

State of Israel
Patents Regulations
(Office Practice, Rules of Procedure, Documents and Fees), 5728–1968
(Amended on March 6th 2022)

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PART ONE: GENERAL

CHAPTER ONE: GENERAL OFFICE PROCEDURE

1. Definitions

In these Regulations -

"Website" - as defined in Section 166A of the Law;

"The submission website" - the Authority's website through which the electronic submission to the Authority is made;

"Security entity"- any of the following:

- (1) The Ministry of Defense and the auxiliary units of the Ministry of Defense;
- (2) Israel Defense Forces;
- (3) Units and auxiliary units of the Prime Minister's Office, whose main activity is in the field of state security;
- (4) The establishments of the defense system as defined in section 20 of the Regulation of Security in Public Bodies Law, 5758-1998, which are not units mentioned in paragraph (3), and regarding which the Minister of Defense has notified the patent Registrar;
- (5) Israel Police, Prison Service and Witness Protection Authority;

"Paper submission" - submission of a document via manual delivery or by sending it via post office;

"Electronic identification" - identification with a high level of verification, using an electronic means that is one of the following:

- (1) An electronic means of identification that includes multi-factor authentication, with at least two authentication details; For this matter, "authentication detail" - a unique item intended to verify identity;
- (2) Another means of personal electronic identification approved by the Minister, the identification through which is at a level of verification no lower than the level of verification stated in paragraph (1); A notice of the approval of such electronic means of identification will be published by the Minister in the Reshumot, and the list of electronic means of identification will be published on the Authority's website;

"Computer material" - as defined in the Computer Law, 5755-1995;

"Part of the application" - each of these as detailed in Regulation 20(a):

- (1) The introduction and description of the invention;
- (2) Claims;
- (3) Blueprints;
- (4) Genetic sequences;

"Electronic submission form" - an electronic form used for electronic submission to the Authority as it appears at the time of submission on the submission website;

"Evidence Ordinance" - Evidence Ordinance [New Version], 5731-1971;

"Electronic certificate" - (Repealed);

"Affidavit" - one of the following, provided that it complies with the provisions in Regulation 13:

(1) Affidavit according to Section 15 of the Evidence Ordinance;

(2) An affidavit or a written statement regarding the correctness of the content therein, given outside of Israel, when the content is prepared and signed before a diplomatic or consular representative of Israel authorized to do so or before a person authorized to receive it according to the law of the location where it was given.

1A. Powers of the deputy registrar and examiners

Wherever it is stated in these Regulations that the Registrar is authorized to do anything, this includes his deputy and the examiners by implication, unless the law authorized only the Registrar for that matter.

2. Reception of callers and inspection of documents

The Authority's offices will be open to the public from Sunday to Thursday between the hours of 8:30 a.m. and 1:30 p.m., with the exception of rest days, holidays, or days announced by the Registrar via the website on which there will be no public reception, and at those hours any of the documents are allowed to be reviewed according to this law or the Regulations, except for a document that is required at that time for the Authority's work; For this matter, "rest days" - as defined in section 18A of the Government and Law Procedures Ordinance, 5708 - 1948, and "holidays" - according to legislation.

3. Forms

(a) Where the Law or these Regulations prescribes or prescribe that any application or notice shall be filed on a form, such application or notice shall be filed only on the form prescribed therefor in the First Schedule.

(b) Where a form as referred to in subregulation (a) has not been prescribed, the application or notice shall be filed in writing in the form prescribed for the filing of documents with the Office, indicating the name and address for service in Israel of the person filing it.

4. Times

The calculation of the time for carrying out an act that the law or these Regulations require or allow to be carried out following an action by the Registrar or in the wake thereof, will begin on the day when the notice of the Registrar's action was posted by mail in a letter addressed according to the designated address for the delivery of documents to the party who is required or

allowed to carry out the act, and if the notice was delivered by e-mail, as stated in Regulation 16(b) - it will begin on the day the electronic mail message was sent, unless it is proven, to the Registrar's satisfaction, that the message was not delivered.

5. Extension of times

(a) A request for a deadline extension according to section 164 of the law to which Regulation 5A does not apply shall be submitted to the Registrar in a writing and providing the grounds for this, along with the prescribed fee.

(b) Repealed.

(c) The Registrar shall consider the application, and he may demand evidence of the facts alleged therein. He shall notify his decision to the applicant in writing, stating reasons if the application is dismissed.

(d) Where the Registrar has dismissed the application, the applicant may, within ten days from the day on which the decision of the Registrar is notified to him, apply to him for a hearing of his arguments.

(e) Repealed

(f) Repealed

5A. Interim application

(a) Any interim application shall be submitted in writing unless it is expressly provided otherwise in these Regulations, or unless the Registrar has ordered otherwise in relation to a particular request; In these Regulations, "interim application" - a request in a dispute proceeding or in a proceeding according to part twelve of these Regulations that is not a request for main relief and that is not a request to correct a detail under Regulation 102.

(b) In an interim application, the applicant must -

(1) State the following details:

(a) The names of the parties to the proceeding and their addresses, and if they are represented - the names of their attorneys and their addresses;

(b) The number of the patent or the patent application, as the case may be, which is the subject of the proceeding;

(c) The title of the application in a way that allows to identify the relief requested in it;

(2) List his arguments including references;

(3) Attach a declaration to verify the facts used as a basis for the application; If a declaration was not attached to the application when it was submitted, it will not be attached to it except with the permission of the Registrar.

(c) If an interim application has been submitted, the applicant shall provide a copy of the application to the parties involved in the matter.

(d) The respondent may respond to an interim application within twenty days from

the day it was served to him or within another time limit instructed by the Registrar; The provisions of sub-regulations (a) and (b) will apply to the response, and the respondent will provide a copy of the answer to the parties involved in the matter.

(e) The applicant may respond to the respondent's answer within ten days or within another time period ordered by the Registrar, and the provisions of sub-regulations (c) and (d) shall apply to the answer, *mutatis mutandis*.

(f) No further answer shall be submitted on behalf of the applicant or the respondent except with the permission of the Registrar.

(g) An interim application which constitutes a request to change the date of hearing, a request to extend a date or a request to amend a protocol must include the position of the other parties to the procedure regarding the request as provided to the applicant according to an inquiry he made before submitting the application; If the position of the other parties to the procedure was not included, the reasons for this must be provided.

(h) The Registrar is entitled to make a decision regarding the interim application based on the written application and the answers under sub-regulations (d) to (f) only or, if it deems it necessary, after investigating the declarants and their affidavits.

(i) If an interim application is rejected and a party to the procedure resubmits the same application or a similar application, he shall indicate the details of the previous application in the current application.

CHAPTER TWO: FEES

6. Duty to pay fees

The Registrar shall not entertain any application or proceeding specified in the Second Schedule and shall not perform any act specified in such Schedule unless the fee prescribed therefor in the said Schedule has been paid. However, unless otherwise expressly prescribed, non-payment of the fee or part thereof shall not invalidate the application, proceeding or act ex post facto.

6A. Indexing

(a) the fee amounts prescribed in the second schedule shall be subject to change on January 1st of each year (Hereafter: Day of change) in accordance with the rate of change in the new index over the base index for this matter.

"Index" – Consumer Price Index published by the Central Bureau of Statistics;

"New Index" – The index published on the month of November which is preceding to the day of change.

"Base Index" – The index published on the month of November which is preceding to the previous day of change.

(b) An amount which has been subject to change in accordance with sub-regulation

(a) shall be rounded –

(1) If higher than 10 NIS, it shall be rounded to the closest whole Shekel, and an amount of half a Shekel shall be rounded up;

(2) If lower than 10 NIS, it shall be rounded to the closest 10 Agorot.

(c) The director general of the Ministry of Justice shall publish in the Gazette the amended version of the second schedule in pursuance of this regulation.

7. Who pays the fee and when?

(a) Save as otherwise provided, a person who files an application with the Registrar or takes a proceeding before him or requests him to do an act for which a fee is due shall pay the fee immediately upon filing the application, taking the proceeding or requesting the act.

(b) Repealed.

8. Form of payment

(a) The fees according to these Regulations shall be paid by making a deposit in the Authority's account designated for this purpose at the postal bank or through the government payments server; A confirmation of the payment must be submitted to the Registrar together with a notification regarding the fact that the fee was paid, however, when submitting in accordance with Regulation 11A, no confirmation of the payment must be submitted.

(b) If a person paid a fee for more than one matter, he must specify the matters

in relation to which the fee was paid in a notice according to sub-regulation (a).

(c) Regarding the fees listed in the Second Addendum, the date of receipt of the notification by the Authority according to sub-regulation (a) together with a confirmation of the payment, if it is required to be submitted, shall be considered as the date of the payment.

9. Unpaid fee to be treated as adjudged debt

A fee, or a fee differential, which has not been paid, shall be treated as a debt adjudged against the person liable to pay it and shall be collected by the Execution Office under an order made by a judge or court registrar on the basis of a notice of the debt by the Registrar. An order as aforesaid shall not be made until the person liable to pay, or any other person whom the judge or court registrar sees fit to summon, has been given an opportunity to be heard.

10. Refund of erroneously paid fee

A fee paid for the doing of any act by the Registrar or for the validation of any matter shall be refunded to the person who paid it if an application not to do the act or not to validate the matter is submitted within one month from the date of payment and if it is proved to the satisfaction of the Registrar or Deputy Registrar that the payment was made owing to a factual error, and at the time of receipt of the application at the Office the Registrar had not yet done the act for which the fee was paid or not yet entered the validation in the Register.

PART TWO: REGISTRATION PROCEDURE

CHAPTER ONE: DOCUMENTS

10A. Submission of documents

(a) A request, notice or other document, and any copy thereof submitted to the Authority, must be submitted on paper as stated in Regulation 11 or on the submission site as stated in Regulations 11A to 11D, subject to sub-regulation (b).

(b) Notwithstanding the provisions in sub-regulation (a), a person who is one of listed below, must submit applications, notices and documents on the submission site only:

- (1) An applicant who is a corporation, with the exception of a security body;
- (2) A licensed professional according to any law, whose submission is made within the framework of his profession or license, except if he represents a security body for the purpose of that submission.

11. Form of documents

(a) An application, notification or other document, and any copy thereof submitted on paper to the Authority -

- (1) must be printed with ink or dark and indelible colors;
- (2) must be on A4 size white paper (width - 21 cm, height - 29.7 cm);
- (3) must have a margin of at least 5 cm at the top of each sheet, 3 to 4 cm on the right side of a sheet written in Hebrew or Arabic and on the left side of a sheet written in English, and of at least 3 cm at the end of each line;
- (4) must be printed on one side of the sheet only;
- (5) must be numbered, if it includes more than one sheet;
- (6) must include an indication of the patent number or of the patent application number to which the document refers at the top of each sheet of the document, with the exception of specifications and the accompanying documents when they are first submitted to the Authority, and its subject must be indicated in the center of the upper part of the first sheet of the document;
- (7) must be related to one matter only;
- (8) It must be indicated at the top of each sheet whether it is a replacement of a document that was submitted before.

(b) Along with submitting an application, notice or document on paper in a dispute procedure, in procedures according to Regulations 46 and 150 and in a procedure according to chapter twelve of these regulations, a copy of the document must also be submitted on a digital storage device, in accordance with the provisions of sub-regulation (c).

(c) When submitting an application, notification and other documents, except for

an application for a patent on a digital storage device alongside a paper submission according to these Regulations -

(1) The Registrar's instructions regarding submission on a digital storage device will apply by virtue of its authority according to section 11(a) of the law, *mutatis mutandis*;

(2) The date of submission of the aforementioned notice, application or document shall be considered the date of their submission on paper or the date of their submission on the device, whichever is later;

(3) The provisions of sub-regulation (a) (4) shall not apply to an application, notification or document submitted on paper.

(d) The party who submits an application, notification or document on paper may submit them by facsimile; For such submission, sub-regulations (a) (1) to (4) and (b) will not apply.

(e) In the paper submission of a document that is a blueprint, affidavit or an official document given by any of the state authorities or an authority from a foreign country, sub-regulation (a) shall not apply.

11A. Submitting documents through the submission site

(a) An application for patent registration submitted through the submission site must be submitted to the Registrar using an electronic submission form, and files containing the parts of the application must be attached to it, as appropriate.

(b) An application, notification or other document that is submitted or is allowed to be submitted to the Registrar, can be submitted through the submission site.

(c) For applications, notices and other documents submitted through the submission site according to these Regulations, the Registrar's instructions regarding submission on a digital storage device will apply by virtue of its authority according to section 11(a) of the law, *mutatis mutandis*.

(d) In the document submitted on the submission site, there must not be any hyperlinks to information inside or outside the document, however, the submitter may include a hyperlink in the document for the purpose of reference - from the table of contents, if any, to the relevant sections in the body of the document or for the purpose of reference, if any, in the text of the document to the relevant sections in the body of the document.

