

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Cross Heading: Applications and amendments not to include additional matter. (See end of Document for details)

SCHEDULES

SCHEDULE 5

PATENTS: MISCELLANEOUS AMENDMENTS

Applications and amendments not to include additional matter

20 For section 76 of the ^{M1}Patents Act 1977 (amendments of applications and patents not to include added matter) substitute—

“76 Amendments of applications and patents not to include added matter.

- (1) An application for a patent which—
 - (a) is made in respect of matter disclosed in an earlier application, or in the specification of a patent which has been granted, and
 - (b) discloses additional matter, that is, matter extending beyond that disclosed in the earlier application, as filed, or the application for the patent, as filed,may be filed under section 8(3), 12 or 37(4) above, or as mentioned in section 15(4) above, but shall not be allowed to proceed unless it is amended so as to exclude the additional matter.
- (2) No amendment of an application for a patent shall be allowed under section 17(3), 18(3) or 19(1) if it results in the application disclosing matter extending beyond that disclosed in the application as filed.
- (3) No amendment of the specification of a patent shall be allowed under section 27(1), 73 or 75 if it—
 - (a) results in the specification disclosing additional matter, or
 - (b) extends the protection conferred by the patent.”.

Marginal Citations

M1 1977 c. 37.

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