



Patents Act 1949

1949 CHAPTER 87 12 13 and 14 Geo 6

Amendment of specifications

31 Supplementary provisions as to amendment of specification.

- (1) After the acceptance of a complete specification, no amendment thereof shall be effected except by way of disclaimer, correction or explanation, and no amendment thereof shall be allowed, except for the purpose of correcting an obvious mistake, the effect of which would be that the specification as amended would claim or describe matter not in substance disclosed in the specification before the amendment, or that any claim of the specification as amended would not fall wholly within the scope of a claim of the specification before the amendment.
- (2) Where, after the date of the publication of a complete specification, any amendment of the specification is allowed or approved by the comptroller, the court or the Appeal Tribunal under this Act, the right of the patentee or applicant to make the amendment shall not be called in question except on the ground of fraud; and the amendment shall in all courts and for all purposes be deemed to form part of the specification:
Provided that in construing the specification as amended reference may be made to the specification as originally published.
- (3) Where, after the date of the publication of a complete specification, any amendment of the specification is allowed or approved as aforesaid, the fact that the specification has been amended shall be advertised in the Journal.

Modifications etc. (not altering text)

- C1** Reference to Appeal Tribunal to be construed as including reference to Patents Court or Court of Session: [Patents Act 1977 \(c. 37\)](#), [Sch. 4 para. 11\(5\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Patents Act 1949, Section 31.