(e) A document submitted through the submission site and containing textual information will be prepared using software that allows a textual search to be performed in the language in which the document was written, such as software used to create textual PDF (Portable Document Format) files; A document containing only non-textual information can also be submitted in a non-textual PDF format.

11B. Identification requirement

(a) The submitter of any application, notice or other document submitted as stated in regulation 11a(b) must identify himself through electronic identification.

(b) The provisions of sub-regulation (a) shall not apply to a person who submits an application, notification or document that is one of the following:

- (1) Notification according to section 6 of the law;
- (2) Documents submitted according to section 18(b) (3) of the law by a person other than the applicant;
- (3) Application for an on-site examination submitted according to section 19A(c) of the law by a person other than the applicant;
- (4) Notice of objection to an extension order or to its validity period according to section 64F of the law;
- (5) Application to cancel an extension order or to change its validity period according to section 64K of the law;
- (6) Objection to deletion or cancellation of a patent according to section 73(c) of the law;
- (7) Amendment application submitted according to section 170(a) of the law by a person who is not the applicant or the patent owner;
- (8) Objection to an application for correction according to section 170(c) of the law;
- (9) Notice of objection according to Regulation 57;
- (10) Requirement to indicate the name of the inventor according to Regulation 78;
- (11) Objection to the requirement to indicate the name of the inventor according to Regulation 81;
- (12) Notice of objection to reinstatement pursuant to Regulation 92;
- (13) Notice of objection to amendment of detail according to Regulation 98;
- (14) Application to revoke a patent according to Regulation 103 submitted by a person who is not the owner of the patent;
- (15) Application for a compulsory license according to Regulation 117;
- (16) Notice of joining the application procedure for a compulsory license according to Regulation 119;
- (17) Request for a decision by the Committee on Compensation and Royalties according to Regulation 172;
- (18) Answer to a request for a decision by the Committee on Compensation and Royalties according to Regulation 174;
- (19) Application to join the procedure according to Regulation 187 submitted by a person who is not the applicant or the respondent in the procedure;
- (20) Request for the Registrar's decision on the question of employee invention according to Regulation 195;

- (21) Answer according to Regulation 196 to the request for the Registrar's decision on the question of employee invention;
- (22) Application, notification or other document submitted in accordance with the provisions of Chapter 9 of the Law or the tenth chapter of these Regulations, with the exception of a certificate from an instructor as stated in Regulation 136(a1);
- (23) Fee payments that are not accompanied by an additional document.

11C. Receipt of documents

- (a) When submitting an application, notice or other document through the submission site, they will be considered submitted at the time they were received on the submission site in accordance with the notification of their receipt that the Authority will send to the e-mail address provided by the submitter for this purpose at the time of submission; If the receipt of an application, notice or other document as mentioned is rejected, the Authority will send to the said e-mail address a notification of their rejection stating the reason for the rejection.
- (b) When submitting a document through the submission site, the document will not be recorded and will not be considered submitted, unless it has successfully passed an acceptance test at the technical level; A document that has not successfully passed the acceptance test will not be submitted.
- (c) An application submitted through the submission site which did not specify the name of the applicant, for which a filing fee was not paid or to which the part of the application that is a description of the invention was not attached, will neither be recorded on the submission site nor will a notification be sent regarding this, as stated in sub-regulation 11C(a), however, an automatic indication will be displayed on the submission site that these items were missing.

11D. Submitting in the event of a malfunction

- (a) If a malfunction is expected or occurs on the submission site, the Registrar will publish a notice on the website stating the start date of the malfunction and the end date if it is known to the Registrar. If the end date of the malfunction was not known at the time of publication of the aforementioned notice or if the date of the beginning or end of the malfunction has changed – the Registrar will publish an additional notice on the website stating the end date of the malfunction or the updated date, as the case may be (hereinafter – additional notice).
- (b) If the Registrar publishes such a notice, including an additional notice, the following instructions will apply to the person submitting an application, notice or document (in this regulation – a document):

(1) With regard to a malfunction that ends before the deadline for submitting a document (hereinafter - the deadline) - despite what is stated in Regulation 10A (b), the submitter may submit the document as a submission on paper, as stated in Regulation 11, from the day the malfunction began according to the notice and until two business days after the actual end date of the malfunction or two business days after the day of publication of a notice or additional notice about the end of the malfunction, whichever is later;

(2) Regarding a malfunction that occurs on the deadline - despite the provisions in Regulation 10A (b), the submitter may submit the document as a submission on paper as stated in Regulation 11 or on the submission site up to 2 business days after the deadline, and the document will be considered as if it had been submitted by the deadline, and the submitter will not be charged for the submission with the extension fee as stated in item 9 of the Second Addendum.

(c) An additional notice does not affect the validity of a submission made according to sub-regulation (b) based on a previous notice.

(d) If it is not possible to submit a document on the submission site by the deadline, either because the submission failed on the submission site and the Authority did not publish a notice of a malfunction or because of a fault in the submitter's computers that prevents the possibility of submission on the submission site and cannot be fixed on the same day, the document submission will be subject to sub-section (b) (2), provided that a declaration detailing the attempted submission and the circumstances that led to the failure to submit on time is attached to the submitted document.

12. Repealed

13. Affidavits

(a) Repealed

(b) Repealed

(c) A declaration must be drawn up in the first person, divided into sections, and contain only facts that the declarant can prove pursuant to his knowledge or, if he has stated the reasons for this, also according to his best belief.

(d) Repealed

14. Repealed

15. Filing of documents in contentious proceedings

(a) Save as otherwise provided, where one of the parties to a contentious proceeding may or must file with the Registrar any notice, application, reply,

statement of arguments or evidence or any other document for the purposes of that proceeding, the party filing the document shall, at the time of filing it with the Registrar, deliver two copies thereof to every other person who is a party to the proceeding.

(a1) A party to a dispute proceeding, who delivers a copy of a document he submitted to the Authority, except for the first document in the proceeding, to another party in the proceeding as stated in sub-regulation (a), may send it to the e-mail address provided under Regulation 16(b), if provided; If the party submitting the document sent the copy of the document by e-mail as mentioned above, it must inform the recipient by telephone within 24 hours from the time of delivery that it sent the copy of the document by e-mail and that the document has been submitted to the Registrar, and it must make a record of the telephone message, which will include the details of the document, the time of the call and the name of the person to whom the notice was given, however, if the other party confirmed the receipt of the document by return e-mail, the submitting party is not obligated to notify him by telephone as stated.

(a2) A party to a dispute proceeding, who delivers a copy of a document submitted by it to the Authority, except for the first document in the proceeding, to another party in the proceeding as stated in sub-regulation (a), may send it to the facsimile number provided under Regulation 16(a), if provided; If the party submitting the document sent the copy of the document by facsimile as mentioned above, it must inform the recipient by telephone within 24 hours from the time of delivery that it sent him the copy of the document by facsimile and that the document has been submitted to the Registrar, and will make a record of the telephone message, which will include the details of the document, the time of the call and the name of the person to whom the message was delivered.

(a3) A party to a dispute proceeding, who submitted a document to the Authority through the submission website, by facsimile or by hand delivery, must deliver it to another party in the proceeding by e-mail as stated in sub-regulation (a1), by facsimile as stated in sub-regulation (a2) or by hand delivery.

(a4) A copy of a document delivered according to sub-regulations (a1) or (a2), on a Friday, a holiday, a Saturday or after 5:00 p.m., will be considered as if it had been delivered on the following weekday.

(b) The Registrar may demand at any time from any party who was required to deliver a document to another party for the procedure in accordance with sub-regulation (a), that he submits to the Registrar a certificate of delivery or other evidence, to the satisfaction of his opinion, that the aforementioned document was indeed delivered.

(c) Where a person has delivered a document to the Office but has not delivered to his opponent copies thereof which he is bound to deliver to him under sub-

regulation (a), the document delivered to the Office shall be deemed not to have been delivered so long as copies thereof have not been delivered to the opponent. For the present purpose, delivery to the opponent includes delivery to the Post Office in a properly addressed letter and postage paid. This sub-regulation shall not be applied in regard to notifications of opposition submitted in pursuance to sections 30, 61, 64F, 73(c), and 170(c) of the Law.

(d) Where a person has filed with the Office a document to which Sub-regulation (a) applies, and such document is not in order on the face of it or is not accompanied by the prescribed fee, the Registrar shall give the litigants notice to such effect as soon as possible after the document was delivered to the Office, and the document shall be deemed not to have been delivered so long as the defect has not been remedied or the fee has not been paid.

16. Address for delivery of documents

(a) The party who submits a document including if he has not previously submitted a document to the Authority in the same matter, must designate an address in Israel for the delivery of documents, which includes the name of the city, the name of the street, the house number and zip code, including the telephone and facsimile numbers or the number of the post office box for that address, if any; In the absence of a street name or house number - another identification means.

(b) In addition to the address as stated in sub-regulation (a), the submitter of the document may also provide an e-mail address, if he wishes to receive documents from the Authority in this way and as part of a dispute procedure according to Regulation 15(a1), except for a registration certificate and a certified copy thereof; Receiving documents by e-mail as mentioned requires the express consent of the submitter, and if such explicit consent is given, the consent will be valid for all documents that will be sent to that submitter.

(c) Notwithstanding the provisions in sub-regulation (b), the Authority will send a certified copy, on paper, of the details of the application and the accompanying blueprints, if the patent applicant requested to receive it on paper.

(d) An address as stated in sub-regulation (a) shall be considered as an address for the purpose of any obligation or permission to deliver documents to the recipient according to the law or these Regulations, but if an e-mail address is provided according to sub-regulation (b), the Authority and a party to a dispute proceeding may deliver documents to the recipient through it, subject to the provisions in sub-regulation (b) and regulation 15(a1), as the case may be.

(e) A notice sent from the Authority by e-mail as stated in sub-regulation (b) shall be deemed delivered to the recipient on the day and time of sending as

shown in the internal clock in the Authority's computer system calibrated according to accepted rules, unless proven otherwise.

(f) If a person has given permission according to Regulation 17, the address of the authorized person shall be considered as the address for delivering documents to the authorizer, as long as the authorization is valid and as long as the authorizing person or the authorized person have not notified the Authority otherwise; The provisions of this regulation shall also apply to the address of the authorized person or to another address that was provided, and the authorized person may notify about an e-mail address as stated in sub-regulation (b) regarding all patent applications and the proceedings in which the applicants are represented by him.

17. Authorization

(a) Where a person is required or permitted to do any act under the Law or these Regulations, he may, by written power of attorney delivered to the Office, authorize a patent attorney or advocate licensed to practice his profession to do it.

(b) Not more than one authorize shall be authorized in respect of the same matter, unless several authorizes who are partners or who work together in the same office are authorized together; however, a person may authorize more than one authorizes to appear and plead in his name.

(c) Where several authorizers have been authorized under the provisions of sub-regulation (b), and the partnership is subsequently dissolved or the authorizers cease to work together, then, unless otherwise notified by the authorizer or the authorizers, the authorizer whose address was given as the address of the authorizes before they ceased to work together shall be deemed to be authorized.

18. Replacement of authorizer

(a) A person represented by an authorizer in a proceeding before the Registrar may replace or remove the authorizer, provided that he gives notice to the Registrar; so long as such has not been done, the previous authorizer shall be regarded as the authorizer of that person until the final termination of the hearing of the application or until the completion of the proceeding in respect of which the authorizer has been authorized. Unless replaced in the manner aforesaid, the authorizer shall not withdraw from the handling of the matter or of any part thereof, save with the permission of the Registrar.

(b) The Registrar may, if he sees reasonable cause for doing so, refuse to recognize the power of attorney given to an authorizer if ten years have elapsed since the day it was given.

(c) The provisions of this regulation shall also apply to proceedings before any other person under the Law or these Regulations, and the powers conferred on the

Registrar shall vest in that person or, in proceedings before several persons, in the chairman.

CHAPTER TWO: APPLICATION AND SPECIFICATION

19. Application

(a) An application for a patent submitted on paper, including an application for a supplementary patent, shall be submitted to the Authority in Form No. 2 in the First Addendum (hereinafter - the application form) and will include the details as stated in Regulation 20, in one copy, as well as the filing fees as detailed in items 1 to 3, as appropriate, in the Second Addendum; Additionally, a copy of the application will be submitted to the Authority on the digital storage device, as stated in section 11 of the law.

(b) Repealed

(c) An application for a patent filed via the submission site as stated in Regulation 11A(a), will include details as stated in Regulation 20, as well as a filing fee as detailed in items 1 to 3 in the Second Addendum, as appropriate; If a patent application has been submitted on the submission site, it will be considered as submitting a copy of the application on the digital storage device, as stated in section 11 of the law.

