



# Patents Act 2004

## CHAPTER 16

### PATENTS ACT 2004

#### *Amendments of the 1977 Act relating to international obligations*

- 1 Methods of treatment or diagnosis
- 2 Amendment of patents after grant
- 3 Relief for partially valid patent
- 4 Revocation
- 5 Further amendments relating to international obligations

#### *Other amendments of the 1977 Act*

- 6 Remedies in entitlement proceedings
- 7 Restrictions on applications abroad by United Kingdom residents
- 8 Term of patent and periods allowed for payment of renewal fees
- 9 Co-ownership
- 10 Compensation of employees for certain inventions
- 11 Enforcement of damages
- 12 Threats of infringement proceedings
- 13 Opinions by Patent Office as to validity or infringement
- 14 Costs and expenses in infringement proceedings etc
- 15 Security for costs

#### *Supplemental*

- 16 Amendments, repeals and revocations
- 17 Commencement etc
- 18 Short title and extent

*Changes to legislation:* There are currently no known outstanding effects for the Patents Act 2004. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 1 — Amendments relating to international obligations

- 1 The 1977 Act is amended as follows.
- 2 In section 77 (effect of European patent (UK)), in subsection...
- 3 (1) Section 78 (effect of filing an application for a...
- 4 In section 80 (authentic text of European patents and patent...
- 5 (1) Section 81 (conversion of European patent applications) is amended...
- 6 Sections 86 and 87 (implementation of Community Patent Convention and...
- 7 Section 89(4) (circumstances in which application treated as an international...
- 8 In section 89B(2) (adaptation of provisions in relation to international...
- 9 (1) Section 130 (interpretation) is amended as follows.

### SCHEDULE 2 — Minor and consequential amendments

- 1 (1) The 1977 Act is amended as follows.
- 2 In section 1 (patentable inventions), in subsection (1)(d), after “subsections...
- 3 In section 2 (novelty), subsection (6) is omitted.
- 4 In section 4 (industrial application)— (a) in subsection (1), “Subject...
- 5 In section 12 (reference before grant of foreign or convention...
- 6 In section 16(1) (publication of application), after “section 22 below”...
- 7 In section 20B (inserted by the Regulatory Reform Order) (effect...
- 8 (1) Section 22 (information prejudicial to defence of realm or...
- 9 In section 24 (publication and certificate of grant), after subsection...
- 10 (1) Section 38 (effect of transfer of patent under section...
- 11 In section 41(10) (method of enforcing in Scotland certain orders...
- 12 Section 53(1) (compulsory licences: Community Patent Convention) is omitted.
- 13 Section 60(4) (meaning of infringement: Community Patent Convention) is omitted....
- 14 In section 61 (proceedings for infringement of patent), in subsection...
- 15 In section 62(2) (discretion to refuse damages etc for infringement...
- 16 In section 63 (relief for infringement of partially valid patent),...
- 17 In section 70 (remedy for groundless threats of infringement proceedings),...
- 18 In section 72(1) (power to revoke patents on application), “on...
- 19 In section 75 (amendment of patent in infringement or revocation...
- 20 In section 91(1) (evidence relating to the conventions: judicial notice),...
- 21 In section 95 (financial provision)— (a) in subsection (1), “the...
- 22 In sections 103 and 105 (legal privilege), in the definition...
- 23 In section 117A (inserted by the Regulatory Reform Order) (effect...
- 24 (1) Section 120 (hours of business and excluded days) is...
- 25 In section 121 (comptroller’s annual report)— (a) for “1st June”...
- 26 (1) Section 123 (rules) is amended as follows.
- 27 In section 130(1) (interpretation)— (a) the definition of “Community patent”...
- 28 In section 131 (Northern Ireland), at the end there is...

### SCHEDULE 3 — Repeals

**Changes to legislation:**

There are currently no known outstanding effects for the Patents Act 2004.