

Changes to the Manual of Patent Practice: January 2009

Please find details below of the main changes which have been incorporated into the January 2009 version of the Manual of Patent Practice.

All such changes are indicated by a sidebar, with any new text coloured red. Please note that all previous red text has been removed such that all red text present indicates new text since the October 2008 version of the Manual. Any sidebars present indicate a change since the February 2008 version.

Paragraph	Update
Introduction 0.08	<i>R v Secretary of State for Work and Pensions</i> [2008] UKHL 63 referred to.
1.09, 1.10.2-3, 1.21.1, 1.22.1, 1.27.1, 1.29.3-4, 1.32.2	Updated in light of the Court of Appeal judgment in <i>Symbian Ltd's Application</i> [2008] EWCA Civ 1066
1.22	Hyperlink to Practice Notice included.
3.51.1	<i>Eli Lilly v Human Genome Sciences</i> [2008] RPC 29 discussed in relation to inventive step.
17.54	Practice at search stage in relation to internet citations discussed.
18.09.3	New paragraph included in relation to internet citations.
18.52.1	Clarification that a request to refuse an application should be made in writing.
18.81	Use of PROSE clauses ELC4 and ELC5 clarified.
18.81, 18.84	Amended to make clear that an extension of the two month period for filing an amendment or a divisional application after a s.18(4) report may be extended retrospectively.
18.91	Clarification regarding conflict between a UK application and an EP(UK) application.
19.26	Discussion relating to the acknowledgment of registered trade marks during CSE clarified.
23.01.1, 23.05	Definition of "person" included.
32.09	Reference to 36.07 included; minor clarifications.
67.04	Discussion of multiple exclusive licences included.
73.05	Clarification that s.73(2) does not provide a basis for the comptroller to refuse to grant a patent.
73.07	Amended to detail practice when a corresponding EP(UK) patent has been granted.
90.02	Cape Verde included as a member of the WTO.
128A.08	Paragraph clarified.
128B.11	Paragraph clarified.
Table of cases	Updated for <i>Courtauld's Application</i> , <i>Eli Lilly v Human Genome Sciences</i> , <i>R v Secretary of State for Work and Pensions</i> , <i>Symbian Ltd's Application</i> , <i>Vicom</i> .
Index	Updated in relation to internet searching and citations.