

CHAPTER 27

CLEAR RECORDS

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27 CLEAR RECORDS

INTRODUCTION

27.01 Clear records are the final actions taken when case work proceedings are complete.

STANDARD PROCEDURES – *EX PARTE* PROCEEDINGS

Register entry

27.02 Update as appropriate by using OPTICS (see *ex parte* Chapters 17 – 24).

Journal entry

27.03 Compile a final advert for the Patent and Designs Journal. The wording is normally in line with the corresponding register entry (see Chapter 26).

Ledger and spreadsheet

27.04 Complete the result box e.g. allowed, not proceeded with, or revoked.

The movement card

There is no need to keep these and they should be destroyed.

Publishing action

27.06 For Sections 27, 75 and 117 proceedings you should inform Publishing Section of the changes required to both the A and B printed specification. For example you may want to correct bibliographic details for the applicant or inventor or there may be technical changes required to the specification.

Store

27.07 The files should be sent to the Grant store at Nine Mile Point.

INTER PARTES PROCEEDINGS – CLEAR RECORDS AFTER ISSUE OF AN OFFICE DECISION.

27.08 An Office decision is issued following a hearing or where the proceedings have been decided on the papers. The Hearings Clerk will pass a copy of the decision to the B3 with clear records pro forma.

Register entry

27.09 The B3 will make an entry on the register reflecting the outcome of the proceedings if necessary. The B3 will also amend the register if appropriate, for example if a proprietor or inventor needs to be added or removed.

Journal entry

27.10 A Journal entry is made in the Patent and Designs Journal. To ensure consistency the wording should be taken from the register entry made by the B3.

Ledger and spreadsheets

27.11 The ledger and excel spreadsheet should be updated to reflect the result of the proceedings and the date of the decision.

Publishing action

27.12 In order for the A and B patent specification to reflect the outcome of proceedings (see 27.08 above) Publishing Section should be requested to make the necessary changes. This will usually be done by the addition of an addendum slip.

The movement card

27.13 Update and retain the movement card in the drawer.

Store

27.14 Where a decision has been issued on an *inter partes* case, it should be sent to Nine Mile Point for the Precedent Store. A label should be placed on the patent and proceeding files and on each box. The movement card and Precedent folder also should be noted.

INTER PARTES PROCEEDINGS – OTHER CLEAR RECORDS.

27.15 Where a case has been withdrawn, the B2 should update the register using Revocation Section menu - free text entry. The journal entry, spreadsheet, ledgers and movement card should be completed. However there will be no need for any publishing action to be taken. The files should be sent to the Litigation special store at Nine Mile Point. This store is for *inter partes* cases where no decision has been issued.

BOX FILES

27.16 Evidence binders should be placed in boxes for travel and storage. A label should be placed on each box and on the front of the patent and proceedings file to indicate how many boxes there are. This ensures that if the patent file is called for public inspection, the staff at Nine Mile Point will also send the papers relating to the *inter partes* proceedings.

MULTIPLE FILES

27.17 There may be a number of patent files linked to a case. Where this occurs each patent file should be cross – referenced to the other.