

Annex 1
Letter S73(1) PL1

Your Reference:
Our Reference: 1R31/Name/Patent

Date

Dear Sirs

Patent number: xxxxxxx (Proprietors Name)
Patents Act 1977: Action under Section 73(1)

Latest date for reply: xx XXX xx

When the examination report of [xxx] was issued, the actual priority date of the relevant disclosure in [xxx] could not be determined because the priority document(s) (was /were) not available.

The examiner (xxxxx tel xxxxxx) has now considered the priority document(s) and is of the view that the relevant disclosure has an earlier priority date than the invention of claims [xxx]. This invention is therefore not new.

By [xxx] you should either propose amendments to meet this objection or make observations on it. If you do not, the patent may be revoked. Alternatively, you may reply advising that you are content with the revocation or have made a request for revocation at the European Patent Office under Article 105a.

(delete as appropriate)

We note from the Register entry for this patent that an exclusive licence has been recorded to [xxx] on [xxx].

We note from the Register entry for this patent that a security agreement has been filed between [xxx] and [xxx] on [xxx].

If you want to propose amendments, it would be helpful if these could be shown in red ink on a copy of the printed specification. However, if the amendments are simple and not extensive you may submit them in a letter. You may not however amend your patent in a way which adds matter or extends the protection conferred by the patent.

No amendment will be needed if you can show that the priority date of your invention is not later than the priority date of the cited disclosure.

Yours faithfully

Your name
Litigation Section
Patents Directorate