



Patents Act 2004

2004 CHAPTER 16

Amendments of the 1977 Act relating to international obligations

1 Methods of treatment or diagnosis

After section 4 of the Patents Act 1977 (c. 37) (“the 1977 Act”) there is inserted—

“4A Methods of treatment or diagnosis

- (1) A patent shall not be granted for the invention of—
 - (a) a method of treatment of the human or animal body by surgery or therapy, or
 - (b) a method of diagnosis practised on the human or animal body.
- (2) Subsection (1) above does not apply to an invention consisting of a substance or composition for use in any such method.
- (3) In the case of an invention consisting of a substance or composition for use in any such method, the fact that the substance or composition forms part of the state of the art shall not prevent the invention from being taken to be new if the use of the substance or composition in any such method does not form part of the state of the art.
- (4) In the case of an invention consisting of a substance or composition for a specific use in any such method, the fact that the substance or composition forms part of the state of the art shall not prevent the invention from being taken to be new if that specific use does not form part of the state of the art.”

Commencement Information

II S. 1 in force at 13.12.2007 by [S.I. 2007/3396](#), [art. 2\(a\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Patents Act 2004, Section 1.