

Directions under Section 124A of the Patents Act 1977

Withdrawal of Patent Applications by email

1. These directions prescribe the form and manner in which email messages should be delivered to the Office to withdraw patent applications. If an email message to withdraw a patent application is delivered to the Office in a form or a manner which does not comply with these directions the Office may treat the message as not having been delivered.

The email address to use

2. The Office will accept requests to withdraw patent applications in accordance with Section 14(9) of the Act sent by email message to the following email address:

withdraw@ipo.gov.uk

3. An email message withdrawing an application received at this address will be regarded as having the same effect as a written withdrawal on paper. The Office will only guarantee to accept requests to withdraw patent applications received at withdraw@ipo.gov.uk. No other proceedings under the Act or any other correspondence relating to business carried out by the Office should be sent to this address.

Form of email required

4. An email message sent to withdraw a patent application should be titled:

Withdrawal of patent application number GBYYXXXXX.X

5. The text of the email message should contain a statement of withdrawal that is not ambiguous or conditional. Such a statement could read:

Withdraw patent application number GBYYXXXXX.X

6. The email message should also contain some indication that the person withdrawing the application is authorised to do so, eg. That the person sending the email message is the applicant or the agent for the application.

7. The email message should contain no attachments and the request to withdraw the application should not be contained in an attachment. The request should be made in the body of the message.

8. The email should be a plain text email message (RFC822-compliant). We will not accept MS-TNEF/RTF format messages or HTML format messages. We will not accept messages that are encrypted or digitally signed.

Other matters

9. The Office will interpret withdrawal requests made by email in the same way as we currently interpret written requests on paper and the procedures laid out in paragraphs 14.199-14.208 of the *Manual of Patent Practice* and paragraphs 12.95-12.104 of the *Patents*

Formalities Manual will still apply. Both these manuals are available on the Office website, www.ipo.gov.uk.

10. We will only act on the email in the form that it is received in the Office. We will bear no responsibility for email lost in transit or email that is corrupted in transit. The Office will inform the sender of a corrupted message that the message was not legible if the identification of the sender can be determined.

11. As part of our standard virus prevention procedures it is possible for internet email messages not to be forwarded automatically to the recipient on their receipt in the Office, and for them to await manual intervention before delivery. This may introduce an unavoidable delay in the time taken to deliver the message.

12. The time and date of receipt of the email message will be taken as the time/date stamp the message receives when it enters our internal email system. This will not be the exact date/time it was sent or the exact date/time it was received by our external server.

13. The Office will send a return email message confirming receipt of the withdrawal request. You should not assume the Office has definitely received your request until you receive the return message. The Office will subsequently confirm the withdrawal of the application in writing to the address for service for the application, as it does for other withdrawals.

Withdrawing applications by email before publication

14. If an application is to be withdrawn by email in time to prevent publication, the email message must be received by this Office up to 23.59 on the day before preparations for publication are complete. Confirmation of receipt may however take place after that time. If the email message is received after that time, it will be too late to prevent publication.

Date of introduction of the new service

15. Email withdrawals in accordance with these directions may be made from 8 July 2003.