the holder of the certificate made within 6 months of the cancellation and upon payment of the annual fee and such penalty as may be prescribed, if he or she is satisfied that no person's proper interests will be prejudiced, renew the registration and publish a notice to that effect in the Patents Gazette; and the certificate of registration shall be valid again with effect from the date of such renewal:

Provided that:

 - (a) the Registrar shall, before renewing any registration under this Section, give notice in the Patents Gazette that application for such renewal has

- been made and he or she shall not renew the registration until after the expiration of a period of 21 days from the date of the publication of that notice; and
- (b) for the purposes of subsection (4), the date in each year on which the annual fee is payable, shall be the date on which the patent was originally registered under subsection (1).
- (6) A certificate of registration of an application issued under subsection (1)(a) shall be valid until:
 - (a) where the application is rejected, 1 month after the date of its final rejection; and
 - (b) where a patent is granted on the application, 6 months after such grant.
 - (7) For the purposes of subsection (6), an application is deemed not to have been finally rejected if an appeal against its rejection permitted by the laws of the country concerned has been commenced and has not been determined.
 - (8) Subject to subsections (4) and (5), a certificate of registration of a patent issued under subsection (1)(b) shall be valid from the date of its issue, or, where a certificate of registration of an application for the patent has been issued under subsection (1)(a), from the date of issue of that certificate, until the date which is the sixteenth anniversary of the date from which the term of the patent commenced in the country of principal registration or, if such patent lapses or is revoked in that country, to the date of such lapse or revocation:

Provided that, where a patent has lapsed in the country of principal registration but has subsequently been restored in that country, it shall, for the purposes of this Section, be deemed not to have suffered that lapse if notice of the restoration is given to the Registrar under Section 19, save that no action shall lie against a person for making, using or exercising the invention between the date of the lapse and the date on which notice of the restoration is given to the Registrar.
 - (9) Where an application for the registration of an application or of a patent, for the issue of a new certificate under subsection (3) or for the renewal of registration under subsection (5) is refused, the applicant may appeal within 28 days to the Supreme Court.
 - (10) The decision of the Supreme Court shall be final and no further appeal shall lie to any other court or tribunal.

9 Privileges and rights conferred by registration

- (1) Where a certificate of registration of an application for a patent has been issued under Section 8, the person to whom it is issued, his or her executors, administrators and assigns shall, subject to the other provisions of this Act, have the sole right to obtain a certificate of registration of any patent relating to the invention concerned which is issued in the country of principal registration as the result of that application.
- (2) Where a certificate of registration of a patent has been issued under Section 8, the person to whom it is issued, his or her executors, administrators, assigns and licensees, themselves or by their deputies, servants and agents, shall have the sole licence, power, privilege and authority to make, use, exercise and sell in the Republic the invention in respect of which the patent was granted in the country of principal registration.

- (3) A licence, power, privilege and authority under this Section shall be held, exercised and enjoyed for such time as the certificate of registration is valid.

10 Co-ownership of patent rights

- (1) Where a certificate of registration of a patent is granted to 2 or more persons, each of those persons shall, unless an agreement to the contrary is in force, be entitled to an equal undivided share in the privileges and rights conferred by the registration.
- (2) Subject to the provisions of this Sections 10 and 11, where 2 or more persons are registered as grantees of a certificate of registration of a patent, then unless an agreement to the contrary is in force, each of those persons shall be entitled, by himself or herself or his or her agents, to make, use, exercise and vend the invention to which the certificate relates for his or her own benefit without accounting to the other or others.
- (3) Subject to the provisions of Section 11 and to any agreement for the time being in force, a licence under a certificate of registration of a patent shall not be granted, and a share in the privileges and rights conferred by the registration of a patent shall not be assigned, except with the consent of all persons, other than the licensor or assignor, who are registered as grantees of the certificate of registration.
- (4) Where an article is sold by 1 of 2 or more persons registered as grantees of a certificate of registration of a patent, the purchaser and a person claiming through him or her shall be entitled to deal with it in the same manner as if the article had been sold by a sole grantee of such certificate.
- (5) Subject to the provisions of this Section, the rules of law applicable to the ownership and devolution of personal property generally shall apply in relation to patents as they apply in relation to other choses in action and nothing in subsection (1) or (2) shall affect the mutual rights or obligations of trustees or of the personal representatives of a deceased person, or their rights or obligations as such.

11 Power of Registrar to give directions to co-owners

- (1) Where 2 or more persons are registered as grantees of a certificate of registration of a patent, the Registrar may, upon application made to him or her in the prescribed manner by any of those persons, give such directions in accordance with the application as to the sale or lease of the privileges and rights conferred by the registration or any of them, the grant of licences under the certificate of registration, or the exercise of any right under Section 10, as he or she thinks fit.
- (2) If a person registered as grantee of the certificate of registration of the patent fails to execute any instrument or to do any other thing required for the carrying out of any direction given under this Section within 28 days after being requested in writing so to do by any of the other persons so registered, the Registrar may, upon application made to him or her in the prescribed manner by any such other person, give directions empowering a person to execute that instrument or to do that thing in the name and on behalf of the person in default.

- (3) Before giving directions in pursuance of an application under this Section, the Registrar shall give an opportunity to be heard:
 - (a) in the case of an application under subsection (1), to the other person or persons registered as grantee of the certificate of registration of the patent; or
 - (b) in the case of an application under subsection (2), to the person in default.
- (4) An appeal shall lie to the Supreme Court within 28 days from any decision or direction of the Registrar under this Section.
- (5) The decision of the Supreme Court shall be final and no further appeal shall lie to any other court or tribunal.
- (6) No directions shall be given under this Section so as to affect the mutual rights or obligations of trustees or of the personal representatives of a deceased person, or their rights or obligations as such.

12 Order for an account in action for infringement

In an action for infringement of privileges or rights conferred by a certificate of registration of a patent the plaintiff shall be entitled, at his or her option, to an account of profits in lieu of damages.

13 Counterclaim for revocation in action for infringement

A defendant in an action for infringement of a patent may, without presenting a petition, apply in accordance with rules of court by way of counterclaim in the action for revocation of the patent.

14 Proceedings for infringement by exclusive licensee

- (1) Subject to the provisions of this Section, the holder of an exclusive licence under a certificate of registration of a patent shall have the like right as the grantee to take proceedings in respect of any infringement of the privileges or rights conferred thereby committed after the date of the licence and, in awarding damages or granting any other relief in any such proceedings, the Court shall take into consideration any loss suffered or likely to be suffered by the exclusive licensee as such or, as the case may be, the profits earned by means of the infringement so far as it constitutes an infringement of the rights of the exclusive licensee as such.
- (2) In any proceedings taken by the holder of an exclusive licence by virtue of this Section, the grantee of the certificate of registration of the patent shall, unless he or she is joined as plaintiff in the proceedings, be added as defendant:

Provided that a grantee so added as defendant shall not be liable for any costs unless he or she enters an appearance and takes part in the proceedings.

15 Remedy for groundless threats of infringement proceedings

- (1) Where a person, whether entitled to or interested in the registration of a patent or of an application for a patent or not, by circulars, advertisements or otherwise threatens any other person with proceedings for infringement

of the privileges or rights conferred by the registration of a patent, a person aggrieved may bring an action against him or her for any such relief as is mentioned in subsection (2).

- (2) Unless in any action brought by virtue of this Section the defendant proves that the acts in respect of which proceedings were threatened constitute or, if done, would constitute, an infringement of the privileges or rights conferred by the registration of a patent, the plaintiff shall be entitled to the following relief:
 - (a) a declaration to the effect that the threats are unjustifiable;
 - (b) an injunction against the continuance of the threats; and
 - (c) such damages, if any, as he or she has sustained.
- (3) For the avoidance of doubt, it is declared that a mere notification of the existence of a certificate of registration of a patent or of an application for a patent does not constitute a threat of proceedings within the meaning of this Section.