20. Drawing up of specification

(a) The specification shall include the following subjects, in the order in which they are here enumerated:

(1) An introduction, explaining the purpose of the invention, and a concise description of the state of prior art—as far as known to the applicant in view of the invention—in the technical field in which the invention was made;

(2) A description of the invention, with reference to drawings, examples or genetic sequences as necessary in order to understand the invention;

If the applicant chose to refer to a deposit of a biological material in a depository institution under section 12(b) of the law, then the reference shall be conducted in accordance with sub-regulation (a1);

(3) A claim defining the invention concisely and clearly.

(a1) A reference under sub-regulation (a) (2) shall be performed in the specified manner:

(1) When submitting the patent application, the institution and deposit number as well as the date in which the deposit was made shall be noted in the description of the invention. A certification from the depository institution attesting to the reception of the biological material shall be attached to the application in accordance with the rules of the Budapest Treaty as published in the website of the World Intellectual Property Organization (WIPO) (in this

regulation – certification of reception).

(2) The owner of an application or patent, as appropriate, shall notify the Office of the number of a new deposit and will attach the certification of reception within 3 months of the date given in case of a new deposit (as referred to under section 4 of the Budapest Treaty) subsisting of a biological material previously deposited. The provisions under sections 22, 29 and 65 of the Law shall apply to amendments of the application or patent, as appropriate.

(b) Repealed.

21. Drawings

(a) Repealed.

(b) Repealed.

(c) The sheets must be numbered and each sheet must indicate the general number of the sheets and the number of each sheet on the margins.

(d) Repealed.

(e) The following rules shall apply to the blueprints:

(1) All parts must be implemented on sustainable lines;

(2) The cross-sections must be marked with diagonal lines, which will not prevent the clear reading of the reference marks and the guidelines;

(3) Their scale must be in accordance with the degree of complexity in the drawing;

(4) The drawings must be clearly separate from each other, prepared on as few sheets as possible and numbered consecutively without taking into account the number of sheets;

(5) Each detail of the drawing should be marked noted in each place, insofar as required for proper understanding, by reference marks that correspond to those used in the description;

(6) All the numbers, letters and reference marks appearing in the drawing must be simple and clear, and the height of letters and numbers must be at least 0.32 cm;

(7) The drawing must not include any description other than readings such as "water" "steam" "longitudinal section b-a", "open", "closed"; in cases of using rectangular diagrams to describe electrical devices or flow diagrams for processes, sufficient marks can be combined to explain the readings and the marks must be compiled in the same language in which the description was made.

22. Amendments to specification

(a) If the applicant wishes to correct the description, either on his own initiative or as a result of notification of deficiencies in it, he must submit,

as stated in Regulation 11, the new description pages in which he made corrections; Also, a complete copy of the part of the application in which the corrections were inserted, clearly marked on the digital storage device, as stated in Regulation 11(c), must be submitted to the authority.

(a1) Instead of submitting as stated in sub-regulation (a), the applicant may submit a complete copy of the part of the application with inserted corrections that are clearly marked through the submission site, as stated in Regulations 11A to 11D.

(a2) In addition to the provisions in sub-regulations (a) and (a1), the Registrar may require the applicant to submit the new description pages with inserted corrections, clearly marked, or a complete clean copy of the part of the application where the corrections were made.

(b) When the requested correction is in response to a notice of deficiencies according to section 20 of the law, the applicant must specify the deficiencies of which he was informed as stated and that the corrections are intended to eliminate them; If the correction was requested in the patent claims, the applicant must specify how the amendment meets the conditions of section 13 of the law.

(c) If the Registrar, according to section 23 of the law, sets a date for the submitted corrections, that date must be specified in detail in the margin of the section that includes the correction.

CHAPTER THREE : CLAIM FOR PRIORITY RIGHT

23. Application for priority right

(a) A claim for a priority right, according to section 10 of the law, shall be made in the application form or the electronic submission form, as the case may be.

(b) A claim for a priority right or an additional claim for a priority right in an application that has already been submitted to the Authority, must be made by way of a request to correct the application form or the electronic submission form, as the case may be.

24. Filing of specification filed abroad

(a) A person claiming a priority right shall file a certified copy of the specification, as referred to in section 10(a) (3) of the Law, which was filed with the foreign application on which the claim for a priority right is based, and of the drawings accompanying such specification, within twelve months after the filing of the application.

(b) If an application has been submitted for the advancement of the examination

as stated in section 19A of the law, before the end of the period stated in sub-regulation (a), the copy of the details as stated shall be submitted together with the said application.

25. Translation of foreign specification

The person requesting a priority right based on specifications in a language that is not an official language or English must submit the document's translation, to the Registrar's satisfaction, into an official language or English, within three months of the day when the Registrar requires him to do so.

26. Substantial identity of invention

(a) The applicant shall show, within three months from the date on which the Registrar requests him to do so, that the invention described in the foreign application and the invention for which a patent is applied for in Israel are substantially identical.

(b) When a claim for a priority right is based on more than one foreign application, as envisaged in section 10(b) of the Law, and the Registrar exercises his power under sub-regulation (a), the applicant shall indicate in the margin of the respective passages of the specification the dates of the foreign applications on which those passages are based.

27. Division of patent application in which priority right is claimed

Where an applicant wishes to divide an application for which a priority right is claimed, regulations 24 and 26 shall apply to every application resulting from the division; however, it shall not be necessary to file with such application a copy of the specification referred to in section 10(a) (3) of the Law; rather, it shall be sufficient to indicate in such application the number of the divided application with which a copy of that specification was filed under regulation 24 and to indicate in that copy the passages describing the part of the invention for which a patent is sought by the application resulting from the division.

28. Claim for priority right after publication of application

Where a priority right is claimed after the publication of the application under section 16 of the Law, and such application was approved, the fact of re-application shall be published.

**CHAPTER FOUR: DEALING WITH FILED APPLICATION AND PUBLICATION OF FACT OF FILING
CERTIFICATION OF FILING**

29. Certification of filing

(a) The certification of the filing of an application shall be provided to the applicant; the number and date of the application shall be noted in the certification.

(b) Repealed.

30. Application not in order

(a) Where an application has been filed which is found defective under section 15 of the Law, the Office shall notify the applicant of the defects and not give him a certificate of filing under regulation 29.

(b) The applicant may correct the deficiencies of which he was notified according to sub-regulation (a) within three months of the date when he was notified by the Authority; If he did not correct it, as mentioned, and the application was submitted on paper, the application form and the documents attached to it will be returned to the applicant; however, if it cannot be returned to him, because he did not specify an address or the address he specified is incorrect, the application will be kept at the Authority for one year and then destroyed; If the application is submitted on the submission site, the application will be kept at the Authority for one year, after which the Registrar may delete the application.

(c) If the applicant corrected the deficiencies of which he was informed according to sub-regulation (a), the Registrar will approve the submission in the manner prescribed in Regulation 29 and set the date of the application as stated in section 15 of the law.

31. Deficiencies in the application form

(a) Where an application has been filed and found to be defective in one of the following ways:

(1) The application was not submitted in an application form or in an electronic submission form, as the case may be, or all its details were not filled in as required;

(2) The blueprints referred to in the description were not submitted;

(3) (Repealed);

(4) The description and blueprints submitted do not comply with the instructions regarding the form of documents and blueprints stipulated in these Regulations;

(5) The invention described in the description was not defined in the claim;

(6) the application has been filed by a person who alleges that he is

authorized, but his authorization has not been delivered to the Office as provided in regulation 17(a);

(7) (Repealed);

(8) The copy of the application was not submitted on the digital storage device as stated in section 11 of the law, when this is required according to the law or these Regulations;

(9) A fee has not been paid as required according to details 2 and 3 of the Second Addendum;

(10) A reduced fee was paid according to item 1 of the Second Addendum and the applicant was not entitled to such a reduction;

The Registrar will inform the applicant, as soon as possible after the issuance of the submission certificate according to Regulation 29, of the found deficiencies.

(b) The applicant may, within three months from the date of the Registrars notification under sub-regulation (a), ask to rectify the defects notified thereby and shall enclose the prescribed fee with the rectification.

(c) If the applicant does not rectify the defects notified to him as aforesaid, he shall be deemed to be a person who has not rectified defects notified to him under section 20 of the Law.

32. Publication of the submission of the application

(a) The Registrar will publish on the website, as stated in section 16 of the law, the submission of the application if -

(1) (Repealed);

(2) all the particulars necessary for publication under the said section 16 have been supplied;

(3) he is satisfied that the title given the invention by the applicant makes it possible to identify the invention;

(4) a translation of the title into the English language has been supplied to his satisfaction.

(b) Where the application and specification do not contain any of the particulars necessary for publication under section 16, the Registrar shall notify the applicant to such effect, and the applicant shall supply such particular within three months from the date of the notification; the notification shall have the effect of a notification of defects under section 20 of the Law.

33. Classification of application

(a) As soon as possible after its filing with the Office, the application shall be classified according to the classification adopted by the Office.

(b) Where the Registrar is of the opinion that the specification is not sufficiently clear for classifying the invention, he may request the applicant to supply him with further particulars for the identification thereof and the applicant shall supply such further particulars within three months from the date of the request.

(c) A request as referred to in sub-regulation (b) shall have the effect of a notification that the application does not, as to the matter in which the further particulars are requested, describe the invention in such a way that a man of the art can perform it.

PART THREE: ACCEPTANCE OF APPLICATION

CHAPTER ONE: EXAMINATION OF APPLICATION

34. Order of examination of applications

(a) Applications shall be examined, having regard to the classification adopted by the Office, in the order in which they have been filed.

(b) Notwithstanding the provision of sub-regulation (a), an application resulting from a division shall be examined together with the divided application.

35. Advancement of date of examination

(a) An application for advancement of date of examination shall be submitted in accordance with section 19A of the Law, accompanied by the prescribed fee, if prescribed.

(b) Repealed.

(c) Repealed.

(d) Repealed.

35A. Report in the form of an international search report

An application for producing a report in the form of an international search report, under section 17(a2) of the law shall be accompanied by the prescribed fees.

36. Requirement of references

The following rules shall apply to a request under section 18(a) (2) of the Law:

(1) Approximately four months before the date on which the application is to be examined, the Registrar shall send the applicant a notification requesting of him the following particulars:

(a) The countries in which the applicant or his predecessor in the ownership of the invention has applied for protection of the invention which is the subject-matter of the application;

(b) the material relied upon by the authority in the state in which an application as aforesaid was examined;

(c) A list of publications published prior to the date of the application, which are known to the applicant and relate to the invention directly.

(2) The applicant must respond to the demand within four months of the day he is required to do so, and he may attach to his response the documents submitted by him or by those who preceded him in the right of ownership and in the same authority in response to the reservations with respect to the application he submitted; If these documents are written in a language that is not an official

language or English – the Registrar may require their translation into an official language or English;

(3) where the applicants reply under paragraph (2) mentions material being patent specifications, designs, utility designs, or other documents, not issued for sale to the public, the Registrar may request a copy thereof if they are not in the possession of the Office;

(4) Where the applicant had not replied to the request in the date prescribe in paragraph (2), it shall be regarded as if he had not removed the defects of which he was notified under section 20 to the Law.

37. Postponement of examination by reason of defects

The Registrar may postpone the carrying out of part of the stages of the examination to a date on which an amended or rewritten or redrafted specification is filed if he is satisfied that defects in the specification do not permit him to complete the examination.

38. Postponement of examination by Registrar by reason of existence of earlier application

(a) Where the Registrar has directed that the examination of a later application shall be postponed until after the publication of an earlier application under section 19 of the Law, he shall notify the later applicant to such effect, indicating the number of the earlier application.

(b) The later applicant may, within one month from the date of the notification under sub-regulation (a), request that the examination of his application be continued notwithstanding the existence of the earlier application, and the Registrar shall accede to the request if he thinks it fit so to do.

(c) Where the Registrar accedes to a request under sub-regulation (b), the later applicant shall, immediately upon acceptance of his application, notify such acceptance to the earlier applicant and shall send a copy of the notification to the Registrar.

39. Postponement of examination at request of applicant

(a) Where the Registrar does not see fit to direct that the examination of the later application be postponed, under section 19 of the Law, until after the publication of the earlier application, he shall notify the applicant of the earlier application and of the number thereof and that his application is to be examined before the publication of the earlier application.

(b) The later applicant may, within one month of the date of the notification under sub-regulation (a), request that his application be examined only after the publication of the earlier application pursuant to section 16A or section 26 of the Law, as appropriate.

40. Notification of publication of earlier application

Where the examination of a later application has been postponed under regulation 38 or 39, the Registrar shall notify the later applicant of the publication of the earlier application as soon as possible after such publication.

