

3<sup>rd</sup> Party Terms for Grant Certificate

1. If after the termination of the application and before publication of notice of the request for its reinstatement, a person -

- (a) began in good faith to do an act which would have constituted an infringement of the rights conferred by publication of the application if the termination had not taken place, or
- (b) made in good faith effective and serious preparations to do such an act, he has the right to continue to do the act or, as the case may be, to do the act, notwithstanding the reinstatement of the application and the grant of the patent; but this does not extend to granting a licence to another person to do the act.

2. If the act was done, or the preparations were made, in the course of a business, the person entitled to the right conferred by sub-paragraph (1) above may -

- (a) authorise the doing of that act by any partners of his for the time being in that business, and
- (b) assign that right, or transmit it on death (or in the case of a body corporate on its dissolution), to any person who acquires that part of the business in the course of which the act was done or the preparations were made.

3. Where a product is disposed of to another in the exercise of the rights conferred by sub-paragraph (1) or (2) above, that other and any person claiming through him, may deal with the product in the same way as if it had been disposed of by the applicant.