16 Supreme Court may revoke registration

- (1) Where an application for a patent has been registered under Section 8 and such application has been refused in the country of principal registration, the Supreme Court shall, upon application by any interested person or the Registrar, revoke the registration and the registration to which it related shall be deemed to have ceased to have force and effect from the date of such refusal.
- (2) The Supreme Court shall have power, upon the application of a person who alleges that his or her interests have been prejudicially affected by the registration of a patent or of an application for a patent, to declare on any of the grounds upon which a United Kingdom patent may be revoked under the law in force in the United Kingdom at the commencement of this Act that the exclusive licence, power, privilege and authority conferred by such registration have not been acquired and to revoke the registration, provided that:
 - (a) no application may be made under this subsection on any ground on which the registration might have been opposed under Section 7; or
 - (b) where the Court considers that the applicant has been dilatory in taking proper steps to protect his or her interests and that the revocation of the registration is likely to cause an unreasonable loss to the person to whom the certificate of registration has been issued, it may:
 - (i) refuse to exercise its powers under this subsection; or
 - (ii) make the exercise of its powers conditional upon the payment of compensation for such loss by the applicant to the person to whom the certificate of registration has been issued.
- (3) Where a person claims to have such an interest in any patent registered under Section 8 that if it had not already been registered, he or she would have been entitled to apply for its registration, the Supreme Court may, upon his or her application, annul the certificate of registration issued upon the registration and direct the Registrar to issue a new certificate of registration jointly to the applicant and the person to whom the original certificate was issued, or his or her executors, administrators or assigns.
- (4) A certificate issued by the Registrar pursuant to a direction of the Supreme Court under subsection (3) shall bear the date of the registration of the

patent or the application to which it relates and shall, for all purposes, be deemed to have been issued on that date.

17 Patents connected with the phosphate industry

The licence, powers, privileges and authority referred to in Section 9 shall, where a patent registered under Section 8 was granted for an invention relating to the mining, crushing, treatment or conveyance of phosphate rock or to any operation undertaken, or which may be undertaken, as part of the phosphate industry in the Republic, be subject to the Republic, RONPHOS and any other statutory corporation or any instrumentality of the Republic specified for the purpose of this Section by the Minister by notice in the Gazette having the power, privilege and authority to make, use and exercise the invention without the agreement of, or liability to make any payment to, the person in whose name the patent is registered or any other person.

[s 17 am Act 8 of 2011 s 12 and Sch 1[116], opn 15 Apr 2011]

18 Special provisions as to vessels and aircraft

(1) Where a vessel or aircraft registered in a country other than the Republic comes into the Republic, including the territorial waters, temporarily or accidentally only, the privileges and rights conferred by the registration of a patent for an invention shall not be deemed to be infringed by the use of the invention:

- (a) in the body of the vessel or in the machinery, tackle, apparatus or other accessories, so far as the invention is used on board the vessel and for its actual needs only; or
- (b) in the construction or working of the aircraft or of the accessories, as the case may be.

(2) [subs (2) rep Act 3 of 2011 s 183 and Sch[1], opn 25 Feb 2011]

19 Registration of lapse, etc

Every lapse, revocation and restoration after lapse in the country of principal registration of any patent registered under this Act may be notified in the prescribed manner by any interested person to the Registrar who shall, upon sufficient evidence of it being produced to him or her and on the payment of the prescribed fee, enter the same in the Register and issue a certificate in the prescribed form under his or her hand and seal with respect to such entry.

20 Substitution of amended specifications

Where the specification or drawings of a patent in respect of which a certificate of registration is issued under Section 8 is amended by way of disclaimer, correction or explanation according to the law of the country of principal registration, a request, which shall be accompanied by the prescribed fee, 2 copies of the specification or drawings, if any, as amended duly certified and such other information as may be prescribed, may be made to the Registrar to substitute copies of the specification or drawings as amended for the specification or drawings originally lodged and the Registrar shall, if he or she is satisfied that the amendment has been made to the patent in the country of principal registration, substitute the copies of the specification or drawings, if any, as amended for the specification or drawing originally lodged.

21 Registration of assignments, etc

- (1) Where a person becomes entitled by assignment, transmission or other operation of law to any licence, power, privilege or authority held by virtue of Section 8 or to any interest, he or she may make application in the prescribed manner to the Registrar for such fact to be recorded in the Register.
- (2) The Registrar shall upon his or her being satisfied of such fact and on payment of the prescribed fee enter such fact in the Register and endorse it on the certificate of registration, for which purpose he or she shall have power to require a person in whose possession it may be to produce it to him or her.

22 Registrar may make corrections

The Registrar may on application by any interested person made in the prescribed manner:

- (a) correct any clerical error in any application or in any specification or drawing or any other error not affecting the substance of the application, specification or drawing;
- (b) correct any clerical error in any matter entered in the Register, or any other error not affecting the substance of the matter;
- (c) enter any change in the name, style or address of the person in whose name the patent is registered; and
- (d) rectify the Register in respect of any matter wherein a court of competent jurisdiction in the country of principal registration has made an order, if he or she is satisfied that the order has been duly made.

23 Certificate and sealed copies to be evidence

- (1) A certificate purporting to be under the hand and seal of the Registrar as to any entry, matter or thing which he or she is authorised by law to make or do, shall, unless the contrary be proved, be evidence of the entry having been made, and of the contents and of the matter or thing having been done or left undone.
- (2) Printed or written copies or extracts purporting to be sealed by the appropriate authority in the country of principal registration of or from patents, specifications and other documents in the patents registry or office of that country and of or from registers and other books kept there shall be admissible in court and in all proceedings without further proof or production of the originals.

24 Inspection, etc

The Register shall, save as may be provided to the contrary by any other written law, be open to the inspection of the public between 9.00am and 5.00pm on all days other than Saturdays, Sundays and public holidays and certified copies signed and sealed by the Registrar of any entry in such register shall be given to a person upon application being received on the prescribed form accompanied by the prescribed fee.

25 Loss or destruction of certificate of registration

Where the Registrar is satisfied that a certificate of registration of a patent or of

an application for a patent has been lost or destroyed or cannot be produced, he or she may at any time issue a duplicate, marked as such, under his or her hand and seal.

26 Patents Gazette

- (1) The Registrar shall, at such times as may be prescribed, publish a bulletin to be known as the Patents Gazette.
- (2) There shall be published in the Patents Gazette such matters as may be required by this Act or as may be prescribed and such other matters relating to applications for and grants of certificates of registration under Sections 7 and 8 as the Registrar thinks fit to publish.
- (3) The Patents Gazette shall be available to members of the public, whether resident in the Republic or not, upon payment of the prescribed fee.

27 Offences

- (1) A person who makes or causes to be made a false entry in the Register or a writing falsely purporting to be a copy of an entry in the Register or produces in evidence any such writing knowing such entry to be false or such writing not to be an accurate copy of an entry in the Register is guilty of an offence and is liable to imprisonment for a period of 2 years and a fine of \$2,000.
- (2) A person who falsely represents that any article sold, or offered or displayed for sale, by him or her is an article in relation to which an invention is the subject of a patent registered under this Act is guilty of an offence and is liable to a fine of \$100.
- (3) For the purposes of subsection (2) a person who sells, or offers or displays for sale, an article having stamped, engraved or impressed or in any way applied the words 'patent', 'patented' or any other word expressing or implying that the article is patented shall be deemed to represent that article to be an article in relation to which an invention is the subject of a patent registered under this Act:
Provided that it shall be sufficient defence to show to the satisfaction of the court that the article was manufactured outside and imported into the Republic in the condition in which it was sold in the Republic and is in fact patented under the provisions of the law in force in the place where it was manufactured.

28 Costs in proceedings before Registrar and security for costs

- (1) The Registrar may, in any proceedings before him or her under this Act, by order award to any party such costs as he or she may consider reasonable, and direct how and by what parties they are to be paid; and any such order shall be enforceable as though it were an order of the District Court.
- (2) If any party by whom notice of any opposition is given under this Act to the grant of a licence under a patent or by whom application is made to the Registrar under Section 11 of this Act for directions or by whom notice of appeal is given from any decision of the Registrar under this Act neither resides nor carries on business in the Republic, the Registrar or, in the case of an appeal, a Judge may require him or her to give security for the costs

of the proceedings before the Registrar or of the appeal, as the case may be, and in default of such security being given may treat the opposition, application or appeal as abandoned.

29 Regulations

The Cabinet may from time to time make regulations for all or any of the following purposes:

- (a) prescribing the forms to be used under this Act;
- (b) providing for and regulating the search and inspection of the Register;
- (c) prescribing the matters to be published in the Patents Gazette and prescribing and regulating the publication of any documents or applications filed or presented or of any of the several matters done or required to be done in pursuance of this Act;
- (d) prescribing the fees and fixing the charges to be made for any act, matter or thing to be done or observed under this Act, including penalty fees;
- (e) otherwise regulating the practice of the Registry; and
- (f) generally for the better carrying into effect of the provisions of this Act.

30 Rules of court for appeals

Where provision is made by this Act for appeals to lie to the Supreme Court from decisions of the Registrar, the Chief Justice may prescribe rules of court for the procedure to be followed and for all other matters pertaining and by such rules of court may provide for such appeals to be dealt with by a Judge in Chambers and for the appellants and the parties to such appeals to present their respective cases in writing.