CHAPTER TWO: DEFECTS IN APPLICATION AND SPECIFICATION, AND RECTIFICATION THEREOF

41. Notification of defects

A notification of defects under section 20 of the Law shall be in writing and shall set out the following:

- (1) If it is found that the invention is unpatentable under section 3 of the Law—the reasons of such unpatentability;
- (2) if it is found that section 7 of the Law applies—a reference to something which permits the conclusion that a patent for the invention should not be granted;
- (3) if it is found that the invention is not new within the meaning of section 4 of the Law—a reference to something which disproves the novelty of the invention;
- (4) if it is found that the invention involves no inventive step, within the meaning of section 5 of the Law—a reference to something which permits this conclusion, and the manner in which this conclusion is arrived at;
- (5) if it is found that a patent or earlier application for the same invention exists, as envisaged by section 9 of the Law—a reference to such patent or earlier invention.
- (6) if it is found that the specification contains more than one invention, as envisaged by section 8 of the Law, or if the Registrar sees fit to exercise his power under section 24(b) of the Law—a reference to the parts of the specification respectively dealing with the several inventions;
- (7) if amendments have been made in the application which in the opinion of the Registrar are of a substantive nature—a notification of the date which the Registrar sees fit to prescribe for the application, or for part thereof, under section 23 of the Law;
- (8) Specifying the deficiencies in the form or content of the application or explanation - if the reason was non-fulfillment of the instructions in item A of Chapter 3 of the law or in these Regulations.

42. Applicants reply to notification

Within four months of the date of giving the notice as stated in Regulation 41, in the reply to the notice, the applicant may correct the deficiencies of which he was notified along with the reasoning of how the amendment he made corrects

the deficiency, justify why he should not correct the deficiencies, all or some of them, or submit a request to voice his arguments before the Registrar along with the prescribed fee.

43. Examination of amendments

(a) Where the applicant has rectified defects under regulation 42, the Registrar shall examine the application and specification, as amended, as if they had been so filed from the outset, and he shall examine each amendment as to the following matters:

- (1) whether it removes the defects notified to the applicant under regulation 41;
- (2) whether it complies with the provisions of the Law and these Regulations as regards both contents and form;
- (3) whether it is of a substantive nature.

(b) The Registrar shall notify the applicant of any defects he may have found in the amended specification. Such a notification shall be treated like a notification under regulation 41, and the applicant may reply to it as provided in regulation 42.

(c) This regulation shall also apply to the examination of amendments made by the applicant either before the date of the examination of the application under regulation 34 or after completion of the examination of the application but before its acceptance: Provided that an amendment in an application shall not be examined before the date for the examination of the application as a whole.

44. Consideration of reasons

Where the applicant, under regulation 42, gives reasons why he need not rectify any defects, the Registrar shall consider such reasons and, if he sees fit to reject them, shall notify the applicant to such effect; a notification as aforesaid shall be treated like a notification under regulation 41.

45. Refusal by reason of non-reply or rejection of reply

Where the applicant does not reply to a notification under regulation 41, or the Registrar finds that the reply does not remove the defects, or he rejects the reasons of the applicant under regulation 44, the Registrar shall refuse the application and shall notify the applicant accordingly.

46. Request for hearing of arguments

(a) Where the Registrar refuses an application under regulation 45, the applicant may, upon attaching the prescribed fees and within one month from the date of the notification, request to have his arguments heard by the Registrar.

(b) The provisions of sub-regulation (a) and regulations 44 and 45 shall not

derogate from the right of an applicant to contest the decision of an examiner before the Registrar, under section 161 of the Law, after every notification made to him under this chapter.

47. Demand for written summary of arguments before fixing time

(a) The Registrar may demand that a person who requests to have his arguments heard by him under regulation 42 or 46(a) submit a written summary of his arguments within one month from the date of the demand if the applicant has not previously submitted arguments in writing in the same matter or if it appears to the Registrar that a summary as aforesaid will be useful at the hearing of the arguments before him.

(b) If the applicant does not submit a summary of his arguments within the stated time, he shall be deemed to have waived his request for the hearing of arguments, and the Registrar shall decide upon the application accordingly.

48. Fixing time for hearing of arguments

Where a request for the hearing of arguments has been made under regulation 42 or 46(a), and the applicant has submitted a summary of his arguments under regulation 47 or the Registrar has not seen fit to demand a summary as aforesaid, the Registrar shall fix a time for the hearing of the applicant's arguments and shall notify the applicant accordingly not later than ten days before the time fixed.

49. Proposal of amendments

If the applicant wishes to amend the specification at the time fixed for the hearing of his arguments, he shall submit the proposed amendments to the Office not later than five days before the said time.

49A. The Registrar's decision

The Registrar's decision on the applicant's claims according to Regulations 46 to 48 will be given in a reasoned letter and delivered to the applicant.

50. Amendment after hearing of arguments

(a) Where the Registrar, after hearing the arguments, permits the applicant to make amendments in the application and specification, the applicant may amend the same within two months from being permitted to do so.

(b) Amendments under sub-regulation (a) shall be treated like amendments made in reply to a notification made under regulation 41.

CHAPTER THREE: DIVISION OF APPLICATION

51. Application resulting from division

(a) A patent application resulting from the division of an application filed previously shall be filed in the manner prescribed for a patent application, but not later than four months from the date on which the applicant notified the division of the application or from the day on which the Registrar directed that it should be divided.

(b) A direction of the Registrar as referred to in sub-regulation (a) shall be treated like a notification under regulation 41 and the relative regulations shall apply.

CHAPTER FOUR: ACCEPTANCE AND PUBLICATION OF APPLICATION

52. Notification of acceptance

Where the application has been accepted, under section 17 of the Law, the Registrar shall notify the applicant to such effect and shall demand in the notification that the publication fee shall be paid.

53. Payment of publication fee

If the publication fee is not paid at the time prescribed in regulation 7(b), the Registrar shall send the applicant a further notification, and if the publication fee, with the addition of a fee for the period from the time fixed for its payment until the time when it is actually paid, is not paid within one month from the date on which the further notification is sent, the applicant shall be considered to have abandoned the application.

54. Year Repealed.

CHAPTER FIVE: RETURN OF DOCUMENTS

55. Loan of documents

An applicant may request of the Registrar that documents submitted by him for the purpose of claiming a priority right be left with him on condition that he places them at the disposal of the Office or of any other person immediately upon receipt of a demand therefor, and the Registrar shall accede to the request if it is proved to his satisfaction that the applicant is able to keep the documents properly.

56. Return of documents

Where the Registrar refuses the application or where the application is abandoned by the applicant before its publication under section 26 of the Law, the Registrar may, if six months have passed from the date of the final refusal or the abandonment, return to the applicant the copies of the specification, as well as the documents submitted for the purpose of claiming a priority right.

PART FOUR: OPPOSITION TO GRANT OF PATENT

CHAPTER ONE: FILING OF STATEMENTS OF ARGUMENTS AND EVIDENCE

57. Notice of opposition

Notice of opposition to the grant of a patent shall be given to the Registrar under section 30 of the Law, accompanied by the prescribed fee.

58. Statement of arguments and evidence on behalf of opponent

(a) Within one month from the date of notice under regulation 57, the opponent shall submit to the Registrar his statement of arguments, setting out the grounds of opposition, the facts on which he bases his different arguments and the requested relief.

(b) The opponent may attach his evidence to his statement of arguments.

(c) If the opponent does not intend to submit evidence, he shall so notify in his statement of arguments.

59. Statement of arguments and evidence on behalf of applicant

(a) Within three months from the date on which the statement of arguments on behalf of the opponent is filed under regulation 58, the applicant shall file with the Registrar a statement of counter-arguments.

(b) Where evidence was attached to the statement of arguments on behalf of the opponent, under regulation 58(b), or where the opponent has notified that he will not submit evidence, the applicant shall submit his evidence to the Registrar together with his statement of arguments.

(c) Where the applicant does not file a statement of arguments under sub-regulation (a), or does not submit his evidence with his statement of arguments although he is required to do so under sub-regulation (b), he shall be deemed to have admitted the facts alleged by the opponent and consented to the grant of the relief requested by him.

60. Evidence on behalf of opponent

Where the opponent does not submit evidence under regulation 58(b) and does not notify as specified in regulation 58(c), he may submit his evidence to the Registrar within three months from the date on which a statement of arguments on behalf of the applicant is submitted to the Registrar under regulation 59(a); if he does not do so, he shall be deemed to have admitted the facts alleged by the applicant, and the Registrar shall decide accordingly.

61. Evidence on behalf of applicant

Where evidence on behalf of the opponent is submitted under regulation 60, the

applicant may, within three months from the date of submission thereof, submit his evidence to the Registrar.

62. Rebutting evidence on behalf of opponent

The opponent may, within three months from the date on which evidence on behalf of the applicant is submitted under regulation 59(b) or 61, submit rebutting evidence to the Registrar, relating to facts explicitly denied by the applicant in his evidence or first arising in such evidence.

63. Termination of evidence

No further evidence shall be submitted by either opponent or the applicant, save with the permission of the Registrar.

64. Translation of documents submitted in evidence

If a document submitted in the evidence was prepared in a language that is not an official language or in English, its verified translation into an official language or English, to the Registrar's satisfaction, will be attached to it, unless the Registrar orders otherwise.

CHAPTER TWO: HEARING OF OPPOSITION BEFORE REGISTRAR

65. Fixing time for hearing arguments of parties

(a) Where the statements of arguments and the evidence have been submitted or where the period allowed for the submission of evidence has elapsed without evidence having been submitted, the Registrar shall appoint a time for the hearing of the arguments of the parties, and shall notify the parties of the time appointed by him at least one month in advance, unless the parties have agreed upon an earlier time.

(b) A party who wishes to appear shall notify the Registrar to such effect, in writing, not later than ten days before the appointed time; the Registrar may refuse to hear the arguments of a party who has not so notified.

66. Repealed.

67. Non-appearance for hearing of arguments

The following procedure shall be adopted on the day fixed for the hearing of the arguments of the parties:

(1) Where neither party has notified that he will appear, the Registrar shall decide in reliance on the material before him;

(2) where one of the parties has not appeared, the Registrar shall hear the

other party: Provided that if it appears to the Registrar that the party who has not appeared has abandoned his case, he shall dismiss his application;

(3) where the Registrar has reasonable grounds for believing that one of the parties has not been notified, or is unable to appear before him owing to special circumstances, he shall adjourn the hearing to another date.

68. Order of hearing arguments of parties

(a) Where the applicant does not admit the facts alleged by the opponent, the opponent shall state his case first, and thereafter the applicant shall state his case.

(b) Where the applicant admits the facts alleged by the opponent, but prefers counter-arguments, he shall state his case first, and thereafter the opponent shall state his case.

(c) The Registrar shall permit the party who stated his case first to reply briefly to the arguments of the other party, but such first-mentioned party shall not at this stage prefer new arguments, save with the permission of the Registrar; if he prefers new arguments as aforesaid, the Registrar shall permit the other party to reply thereto.

(d) Where the parties have concluded their arguments, the Registrar may direct them, by order, to summarize their arguments in writing as regards the whole case or as regards a particular question designated by him. An order as aforesaid shall prescribe the arrangement of the arguments and all other things which in the opinion of the Registrar require regulation in consequence of the making of the order.

(e) A party who has not submitted a summary of his arguments in accordance with an order under sub-regulation (d) shall, unless the Registrar otherwise directs, be treated like a party who has not appeared at the time fixed for the hearing of the arguments of the parties.

69. Examination of deponents

(a) Where a party wishes to cross-examine a deponent, he shall notify the Registrar to such effect not later than fifteen days before the time fixed for the hearing of the arguments of the parties, demanding the appearance of the deponent at the said time. If the deponent is a non-resident, the notification shall be made not later than one month before the said time.

(b) A party who alleges that no reasonable ground exists for permitting the examination of a particular deponent whose appearance is demanded under sub-regulation (a) shall notify the Registrar to such effect not later than seven days from the day on which a copy of the demand of the other party was delivered to him, and the Registrar shall hear his arguments at the time fixed for the hearing of the arguments of the parties, unless the Registrar fixes an earlier

time in view of the urgency of the matter.

(c) If the Registrar dismisses the arguments preferred by the party under sub-regulation (b), and the deponent does not appear at the time of the hearing, the Registrar shall adjourn the hearing of the arguments of the parties unless there is a reasonable ground for not doing so.

(d) If the deponents have appeared, the witnesses for the party who has stated his case first shall be examined first, and thereafter the witnesses of the opposite party, unless the Registrar sees a reasonable ground for proceeding otherwise.

(e) If notification under sub-regulation (b) has not been made, and the deponent does not appear in accordance with the notification under sub-regulation (a), his affidavit shall not be used as evidence unless the Registrar is satisfied that its admission as evidence is necessary in the interests of justice.

(f) The Registrar may at any time, of his own motion, demand the appearance of a particular deponent for examination.

70. Taking minutes

(a) In every contentious proceeding before the Registrar, minutes shall be taken by the Registrar, by a recorder designated by the Registrar or by recording devices or other mechanical means.

(b) The statements of arguments and every document relating to the proceeding shall be attached to the minutes and shall form a part thereof.

71. Correction of minutes

The Registrar may, on the application of a party and after giving the other parties an opportunity to be heard, correct any entry in the minutes either before or after the decision.

