

Annex 5

Decision letter Scottish court

Your reference:xxxx

Our reference: 1R31/Name/GBxxxxxxx

Date

Dear Sirs

Patent Number :
Reference under Section

1. Please find enclosed a copy of a decision dated xxXXxx.
2. The Patents Act 1977 gives you the right to appeal to the Court of Session against the decision if you wish to do so. If you decide to appeal, a Notice of Appeal must be made in the appropriate format. Further details may be obtained from the Court of Session, Parliament House, Parliament Square, Edinburgh, EH1 1RQ.
3. Copies of the Notice of Appeal must be lodged with the Court of Session (address above) together with the fee, within the time period specified in the decision. The latest date for appeal is therefore xxXXxx. **Any request for an extension to the appeal period identified in the decision must be made to the court.**
4. Once you have filed your appeal, you must send a copy of the sealed Notice of Appeal to both me and to any other party to the proceedings as soon as practicable and no later than 7 days from the date of filing the appeal.
5. I must warn you that costs, which may be large, are normally awarded against the unsuccessful party to the appeal.
6. Decisions are normally made available for public inspection in full on our website. However, because this decision relates to an unpublished patent application, you are asked to let us know in writing **within 28 days of the date of this letter** whether you are content for us to publish the decision on our website. If nothing is received in writing from you, the decision will remain Not Open to Public Inspection until such time as the patent application is published. *(delete as required)*

A letter in identical terms is being sent to the other side. *(delete as required)*

Yours faithfully

Name (Hearings Clerk)
Litigation Section
Patents Directorate