

## **Standing Committee on the Law of Patents**

### **Fifteenth Session**

**Geneva, October 11 to 15, 2010**

#### **CORRIGENDUM OF DOCUMENTS: SCP/13/3 AND 4 AND SCP/14/2, 3 AND 5**

*Document prepared by the Secretariat*

1. At previous sessions of the Standing Committee on the Law of Patents (SCP), as well as in response to Circulars C. 7822 and C. 7823, dated April 14, 2010, a number of delegations requested corrections of factual errors in the following preliminary studies prepared by the Secretariat: documents SCP/13/3 and 4 and SCP/14/2, 3 and 5.
2. The present document contains corrections of errors submitted in respect of the above documents.

#### **SCP/13/3**

3. Paragraph 124, line 1: The words “court procedure or where a decision by the appeal board to refuse a patent application was overturned by a court” are replaced by the words “retrial by the Appeals Department”.

#### **SCP/13/4**

4. Paragraph 37, line 1: The term “Code of Civil Proceedings” is replaced by the term “Code of Civil Procedure”.
5. Paragraph 37, line 4: The reference to “Article 220(4)” is replaced by the reference to “Article 220(iv)”.

**SCP/14/2**

6. Paragraph 31, line 5: The words “client of a” are inserted between the words “who is a” and the words “registered patent attorney”.
7. Paragraphs 151, 152, 154, 155 and 158 to 162: The term “Civil Procedure Law’ is replaced by the term “Code of Civil Procedure” in all instances.
8. Paragraph 158, line 3: The sentence “For example, in Eisai Ltd. v. Dr. Reddy’s Lab. case,<sup>70</sup> the judge ruled that documents reflecting legal advice provided by a Japanese patent attorney or requests for such advice were privileged and need not have been produced.” is deleted.
9. Paragraph 158, line 9: The words “that the fact is proven and there is a need” are replaced by the words “the facts to be proven by those documents and a need”.
10. Paragraph 159, line 1: The reference to “Articles 223(3)” is replaced by the reference to “Article 223(6)”.

**SCP/14/3**

11. Paragraph 23, line 10: The sentence “Since INPADOC, there have been no other coordinated worldwide projects to improve accessibility and availability of patent information.” is deleted. Furthermore, the word “However” is deleted in the last sentence of the paragraph.
12. Paragraph 43, line 4: The words “Russian, and Japanese” are replaced by the words “Russian, Japanese and Korean”.

**SCP/14/5**

13. Paragraph 23, lines 2 and 5: The reference to the year “1994” is replaced by the reference to the year “1996” in both instances.
14. Paragraph 23, line 9: The words “date of patent registration” are replaced by the words “publication of the gazette containing the patent”.
15. Paragraph 39, line 4: The words “at the administrative level” are inserted after the word “final” and followed by the reference to footnote 11. The words “can not be appealed” are replaced by the words “could be appealed in court”.
16. Paragraph 50, line 1: The words “pre-grant opposition and” are deleted.
17. Paragraph 97, line 7: The reference to “Articles 29” is deleted.
18. Paragraph 97, line 12: The reference to “Article 17bis(2)(iii)’ is replaced by the reference to “Article 17bis(3)”.
19. Paragraph 99, line 4: The word “June” is replaced by the word “July”.

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