72. Decision by Registrar

(a) At the end of the hearing, or as soon afterwards as the circumstances permit, the Registrar shall give his decision; however—

(1) the Registrar may, at any stage of the hearing, give a decision on one of the applications for relief if it appears to him that the further course of the hearing will not alter the findings as to the facts relevant to that application or as to the questions to be determined in connection therewith;

(2) the Registrar may, if he sees fit to do so, give an interim decision determining questions at issue or enabling the application and specification to be amended or otherwise dealt with.

(b) The Registrars decision shall contain a concise statement of the case, his findings as to the relevant facts, the questions to be determined and the decision and the reasons thereof.

(c) The Registrars decision shall be in writing and shall be signed by him.

73. Delivery of decision to parties

The Registrar shall deliver the decision to the parties, and the date on which it is so delivered shall be the date thereof.

74. Refusal to grant patent by reason of material discovered as a result of opposition subsequently withdrawn

(a) Where the Registrar sees reason to exercise his powers under section 34 of the Law in respect of a particular application, he shall notify the applicant to such effect in writing, assigning reasons.

(b) The applicant may reply to a notification as aforesaid, in writing, within thirty days from the day on which it is made to him, showing cause why the Registrar should not exercise his powers; if the applicant does not reply, the patent shall not be granted.

(c) If the applicant replies to the Registrars notification, the Registrar shall give him an opportunity to state his case before him.

75. Notification of appeal

Where appeal is filed against a decision of the Registrar in a proceeding under this chapter, the appellant shall notify the Registrar to such effect at the time of filing notice of appeal with the Court.

PART FIVE: GRANT OF PATENT

CHAPTER ONE: PATENT CERTIFICATE

76. Patent certificate

A patent certificate shall be made out on Form No. 3 set out in the First Schedule, shall bear the signature or seal of the Registrar and, after registration of the grant of the patent in the Register, shall be delivered to the person registered therein at the time as the owner of the invention.

77. Copy of certificate

The owner of a patent may apply, in writing, for a copy of the patent certificate, and such a copy shall be delivered to him after payment of the prescribed fee; the copy shall be marked as such.

CHAPTER TWO: REQUEST TO INDICATE THE NAME OF INVENTOR

78. Request to indicate the name of inventor

A request to specify the name of the inventor according to section 39 of the law must be submitted to the authority in writing.

79. Where the name of inventor shall be indicated

The name of the inventor must be indicated in the register and it must also be indicated in the patent certificate if the request was submitted by the end of one month from the date of publication of the acceptance.

80. Notification by Registrar

Where the indication of the name of the inventor is demanded, and the Registrar is bound to notify the owner of the invention or the owner of the patent or any other person under section 40 of the Law, the Registrar shall notify as aforesaid as soon as possible after the demand is submitted to him.

81. Opposition to indication of name of inventor

A person wishing to oppose a demand notified to him under regulation 80 shall notify the Registrar to such effect within one month from the date on which notification was made to him.

82. Procedure on opposition to indication of name of inventor

Notification under regulation 81 shall be treated like the filing of opposition, and the procedure prescribed in Part Four of these Regulations in respect of

opposition to the grant of a patent shall apply to it and to the further proceedings under this chapter. For this purpose, every person who has made notification under regulation 81 shall be regarded as an opponent, and the person who demands the indication of the name shall be regarded as the applicant, and a person who has been notified under regulation 80 and who has not filed opposition shall be joined to the proceedings as a respondent unless he asks not to be so joined.

83. Notification of lack of application

Where, at any time after statements of arguments have been submitted to him under regulation 82, it appears to the Registrar that the demand for the indication of the name of the inventor should be dealt with as an application made on the grounds mentioned in section 31(3) or 73 of the Law, he shall notify the parties to such effect, assigning reasons.

84. Substitution of proceedings

Where the Registrar has made notification under regulation 83, the person who demands the indication of the name of the inventor may, within one month from the date of the notification, request that his application be regarded as a notice of opposition to the grant of a patent or as an application for revocation, as the case may be, and the procedure prescribed for such shall thereupon apply; the request shall be accompanied by the prescribed fee.

PART SIX: PAYMENT OF RENEWAL FEES

CHAPTER ONE: RENEWAL FEE

85. Renewal fee

(a) The renewal fees payable under section 56 of the Law in order to maintain a patent shall be of the amounts prescribed in the Second Schedule and shall be paid at the prescribed times.

(b) A person who, at the time when he is liable to pay the first renewal fee, pays a fee under item 12(f) of the Second Schedule shall not have to pay any further renewal fee and shall be deemed to have paid in due time and manner all the renewal fees to which he is liable.

86. Reminder to pay

The Registrar shall give the patentee notice of every date at which he must pay a renewal fee not later than three months before that date.

87. Payment of fee

(a) A renewal fee shall be paid no earlier than three months before the time prescribed for its payment.

(b) The payment of every renewal fee shall be entered in the Register, and the patentee shall be given a confirmation of the entry.

(c) A person who pays a renewal fee under section 56 of the Law after the time at which he was liable to pay it in accordance with regulation 85 and the Second Schedule shall, in addition to the renewal fee, in respect of every month or fraction of a month of delay, pay the fee prescribed in the said Schedule in respect of an application for a month's extension.

88. Lapse of patent

Where a renewal fee is not paid by the end of the period of extension referred to in section 57 of the Law, an entry shall be made in the Register that the patent has lapsed.

CHAPTER TWO: RESTORATION OF PATENT

89. Application for restoration

An application to the Registrar for the restoration of a patent shall be in writing, specifying the facts on which it is based; it shall be supported by an affidavit and accompanied by the prescribed fee.

90. Refusal of application

(a) If the Registrar is not satisfied that the application for restoration of the patent should be granted, he shall notify the applicant to such effect, and the applicant may, within one month from the date of the notification, request to have his arguments heard before the Registrar.

(b) If the applicant does not request to have his arguments heard, he shall be deemed to have abandoned his application.

91. Acceptance of application for restoration

(a) Where the Registrar accepts the application for restoration of the patent—whether after considering the application only or after hearing the arguments of the applicant—he shall notify the applicant to such effect, and the applicant shall, within one month from the date of the notification, pay all the unpaid renewal fees.

(b) If the applicant does not pay as specified in sub-regulation (a), he shall be deemed to have abandoned his application.

92. Notice of opposition to restoration

Where a person wishes to oppose the application for restoration, he shall give written notice to such effect, specifying the grounds of opposition and enclosing the prescribed fee.

93. Procedure on opposition to restoration

Notice under regulation 92 shall be treated like the filing of opposition, and the procedure prescribed in Part Four of these Regulations for opposition to the grant of a patent shall apply to it and to the further proceedings under these Regulations; for this purpose, everyone who has given notice under regulation 92 shall be considered an opponent, and the patentee and an exclusive licensee of the patent shall be considered applicants.

94. Entry in Register and issue of certificate

Where the Registrar has ordered the restoration of a patent, an entry to such effect shall be made in the Register and the patentee shall be given a certificate of the entry.

PART SEVEN: AMENDMENT OF PATENT

CHAPTER ONE: APPLICATION FOR PERMISSION TO AMEND PATENT

95. Request for permission

(a) A request for permission to amend a patent description shall be submitted to the Registrar, together with the set fee and shall detail the requested amendment and its purpose, and the applicant shall specify how the amendment meets the conditions of sections 65 and 66 of the law.

(b) The provisions of Regulations 22(a) to 22(a2), mutatis mutandis, shall apply to a request for permission to amend a patent description.

(c) To his request for amendments, the patent owner shall attach a declaration that there is no proceeding pending at that time due to the infringement of the patent or its cancellation, and if such a proceeding is pending - the court's permission for the Registrar to hear the request.

96. Hearing of arguments of applicant for amendment

(a) The Registrar shall examine the proposed amendment and, if he is not satisfied that it should be permitted or it appears to him that permission should be made subject to conditions, he shall notify the applicant to such effect.

(b) Within two months from the day on which notification under sub-regulation (a) is made to him, the applicant may again amend the specification or demand to have his arguments heard before the Registrar; if he neither amends nor demands as aforesaid, he shall be deemed to have abandoned his application or consented to the conditions prescribed by the Registrar, as the case may be.

(c) If the applicant for the amendment wishes to have his arguments heard, he shall submit to the Registrar, together with his notification, a written summary of such arguments, and the Registrar shall fix a time for the hearing of the arguments and shall notify the applicant accordingly.

97. Publication of amendment

(a) If the Registrar allows to amend the details - either after reviewing the application only or after hearing the applicant's arguments - it will notify the applicant; If a notice has been given as stated, the applicant shall deliver to the Registrar, if the amendment was permitted in a different way than requested, one copy of the description pages on which the amendment was permitted, and the permitted amendment must be indicated in them clearly and be distinct from the existing version, additionally, a copy of the amended description shall be submitted on a digital storage device , as mentioned in Regulation 11(c).

98. Notice of opposition

Where a person wishes to oppose the amendment, he shall give written notice to the Registrar, enclosing the prescribed fee and specifying the grounds of opposition.

99. Procedure on opposition to permission for amendment of specification

Notice under regulation 98 shall be treated like the filing of opposition, and the procedure prescribed in Part Four of these Regulations for opposition to the grant of a patent shall apply to it and to the further proceedings under this chapter; for this purpose, everyone who has given notice of opposition under regulation 98 shall be considered as an opponent, and the patentee and an exclusive licensee under the patent shall be considered as applicants.

100. Filing of new specification

(a) The Registrar may require the person who is authorized to amend a specification according to the provisions of this chapter to submit the patent description in accordance with the provisions of sub-regulations 22(a) to 22(a2); The description submitted as mentioned must comply with the requirements of the second part of these Regulations regarding the description and its form.

(b) If the patent owner is required to submit a new description as stated in sub-regulation (a), the Registrar will not record the amendment in the register as long as the description has not been submitted.

101. Amendment of specification after acceptance

The provisions of this chapter shall also apply to an application to amend a specification of a patent after acceptance of the patent application but before the patent is granted, and where an application to amend as aforesaid is filed, the patent shall be granted for the invention as described and claimed in the amended specification, but not before the completion of the proceedings in connection with the amendment.

102. Amendment of specification where opposition proceedings are taken

(a) Where an application for permission to amend is filed after acceptance of the patent application but before the patent is granted, and opposition to the grant of the patent is subsequently filed, or an application for permission as aforesaid is filed while opposition proceedings are pending, the applicant shall deliver a copy of the amendment application to the opponent within seven days from the date on which the notice of opposition is delivered to him.

(b) If the opponent agrees to the requested amendment, the Registrar shall suspend the opposition proceedings against the grant of the patent until the specification is amended in the manner prescribed in this chapter.

(c) The opponent may, within two months from the date on which a copy of the amendment application is delivered to him under sub-regulation (a) or within the time during which he must submit evidence under regulation 60 if he has not yet submitted it, whichever period ends last, give notice of opposition to the amendment of the specification, attaching his statement of arguments and evidence in the matter. The Registrar shall hear the opposition to the amendment in the presence of the parties to the opposition proceedings against the grant of the patent.

(d) If the Registrar grants the application for the amendment, he shall suspend the opposition proceedings against the grant of the patent until completion of the amendment proceedings under regulations 95 to 97, and the opposition shall be deemed to have been filed in respect of the specification as amended.

(e) Where opposition to the grant of permission to amend is filed while opposition proceedings against the grant of the patent are pending, the Registrar shall deal with the oppositions simultaneously unless the parties have requested that he proceed otherwise and the Registrar is satisfied that it is reasonable so to do.

(f) This regulation shall not apply if the parties have agreed that the amendment application shall be heard after the decision upon the opposition and it appears to the Registrar that the amendment should prima facie be permitted; and if it has been so agreed—

(1) the Registrar shall deal with the opposition as if the amendment had been accepted;

(2) the Registrar shall publish the fact of the amendment application in the website after the decision upon the opposition.

PART EIGHT: REVOCATION OF PATENT

CHAPTER ONE: REVOCATION PROCEEDINGS

103. Application for revocation

(a) An application for revocation of a patent shall be submitted to the Registrar in writing, specifying the grounds and facts on which the applicant bases his application, and accompanied by his evidence.

(b) Upon submitting the application, the applicant shall pay a fee of an amount twice the amount of the fee payable upon filing a contentious proceeding.

104. Notification of proceedings

(a) Where an application for revocation of a patent is filed, and at the same time a proceeding for infringement or revocation of the patent is pending before the Court, and the applicant for revocation is a party to that proceeding, such applicant shall make notification thereof in his application to the Registrar for revocation of the patent, and he may add his evidence within two months from the date of the notification. If the applicant for revocation is not a party to the proceeding, he shall notify the patentee to such effect, and he shall submit his arguments—in writing—only after the Court has authorized the Registrar to deal with the application.

(b) In the notification of a proceeding as aforesaid, the person making the notification shall indicate the parties to such proceeding.

