
STATUTORY INSTRUMENTS

2014 No. 2411

**The Patents (Supplementary Protection
Certificates) Regulations 2014**

Amendment of the Patents Act 1977

2.—(1) The Patents Act 1977 is amended as follows.

(2) In section 128B (supplementary protection certificates), in subsection (2)(a), for “[Council Regulation \(EEC\) No 1768/92](#) of 18th June 1992 concerning the creation of a supplementary protection certificate for medicinal products”(1) substitute “[Regulation \(EC\) No 469/2009](#) of the European Parliament and of the Council of 6th May 2009 concerning the supplementary protection certificate for medicinal products”.

(3) In Schedule 4A (supplementary protection certificates)—

- (a) in paragraph 7(a), for “[Council Regulation \(EEC\) No 1768/92](#) of 18th June 1992 concerning the creation of a supplementary protection certificate for medicinal products” substitute “[Regulation \(EC\) No 469/2009](#) of the European Parliament and of the Council of 6th May 2009 concerning the supplementary protection certificate for medicinal products”;
- (b) after paragraph 7 insert—

“Transitional provision

8.—(1) A reference (express or implied) in this Act to the Medicinal Products Regulation, or a provision of it, is to be read as being or (subject to context) including a reference to the old Regulation, or the corresponding provision of the old Regulation, in relation to times, circumstances or purposes in relation to which the old Regulation, or that provision, had effect.

(2) Other than in relation to times, circumstances or purposes referred to in subparagraph (1), anything done, or having effect as if done, under (or for the purposes of or in reliance on) the old Regulation or a provision of the old Regulation and in force or effective immediately before 1st October 2014 (the day on which the Patents (Supplementary Protection Certificates) Regulations 2014 came into force) has effect on or after that date for the purposes of this Act as if done under (or for the purpose of or in reliance on) the Medicinal Products Regulation or the corresponding provision of it.

(3) In this paragraph “the old Regulation” means [Council Regulation \(EEC\) No 1768/92](#) of 18th June 1992 concerning the creation of a supplementary protection certificate for medicinal products.”