Patents Registration (Forms and Fees) Regulations 2020

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23	Registration of assignment or transmission
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Title

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- FORM 12 — Notice of lapse or revocation
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- FORM 14 — Certificate of lapse or revocation of patent
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- FORM 18 — Application form for corrections
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Patents Registration (Forms and Fees) Regulations 2020

TABLE OF AMENDMENTS

The Patents Registration (Forms and Fees) Regulations 2020 SL 29 were notified and commenced on 22 September 2020 (GN No 711/2020; Gaz 178/2020).

Amending Legislation	Notified	Date of Commencement
Revised Written Laws Act 2021 No 7	1 June 2021	1 June 2021

The Minister makes the following Regulations under Section 29 of the *Patents Registration Act 1973*:

1 Citation

These Regulations may be cited as the *Patents Registration (Forms and Fees) Regulations 2020*.

2 Commencement

These Regulations commence on the day they are notified in the Gazette.

3 Definitions

‘*Act*’ means the *Patents Registration Act 1973*;

‘*country code*’ means the code of a country contained in Schedule 4; and

‘*Registrar*’ means the Registrar of Patents.

4 Objectives

The objectives of these Regulations are to:

- (a) provide the procedure and process for lodgement for registration of invention, examination of invention and registration of patent;
- (b) provide the forms required for the necessary applications under the Act;
- (c) provide the fees required for the necessary applications under the Act; and
- (d) provide for the details of the process of and maintaining of records in the Register of Patents.

5 Register of Patents

For the purposes of Section 4 of the Act, the Register of Patents established and maintained by the Registrar may be kept as set out in Schedule 1:

- (a) in writing; and
- (b) in digital or electronic form.

6 Process required for registration of patent

The registration of a grant of patent requires the following steps:

- (a) an application for registration of an invention as a patent;
- (b) an application for examination of patent; and
- (c) an application for grant of patent.

7 Application for invention to be registered as grant of patent

(1) An application of an invention to be registered as a grant of patent shall contain or be accompanied by the following:

- (a) claims of what is considered new and inventive and characterises the invention;
- (b) a detailed description of the object of the invention;
- (c) summary of the invention;
- (d) title for the invention;

- (e) full name of the inventor including nationality, country code, residential address, postal address, telephone and email; and
 - (f) full name of the applicant including nationality, country code, residential address, postal address, telephone and email.
- (2) For the purpose of subregulation (1), an application shall be in Form 1 of Schedule 2.

8 Request for examination of application for invention to be registered

- (1) An applicant who has lodged an application for an invention to be registered as a grant of patent or a notice of opposition may request the Registrar for an examination of an application after the lapse of the period for notification of opposition.
- (2) The request for examination shall be in Form 2 of Schedule 2.

9 Application for grant of patent following examination

- (1) An applicant under Regulation 7 may apply for a grant of patent after a lapse of 3 months.
- (2) For the purpose of subregulation (1), an application shall be in Form 3 of Schedule 2.

10 Notice of Receipt of application for Invention to be registered as grant of patent

- (1) The Registrar shall forthwith notify the applicant of the receipt of the application in Regulation 7 in Form 4 of Schedule 2 which shall contain the following:
- (a) the name of applicant;
 - (b) foreign grant of patent or new registration of patent;
 - (c) the date;
 - (d) time; and
 - (e) reference number for the application.
- (2) Where an application is received by the Registrar by:
- (a) electronic means, it is deemed to have been received on the date and time shown in the electronic mail or any other form of electronic or digital communication; or
 - (b) post, on the date on which the application is delivered by the postal services to the Registrar.
- (3) Subject to subregulation (4), the priority for the registration of a grant of patent shall commence from the time specified in the Notice of Receipt.
- (4) If the applicant does not object to the time noted in the Notice of Receipt within 14 days of receipt of such Notice, the time and date of the receipt of the application by the Registrar is deemed to be established.
- (5) The applicant shall pay the prescribed fee for the application of an invention to be registered as a grant of patent upon receiving the Notice of Receipt under this regulation.

11 Written undertaking for invention to be registered

- (1) On the payment of the prescribed fee under Regulation 10(5), the applicant shall provide a written undertaking of an invention which is proposed to be registered as a patent.
- (2) An undertaking under subregulation (1) shall be in Form 5 of Schedule 2.

12 Written undertaking for grant of patent

- (1) Where a person intends to apply for grant of patent under Regulation 9, he or she shall provide a written undertaking of his or her lawful rights to seek a grant of patent.
- (2) An undertaking under subregulation (1) shall be accompanied by:
 - (a) an examination report and authorisation by the Registrar of the registration of the patent as being an invention; or
 - (b) in case of a patent registered in another country, a certificate or other authentication document stating that the patent has been duly registered after the requirements under the national laws of that country have been complied with.
- (3) An undertaking under subregulation (1) shall be in Form 6 of Schedule 2.

13 Publication in Gazette

- (1) The Registrar shall publish in the Gazette an application for registration of an invention to be registered as a grant after:
 - (a) acknowledgment of the Notice of Receipt of the application; and
 - (b) payment of the prescribed fees under Regulation 10.
- (2) The Gazette shall prescribe the period during which any person may register an objection to the registration of an invention as a patent.
- (3) For the purposes of this regulation, the Gazette shall be in Form 7 of Schedule 2.

14 Notice of opposition

- (1) For the purposes of Section 7(1) of the Act, a notice of opposition shall be in Form 8 of Schedule 2.
- (2) A notice of opposition shall be lodged with the Registrar of Patents within 3 months of the publication of the application in the Gazette.
- (3) The notice of opposition shall provide details, in whole or part of the invention respectively, of the grounds of objection expressly alluding to any infringements of:
 - (a) any existing application or notification of an invention for registration as a patent; or
 - (b) a grant of patent.
- (4) The notice of opposition shall state and provide details of the country in which such application is pending or the patent is granted.

15 Certificate of registration of application for registration of patent

For the purposes of Section 8(1)(a) of the Act and Regulation 7(1), a certificate of a receipt of an application for an invention to be registered as a grant of patent shall be in Form 9 of Schedule 2.

16 Certificate of grant of patent

For the purposes of Section 8(1)(b) of the Act and Regulation 9(1), a certificate of grant of patent shall be in Form 10 of Schedule 2.

17 Application for renewal of patent

For the purposes of Section 8(5) of the Act, an application for renewal of a patent shall be in Form 11 of Schedule 2.

18 Notice of lapse or revocation

For the purposes of Section 19 of the Act, a notice of lapse or revocation of grant of patent shall be in Form 12 of Schedule 2.

19 Notice of restoration of patent

For the purposes of Section 19 of the Act, a notice of restoration of an earlier grant of patent shall be in Form 13 of Schedule 2.

20 Certificate of lapse or revocation

For the purposes of Section 19 of the Act, a certificate of lapse or revocation of grant of patent shall be in Form 14 of Schedule 2.

21 Certificate of restoration of patent

For the purposes of Section 19 of the Act, a certificate of restoration of an earlier grant of patent shall be in Form 15 of Schedule 2.

22 Substitution of amended specifications

For the purposes of Section 20 of the Act, a request for substitution of specification or drawings of a patent shall be in Form 16 of Schedule 2.

23 Registration of assignment or transmission

For the purposes of Section 21 of the Act, an application for the registration of an assignment or transmission shall be in Form 17 of Schedule 2.

24 Registrar may make corrections

For the purposes of Section 22 of the Act, an application shall be in Form 18 of Schedule 2.

25 Persons who may administer oath

- (1) Where a declaration is required under these Regulations by a person residing in a foreign country, it shall be made before or administered by any of the following:
 - (a) notary public;
 - (b) judicial officer;
 - (c) barrister and solicitor with current practicing certificate; or
 - (d) Registrar of Patents in the country where the patent is already registered.

- (2) Where a declaration is required under these Regulations by a Nauruan citizen or a person residing in the Republic, it shall be made before or administered by a:
- (a) notary public;
 - (b) judicial officer;
 - (c) legal practitioner; or
 - (d) commissioner for oaths.

26 Inspection

For the purposes of Section 24 of the Act, an application for inspection of the Register shall be in Form 19 of Schedule 2.

27 Fees

The fees to be paid for the purposes of the Act and these Regulations are set out in Schedule 3.

28 Standard list of country codes

The standard list of country codes are set out in Schedule 4.