(c) Every person who is a party to the proceeding before the Court and who has not joined the applicant for revocation of the patent shall be regarded as a respondent in the proceedings on the revocation application.

(d) Where notification of a proceeding as aforesaid is made by the applicant for revocation, the patentee shall not deliver his statements of arguments until two months from the date on which the applicant delivers to the Registrar an authorization by the Court to deal with the matter.

105. Answer by the patentee

(a) The patentee shall, within three months from the date of the application for revocation of the patent, submit his statement of arguments to the Registrar, accompanied by his evidence.

(b) If the patentee does not file a statement of arguments within the time stated in sub-regulation (a), he shall be deemed to have admitted the contentions of the applicant for revocation, unless a proceeding for infringement or revocation of the patent is pending before the Court at the time and the patentee has notified the Registrar thereof, and the Court has not authorized the Registrar to deal with the application.

106. Rebutting evidence

Where evidence has been submitted by the patentee under regulation 105, the applicant for revocation of the patent may, within two months from the date on which the evidence was delivered to the Registrar, submit rebutting evidence relating to facts expressly denied by the patentee in his evidence or facts first arising in that evidence.

107. Procedure upon application for revocation

The submission of statements of arguments and evidence under regulations 103 to 106 shall be treated like the submission of statements of arguments and evidence in opposition proceedings, and the procedure prescribed in Part Four of these Regulations for opposition to the grant of a patent shall apply to such first-mentioned submission and to the further proceedings under this chapter; for the purposes of these proceedings, the applicant for revocation shall be regarded as an opponent and the patentee shall be regarded as an applicant.

108. Application for amendment where revocation proceedings are taken

Where an application to amend a patent specification is pending when an application for revocation of the patent is filed or where an application to amend a patent specification is filed, while an application for revocation of the patent is pending, the procedure prescribed in regulation 102 shall apply mutatis mutandis.

CHAPTER TWO: VALIDATION OF PATENT OF ADDITION**109. Application for independent validation of patent of addition**

Where the owner of a patent revoked under the provision of Article Four of Chapter Four of the Law or Article Two of Chapter Seven of the Law sees fit to exercise his right under section 48 of the Law, he shall make application accordingly to the Registrar not later than two months from the date when the main patent was finally revoked.

110. Delay in payment of renewal fee

If the patentee, during the period in which he may make application under regulation 109, has not paid the renewal fees in respect of the main patent, he may pay them not later than the expiration of the said period.

111. Patents of addition of which none constitutes an improvement on or modification of another

If it appears to the Registrar that the provision of section 48(b) (2) of the Law should be applied to two or more patents of addition where the main patent has been revoked, he shall notify the owner of the patents to such effect, and the latter may, within one month of the date of the notification, apply to have his arguments heard before the Registrar, and the duty to pay a fee on each patent of addition separately shall not apply until the matter has been finally decided.

PART NINE: COMPULSORY LICENSES

CHAPTER ONE: NOTIFICATION AS TO EXPLOITATION OF INVENTION

112. Request to require notification

(a) A request to require notification about invention use according to section 118 of the law shall be submitted to the Registrar in one copy in form No.4 in the First Addendum.

(b) The request must contain the details of the applicant's interest in the request and facts indicating that he is apparently entitled to receive a compulsory license.

113. Request for notification

In the Registrars request for a notification as to the exploitation of the invention, the patentee shall be required to respond to the following:

- (1) whether the invention is used in Israel in a manufacturing way or in another way;
- (2) whether the scope of production meets the demands of the public in Israel in the opinion of the patentee;
- (3) the source of production;

And a copy of the application for the notice requirement under regulation 112, shall be attached to it.

114. Notification by patentee

A patentee making a notification in answer to a demand under regulation 113 may attach thereto documents and evidence in support thereof.

115. Notification to person who made the request

Where the patentee's notification has been received, the Registrar shall notify such fact to the person who made the request, and he shall also notify him of the particulars of its contents in so far as they relate to the question whether an abuse of monopoly exists, but he shall not notify him of particulars which, in the opinion of the Registrar, come within the definition of trade secrets.

116. Restriction as to evidence

In dealing with an application for a compulsory license, the Registrar shall not use as evidence any material submitted to him under this chapter, except a notification under regulation 115.

CHAPTER TWO: APPLICATION FOR COMPULSORY LICENSE

117. Application for compulsory license

(a) An application for a compulsory license shall be submitted to the Registrar in writing, accompanied by the prescribed fee, and shall set out the grounds why the license should be issued, factors justifying its grant and facts showing that the applicant is entitled to receive it. The application shall be accompanied by evidence substantiating it and indicating the ability of the applicant to exploit the invention and the possible extent of manufacture.

(b) For the purposes of the delivery of copies of the application under regulation 15, the patentee and every licensee registered in the Register shall be regarded as parties.

118. Publication of application

When the submission of the application is published on the website as stated in section 124(a) of the law, the application and any material attached to it shall be open for viewing.

119. Notice of joinder

(a) If any person wishes to join the proceeding as an applicant or respondent (hereinafter – the person joining), he shall, within two months from the date of publication under regulation 118, submit to the Registrar a notice stating his interest and the relief for which he applies or the application for which he supports. Where such person requested to join as an applicant, he shall pay the fee prescribed under section 117 of the Law.

(b) The provisions of regulation 15 shall apply to the delivery of a notice under sub-regulation (a).

(c) The parties shall deliver to every person joining, within one month from the date on which a copy of the notice under sub-regulation (a) is delivered to them, copies of all the documents submitted by them to the Registrar up to that date, and the person joining shall thenceforth be regarded as a party to all intents and purposes.

(d) A person who has given notice of joinder may submit his evidence to the Registrar within two months from the date of submission of the notice.

120. Further proceedings

(a) The patentee shall, within three months from the date of submission of the application for a compulsory license, present to the Registrar his statement of arguments, accompanied by his evidence.

(b) If the patentee does not submit a statement of arguments within the time allowed by sub-regulation (a), he shall be deemed to have agreed to the grant of

a compulsory license.

(c) The procedure prescribed in Chapter Two of Part Four of these Regulations for the hearing of opposition before the Registrar shall apply to the further proceedings under this chapter; for the purpose of these proceedings, the applicant for a compulsory license shall be regarded as the opponent and the patentee as the applicant.

CHAPTER THREE: RECONSIDERATION OF DECISION TO GRANT COMPULSORY LICENSE

121. Application for reconsideration

An application to reconsider a compulsory license which has been granted shall be submitted to the Registrar in writing, accompanied by the fee prescribed for an application for a compulsory license, and the patentee shall set out in his statement of arguments the facts on which he bases his application, accompanied by evidence substantiating them.

122. Reply by licensee

(a) The licensee may, within three months from the date of submission of the documents referred to in regulation 121, submit to the Registrar his statement of arguments and evidence to substantiate his opposition to the application.

(b) If the licensee does not submit the documents referred to in sub-regulation (a), he shall be deemed to have agreed to waive the license granted to him or to have it altered in accordance with the application of the patentee.

123. Further proceedings

(a) In a proceeding under this chapter, additional evidence on behalf of any party may only be submitted with the permission of the Registrar.

(b) Where statements of arguments and evidence have been submitted, or where the licensee has submitted only a statement of arguments, and the period stated in section 122(a) has elapsed, the Registrar shall appoint a time for hearing the arguments of the parties and shall notify it at least one month in advance.

(c) The procedure prescribed in Chapter Two of Part Four of these Regulations for the hearing of opposition before the Registrar shall apply to the further proceedings under this chapter; for the purpose of those proceedings, the patentee shall be regarded as the opponent and the licensee as the applicant.

PART TEN: PATENT ATTORNEYS

CHAPTER ONE: EXAMINATIONS

124. Times of examinations

(a) Examinations for persons wishing to be registered as patent attorneys shall be held twice a year.

(b) The Registrar shall prescribe the exact time for holding of the examinations and shall notify it in the website at least two months before the prescribed date.

124A. Examination Date for reserve service

(a) A reservist who is called up for military reserve service by sudden call-up on the date for which a law exam is scheduled, as well as the spouse of such reservist, will be entitled to a special time for the exam, whether or not he appears on the regular exam date, subject to the provisions of this Regulation.

(b) A special date according to sub-regulation (a) will be determined if at least five examinees who were called to reserve service by sudden call-up are eligible for it.

(c) If the Registrar deems that the conditions of sub-regulation (b) are met, the Registrar will notify, notwithstanding the provisions in Regulations 124 and 126, of the special examination date under this Regulation via the website at least one month before the set date, and the applicant to be examined on this date must notify the Registrar no later than two weeks before that date.

(d) If a special date is set for the examination according to this Regulation, the same examiners who were appointed under Regulation 125 for the examination at the regular date will conduct the exam; If there is a change in the list of examiners, the Director General of the Ministry of Justice will determine the new examiners according to Regulation 125.

(e) In this regulation -

(1) "Spouse" - spouse of the reservist with one or more common children whose age does not exceed at least 18 years;

(2) "Reserve service by sudden call-up" - any of the following:

(a) Reserve service according to sections 8 or 9 of the Reserve Service Law, 5768-2008 (hereinafter - the Reserve Service Law) that lasted 7 days or more in the two months preceding the exam date;

(b) Reserve service according to the Reserve Service Law that took 7 days or more with less than 72 hours' notice in the two months preceding the exam date;

(c) Reserve service according to sections 8 or 9 of the Reserve Service Law or reserve service with less than 72 hours' notice, which applies in whole

or in part on the exam date itself or in the ten days preceding it.
(f) The examinees will be informed regarding eligibility for a special date, as detailed in this Regulation, via the website.

125. Designation of examiners

When the Registrar has prescribed the time for an examination, the Director General of the Ministry of Justice shall designate the examiners selected by him from the panel of examiners and the subjects in which they shall examine, and shall notify the Registrar accordingly.

126. Application for examination

(a) A person wishing to be examined at a particular time shall notify the Registrar to such effect not later than one month before that time, indicating the subjects in which he wishes to be examined and enclosing the examination fee.

(a1) In the notification according to sub-regulation (a), the exam applicant will submit his address for delivery of documents and notices as stated in Regulation 16(a), if he did not submit it to the Authority before; Alternatively, the exam applicant may provide an e-mail address, if he wishes to receive documents and notices from the Authority in this way, with the exception of a patent editor certificate.

(b) Regarding the language exam, the applicant must inform in which language in addition to the Hebrew language he wishes to take the exam.

127. Acknowledgement of receipt of notification

The Registrar shall acknowledge receipt of the notification and shall notify the examinee of the place of the examination.

128. Examination in law

The examination shall be conducted orally in the following subjects:

- (1) Israeli legislation relating to patents, designs and trademarks;
- (2) principles of Israeli copyright legislation;
- (3) principles of essential legislation in industrial countries as to patents, designs and trademarks;
- (4) principles of international legislation as to the protection of intellectual and industrial property;
- (5) rules of evidence as far as required for the conduct of proceedings before the Registrar.

129. Examination in languages

The language exam will be in writing and shall include -

(1) Writing a technical description, in accordance with the details that will be given to the examinee, in the Hebrew language and in one of the following languages: English, French, Russian, German and Spanish, according to the examinee's choice;

(2) Translation into Hebrew of two technical descriptions in one of the languages mentioned in paragraph (1), as chosen by the examinee;

(3) Translation of a letter written in Hebrew which includes instructions regarding procedures for the protection of intellectual and industrial property in a foreign country into one of the aforementioned languages of the examinee's choice.

130. Editing the specification

The examinee will be required to prepare in an official language or in English of his choice a detailed description of an invention for which he will be given written explanations and details, and the text must comply with the requirements of the law and regulations regarding its content and form.

131. Results of examination

(a) Immediately upon completion of the oral examination, the examiners shall establish their conclusions and shall submit them to the Registrar.

(b) The papers of the written examination shall be checked by the examiners, and the results of the checking shall be delivered to the Registrar.

(c) The Registrar shall notify the results of the examination to the examinee in writing.

(d) If a person fails an exam, in whole or in part, he may request to retake it or the part in which he failed.

CHAPTER TWO: EXEMPTIONS FROM EXAMINATIONS

132. Exemption from examination in foreign law

There shall be exempt from the requirement of an examination in subjects relating to foreign law a person originating from abroad who was licensed to practice as a patent attorney under the law of his country of origin if under that law it was necessary to evince a knowledge of foreign law in order to become thus licensed.

133. Exemption from Hebrew language examination

There shall be exempt from the requirement of an examination in the Hebrew language a person who completed his studies at a secondary school or institution of higher education in Israel or who studied abroad at a secondary school the

language of instruction of which was Hebrew to a considerable extent.

134. Exemption from examination in foreign language

There shall be exempt from the requirement of an examination in a foreign language a person who completed his studies at a secondary school or institution of higher education abroad if his studies were conducted there in that foreign language or who studied that foreign language extensively in regular studies at a school or institution of higher education and has been given a certificate to such effect.

