

Legislation / Hearings

Legislation


In New Zealand, the [Patents Act 1953](#) governs the administration of rights to a patent. The Patents Act 1953 is accompanied by the [Patents Regulations 1954](#).


This legislation provides for:

- the administration of Patents, including the powers and functions of the Commissioner of Patents, Trade Marks and Designs
- establishing and maintaining the patents register
- making and processing applications for granting patents
- forms and fees
- publishing the Patents Office journal
- prescribing the means to take infringement proceedings to enforce rights in a patent
- registering patent attorneys

Hearings

The Hearings Office is the arena in which the majority of the quasi-judicial responsibilities of the Commissioner are exercised. IPONZ become involved in proceedings when an [opposition](#) to the grant of an IP right is filed, when a revocation application is made, or when a hearing is requested. A panel of Assistant Commissioners (Hearings Officers) give decisions on matters referred to the Commissioner for hearing.

- [Patent decisions of the Commissioner](#)
-  [Index of patent decisions of the Commissioner from 1953 \[300 kB PDF\]](#)
- [Index of current patent oppositions](#)

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[Patent opposition and revocation](#)

A guide for: 1. Opposition to the grant of a patent (under section 21 of the Patents Act 1953 and regulations 48 to 56 of the Patent Regulations 1954); 2. Refusal of a patent without an opposition (under section 22 and regulations 57 to 59); 3. Revocation of a patent by A the Commissioner of Patents (under section 42 and regulations 104 and 105); and B the High Court (under section 41)

[Costs awards in proceedings before the commissioner](#)

These are guidelines about the issue of costs in proceedings relating to Patents, Trade Marks and Designs. These Guidelines do not constrain the judgement and discretion of the Commissioner of Patents, Trade Marks and Designs and each costs issue will be considered on its own merits

[Patent oppositions filed in 2008](#)

A list of patent oppositions filed in 2008.

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