SCHEDULE 1

REGISTER OF PATENTS



REPUBLIC OF NAURU

PATENTS REGISTRATION ACT 1973

[Section 4; Regulation 5]

Reference number	Name of applicant	Residential address / postal address of applicant	Telephone	Email	Date of application for invention	Time of application for invention	Date of publication in Gazette	Date of notice of opposition	Date of examination	Date of application for registration of grant	Date of issuance of certificate of registration of application for registration of patent	Date of issuance of certificate of grant of patent	Date of renewal

SCHEDULE 2

FORMS

FORM 1



REPUBLIC OF NAURU

PATENTS REGISTRATION ACT 1973

APPLICATION FORM FOR AN INVENTION TO BE REGISTERED AS A GRANT OF PATENT

[Sections 5 and 6; Regulation 7]

NRIAP No: ... / 20...

To:

The Registrar of Patents
Government Buildings
Yaren District
Republic of Nauru

PART 1 – NATURE OF APPLICATION <i>(tick appropriate nature of application)</i>	
<input type="checkbox"/> Application for registration of invention (if applicable – go to Part 2) <input type="checkbox"/> Application for registering a foreign grant or pending grant (if applicable – go to Part 3)	
PART 2 – DETAILS OF INVENTION	
Title of invention	
Field of invention	
Country of invention	
When invention discovered	
Nature of invention <i>(explain briefly – attach detailed explanation to this Form)</i>	
Date of invention	
Is Nauru the first country of application? If no, where else the invention has already been lodged for registration?	
PART 3 – DETAILS OF FOREIGN PATENT GRANTED	
Foreign application reference number (if application pending)	

Foreign grant number (if patent granted)		
Foreign country / countries of grant / application		
Title or nature of patent grant		
Patent for the field of invention / grant		
Current date of registration or renewal		
Date of renewal of current registration or renewal		
Validity or expiry date of the grant / consideration of the application under the foreign country's law		
PART 4 – DETAILS OF FOREIGN PATENTEE		
Full name (if applicable)		
Gender		
Nationality		
Country code		
Date of birth		
Telephone		
Email		
Mode of correspondence		
Website of the patent (if applicable)		
PART 5 – ADDITIONAL INFORMATION		
Priorities claimed (if you successfully claimed priority from one or more earlier filed patent, please provide details of the application(s))		
Country / Office		
Application number		
Date of filing		
PART 6 – ACCOMPANYING DOCUMENTS		
Copy of certificate of grant		
Patent description		
Patent claim(s)		
Drawing(s)		
Complete / provisions specification		
No. of claims		
Abstract		
No. of drawings		
PART 7 – LIST OF COUNTRIES WHERE PATENT GRANTED		
List the countries where the patents registered and the dates of registration:	Country	Date of registration / grant
PART 6 – DECLARATION OF INVENTION		
Inventor		
I / We the above named inventor is / are the true and first inventor(s) for the invention and declare that the applicant(s) provided in this application is /are my / our assignee or legal representative.		
Full name:		
Date:		
Signature		

<p>Applicants in convention country I / We, the applicant(s) in the convention country declare that the applicant(s) herein is /are my/our assignee or legal representative. Full name: Date: Signature</p>
<p>Declaration by applicant I / We the applicant declare that:</p> <ul style="list-style-type: none"> <input type="checkbox"/> I am / We are in possession of the abovementioned patent. <input type="checkbox"/> The provisional / complete specification relating to the invention is filed in this application. <input type="checkbox"/> The invention as disclosed in the specification uses the biological material from the Republic and the necessary permission from the competent authority shall be submitted by me / us before the grant of patent to me / us. <input type="checkbox"/> There is not lawful ground of objection(s) to the grant of the patent to me / us. <input type="checkbox"/> I am / We are the true and first investor(s). <input type="checkbox"/> I am / We are the assignee or legal representative of true and first investor(s). <input type="checkbox"/> I / We claim the priority from the abovementioned application filed in convention country / countries and state that no application for protection in respect of the invention had been made in a convention country before that date by me / us or by any person from which I / we derive the title.
<p>I (state name) of (address), (occupation), do solemnly and sincerely declare that to the best of my / our knowledge, information and belief the fact and matters stated in this application are correct and I / We request that a patent be granted to me / us for the said invention.</p> <p>And I make this solemn declaration by virtue of the <i>Oaths, Affirmations and Statutory Declarations Act 1976</i> conscientiously believing in the statement contained therein to be true in every particular.</p> <p>Full name: Signed by the applicant: Declared at this day of 20. . . Before me: (Signature) (Title)</p> <p>NOTE: Any person making a false statement is guilty of an offence and is liable to imprisonment for 5 years.</p>
<p>Payment receipt number:</p>
<p>OFFICIAL PURPOSES Received by: (Full name of officer) Date: / / 20. . . Time: am / pm Application number:</p>

FORM 2



REPUBLIC OF NAURU
PATENTS REGISTRATION ACT 1973

REQUEST FOR EXAMINATION OF APPLICATION FOR AN INVENTION TO BE
REGISTERED AS A GRANT OF PATENT

[Section 7; Regulation 8]

RFP No: ... / 20...

To:

The Registrar of Patents
Government Buildings
Yaren District
Republic of Nauru

Reference number of the application	
Full name of the applicant / person opposing the application	
Residential Address	
Postal address	
Nationality	
Country code	
Telephone	
Email	
I / We request substantive examination of this application.	
Signature:	
Date: ... / ... / 20...	
Payment receipt number:	
OFFICIAL PURPOSES	
Received by:	
<i>(Full name of officer)</i>	
Date: / / 20...	
Time: am / pm	
Application number:	

FORM 3



REPUBLIC OF NAURU

PATENTS REGISTRATION ACT 1973

APPLICATION FORM FOR GRANT OF PATENT FOLLOWING EXAMINATION

[Sections 5 and 6; Regulation 9]

NRIAP No: ... / 20...

To:

The Registrar of Patents
 Government Buildings
 Yaren District
 Republic of Nauru

PART 1 – NATURE OF APPLICATION <i>(tick appropriate nature of application)</i>	
<input type="checkbox"/> Application for registration of invention (if applicable – go to Part 2) <input type="checkbox"/> Application for registering a foreign grant or pending grant (if applicable – go to Part 3)	
PART 2 – DETAILS OF INVENTION	
Title of invention	
Field of invention	
Country of invention	
When invention discovered	
Nature of invention <i>(explain briefly – attach detailed explanation to this Form)</i>	
Date of invention	
Is Nauru the first country of application? If no, where else the invention has already been lodged for registration?	
PART 3 – DETAILS OF FOREIGN PATENT GRANTED	
Foreign application reference number (if application pending)	
Foreign grant number <i>(if patent granted)</i>	
Foreign country / countries of grant / application	
Title or nature of patent grant	
Patent for the field of invention / grant	
Current date of registration or renewal	

Date of renewal of current registration or renewal		
Validity or expiry date of the grant / consideration of the application under the foreign country's law		
PART 2 – DETAILS OF FOREIGN PATENTEE		
Full name (if applicable)		
Gender		
Nationality		
Country code		
Date of birth		
Telephone		
Email		
Mode of correspondence		
Website of the patent (if applicable)		
PART 3 – ADDITIONAL INFORMATION		
Priorities claimed (if you successfully claimed priority from one or more earlier filed patent, please provide details of the application(s))		
Country / Office		
Application number		
Date of filing		
PART 4 – ACCOMPANYING DOCUMENTS		
Copy of certificate of grant		
Patent description		
Patent claim(s)		
Drawing(s)		
Complete / provisions specification		
No. of claims		
Abstract		
No. of drawings		
PART 5 – LIST OF COUNTRIES WHERE PATENT GRANTED		
List the countries where the patents registered and the dates of registration:	Country	Date of registration / grant
PART 6 – DECLARATION OF INVENTION		
Inventor		
I / We the above named inventor is / are the true and first inventor(s) for the invention and declare that the applicant(s) provided in this application is /are my / our assignee or legal representative.		
Full name:		
Date:		
Signature		

