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BY

SIMON THORLEY, M.A.

One of Her Majesty's Counsel

RICHARD MILLER, B.Sc.

One of Her Majesty's Counsel

GUY BURKILL, M.A.

One of Her Majesty's Counsel

COLIN BIRSS, M.A.

of the Middle Temple, Barrister

DOUGLAS CAMPBELL, M.A.

of the Inner Temple, Barrister

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PREFACE

The “new” Act has now been in force for over a quarter of a century, yet the provisions in it relating to the Community Patent Convention have not been implemented and earlier this year they were repealed in their entirety. We had hoped that in this edition we could begin to chart the course of the proposed practice and procedure of the new pan-European Court. But it is not to be. The overwhelming desire of industry and commerce for a single European patent litigation system, whether voluntary or compulsory, has been frustrated at every turn by the Eurekaocrats and the politicians. Even today, more than 20 months after the Community Patent died at the hands of the Council of Ministers in Brussels, the Commission has failed to put its weight behind the European Patent Litigation Agreement despite having no alternative proposal of its own.

This has not, however, made the writing of this edition any easier or less stimulating. The newest Act, the Patents Act 2004, is now mostly in force, and the House of Lords has recently given far-reaching decisions in *Kirin-Amgen*, *Sabaf* and *Synthon*. In addition the European Patent Convention 2000 is likely to come into effect sometime in 2007. We hope that we have marshalled all the various changes both national and European that have been made to date, but it is no easy task. In this respect, his fellow editors would like to pay tribute to our editor-in-chief, Richard Miller Q.C., who has steered this edition through to publication, ensuring that we stick to his deadlines and that our publishers stick to theirs. That said, we cannot blame him for any errors which remain, although without his efforts there would undoubtedly have been far more.

We welcome Douglas Campbell to the editorial team and thank Tom Mitcheson and Tom Hinchliffe for their invaluable assistance. The experiment of bringing the indexing in-house for the last edition proved to be successful and we are grateful to Miles Copeland for his work on the Index to this edition.

The law is stated as at 21st October 2005.

S.T.
R.M.
G.B.
C.B.
D.C.

3 New Square
Lincoln's Inn
November 2005.

TABLE OF ABBREVIATIONS

General

CPR	Civil Procedure Rules.
ECJ	European Court of Justice.
EPO	European Patent Office.
RSC	Rules of the Supreme Court.
WTO	World Trade Organisation.

Reports

A.C.	Law Reports, Appeal Cases 1891–
Ad. & E.	Adolphus and Ellis's Reports, K.B.
All E.R.	All England Reports.
App.Cas.	Law Reports. Appeal Cases, 1875–1890.
B. & S.	Best and Smith's Reports, Q.B.
Barn. & Ald.	Barnewall and Alderson's Reports, Q.B.
Barn. & Cress.	Barnewall and Cresswell's Reports, K.B.
Beav.	Beavan's Reports, Rolls Court.
Bing.(N.S.)	Bingham's New Cases, C.P.
Bittl.Chamb.Rep.	Bittlestone's Chambers Reports.
Bl.Comm.	Blackstone's Commentaries.
Bos. & Pul.	Bosanquet and Puller's Reports, C.P.
C.B.	Common Bench Reports, or Manning, Granger and Scott's Reports.
C.B.(N.S.)	Common Bench Reports, New Series.
C.P.D.	Law Reports, Common Pleas Division.
C.S.	Cases in Court of Session (Scotland).
Cal. Close Rolls	Calendar of Close Rolls.
Cal. Pat. Rolls	Calendar of Patent Rolls.
Car. & Kir.	Carrington and Kirwan's Reports, N.P.
Car. & P.	Carrington and Payne's Reports, N.P.
Ch.	Law Reports, Chancery Division, 1891–
Ch.D.	Law Reports, Chancery Division, 1875–1890.
C.M.L.R.	Common Market Law Reports.
Co.Inst.	Coke's Institutes.
Co.Litt.	Coke on Littleton (1 Inst.).
Co.Rep.	Coke's Reports.
Com.Dig.	Comyn's Digest.
Coop.t.Cott.	Cooper <i>temp.</i> Cottenham.

