

Changes to the Manual of Patent Practice: October 2008

Please find details below of the main changes which have been incorporated into the October 2008 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 July 2008 version of the Manual. Any sidebars present indicate a change since the February 2008 version.

Paragraph	Update
Throughout	Amendments made in light of the Journal's name change from the Patents and Designs Journal to the Patents Journal.
Throughout	References to rule 10 corrected.
3.87	Updated in light of House of Lords judgment in <i>Angiotech</i> [2008] RPC 28
4.07.1, 14.76	Updated in light of <i>Eli Lilly & Co. v Human Genome Sciences, Inc.</i> [2008] EWHC 1903 (Pat)
5.26.5-7, 20A.13-16, 28.09.1-3	New paragraphs in light of <i>Matsushita Electric Industrial Co. v Comptroller General of Patents</i> [2008] EWHC 2071 (Pat) (unintentional failure to pay renewal fee).
13.04	Rule number corrected.
14.72	Clarified regarding completeness of disclosure.
15.20.1, 20.02	Explanation of the compliance date for divisional applications when the compliance date is / has been extended on the parent application.
15.42	Out of date passage deleted.
16.01	List of order of documents in a paper application file after publication included (previously deleted).
18.47.1	Clarification of when Abbreviated Examination Reports may be issued.
18.54	Clarified regarding discretion to accept a late response.
20A.11	Discussion of period allowed for reinstatement.
25.04.02	Reference to pink pages replaced.
27.11	Correction to the discussion of <i>Philips Electronic and Associated Industries Ltd's Patent</i> [1987] RPC 244; refs to the Patents Act 1977 (as amended) included.
27.08, 27.32-32.1, 75.04, 75.21	Updated in light of <i>Zipher Ltd v Markem Systems Ltd & Anr</i> [2008] EWCH 1379 (Pat)
46.55.1	Reference to original Patents Act 1977 included.
80.01.1	Clarification of status of translated claims.
89B.14, 89B.15	Reference to IPRP included.
125.15	Discussion of file wrapper estoppel clarified.
SPM3.02	Updated in light of <i>Re Council Regulation (EEC) No 1768/92</i> [2008] EWHC 1902 (Pat).
SPC Table of cases	Updated.
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