<p>Applicants in convention country I / We, the applicant(s) in the convention country declare that the applicant(s) herein is /are my/our assignee or legal representative. Full name: Date: Signature</p>
<p>Declaration by applicant I / We the applicant declare that:</p> <ul style="list-style-type: none"> <input type="checkbox"/> I am / We are in possession of the abovementioned patent. <input type="checkbox"/> The provisional / complete specification relating to the invention is filed in this application. <input type="checkbox"/> The invention as disclosed in the specification uses the biological material from the Republic and the necessary permission from the competent authority shall be submitted by me / us before the grant of patent to me / us. <input type="checkbox"/> There is not lawful ground of objection(s) to the grant of the patent to me / us. <input type="checkbox"/> I am / We are the true and first inventor(s). <input type="checkbox"/> I am / We are the assignee or legal representative of true and first inventor(s). <input type="checkbox"/> I / We claim the priority from the abovementioned application filed in convention country / countries and state that no application for protection in respect of the invention had been made in a convention country before that date by me / us or by any person from which I / we derive the title.
<p>I (state name) of (address), (occupation), do solemnly and sincerely declare that to the best of my / our knowledge, information and belief the fact and matters stated in this application are correct and I / We request that a patent be granted to me / us for the said invention.</p> <p>And I make this solemn declaration by virtue of the <i>Oaths, Affirmations and Statutory Declarations Act 1976</i> conscientiously believing in the statement contained therein to be true in every particular.</p> <p>Full name: Signed by the applicant: Declared at this day of 20. . . Before me: (Signature) (Title)</p> <p>NOTE: Any person making a false statement is guilty of an offence and is liable to imprisonment for 5 years.</p>
<p>Payment receipt number:</p>
<p>OFFICIAL PURPOSES Received by: (Full name of officer) Date: / / 20. . . Time: am / pm Application number:</p>

FORM 4



REPUBLIC OF NAURU
PATENTS REGISTRATION ACT 1973

NOTICE OF RECEIPT OF APPLICATION OF AN INVENTION TO BE REGISTERED
AS A GRANT OF PATENT

[Regulation 10]

NAP No: . . . / 20. . .

To:

.....
.....
.....
.....

Please take notice that an application of an invention to be registered as a grant of patent has been filed with the Registrar of Patents at Government Buildings, Yaren District, Republic of Nauru dated of 20. . .

- (a) name of applicant
- (b) foreign grant of patent or new registration of patent
- (c) date of application
- (d) time of application
- (e) reference number for the application

Dated this of 20. . .

Registrar of Patents

FORM 5



**REPUBLIC OF NAURU
PATENTS REGISTRATION ACT 1973**

WRITTEN UNDERTAKING OF INVENTION TO BE REGISTERED AS GRANT OF PATENT

[Regulation 11]

WUGP No: ... / 20...

To:
The Registrar of Patents
Government Buildings
Yaren District
Republic of Nauru

I / We [full name of applicant(s)]
of [address], [nationality], [country code]
hereby declare that:

I / We have not made any application for the same / substantially the same invention outside the Republic.

OR

I / We have made this application no: ... dated alone / jointly with,
made for the same / substantially same invention / application(s) for patent in other countries,
the particulars of which are given below:

Name of country	Date of application	Reference number of the application	Status of application	Date of publication	Date of grant

Name of assignee:
Address of assignee:

That the rights of the application(s) has / have been assigned to:
.....

That I / We undertake that up to the date of grant of the patent by the Registrar, I / We would keep him or her informed in writing the details regarding corresponding applications for patents filed outside of the Republic within 3 months from the date of filing of such application.

Signature of applicant / authorised registered patent agent: Date: . . . / . . . / 20. . .
OFFICIAL PURPOSES Received by: <i>(Full name of officer)</i> Date: / / 20. . . Time: am / pm Application number:

FORM 6



REPUBLIC OF NAURU

PATENTS REGISTRATION ACT 1973

WRITTEN UNDERTAKING FOR GRANT OF PATENT

[Regulation 12]

WGOP No: ... / 20...

To:

The Registrar of Patents
 Government Buildings
 Yaren District
 Republic of Nauru

I / We [full name of applicant(s)] of [address], [nationality], [country code] hereby declare that: I / We have not made any application for the same / substantially the same invention outside the Republic. OR I / We have made this application no dated alone / jointly with , made for the same / substantially same invention / application(s) for patent in other countries, the particulars of which are given below:					
Name of country	Date of application	Reference number of the application	Status of application	Date of publication	Date of grant
Name of assignee: Address of assignee: That the rights of the application(s) has / have been assigned to: That I / We undertake that up to the date of grant of the patent by the Registrar, I / We would keep him or her informed in writing the details regarding corresponding applications for patents filed outside of the Republic within 3 months from the date of filing of such application.					

Signature of applicant / authorised registered patent agent: Date: . . . / . . . / 20. . .
OFFICIAL PURPOSES Received by: <i>(Full name of officer)</i> Date: / / 20. . . Time: am / pm Application number:

FORM 7



REPUBLIC OF NAURU
PATENTS REGISTRATION ACT 1973

PUBLICATION IN GAZETTE

[Section 7(1); Regulation 13]

PG No: ... / 20...

The Registrar of Patents has received an application of an invention to be registered as a grant of patent for the following applicant:

- (a) Applicant's full name
- (b) Nationality
- (c) Country code
- (d) Residential address of the applicant
- (e) Foreign grant of patent or new registration of patent
- (f) Date application lodged
- (g) Time application received
- (h) Reference number for the application

A notice of opposition must be given to the Registrar of Patents within three months of this publication.

Dated this of 20. . .

.....

Registrar of Patents

FORM 8



REPUBLIC OF NAURU

PATENTS REGISTRATION ACT 1973

NOTICE OF OPPOSITION TO APPLICATION OF AN INVENTION TO BE REGISTERED AS GRANT OF PATENT

[Section 7(1); Regulation 14]

NBGP No: ... / 20...

To:

The Registrar of Patents
 Government Buildings
 Yaren District
 Republic of Nauru

PART 1 – RELEVANT INFORMATION FOR OPPOSITION	
Patent reference number	
Date published for opposition	
Title of invention	
PART 2 – DETAILS OF PERSON / ENTITY OPPOSING THE APPLICATION	
Full name	
Gender (if applicable)	
Date of birth (if applicable)	
Telephone	
Email	
Opponent type (<i>individual, firm, corporation, association, trust, etc</i>)	
Registration number (<i>if firm, corporation, association, trust, etc</i>)	
Principal place of business	
Address for service of the person / entity opposing	
PART 3 – GROUNDS OF OPPOSITION (<i>tick where applicable</i>)	
<input type="checkbox"/>	publication or use of the invention in Nauru before the priority date
<input type="checkbox"/>	prior registration of a patent for the invention or of an application for a patent for the invention under the <i>Patents Registration Act 1973</i>
<input type="checkbox"/>	publication or use of the invention in Nauru before the priority date
<input type="checkbox"/>	prior registration of a patent for the invention or of an application for a patent for the invention under the <i>Patents Registration Act 1973</i>

	prior grant of patent for the invention by the appropriate authority in the United Kingdom, the Commonwealth of Australia or the United States of America
	prior filing of a complete specification in support of an application for a patent for the invention with the appropriate authority in the United Kingdom, the Commonwealth of Australia or the United States of America
PART 4 – DECLARATION	
<p>I (state name) of (address), (occupation), do solemnly and sincerely declare that (set out matter declared, using numbered paragraphs if it is lengthy):</p> <p style="padding-left: 40px;">(a)</p> <p>And I make this solemn declaration by virtue of the <i>Oaths, Affirmations and Statutory Declarations Act 1976</i> conscientiously believing in the statement contained therein to be true in every particular.</p> <p>Signed by the applicant:</p> <p>Name of person filing this form:</p> <p>Declared at this day of 20. . .</p> <p>Before me:</p> <p>(Signature)</p> <p>(Title)</p> <p>NOTE: Any person making a false statement is guilty of an offence and is liable to imprisonment for 5 years.</p>	
Payment receipt number:	
OFFICIAL PURPOSES	
<p>Received by: (Full name of officer)</p> <p>Date: / / 20. . .</p> <p>Time: am / pm</p>	

FORM 9



REPUBLIC OF NAURU
PATENTS REGISTRATION ACT 1973

CERTIFICATE OF APPLICATION FOR AN INVENTION TO BE REGISTERED AS GRANT OF PATENT

[Section 8(1)(a); Regulation 15]

REFERENCE NUMBER: ... / 20...

In accordance with the Patents Registration Act 1973, an application of an invention to be registered as a grant of patent was lodged on [dd] [mm] [yy] by [full name of applicant] of [address]. The details of registration are:

[invention]

Owner(s): [Full name of owner], [Address]

In respect of the following invention:

[particulars of invention]

[signature]

[Full name of Registrar of Patents]

Registrar of Patents

[seal of Registrar of Patents]

FORM 10



**REPUBLIC OF NAURU
PATENTS REGISTRATION ACT 1973**

CERTIFICATE OF GRANT OF PATENT

[Section 8(1)(b); Regulation 16]

REFERENCE NUMBER: ... / 20...

