

SCHEDULES

SCHEDULE 7

CONSEQUENTIAL AMENDMENTS: GENERAL

Patents Act 1977 (c. 37)

- 20 In section 57 of the Patents Act 1977 (rights of third parties in respect of Crown use of patent), in the closing words of subsection (1) (which relate to the use of models or documents), after “copyright” insert “or design right”.
- 21 In section 105 of the Patents Act 1977 (privilege in Scotland for communications relating to patent proceedings), omit “within the meaning of section 104 above”, make the existing text subsection (1) and after it insert—
- “(2) In this section—
- “patent proceedings” means proceedings under this Act or any of the relevant conventions, before the court, the comptroller or the relevant convention court, whether contested or uncontested and including an application for a patent; and
- “the relevant conventions” means the European Patent Convention, the Community Patent Convention and the Patent Co-operation Treaty.”.
- 22 In section 123(7) of the Patents Act 1977 (publication of case reports by the comptroller)—
- (a) for “and registered designs” substitute “registered designs or design right”,
- (b) for “and copyright” substitute “, copyright and design right”.
- 23 In section 130(1) of the Patents Act 1977 (interpretation), in the definition of “court”, for paragraph (a) substitute—
- “(a) as respects England and Wales, the High Court or any patents county court having jurisdiction by virtue of an order under section 287 of the Copyright, Designs and Patents Act 1988;”.