135. Proof of knowledge in other manner

Where a person wishes to prove in the manner referred to in section 143(c) of the Law that he has all or part of the necessary knowledge, having acquired it in regular studies at an institution of higher education or another institution and having received a certificate to such effect, he may submit an application to the Minister of Justice, accompanied by supporting documents.

CHAPTER THREE: INTERNSHIP

136. Internship

(a) A trainer shall notify the Authority of an intern upon the commencement of his internship, and no later than one month thereafter; The notice must detail the address of the trainer and the intern for the delivery of documents and notices as stated in Regulation 16(a), if they have not submitted them to the Authority before; Alternatively, the trainer or the intern may provide an e-mail address, if they wish to receive documents and messages relating to the internship from the Authority in this way, with the exception of a patent editor certificate.

(a1) A certificate from the trainer will be used to prove internship, detailing the type of work in which the intern was engaged, the number of working hours per week, and the additional work the intern did during the internship period - if any; The Registrar may require the intern to show five examples from different areas of a patent editor work, which he performed during the internship period under the supervision of his trainer and according to his instructions.

(b) The provisions of this Regulation shall not apply to those who underwent internship in the Patent Authority.

137. Shortening of period of internship period

The period of qualifying service shall be shortened by three months for every

year that the applicant worked abroad in a patent attorneys office or in the patent department of an industrial enterprise: Provided that such period shall not in the aggregate be shortened by more than eighteen months.

CHAPTER FOUR: REGISTRATION IN REGISTER OF PATENT ATTORNEYS

138. Application for registration

A person wishing to be registered in the Register of Patent Attorneys shall submit an application to the Registrar, accompanied by documents attesting that he meets all the requirements of section 142 the Law.

139. Notification of eligibility for registration

If the Registrar finds that the applicant meets all the requirements, he shall note his name in the register, and the fact thereof shall be published in the website.

140. Repealed.

141. Register of Patent Attorneys

The Registrar shall keep a Register in which the names of all patent attorneys registered in Israel, as well as their addresses, the dates of their registration and particulars of the renewal or deletion of such registration shall be inscribed.

142. Annual fees

(a) A patent attorney registered in the Register shall, before the 1st January of every year, pay the prescribed annual fee.

(b) An addition of a 5% rate shall be paid in respect of each month, or fraction of a month, of delay in paying such fee. Where a patent attorney has not paid the fee for the duration of five year, his name shall be struck off the Register.

143. Repealed.

144. Restoration of registration

A person whose name has been struck off the Register under regulation 142 may apply for re-registration after he has met all the requirements: Provided that he shall not be required to be again examined under section 143 of the Law.

PART ELEVEN: THE OFFICE AND THE REGISTRAR

CHAPTER ONE: REGISTRATION IN REGISTER AND RECTIFICATION OF DOCUMENTS

145. Register of Patents

The following particulars shall be entered in the Register in respect of every patent:

- (1) The name, address and address for service in Israel of the patentee or the owner of any right in the patent;
- (2) the title of the invention, the date of the application, and where a priority right is claimed – the date of the grant of the patent, the member state in which the foreign application was filed, the date of filing thereof, the number or other identification mark given it by the authority with which it was filed, the date of publication of the reception of application under section 26 of the Law, the date an extension order was granted in accordance with the law, the fact of submission of opposition to the grant of an extension order, the fact of submission of an application to change the period of effect of an extension order or its revocation.
- (3) the renewal fee paid, amendments in the specification of the patent, and the expiration, expiration of an extension order, restoration of effect, the fact of submission an application to revoke a patent and the revocation of the patent thereof;
- (4) the grant of full or partial title to the patent or a charge upon such title, and the name and address of the grantee and the date of the grant; for the purposes of this paragraph, grant title means the conferment, transfer or devolution of any right in the patent or the grant of an exclusive or non-exclusive license thereunder;
- (5) any other particular the Registrar may have been requested to enter if, in his opinion, the publication thereof is in the public interest.

146. Registration of alterations

- (a) An application to register alterations of particulars as referred to in regulation 145(1) shall be submitted to the Registrar, specifying the reasons for the application and accompanied by evidence supporting it, as well as by the prescribed fee; and the Registrar may demand further particulars or evidence to satisfy himself that the requested alteration should indeed be registered. Where an application as aforementioned has been submitted for correction of a clerical error, no additional fee shall be charged.
- (b) If the application is submitted by a person other than the registered owner or exclusive licensee, and otherwise than on their behalf or with their consent, the applicant shall furnish the registered owner and the exclusive licensee with

a copy of his application and of the accompanying documents.

(c) If a person to whom a copy of the application is delivered under Sub-regulation (b) does not notify his opposition to the registration within one month from the date on which the documents referred to in sub-regulation (b) are delivered to him, and the Registrar is satisfied that such documents were in fact delivered to him, such person shall be deemed to have agreed to the registration.

(d) If the registered owner notifies his opposition to the requested amendment, the Registrar shall appoint a time for hearing the arguments of the parties.

147. Registration of property right

(a) An application to register the receipt of a property right must be submitted to the Registrar in one copy together with the document in which the transfer was made, as well as the prescribed fee.

(b) The Registrar will register the transfer of the right if it believes that the documents are in order, and the right has been transferred.

148. Receipt of extracts

An application for a certified extract from the Register shall be submitted in writing, accompanied by the prescribed fee.

149. Rectification of records and documents

(a) Any such application for the rectification of any entry or document as is not provided for elsewhere in the Law or in these Regulations shall be submitted to the Registrar in one copy, accompanied by the prescribed fee, and shall specify the requested rectification and the reasons for the application. If the Registrar is satisfied that the rectification should be permitted, he shall act in accordance with the provisions of this regulation.

(b) If the Registrar believes that no person's right may be harmed by this, it will inform the applicant that it has allowed or made the rectification.

(c) If the Registrar believes that a patent applicant, a patent holder, a license holder or a compulsory license holder, or any holder of any other right in the patent may be harmed by the rectification, the Registrar will notify them of the requested rectification.

(d) Within one month from the day the person was notified as stated in sub-regulation (c), he may submit an objection to the amendment and shall specify in his statement of claims the facts on which he bases his claims and attach his evidence.

(e) If an objection has been submitted as mentioned, the Registrar will appoint a date for hearing the parties' claims.

CHAPTER ONE A: PUBLICATION ON THE WEBSITE

149A. Repealed.

149B. Storage of information

Information published on the website as required by law or according to it will be stored in a computerized system designed for this and in accordance with the instructions of the Information Systems Division of the Ministry of Justice, provided that in addition to the provisions of section 166a of the law -

(1) The system is backed up via protected and guaranteed means, and the backup is kept separately from the system;

(2) Reasonable measures are taken to protect the published information from changes throughout its retention period; For this matter, signing a file containing the published information with a secure electronic signature, as defined in the Electronic Signature Law, 5761-2001, on the eve of publication, will be considered a reasonable means of protection against changes.

CHAPTER TWO: REGISTRAR AND EXAMINERS

150. Objection on the actions of the examiner

If a person requests to object an examiner's action and no other way has been established for this matter in these Regulations, he shall submit a notice of this to the Registrar within one month from the day he was given notice of the examiner's action and shall specify in it the action of the examiner subject to the objection; Regulations 47 and 48 will apply to the objection mutatis mutandis.

151. Registrar's decision

The Registrar's decision regarding the objection according to Regulation 150 will be given in a reasoned writing and delivered to the applicant.

152. Repealed.

CHAPTER THREE: RECEIPT OF PERMITS FOR THE PURPOSE OF CHAPTER SIX OF THE LAW

153. Application through Registrar

An application for a permit under section 98(1) or 103 of the Law shall be lodged with the Registrar, who shall forward it to its destination.

PART TWELVE: COMMITTEES

CHAPTER ONE: OBJECTION COMMITTEE

154. Definitions

In this chapter committee means an objection committee appointed by the Minister of Justice under section 96 or 101 of the Law;
order means an order under section 94 or 99 of the Law; the Minister means the Minister of Defense or the Minister designated by the Government under section 112 of the Law, as the case may be.

155. Submission of a notice of appeal

(a) An appeal according to sections 96 or 101 of the law shall be by way of a notice submitted to the Registrar.

(b) Notwithstanding the provisions in Regulation 10a, an appeal shall be filed according to Regulation 11 only and in four copies; Regulation 11(d) shall not apply to the submission of a notice of appeal and a reply to the appeal.

156. Particulars of notice of objection

The notice of objection shall specify—

- (1) the name and address of the objector and an address for service;
- (2) the number and date of the patent application to which the order relates, and the title of the invention;
- (3) the date of dismissal and file number of an earlier appeal, if any;
- (4) the reasons for objection, including legal reasons, each reason to be stated briefly in a separate paragraph.

(a) The notice of objection shall be signed by the applicant.

(b) The notice of objection shall be accompanied by the following documents, each in four copies:

- (1) An affidavit to verify the facts on which the objector relies;
- (2) a copy of the order objected to.

(c) The Minister who made the order shall be indicated in the notice of objection as the respondent.

157. Service of notice on respondent

The Registrar shall serve a copy of the notice of objection on the respondent and the chairman of the committee.

158. Respondents answer

(a) The respondent may, within one month from the date on which a copy of the notice of objection is served on him as aforesaid, file with the Registrar, in

four copies, a reasoned answer supported by an affidavit.

(b) Where the respondents answer has been filed as provided in this regulation, the Registrar shall serve copies of such answer and of the affidavit on the objector.

159. Fixing time for hearing of objection

The chairman of the committee shall, within two months from the date of service of the notice of objection, fix a time for the hearing of the objection and shall give the objector and the respondent at least fifteen days advance notice of the time fixed as aforesaid.

160. Appearance for cross-examination

(a) A party who wishes to cross-examine any person who has made an affidavit to verify the facts on which another party relies shall notify the chairman of the committee and that party to such effect at least seven days before the time fixed for the hearing of the objection.

(b) A party to whom notification has been made under sub-regulation (a) shall produce to the committee, at the time fixed for the hearing of the objection, the deponent required for cross-examination as aforesaid.

(c) If the party does not produce the deponent for cross-examination as provided in sub-regulation (b), or if the deponent, without reasonable justification, refuses to answer questions put to him in cross-examination, the affidavit shall not be used as evidence unless the committee is satisfied that the admission of the affidavit as evidence is necessary in the interests of justice.

161. Hearing of arguments of parties

(a) The committee shall first hear the arguments of the objector and thereafter those of the respondent.

(b) The committee may permit the objector to answer the arguments of the respondent as it may see fit.

162. Hearing in absence of parties

Where a party, though duly summoned, does not appear before the committee at the time fixed for the hearing of the objection or the time to which the further hearing has been postponed under regulation 166, the following provisions shall apply:

(1) Where the objector appears and the respondent does not appear, the committee may postpone the hearing of the objection or may hear the objection in the absence of the respondent;

(2) where the objector does not appear, the committee may postpone the hearing of the objection or may set aside the objection.

163. Plea of defect in written reasons

(a) In hearing an objection, the committee shall not entertain any plea of a defect in the form of the notice of objection unless written notice of such plea was given to the objector at least seven days before the time fixed for the hearing of the objection and he has not remedied the defect before that time.

(b) Where notice was given as provided in sub-regulation (a) and the objector has not remedied the defect in time, the committee may, for special reasons, permit the objector to remedy the defect on such conditions as it shall prescribe.

164. Hearing confined to written reasons

In hearing an objection, the committee shall not entertain any reason not mentioned in the notice of objection or the respondents answer unless it is satisfied that the omission was due to no fault of the party wishing to avail himself of that reason or that the hearing of the additional reason is necessary in the interests of justice.

164A. Interim application to the Committee

The provisions of Regulation 5A shall apply to an interim application to the Committee, however, the Registrar's powers according to Regulation 5A(a) to (b) and (d) to (f) shall be vested in the Chairman of the Committee, and the authority pursuant to Regulation 5a(h) shall be vested in the Committee, subject to the provisions in Regulation 165.

165. Powers of chairman of committee

The chairman of the committee may

- (1) extend any time prescribed in this chapter;
- (2) permit the parties to submit documents in addition to those specified in this chapter.

166. Postponement of hearing

The committee may postpone the hearing of the objection and, when it has begun to hear it, may postpone the further hearing thereof, if, in its opinion, the postponement is necessary in the interests of justice.

167. Decision of committee

- (a) The committee may pass decisions by a majority of votes.
- (b) A decision of the committee shall be drawn up in writing and shall be signed by all the members of the committee.
- (c) A copy of the decision, certified by the chairman of the committee, shall be delivered to the objector and the respondent as soon as possible after the

decision is given, but the committee may, for security reasons, decide not to deliver the reasons of the decision to the objector in writing.

168. Costs of objection

The committee may decide to impose costs and may prescribe on whom they shall be imposed.

169. Consolidation of objections

The committee may consolidate objections pending before it, hear them jointly and give one decision in respect of all of them, if-

- (1) they relate to the same order or patent application;
- (2) they involve identical or similar points of law or fact.

