

Standing Committee on the Law of Patents

Fifteenth Session

Geneva, October 11 to 15, 2010

ADDENDUM TO CORRIGENDUM OF DOCUMENTS: SCP/13/3 AND 4 AND SCP/14/2, 3 AND 5

Document prepared by the Secretariat

1. Document SCP/15/4, entitled "Corrigendum of documents: SCP/13/3 and 4 and SCP/14/2, 3 and 5" refers to the corrections of errors submitted in respect of the above documents.
2. The present document contains corrections submitted by the Delegation of India in respect of document SCP/14/5, which should be included in document SCP15/4, as follows:

SCP/14/5

- (a) Paragraph 45, item (ii): the words "as contained in Chapter VI" should be added at the end of the sentence;
- (b) Paragraph 45, item (ix) should read: "where priority of convention application is claimed, the application was not filed within 12 months from the priority date of first application;"
- (c) Paragraphs 47 to 49: reference to "paragraph 46" should be replaced with "paragraph 45" in all instances;

(d) Paragraph 16 of document SCP/15/4 should be replaced with:

“16. Paragraph 50 should read: The decision of the Controller regarding pre-grant opposition and post-grant opposition may be appealed to the Intellectual Property Appellate Board within three months from the date of the decision, unless the Appellate Board allows another timeframe in accordance with its rules. However, in case where a patent is granted by the Controller after refusing pre-grant opposition, in such circumstances, the decision of the Controller is not appealable before Intellectual Property Appellate Board but a writ petition can be filed in the High Court against such decision.”

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