

## Annex 5

Your Reference:

Our Reference: 1R31/name/number ref

Date

Dear Sirs,

### Title

1. In their letter dated.....(insert date) the claimants state their intention to withdraw their application for revocation of the patent. Our letter dated .....(insert date) noted this intention and advised that the case would now be referred to an examiner in accordance with the provisions of the Manual of Patent Practice (MOPP. 72.26).
2. I confirm that the examiner has reviewed the case and is of the view that the revocation action should continue in the public interest for the following reasons::..... (Incorporate text from examiner's report). Accordingly the revocation proceedings are still regarded as in being and the comptroller cannot yet decide the case.
3. The defendant is invited to file any comments/ amendments/further amendments or evidence (Delete as appropriate) within one month of the date of this letter that is, by .....(insert date as appropriate). Should the examiner consider that the response does not satisfy the objections raised the defendant will be offered the opportunity to be heard on the matter.
4. This letter has been sent to the claimant for information. However, since he is not actively pursuing these proceedings, the defendant is no longer required to copy any further correspondence on this matter to the claimant.

Yours faithfully,

Name  
Litigation Section  
Patents Directorate