

## SCHEDULE

### Modifications of the Patents Act 1977 in its application to the Isle of Man

35.—<sup>[F1]</sup>(1) In section 130(1) (interpretation)—

<sup>[F2]</sup>(a) at the end of the definition of “court” insert—

“(d) as respects the Isle of Man, the High Court of Justice of the Isle of Man; or the Unified Patent Court, as respects the jurisdiction which it has by virtue of Schedule A4;”;

(b) at the appropriate places insert—

<sup>[F3]</sup>“Agreement on a Unified Patent Court” means the Agreement on a Unified Patent Court signed at Brussels on 19th February 2013;

“biological material” means any material containing genetic information and capable of reproducing itself or being reproduced in a biological system;

“biotechnological invention” means an invention which concerns a product consisting of or containing biological material or a process by means of which biological material is produced, processed or used;

“electronic communication” has the same meaning as in the Electronic Communications Act 2000(1);

“enactment” includes an Act of Tynwald;

<sup>[F3]</sup>“European patent with unitary effect” has the same meaning as in Article 2 of the Unitary Patent Regulation;

<sup>[F3]</sup>“Unified Patent Court” means the court established under the Agreement on a Unified Patent Court;

<sup>[F3]</sup>“Unitary Patent Regulation” means Regulation (EU) No 1257/2012 of the European Parliament and of the Council of 17 December 2012 implementing enhanced cooperation in the area of the creation of unitary patent protection.”

(c) in the definition of “formal requirements” for “section 17” substitute “section 15A”.

<sup>[F4]</sup>(2) In section 130(6), after paragraph (c), insert—

“(d) The Agreement on a Unified Patent Court;”.

#### Textual Amendments

- F1** Sch. para. 35 renumbered as Sch. para. 35(1) (coming into force in accordance with art. 1(2) of the amending S.I.) by [The Patents \(Isle of Man\) \(Amendment\) Order 2017 \(S.I. 2017/162\)](#), **Sch. para. 4** (with art. 3)
- F2** Sch. para. 35(1)(a) substituted (coming into force in accordance with art. 1(2) of the amending S.I.) by [The Patents \(Isle of Man\) \(Amendment\) Order 2017 \(S.I. 2017/162\)](#), **Sch. para. 4(a)** (with art. 3)
- F3** Words in Sch. para. 35(1)(b) inserted (coming into force in accordance with art. 1(2) of the amending S.I.) by [The Patents \(Isle of Man\) \(Amendment\) Order 2017 \(S.I. 2017/162\)](#), **Sch. para. 4(b)** (with art. 3)
- F4** Sch. para. 35(2) inserted (coming into force in accordance with art. 1(2) of the amending S.I.) by [The Patents \(Isle of Man\) \(Amendment\) Order 2017 \(S.I. 2017/162\)](#), **Sch. para. 4(c)** (with art. 3)

**Changes to legislation:** *There are currently no known outstanding effects for the The Patents (Isle of Man) Order 2013, Paragraph 35. (See end of Document for details)*

**Commencement Information**

**II** [Sch. para. 35](#) in force at 11.11.2013, see [art. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Patents (Isle of Man) Order 2013, Paragraph 35.