

ANNEX 3

Your reference:
Our reference:

(Date)

Dear Sirs

Ceased Patent No: XXXXXXXXX
Application for Restoration under Section 28 of the Patents Act 1977

1. Your application for restoration of the above patent has been allowed subject to payment of the outstanding renewal fees for the Nth year(s). The fees required, on separate Patent Form 12's, are £xx for the Nth year, and £xx for the Nth year, making the total due £xxx. The above fees should be received by us by (insert date of issue of letter plus two months).
2. You should note that an Order for restoration gives certain rights to third parties in accordance with the terms prescribed under Section 28A of the Patents Act 1977.
3. Section 28A (4) to (6) gives protection to third parties who take steps to work an invention which is the subject of a lapsed patent before notice of an application for restoration is published. They are free not only to continue what they have started without infringing the restored patent, but also to pass their right to work the invention to others (but not to license others to work the invention). However, this protection does not apply to steps taken during the six months period of grace under section 25(4) in which late renewal is still possible.
4. Applying the contents of section 28A(4) to this patent, you should note that from XXXXXXXXX until XXXXXXXXX protection for third parties will apply.

Yours faithfully

XXXXXXXXXXXX
Patents Restorations Officer