In accordance with the *Patents Registration Act 1973*, this patent is registered in the Register of Patents on [dd] [mm] [yy] by[full name of applicant] of[address]. The details of registration are:

[patent]

Owner(s): *[Full name of owner], [Address]*

In respect of the following invention:

[particulars of invention]

.....*[signature]*

[Full name of Registrar of Patents]

Registrar of Patents

[seal of Registrar of Patents]

FORM 11



REPUBLIC OF NAURU
PATENTS REGISTRATION ACT 1973

APPLICATION FOR RENEWAL OF PATENT

[Section 8(5); Regulation 17]

AFRP No: ... / 20...

To:

The Registrar of Patents
Government Buildings
Yaren District
Republic of Nauru

PART 1 – DETAILS OF APPLICANT	
Full name	
Gender	
Nationality	
Country code	
Date of birth	
Telephone	
Email	
Applicant type (<i>individual, firm, corporation, association, trust, etc</i>)	
Registration number (<i>if firm, corporation, association, trust, etc</i>)	
Principal place of business	
Mode of correspondence	
Address for service of the applicant	
PART 2 – PATENT DETAILS	
Patent registration number	
Full name of patentee	
Address of patentee	
Year of first registration	
Last renewal date	
Title of invention	

PART 3 – DECLARATION

I (state name) of (address),
(occupation), do solemnly and sincerely declare that (set out matter declared, using numbered paragraphs if it is lengthy):

(a)

And I make this solemn declaration by virtue of the *Oaths, Affirmations and Statutory Declarations Act 1976* conscientiously believing in the statement contained therein to be true in every particular.

Signed by the individual owner of the applicant:

Name of person filing this form:

Declared at this day of 20 . . .

Before me:

(Signature)

(Title)

NOTE: Any person making a false statement is guilty of an offence and is liable to imprisonment for 5 years.

Payment receipt number:

OFFICIAL PURPOSES

Received by:

(Full name of officer)

Date: / / 20 . . .

Time: am / pm

FORM 12



REPUBLIC OF NAURU
PATENTS REGISTRATION ACT 1973

NOTICE OF LAPSE OR REVOCATION

[Section 19; Regulation 18]

NLR No: ... / 20...

To:

The Registrar of Patents
Government Buildings
Yaren District
Republic of Nauru

Full name of applicant	
Residential address	
Telephone	
Email	
Country code	
<p>I / We give notice to of lapse or revocation of patent registration number:</p> <p>Dated this of 20...</p> <p>Signed:</p>	
Payment receipt number:	
<p>OFFICIAL PURPOSES Received by: (Full name of officer) Date: / / 20... Time: am / pm</p>	

FORM 13



**REPUBLIC OF NAURU
PATENTS REGISTRATION ACT 1973**

NOTICE OF RESTORATION

[Section 19; Regulation 19]

NOR No: ... / 20...

To:

The Registrar of Patents
Government Buildings
Yaren District
Republic of Nauru

Full name of applicant	
Residential address	
Telephone	
Email	
Country code	
<p>I / We give notice to restore patent reference number:</p> <p>Dated this of 20...</p> <p>Signed:</p>	
<p>Payment receipt number:</p> <p>OFFICIAL PURPOSES</p> <p>Received by: <i>(Full name of officer)</i></p> <p>Date: / / 20...</p> <p>Time: am / pm</p>	

FORM 14



REPUBLIC OF NAURU
PATENTS REGISTRATION ACT 1973

CERTIFICATE OF LAPSE OR REVOCATION OF PATENT

[Section 19; Regulation 20]

CLRP No: ... / 20...

In accordance with the *Patents Registration Act 1973*, this patent has (*lapsed / been revoked*) on the Register of Patents on [dd] [mm] [yy] by[full name of applicant] of[address]. The patent details are:

[patent]

Owner(s): [Full name of owner], [Address]

In respect of the following invention:

[particulars of invention]

.....[signature]

[Full name of Registrar of Patents]

Registrar of Patents

[seal of Registrar of Patents]

FORM 15



**REPUBLIC OF NAURU
PATENTS REGISTRATION ACT 1973**

CERTIFICATE OF RESTORATION OF PATENT

[Section 19; Regulation 21]

CROP No: ... / 20...

In accordance with the *Patents Registration Act 1973*, this patent has been restored on the Register of Patents on *[dd] [mm] [yy]* by*[full name of applicant]* of *[address]*. The patent details are:

[patent]

Owner(s): *[Full name of owner], [Address]*

In respect of the following invention:

[particulars of invention]

.....*[signature]*

[Full name of Registrar of Patents]

Registrar of Patents

[seal of Registrar of Patents]

FORM 16



REPUBLIC OF NAURU
PATENTS REGISTRATION ACT 1973

REQUEST FOR SUBSTITUTION OF SPECIFICATIONS OR DRAWINGS

[Section 20; Regulation 22]

RSSD No: ... / 20...

To:
The Registrar of Patents
Government Buildings
Yaren District
Republic of Nauru

Name and address of applicant(s)	<i>[insert full name]</i> <i>[insert business/residential and email address]</i>
Application number	
<p>I/We, the applicants identified above, request to substitute the:</p> <p><input type="checkbox"/> specification; or</p> <p><input type="checkbox"/> drawing</p> <p>My/Our reasons for making this amendment are as follows</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>Dated at this day of, 20...</p> <p style="text-align: right;">Signature</p> <p>Payment receipt number:</p>	

<p>OFFICIAL PURPOSES</p> <p>Received by: <i>(Full name of officer)</i></p> <p>Date: / / 20. . .</p> <p>Time: am / pm</p>

FORM 17



REPUBLIC OF NAURU

PATENTS REGISTRATION ACT 1973

APPLICATION FORM FOR REGISTRATION OF ASSIGNMENT OR TRANSMISSION

[Section 21; Regulation 23]

ARAT No: ... / 20...

To:

The Registrar of Patents
 Government Buildings
 Yaren District
 Republic of Nauru

PART 1 – APPLICATION DETAILS	
Registration number	
PART 2 – DETAILS OF CURRENT OWNER	
Full name	
Telephone	
Email	
Mode of correspondence	
PART 3 – DETAILS OF SUBSEQUENT APPLICANT	
Full name	
Telephone	
Email	
Mode of correspondence	
PART 4 – PERSON MAKING THE REQUEST <i>[whether current proprietor or subsequent proprietor]</i>	
PART 5 – FULL OR PARTIAL ASSIGNMENT / TRANSMISSION <i>[If partial, provide details of the patent for which the transfer is to be recorded]</i>	
PART 6 – DATE OF ASSIGNMENT / TRANSMISSION	
	<i>[dd] [mm] [yy]</i>
PART 7 – VALIDATION / SUPPORTING DOCUMENTS <i>[List]</i>	

PART 8 – SIGNATURE AUTHORISING ASSIGNMENT / TRANSMISSION OF OWNERSHIP	
Full name	
Signature	
Official capacity of signatory	
Date	[dd] [mm] [yy]
PART 9 - DECLARATION	
<p>I. (state name) of. (address), (occupation), do solemnly and sincerely declare that (set out matter declared, using numbered paragraphs if it is lengthy):</p> <p>(a)</p> <p>And I make this solemn declaration by virtue of the <i>Oaths, Affirmations and Statutory Declarations Act 1976</i> conscientiously believing in the statement contained therein to be true in every particular.</p> <p>Signed by the applicant: Name of person filing this form: Declared at this day of 20. . . Before me: (Signature) (Title)</p> <p>NOTE: Any person making a false statement is guilty of an offence and is liable to imprisonment for 5 years.</p>	
Payment receipt number:	
OFFICIAL PURPOSES	
Received by: (Full name of officer)	
Date: / / 20. . .	
Time: am / pm	

FORM 18



REPUBLIC OF NAURU
PATENTS REGISTRATION ACT 1973

APPLICATION FORM FOR CORRECTIONS

[Section 22; Regulation 24]

AFFC No: ... / 20...

To:
The Registrar of Patents
Government Buildings
Yaren District
Republic of Nauru

This is an application to:

- checkbox correct any clerical error in any application or in any specification or drawing, or any other error not affecting the substance of the application, specification or drawing
checkbox correct any clerical error in any matter entered in the Register, or any other error not affecting the substance of the matter
checkbox enter any change in the name, style or address of the person in whose name the patent is registered
checkbox rectify the Register in respect of any matter wherein a court of competent jurisdiction in the country of principal registration has made an order, if he or she is satisfied that the order has been duly made

Name: ...
Address of applicant: ...
Email: ... Tel: ...

Description of correction or change:
.....

