

Regulation (EC) No 469/2009 of the European Parliament and of the Council of 6 May 2009 concerning the supplementary protection certificate for medicinal products (Codified version) (Text with EEA relevance)

Article 4

Subject matter of protection

Within the limits of the protection conferred by the basic patent, the protection conferred by a certificate shall extend only to the product covered by the authorisation to place the corresponding medicinal product on the market and for any use of the product as a medicinal product that has been authorised before the expiry of the certificate.

Changes to legislation:

There are outstanding changes not yet made to Regulation (EC) No 469/2009 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Art. 4 words inserted by [S.I. 2020/1471 Sch. para. 12\(a\)](#)
- Art. 4 words inserted by [S.I. 2020/1471 Sch. para. 12\(b\)](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Annex -1 omitted by [S.I. 2020/1050 Sch. para. 6](#)
- Annex -1a omitted by [S.I. 2020/1050 Sch. para. 6](#)
- Signature words omitted by [S.I. 2019/801 reg. 68](#)
- Art. 1(e) words substituted by [S.I. 2019/801 reg. 52\(2\)](#)
- Art. 1(f)-(j) inserted by [S.I. 2019/801 reg. 52\(3\)](#)
- Art. 1(g) substituted in earlier amending provision S.I. 2019/801, reg. 52(3) by [S.I. 2020/1050 reg. 34\(a\)](#)
- Art. 1(j) words inserted in earlier amending provision S.I. 2019/801, reg. 52(3) by [S.I. 2020/1050 reg. 34\(b\)](#)
- Art. 1(k) words renumbered as Art. 1(k) by [S.I. 2020/1050 Sch. para. 2\(d\)](#)
- Art. 1(l) inserted by [S.I. 2020/1471 Sch. para. 11\(b\)](#)
- Art. 1(ja)(jb) inserted by [S.I. 2020/1471 Sch. para. 11\(a\)](#)
- Art. 1A inserted by [S.I. 2019/801 reg. 53](#) (This amendment not applied to [legislation.gov.uk](#). Reg. 53 omitted immediately before IP completion day by virtue S.I. 2020/1050, regs. 1(2), 35)
- Art. 2(b) words inserted in earlier amending provision S.I. 2019/801, reg. 54 by [S.I. 2020/1471 reg. 3\(4\)](#)
- Art. 3(b) words inserted in earlier amending provision S.I. 2019/801, reg. 54 by [S.I. 2020/1471 reg. 3\(5\)\(a\)](#)
- Art. 3(d) words inserted in earlier amending provision S.I. 2019/801, reg. 54 by [S.I. 2020/1471 reg. 3\(5\)\(b\)\(i\)](#)
- Art. 3(d) words inserted in earlier amending provision S.I. 2019/801, reg. 54 by [S.I. 2020/1471 reg. 3\(5\)\(b\)\(ii\)](#)
- Art. 5(1a)(1b) inserted by [S.I. 2020/1471 Sch. para. 13\(b\)](#)
- Art. 5(2)(a)(i) word omitted by [S.I. 2020/1050 Sch. para. 3\(a\)\(i\)\(aa\)](#)
- Art. 5(2)(a)(i) words inserted by [S.I. 2020/1050 Sch. para. 3\(a\)\(i\)\(bb\)](#)
- Art. 5(2)(a)(iii) words substituted by [S.I. 2020/1050 Sch. para. 3\(a\)\(iii\)\(aa\)](#)
- Art. 5(2)(a)(iii) words substituted by [S.I. 2020/1050 Sch. para. 3\(a\)\(iii\)\(bb\)](#)
- Art. 5(2)(a)(ii) words substituted by [S.I. 2020/1050 Sch. para. 3\(a\)\(ii\)](#)
- Art. 5(2)(a)(iv) words substituted by [S.I. 2020/1050 Sch. para. 3\(a\)\(iv\)](#)
- Art. 5(2)(b) word substituted by [S.I. 2020/1050 Sch. para. 3\(b\)\(i\)](#)
- Art. 5(2)(b) word substituted by [S.I. 2020/1050 Sch. para. 3\(b\)\(iii\)](#)
- Art. 5(2)(b) words substituted by [S.I. 2020/1050 Sch. para. 3\(b\)\(ii\)](#)
- Art. 5(2)(c) word substituted by [S.I. 2020/1050 Sch. para. 3\(c\)](#)
- Art. 5(2)(d) word omitted by [S.I. 2020/1050 Sch. para. 3\(d\)\(i\)](#)
- Art. 5(2)(d) words inserted by [S.I. 2020/1050 Sch. para. 3\(d\)\(ii\)](#)
- Art. 5(2)(d) words substituted by [S.I. 2020/1050 Sch. para. 3\(d\)\(iii\)](#)
- Art. 5(2)(e) words omitted by [S.I. 2020/1050 Sch. para. 3\(e\)](#)
- Art. 5(5)(c) omitted by [S.I. 2020/1050 Sch. para. 3\(g\)\(i\)](#)
- Art. 5(5)(d) word omitted by [S.I. 2020/1050 Sch. para. 3\(g\)\(ii\)](#)
- Art. 5(5)(e) word omitted by [S.I. 2020/1050 Sch. para. 3\(g\)\(iii\)\(aa\)](#)
- Art. 5(5)(e) words inserted by [S.I. 2020/1050 Sch. para. 3\(g\)\(iii\)\(bb\)](#)
- Art. 5(11)(12) inserted by [S.I. 2020/1050 Sch. para. 3\(k\)](#)

