

Annex 7
Decision letter SPC

Your reference:

Our reference:

Date:

Dear

SUPPLEMENTARY PROTECTION CERTIFICATES: REGULATION (EC) No 469/2009 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF THE EUROPEAN COMMUNITIES

1. Please find enclosed a copy of a decision dated xxXXxx
2. Regulation 5 of the Patents (Compulsory Licensing and Supplementary Protection Certificates) Regulations 2007 extends the existing provisions of the Patents Act 1949 and 1977 to certificates. The Patents Act 1977 gives you the right to appeal to the Patents Court (part of the High Court) against the decision if you wish to do so. The procedure for appeal is governed by Part 52 of the Civil Procedures Rules 1988 (as amended) and the associated Practice Direction. If you decide to appeal, an Appellant's Notice (form N161) must be lodged with the Chancery Listings Office . Further details of which may be obtained from –

H M Courts & Tribunal Service
Royal Courts of Justice Group
Chancery Listings Office
7 The Rolls Building
Fetter Lane
London
EC4A 1NL

Telephone number 020 7947 6890/6294/6243/6690/7121/7717.

3. Three copies of the Appellant's Notice must be lodged with the Listings Office (address above) together with the current fee, grounds of the appeal and a signed copy of the IPO decision within the time period specified in the decision. The latest date for appeal is therefore xxXXxx. Please note that the Appellants Notice should be handed in to the Listing Office or as a last alternative posted to them. It should not be handed in to another court, e-mailed or faxed as this will result in long delays as the Listing Office cannot accept the Notice by these methods. **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 Appellants Notice to both this office 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.

Yours faithfully

Name (Hearings Clerk)
Litigation Section
Patents Directorate