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Dav. P.C.	Davies' Patent Cases.
De G.F. & J.	De Gex, Fisher and Jones's Reports.
De G. & J.	De Gex and Jones's Reports, Chancery.
De G.J. & S.	De Gex, Jones and Smith's Reports, Chancery.
De G.M. & G.	De Gex, Mcnaghten and Gordon's Reports, Chancery.
De G. & Sm.	De Gex and Smale's Reports, Chancery.
Drew. & Sm.	Drewry and Smale's Reports, Chancery.
E.C.R.	European Court Reports.
E.I.P.R.	European Intellectual Property Review.
El. & Bl.	Ellis and Blackburn's Reports, Q.B.
E.M.L.R.	Entertainment & Media Law Reports.
E.P.O.R.	European Patent Office Reports.
E.T.M.R.	European Trade Mark Reports.
Ex.D.	Law Reports, Exchequer Division.
Fed.Rep.	Federal Reporter (U.S.A.).
F.S.R.	Fleet Street Reports.
Giff.	Giffard's Reports, Chancery.
Godbolt	Godbolt's Reports, K.B.
Good.P.C.	Goodeve's Patent Cases.
Griff.L.O.C.	Griffin's Law Officer's Cases.
Griff.P.C.	Griffin's Patent Cases.
H. & C.	Hurlstone and Coltman's Reports, Ex.
H. & N.	Hurlstone and Norman's Reports, Ex.
H.Bl.	Henry Blackstone's Reports, C.P.
H.L.C.	House of Lords Cases (Clark).
Hem. & M.	Hemming and Miller, Chancery.
Hindmarch	Hindmarch, Law of Patents.
Holt N.P.	Holt's Nisi Prius Reports.
I.C.R.	Law Reports, Industrial Cases Reports.
I.H.	Cases in the Court of Session (Scotland) Inner House.
I.P.D.	Intellectual Property Decisions.
I.P. & T.	Butterworths Intellectual Property and Technology Cases
Ir.Ch.	Cases in the Chancery Division (Ireland).
John. & H.	Johnson and Hemming's Reports, Chancery.
Jur.	The Jurist Reports.
Jur.(N.S.)	Jurist, New Series.

TABLE OF ABBREVIATIONS

Kay & J. K.B.	Kay and Johnson's Reports, Chancery. Law Reports, King's Bench Division, 1901–
L.J.	Law Journal Reports.
L.Q.R.	Law Quarterly Review.
L.R.C.P.	Common Plea Cases.
L.R.Ch.App.	Chancery Appeal Cases.
L.R.Eq.	Equity Cases.
L.R.Ex.	Exchequer Cases.
L.R.H.L.	English and Irish Appeal Cases, House of Lords.
L.R.P.C.	Privy Council Appeal Cases.
L.R.Q.B.	Queen's Bench Cases.
L.T.	Law Times Reports.
L.T.(N.S.)	Law Times Reports, New Series.
Lloyd's Rep.	Lloyd's Law Reports.
Lon.Journ.	London Journal.
Macr.P.C.	Macrory's Patent Cases.
Man. & G.	Manning and Granger's Reports, C.P.
Mee. & W.	Meeson and Welsby's Reports, Ex.
Moore K.B.	Sir F. Moore's Reports, King's Bench.
Moo.P.C.	Moore's Privy Council Cases.
Moo.P.C.(N.S.)	Moore's Privy Council Cases, New Series.
New Rep.	New Reports, 1862–1865.
Noy	Noy's Reports, K.B.
O.H.	Cases in the Court of Session (Scotland) Outer House.
O.J. EPO	Official Journal of the European Patent Office.
P.	Law Reports, Probate Division, 1891–
P.D.	Law Reports, Probate Division.
Q.B.	Law Reports, Queen's Bench Division, 1891–
Q.B.D.	Law Reports, Queen's Bench Division, 1875–1890
R.P.C.	Reports of Patent Cases.
Rot. Parl.	Rotuli Parliamentorum.
Rymer	Rymer's "Foedera".
S.C.	Court of Session Cases (Scotland).
S.J.	Solicitors' Journal.

S.R. & O.	Statutory Rules and Orders.
Salk.	Salkeld's Reports, K.B.
Skin.	Skinner's Reports, K.B.
Stark.N.P.	Starkie's Reports, N.P.
T.C.	Tax Cases.
T.C.A.	Tax Case Appeals (Leaflets).
T.L.R.	Times Law Reports.
T.R.	Term Reports.
Ves.	Vesey's Sen., Reports, Chancery.
Ves. & Bea.	Vesey and Beames's Reports, Chancery.
W.L.R.	Weekly Law Reports.
W.N.	Weekly Notes (Law Reports).
W.P.C.	Webster's Patent Cases.
W.R.	Weekly Reporter.

Treaties & Conventions

CPC	Community Patent Convention.
EPC	European Patent Convention.
PCT	Patent Co-operation Treaty.
PLT	Patent Law Treaty.
TRIPs	Agreement on Trade-Related Aspects of Intellectual Property Rights.

UK Legislation

CA 1985	Companies Act 1985.
CAA 1990	Capital Allowances Act 1990.
CAA 2001	Capital Allowances Act 2001.
CDPA 1988	Copyright, Designs and Patents Act 1988.
ICTA 1988	Income and Corporation Taxes Act 1988.
ITEPA 2003	Income Tax (Earnings and Pensions) Act 2003.
ITTOIA 2005	Income Tax (Trading and Other Income) Act 2005.
RPA 1976	Resale Prices Act 1976.
RTPA 1976	Restrictive Trade Practices Act 1976.
PA 1949	Patents Act 1949.
PA 1977	Patents Act 1977.
PA 2004	Patents Act 2004.
PDMA 1986	Patents, Designs and Marks Act 1986.

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