Date: / / 20 ...
Signature: ...
Payment receipt number:

OFFICIAL PURPOSES

Received by:

(Full name of officer)

Date: / / 20...

Time: am / pm

Application number:

FORM 19



REPUBLIC OF NAURU
PATENTS REGISTRATION ACT 1973

APPLICATION FORM FOR INSPECTION OF REGISTER OF PATENTS

[Section 24; Regulation 26]

AIRP No: ... / 20...

To:
The Registrar of Patents
Government Buildings
Yaren District
Republic of Nauru

I, ... (state name) of ...
(address) apply to inspect the Register of Patents and request certified copies of the following
documents:

(a)

Signed: ... (Applicant)

Date: / / 20...

Payment receipt number:

OFFICIAL PURPOSES

Received by:

(Full name of officer)

Date: / / 20...

SCHEDULE 3

SCHEDULE OF FEES PATENTS REGISTRATION ACT 1973

[Regulation 27]

Item	Type of application	Relevant provision	Fees
1	Application for invention to be registered as a grant of patent	Sections 5 and 6; Regulation 7	\$500
2	Application for grant of patent following examination	Sections 5 and 6; Regulation 9	\$500
3	Notice of opposition of application of an invention to be registered as grant of patent	Section 7(1); Regulation 14(1)	\$100
4	Request for examination of application for registration of patent	Section 7; Regulation 8	\$2,000 or \$4,000 as may be necessary based on the request
5	Annual fee	Section 8(5); Regulation 17	\$200
6	Renewal fee for the 16th year of the patent	Section 8(5); Regulation 17	\$2,000
7	Request for substitution or specifications or drawings	Section 20; Regulation 22	\$200
8	Registration of assignment or transmission	Section 21; Regulation 23	\$200
9	Application for corrections	Section 22; Regulation 24	\$100
10	Application for inspection of Register of Patents	Section 24; Regulation 26	\$50
11	Certified copy of certificate	Section 24	\$50 & \$1 per page
12	Certificate of lapse or revocation of patent	Section 19; Regulation 20	\$100
13	Certificate of restoration of patent	Section 19; Regulation 11	\$1,000

SCHEDULE 4

STANDARD LIST OF COUNTRY CODES PATENTS REGISTRATION ACT 1973

[Regulation 28]

DESCRIPTION	CODE
ANDORRA	AD
UNITED ARAB EMIRATES	AE
AFGHANISTAN	AF
ANTIGUA AND BARBUDA	AG
ANGUILLA	AI
ALBANIA	AL
ARMENIA	AM
NETHERLANDS ANTILLES	AN
ANGOLA	AO
AFRICAN REGIONAL INDUSTRIAL PROPERTY ORGANISATION (ARIPO)	AP
ARGENTINA	AR
AUSTRIA	AT
AUSTRALIA	AU
ARUBA	AW
AZERBAIJAN	AZ
BOSNIA AND HERZEGOVINA	BA
BARBADOS	BB
BANGLADESH	BD
BELGIUM	BE
BURKINA FASO	BF
BULGARIA	BG
BAHRAIN	BH
BURUNDI	BI
BENIN	BJ
BERMUDA	BM
BRUNEI DARUSSALAM	BN
BOLIVIA	BO
BRAZIL	BR
BAHAMAS	BS
BHUTAN	BT
BOUVET ISLAND	BV
BOTSWANA	BW
BENELUX TM OFFICE(BBM) & BENELUX DESIGNS OFFICE (BBDM)	BX
BELARUS	BY
BELIZE	BZ
CANADA	CA

DESCRIPTION	CODE
DEMOCRATIC REPUBLIC OF CONGO	CD
CENTRAL AFRICAN REPUBLIC	CF
CONGO	CG
SWITZERLAND	CH
COTE D'IVOIRE	CI
COOK ISLANDS	CK
CHILE	CL
CAMEROON	CM
CHINA	CN
COLOMBIA	CO
COSTA RICA	CR
CUBA	CU
CAPE VERDE	CV
CYPRUS	CY
CHECH REPUBLIC	CZ
GERMANY	DE
DJIBOUTI	DJ
DENMARK	DK
DOMINICA	DM
DOMINICAN REPUBLIC	DO
ALGERIA	DZ
EURASIAN PATENT ORGANISATION (EAPO)	EA
ECUADOR	EC
ESTONIA	EE
EGYPT	EG
WESTERN SAHARA	EH
OFFICE FOR HARMONISATION IN THE INTERNAL MARKET (OHIM)	EM
EUROPEAN PATENT OFFICE (EPO)	EP
ERITREA	ER
SPAIN	ES
ETHIOPIA	ET
FINLAND	FI
FIJI	FJ
FALKLAND ISLANDS (MALVINAS)	FK
FAROE ISLAND	FO
FRANCE	FR
GABON	GA
UNITED KINGDOM	GB
PATENT OFFICE OF THE COOPERATION COUNCIL FOR THE ARAB STATES OF THE GULF (GCC)	GC
GRENADA	GD
GEORGIA	GE
GHANA	GH
GIBRALTAR	GI
GREENLAND	GL

DESCRIPTION	CODE
GAMBIA	GM
GUINEA	GN
EQUATORIAL GUINEA	GQ
GREECE	GR
SOUTH GEORGIA AND THE SOUTH SANDWICH ISLAND	GS
GUATEMALA	GT
GUINEA-BISSAU	GW
GUYANA	GY
HONG KONG	HK
HONDURAS	HN
CROATIA	HR
HAITI	HT
HUNGARY	HU
INTERNATIONAL BUREAU OF WIPO	IB
INDONESIA	ID
IRELAND	IE
ISRAEL	IL
INDIA	IN
IRAQ	IQ
IRAN (ISLAMIC REPUBLIC OF)	IR
ICELAND	IS
ITALY	IT
JAMAICA	JM
JORDAN	JO
JAPAN	JP
KENYA	KE
KYRGYZSTAN	KG
CAMBODIA	KH
KIRIBATI	KI
COMOROS	KM
SAINT KITTS AND NEVIS	KN
DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA	KP
REPUBLIC OF KOREA	KR
KUWAIT	KW
CAYMAN ISLANDS	KY
KAZAKHSTAN	KZ
LAO PEOPLE'S DEMOCRATIC REPUBLIC	LA
LEBANON	LB
SAINT LUCIA	LC
LIECHTENSTEIN	LI
SRI LANKA	LK
LIBERIA	LR
LESOTHO	LS
LITHUANIA	LT
LUXEMBOURG	LU

DESCRIPTION	CODE
LATVIA	LV
LIBYAN ARAB JAMAHIRIYA	LY
MOROCCO	MA
MONACO	MC
REPUBLIC OF MOLDOVA	MD
MADAGASCAR	MG
THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA	MK
MALI	ML
MYANMAR	MM
MONGOLIA	MN
MACAU	MO
NORTHERN MARIANA ISLANDS	MP
MAURITANIA	MR
MONTSERRAT	MS
MALTA	MT
MAURITIUS	MU
MALDIVES	MV
MALAWI	MW
MEXICO	MX
MALAYSIA	MY
MOZAMBIQUE	MZ
NAMIBIA	NA
NIGER	NE
NIGERIA	NG
NICARAGUA	NI
NETHERLANDS	NL
NORWAY	NO
NEPAL	NP
NAURU	NR
NEW ZEALAND	NZ
AFRICAN INTELLECTUAL PROPERTY ORGANISATION(OAPI)	OA
OMAN	OM
PANAMA	PA
PATENT CO-OPERATION TREATY	PCT
PERU	PE
PAPUA NEW GUINEA	PG
PHILIPPINES	PH
PAKISTAN	PK
POLAND	PL
PORTUGAL	PT
PALAU	PW
PARAGUAY	PY
QATAR	QA
ROMANIA	RO
RUSSIAN REPUBLIC OR RUSSIAN FEDERATION	RU

DESCRIPTION	CODE
RWANDA	RW
SAUDI ARABIA	SA
SOLOMON ISLANDS	SB
SEYCHELLES	SC
SUDAN	SD
SWEDEN	SE
SINGAPORE	SG
SAINT HELENA	SH
SLOVENIA	SI
SLOVAKIA	SK
SIERRA LEONE	SL
SAN MARINO	SM
SENEGAL	SN
SOMALIA	SO
SURINAME	SR
SAO TOME AND PRINCIPE	ST
EL SALVADOR	SV
SYRIAN ARAB REPUBLIC	SY
SWAZILAND	SZ
TURKS AND CAICOS ISLAND	TC
CHAD	TD
TOGO	TG
THAILAND	TH
TAJIKISTAN	TJ
TURKMENISTAN	TM
TUNISIA	TN
TONGA	TO
EAST TIMOR	TP
TURKEY	TR
TRINIDAD AND TOBAGO	TT
TUVALU	TV
TAIWAN, PROVINCE OF CHINA	TW
UNITED REPUBLIC OF TANZANIA	TZ
UKRAINE	UA
UGANDA	UG
UNITED STATES OF AMERICA	US
URUGUAY	UY
UZBEKISTAN	UZ
HOLY SEE	VA
SAINT VINCENT AND THE GRENADINES	VC
VENEZUELA	VE
VIRGIN ISLANDS, BRITISH	VG
VIRGIN ISLANDS (US)	VI
VIET NAM	VN
VANUATU	VU