170. Joinder of parties

The committee may, at any stage of the proceedings, include therein as objector or respondent any person who appears to it to be interested in the objection.

CHAPTER TWO: COMPENSATION AND ROYALTY COMMITTEE

171. Definitions

In this chapter -

"The committee" - the committee for the compensation and royalty appointed according to sections 109 of the Law;

"Main application" - a request for the Committee to decide on the matter under its authority according to sections 107, 108 or 134 of the law;

"Permit" - the permit issued according to sections 98(1) or 103(1) of the law;

"Respondent" - a person who may be liable according to the Committee's decision to pay compensation or royalties;

"Order" - an order issued according to sections 94 or 99 of the law.

172. Submission of application

(a) The main application will be submitted to the Registrar and it must provide the following details -

- (1) The applicant's name, address and address for delivery of documents;
- (2) The respondent's name and address;
- (3) If the applicant was the owner of an invention - the name of the invention, the number of the patent or the patent application for it or other details to identify the invention;
- (4) The facts related to defining the amount of compensation or royalties;
- (5) The reasons on which the main application is based, each reason must be

stated in a separate paragraph;

(6) The requested relief.

(b) Notwithstanding the provisions in Regulation 10A, a main application according to section 107 or 108 of the law and any other document in the procedure according to said sections, including an interim application, shall be submitted to the Registrar according to Regulation 11 only and in three copies; Regulation 11(d) will not apply to submissions of the main application according to section 107 or 108 of the law, and to submitting an answer to the aforementioned main application.

(c) A main application according to section 134 of the law and any other document in the procedure according to said section, including an interim application, which is submitted on paper according to Regulation 11, must be submitted in three copies.

(d) The applicant must provide the respondent with a copy of the main application and any other document submitted by him in the same procedure, and if the main application was submitted according to section 134 of the law, he may act in accordance with the provisions of Regulations 15(a1) and 15(a2) and the provisions of Regulations 15(a3) and 15(A4) shall apply.

173. Annexed documents

The application shall be accompanied by affidavits to verify the facts on which the applicant relies and by copies of the order or permit, as the case may be.

174. Respondents answer

(a) The respondent may, within one month from the date of submission of the main application, submit to the Registrar a reasoned answer together with affidavits to verify the facts on which he relies.

(b) The answer and its appendices must be submitted in four copies.

(c) If the respondent did not submit an answer as stated, it will be considered as if he agreed to the requested relief.

(d) The respondent shall provide the applicant with a copy of the answer and any other document submitted by him in the same procedure, and if the main request was submitted according to section 134 of the law, he may act in accordance with the provisions of Regulations 15(a1) and 15(a2), and the provisions of regulations 15(a3) and 15(a4) shall apply.

175. Delivery of documents

If the main application and the answer have been submitted, the Registrar will hand them over to the Chairman of the Committee.

176. Appointment of time for hearing of application

The chairman of the committee shall fix a time for hearing the arguments of the parties and shall notify them of the time fixed by him at least ten days in advance.

177. Appearance for cross-examination

(a) If one of the parties wishes to cross-examine a person who has made an affidavit to verify the facts on which the opposite party relies (such person hereinafter referred to as the deponent), he shall notify the chairman of the committee and the opposite party to such effect at least seven days before the time fixed for the hearing of the application.

(b) A party to whom notification has been made under sub-regulation (a) shall produce the deponent to the committee at the time fixed for the hearing of the application.

(c) If the party does not produce the deponent or if the deponent, without reasonable justification, refuses to answer questions put to him in cross-examination, the affidavit shall not be used as evidence unless the committee is satisfied that the admission of the affidavit as evidence is necessary in the interests of justice.

178. Hearing of arguments of parties

(a) The committee shall first hear the arguments of the applicant and thereafter those of the respondent.

(b) The committee may permit the applicant to answer the arguments of the respondent.

179. Plea of defect

In hearing the application, the committee shall not entertain any plea of a defect in the form thereof unless written notice of such plea was given to the applicant at least seven days before the time fixed for the hearing of the application, and he has not remedied the defect before that time.

180. Reasons not to be heard

In hearing the application, the committee shall not entertain any reason not mentioned in the application or in the respondents answer unless it is satisfied that the omission was due to no fault of the person wishing to avail himself of that reason or that the hearing of the additional reason is necessary in the interests of justice.

180A. Interim application to the Committee

The provisions of Regulation 5A shall apply to an interim application to the

Committee, however, the Registrar's powers according to Regulation 5A(a) to (b) and (d) to (f) shall be vested in the Chairman of the Committee, and the authority pursuant to Regulation 5A(h) shall be vested in the Committee, subject to the provisions in Regulation 181.

181. Powers of chairman of committee

The chairman of the committee may

- (1) extend any time prescribed in this chapter;
- (2) permit the parties to submit documents in addition to the documents specified in this chapter.

182. Postponement of hearing

The committee may postpone the hearing of the application and, when it has begun such hearing, may postpone the further hearing thereof, if, in its opinion, the postponement is necessary in the interests of justice.

183. Decision of committee

- (a) The committee may pass decisions by a majority of votes.
- (b) A decision of the committee shall be drawn up in writing and shall be signed by all the members of the committee.
- (c) The copy of the decision will be delivered to the applicant and the respondent as soon as possible after the decision is made, however, the Committee may decide for security reasons not to provide the parties with the reasons for the decision in writing.

184. Costs of application

The committee may decide to impose costs and may prescribe on whom they shall be imposed.

185. Non-appearance for hearing

Where a party, though duly summoned, does not appear before the committee at the time fixed for the hearing of the application or at the time to which the further hearing has been postponed under regulation 182, the following provisions shall apply:

- (1) Where the applicant appears and the respondent does not appear, the committee shall postpone the hearing or may hear and decide upon the application;
- (2) where the applicant does not appear, the committee may postpone the hearing or may set aside the application.

186. Consolidation of applications

The committee may consolidate applications pending before it, hear them jointly and give one decision in respect of all of them, if-

- (1) they relate to the same order or permit; or
- (2) they involve identical or similar points of law or fact.

187. Joinder of parties

At any stage of the proceedings, the committee may, at the request of the applicant, the respondent or any other interested person, include therein as applicant or respondent any person interested in the outcome of the application.

PART THIRTEEN: AUXILIARY POWERS

188. Power to permit rectification

(a) Unless otherwise provided in the Law or these Regulations, the Registrar may rectify or permit the rectification of any error in an application or document submitted to him in any proceeding if, in his opinion, the rectification will not adversely affect the rights of another person.

(b) Where the application for rectification concerns any matter in a contentious proceeding, the Registrar shall decide after hearing the arguments of the parties.

189. Written summary of arguments

The Registrar may require any applicant or litigant to summarize in writing the claims that the person made before him, and if it required so, the person must comply with the requirement within the time ordered by the Registrar, provided that it is not less than one month from the date of the demand.

190. Demand for explanations

The Registrar may require an applicant or a person instituting a non-contentious proceeding to appear before him and give him oral explanations as to any matter relating to his application or to the proceeding instituted by him.

190A. Submission of originals

The Registrar may demand from those who submitted a photocopy or a computer scan of an affidavit or official document given by the state authorities or an authority of a foreign country, to submit their originals if there is reasonable concern that the copy is not accurate or not identical in content to the original; In this regulation -

"Photocopy" - as defined in section 40 of the Evidence Ordinance;

"Computer scan" - as defined in Regulation 3A of the Evidence Regulations (Photographic Copies), 5729-1969.

PART FOURTEEN: APPEALS

191. Repealed.

192. Dates and Procedures of the appeal

The date of the appeal and the procedures for appealing the Registrar's decision will be in accordance with the procedures under Chapter 17, Part B of the Civil Procedure Regulations, 5779-2018.

193. Evidence

Where the appellate court decides to hear evidence, the procedure shall be that obtaining in taking evidence in that court sitting as a court of first instance.

194. Copy of decision to Registrar

The appellate court shall transmit a copy of its decision to the Registrar.

PART FIFTEEN: SERVICE INVENTIONS

CHAPTER ONE: DISPUTE IN RESPECT OF INVENTION

195. Application to Registrar

An application to the Registrar to decide whether a particular invention is a service invention shall be submitted to the Registrar in writing, accompanied by the prescribed fee, and shall set out the facts material to deciding the question and evidence to substantiate them, and it shall also indicate the respondent.

196. Answer by opposite party

The respondent indicated as provided in regulation 195 may, within two months from the date of receipt of notice of the application, submit to the Registrar his reasoned answer and evidence.

197. Termination of receipt of evidence

No further evidence shall be submitted by a party, save with the permission of the Registrar.

198. Hearing of arguments

(a) Where statements of arguments have been filed under regulations 195 and 196, or where statements of arguments have been filed by the applicant only and the period allowed by regulation 196 has expired, the Registrar shall appoint a time for hearing the arguments of the parties and shall notify them of such time at least one month in advance.

(b) Where a party does not appear at the time fixed and does not give a reasonable explanation for his non-appearance, he shall be deemed to admit the contentions of the opposite party.

CHAPTER TWO: REGISTRATION OF SERVICE INVENTIONS

199. Register of Service Inventions

(a) For the registration of service inventions, a research institution of the State shall keep a register of service inventions.

(b) The register shall be bound, and each entry therein shall be made in duplicate on consecutively numbered pages.

(c) The following particulars shall be entered in the register:

- (1) The name of the subject of the research;
- (2) the name of the researcher;

(3) a concise description, by means of sketches as far as necessary, to be made from time to time, but in any case, at the termination of each stage of the research, indicating the stage of the research reached by the researcher; and references to records prepared by the researcher in connection with the research;

(4) the date of termination of the stage referred to in paragraph (3) and the date of the entry in the register;

(d) Each entry under sub-regulation (c) shall be signed by the researcher, and the pages of the register shall be signed by the person in charge of the unit in which the researcher is employed.

(e) Registration in a register as aforesaid shall be valid for the purposes of registration in a register as referred to in section 55(a) (3) of the Law.

PART SIXTEEN: MISCELLANEOUS

200. Commencement

These Regulations shall come into force on the 3rd Nisan, 5728 (1st April, 1968).

201. Registration of patent attorneys who were patent agents

(a) An application for registration as a patent attorney under section 196 of the Law shall be submitted to the Registrar in writing, and the Registrar shall acknowledge its submission.

(b) Where the Registrar is of the opinion that a person as dealt with by section 196(2) of the Law who has submitted an application has not engaged to a considerable extent in work reserved by the Law to a patent attorney, he shall notify that person to such effect in writing, and he shall give him an opportunity to have his arguments heard before him on condition that seven days before the time fixed for the hearing of his arguments that person furnishes the Registrar with evidence substantiating them.

202. Continuity of acts

Any act permitted or required to be done, in respect of patent applications submitted but not yet accepted, both under the Patents and Designs Ordinance and the Patents Regulations and under the provisions of the Law and these Regulations shall be deemed to be permitted or required to be done under these Regulations, and notice by the Registrar to any person to do an act as aforesaid shall be regarded as a valid demand thereunder; however—

(1) The fee rate determined for the operation shall be the rate determined in the Second Addendum to these Regulations;

(2) The aforementioned notification shall be deemed as having been delivered on the day of commencement of the law, except that a notification delivered pursuant to Regulations 21A, 22 or 26(b) of the Patent Regulations shall be deemed delivered pursuant to these Regulations at the time it was actually delivered.

202A. Continuity of proceedings

If the Registrar, the deputy Registrar, or an intellectual property adjudicator was prevented, for any reason, from finishing proceedings on a matter for which proceedings had already begun (in this section – an ongoing matter), these provisions shall apply:

(1) The Registrar shall decide whether to discuss the ongoing matter himself or transfer it to a deputy Registrar or an intellectual property adjudicator;

(2) A Registrar as well as a deputy Registrar or an intellectual property

adjudicator for whom an ongoing matter had been transferred as aforementioned in paragraph (1), may treat a testimony noted under these Regulations as if he himself had heard or noted it and he may continue the proceedings from the point where his predecessor had stopped.

203. Rectification of defects in form of application and specification

(a) The provisions of these Regulations relating to the form of the specification shall apply also to applications submitted under the Patents and Designs Ordinance, and notification of defects under regulation 31(a) may be made in respect of patent applications pending upon the coming into force of the Law; however, in the case of a defect under regulation 31(a) (1), the applicant shall not have to pay the fee prescribed for those matters.

(b) A notification by the Registrar of defects found in an application, under regulation 31(a), shall be delivered to the applicant not later than four months before the application is to be examined.

204. Filing of specification filed in foreign country

An applicant whose patent application has been pending since before the coming into force of the Law shall file the specification filed in a foreign country three months after the date on which the Registrar requires him to do so.

205. Citation

These Regulations shall be cited as the Patents (Office Practice, Rules of Procedure, Documents and Fees) Regulations, 5728-1968.