

CHAPTER 27

CLEAR RECORDS

Introduction	27.01
Standard Procedures – <i>Ex parte</i> proceedings	27.02 - 27.07
Register entry	27.02
Journal entry	27.03
Electronic Ledger and spreadsheet	27.04 – 27.05
Publishing action	27.06 – 27.07
Clear records from <i>inter partes</i> proceedings	27.08 - 27.14
Register entry	27.09
Journal entry	27.10
Electronic Ledger and spreadsheet	27.11
Publishing action	27.12 – 27.14
<i>Inter Partes</i> Proceedings – Other Clear Records	27.15
Box files	27.16
Multiple files	27.17

27 CLEAR RECORDS

INTRODUCTION

27.01 Clear records are the final actions taken when case work proceedings are complete. EP and GB patents are cleared electronically on PECS (Patent Electronic Case Management System).

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). The advert is manually imported into PECS.

Electronic Ledger and spreadsheet

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

27.05 Deleted.

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.

The A3 will create, lock and import a minute from PROSE (doc code is MINUTE-LIT), then create and send a “PSM – Amendment/Correction allowed

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– please prepare a C specification” to Publishing Section

27.07 Deleted

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 A1 will pass a copy of the decision to the B3 with clear records proforma.

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 Journal. To ensure consistency the wording should be taken from the register entry made by the B3. The advert is manually imported into PECS.

Electronic Ledger and spreadsheet

27.11 The ledger and excel spreadsheet should be updated to reflect the result of the proceedings and the date of the decision. The front cover of the dossier is labeled Precedent. The paper minutes will be scanned in by Index and Scanning section.

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 or in the case of amendment, the request for a C specification.

The A3 will create, lock and import a minute from PROSE (doc code is MINUTE-LIT), then create and send a “PSM – Amendment/Correction allowed – please prepare a C specification” to Publishing Section

27.13 Deleted.

27.14 Deleted.

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 and ledgers should be completed. However there will be no need for any publishing action to be taken. The front cover of the dossier is labeled Precedent. The paper minutes will be scanned in by Index and Scanning section.

BOX FILES

27.16 Where a dossier does not exist, e.g. (PCT), 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 on the front cover of

the dossier.