DESCRIPTION	CODE
WORLD INTELLECTUAL PROPERTY ORGANISATION(IB OF)	WO
SAMOA	WS
YEMEN	YE
YUGOSLAVIA	YU
SOUTH AFRICA	ZA
ZAMBIA	ZM
ZIMBABWE	ZW

Patents Registration (Appeals) Rules 2020

TABLE OF PROVISIONS

<i>Rule</i>	<i>Title</i>
1	Citation
2	Commencement
3	Interpretation
4	Appeal against decision of Registrar
5	Commencement of appeal
6	Registrar to provide documents to the Court
7	Directions hearing
8	Service of documents
9	Provisions of Supreme Court Act 2018 to apply to appeals
10	Hearing of appeal
11	Matters not provided for
12	Application under Section 16
13	Repeal
	SCHEDULE
	FORM 1 — Petition of appeal
	FORM 2 — Affidavit verifying petition

Patents Registration (Appeals) Rules 2020

TABLE OF AMENDMENTS

The Patents Registration (Appeals) Rules 2020 SL 31 was notified and commenced on 5 October 2020 (GN No 735/2020; Gaz 184/2020).

Amending Legislation	Notified	Date of Commencement
Revised Written Laws Act 2021 No 7	1 June 2021	1 June 2021

IN EXERCISE of the powers conferred on me by Section 30 of the *Patents Registration Act 1973*, I hereby make the following Rules:

1 Citation

These Rules may be cited as the *Patents Registration (Appeals) Rules 2020*.

2 Commencement

These Rules come into effect on the date it is notified in the Gazette.

3 Interpretation

‘*Court*’ means the Supreme Court;

‘*Judge*’ means a Judge of the Supreme Court; and

‘*Registrar*’ means the Registrar of Patents.

4 Appeal against decision of Registrar

A person may appeal any of the following decisions of the Registrar:

- (a) refusal to register an application of an invention for registration of grant of a patent;
- (b) refusal to register an opposition;
- (c) refusal to carry out an examination of an invention;
- (d) refusal to register grant of a patent;
- (e) refusal to issue a certificate of registration;
- (f) refusal to issue certificate of registration of an application of invention for registration of grant of a patent;
- (g) refusal to issue a certificate of grant of a patent; or
- (h) refusal to renew an existing grant of a patent.

5 Commencement of appeal

A person aggrieved by a decision of the Registrar may appeal such decision to the Supreme Court by lodging with the Registrar of Courts:

- (a) a petition in Form 1 of the Schedule; and
- (b) an affidavit verifying the petition in subrule (1)(a) in Form 2 of the Schedule.

6 Registrar to provide documents to the Court

The Registrar shall, within 14 days from the date of the service of the petition, file the relevant documents with the Registrar of Courts which shall include:

- (a) copies of all entries in the Register of Patents to which the proceedings relate;
- (b) copies of all documents in his or her possession relevant to the matters in issue in the proceedings; and
- (c) a signed written statement of the reasons for the refusal, decision or direction in respect of which the appeal is made.

7 Directions hearing

- (1) The Registrar of Courts shall list the petition for a directions hearing within 28 days of the lodgement of the petition.

- (2) The Court at the directions hearing may:
- (a) deal with any application as to the competency of the petition;
 - (b) order that a person be joined as a party;
 - (c) fix a date for hearing of the petition; and
 - (d) make such other orders as may be necessary.

8 Service of documents

Each party shall file and serve documents to all the parties in accordance with these Rules or as the Court may direct.

9 Provisions of Supreme Court Act 2018 to apply to appeals

The *Supreme Court Act 2018* and civil procedure rules apply *mutatis mutandis* to the proceedings under these Rules.

10 Hearing of appeal

- (1) An appeal shall be heard in accordance with this Rule or as may be directed by the Court.
- (2) The appeal shall be heard on the evidence adduced by affidavits unless the Court grants leave to a party to call oral testimony or for cross examination of a deponent of any such affidavit.

11 Matters not provided for

Where a matter is not provided for under these Rules, the civil procedure rules apply.

12 Application under Section 16

For the purposes of Section 16 of the Act, the civil procedure rules apply.

13 Repeal

The *Patents Registration Rules 1974* are hereby repealed.

SCHEDULE

FORM 1

Patents Registration Act 1973

[Rule 5(a)]

PETITION OF APPEAL

**IN THE SUPREME COURT OF NAURU
APPELLATE JURISDICTION**

Patents Appeal No./20

IN THE MATTER of the *Patents Registration Act 1973*

AND IN THE MATTER of an Appeal to the Supreme Court pursuant to *Section 30* of the *Patents Registration Act 1973* and the *Patents Registration (Appeals) Rules 2020*

BETWEEN: [INSERT NAME OF APPELLANT] of [insert address]

Appellant

AND: **THE REGISTRAR OF PATENTS**, Government Buildings, Yaren District

[First] Respondent

AND: [Insert Any Other Party], Government Buildings, Yaren District

[Second] Respondent

PETITION OF APPEAL

Details of Appellant	[insert full name], [insert residential and email addresses], [insert phone number]
Appeal against:	<input type="checkbox"/> Refusal; <input type="checkbox"/> Decision; or <input type="checkbox"/> Direction [tick what is being appealed]
Date of refusal/decision/direction	[day] / [month] / [year]
Provide details of refusal/decision/direction	[provide details]

Grounds of Appeal	<p>The grounds of appeal are as follows: <i>[Properly outline, number and state the grounds of appeal as 1, 2, 3, etc]</i></p> <p>1 2 3</p> <p><i>[If necessary, attach a separate page.][No submissions are to be attached or included as part of the grounds of appeal.]</i></p>
Nature of relief sought	<p>The Appellant seeks the following relief:</p> <p>1 2 3</p> <p><i>[(a) Precisely state the relief sought; (b) If necessary attach a separate page; (c)No submissions are to be attached or included as part of the relief sought]</i></p>
Representation	<p>In person or by a legal representative <i>[state the name of legal representative]</i></p> <p>.....</p>
Address for service of the Appellant or legal representative	<p>..... District</p> <p>Email:.....</p> <p>Telephone Number</p> <p><i>[insert full address of Appellant or legal representative]</i></p>
Any special requirements	<p><i>[for example, an interpreter]</i></p>
Signature of Appellant or legal representative	<p>.....</p>
Date notice of appeal filed	<p>[day] / [month] / [year]</p>
Endorsement by the Registrar of Courts/Deputy Registrar	

FORM 2

Patents Registration Act 1973

[Rule 5(b)]

AFFIDAVIT VERIFYING PETITION

Patents Appeal No. /20

IN THE MATTER of the *Patents Registration Act 1973*

AND IN THE MATTER of an Appeal to the Supreme Court pursuant to *Section 30* of the *Patents Registration Act 1973* and the *Patents Registration (Appeals) Rules 2020*

BETWEEN: [INSERT NAME OF APPELLANT] of [insert address]

Appellant

AND: **THE REGISTRAR OF PATENTS**, Government Buildings, Yaren District

[First] Respondent

AND: [Insert Any Other Party], Government Buildings, Yaren District

[Second] Respondent

AFFIDAVIT VERIFYING PETITION

TO: The Chief Justice of the Supreme Court of Nauru

I, [INSERT NAME] of [insert address], [insert occupation] make oath and says as follows:

1. I am the Petitioner herein.
2. As the Petitioner, I am aware of the facts contained in the petition signed by me on [date].
3. I have read and understood the contents of the Petition to be filed in this Honourable Court and verify the contents therein are true to the best of my knowledge, information and belief. The Petition annexed hereto and marked as "Annexure [insert initials] 1"
4. I seek order in terms of the prayer in the Petition.

SWORN/ AFFIRMED by [insert name] at [insert place affidavit sworn] this [insert date]

.....
[Signature of Petitioner]

Before me:

[A COMMISSIONER FOR OATHS/NOTARY PUBLIC]