- Art. 8(1)(a)(v) words inserted in earlier amending provision S.I. 2019/801, reg. 55(2) by [S.I. 2020/1471 reg. 3\(6\)\(b\)\(i\)](#)
- Art. 8(1)(a)(v) words inserted in earlier amending provision S.I. 2019/801, reg. 55(2) by [S.I. 2020/1471 reg. 3\(6\)\(b\)\(ii\)](#)
- Art. 8(1)(a)(ii) words substituted by [S.I. 2020/1471 Sch. para. 15\(a\)](#)
- Art. 8(1)(a)(iv)(v) substituted for Art. 8(1)(a)(iv) by [S.I. 2019/801 reg. 55\(2\)](#)
- Art. 8(1)(a)(iv) substituted in earlier amending provision S.I. 2019/801, reg. 55(2) by [S.I. 2020/1471 reg. 3\(6\)\(a\)](#)
- Art. 8(1)(b)(c) substituted for Art. 8(1)(b)(c) by [S.I. 2019/801 reg. 55\(3\)](#)
- Art. 8(1)(b) words inserted in earlier amending provision S.I. 2019/801, reg. 55(3) by [S.I. 2020/1471 reg. 3\(7\)\(a\)\(i\)](#)
- Art. 8(1)(b) words inserted in earlier amending provision S.I. 2019/801, reg. 55(3) by [S.I. 2020/1471 reg. 3\(7\)\(a\)\(ii\)](#)
- Art. 8(1)(c) words inserted in earlier amending provision S.I. 2019/801, reg. 55(3) by [S.I. 2020/1471 reg. 3\(7\)\(b\)\(i\)](#)
- Art. 8(1)(c) words inserted in earlier amending provision S.I. 2019/801, reg. 55(3) by [S.I. 2020/1471 reg. 3\(7\)\(b\)\(ii\)](#)
- Art. 8(1)(d)(i) words substituted by [S.I. 2019/801 reg. 55\(4\)\(a\)](#)
- Art. 8(1)(d)(ii) inserted by [S.I. 2020/1471 Sch. para. 15\(b\)](#)
- Art. 8(1)(d)(ii) omitted by [S.I. 2019/801 reg. 55\(4\)\(b\)](#)
- art. 9(2)(d)(e) substituted by [S.I. 2019/801 reg. 56\(4\)](#)
- Art. 9(2)(d) substituted in earlier amending provision S.I. 2019/801, reg. 56(4) by [S.I. 2020/1471 reg. 3\(8\)\(a\)](#)
- Art. 9(2)(e) words substituted in earlier amending provision S.I. 2019/801, reg. 56(4) by [S.I. 2020/1471 reg. 3\(8\)\(b\)](#)
- Art. 9(2)(g) inserted by [S.I. 2020/1471 Sch. para. 16](#)
- Art. 10(7) inserted by [S.I. 2019/801 reg. 57\(7\)](#)
- Art. 10(7) omitted in earlier amending provision S.I. 2019/801, reg. 57(7) by [S.I. 2020/1471 reg. 3\(9\)](#)
- Art. 11(1)(d) substituted by virtue of S.I. 2019/801, reg. 58(3)(a) (as amended) by [S.I. 2020/1471 reg. 3\(10\)\(a\)](#)
- Art. 11(1)(d) word inserted by [S.I. 2019/801 reg. 58\(3\)\(a\)](#)
- Art. 11(1)(e) substituted by [S.I. 2019/801 reg. 58\(3\)\(b\)](#)
- Art. 11(1)(e) words substituted in earlier amending provision S.I. 2019/801, reg. 58(3)(b) by [S.I. 2020/1471 reg. 3\(10\)\(b\)](#)
- Art. 11(3a) inserted by [S.I. 2020/1471 Sch. para. 17](#)
- Art. 13(5) inserted by [S.I. 2020/1471 Sch. para. 18](#)
- Art. 13A13B inserted by [S.I. 2020/1471 Sch. para. 19](#)
- Art. 14(1) Art. 14 renumbered as Art. 14(1) by [S.I. 2019/801 reg. 61\(2\)](#)
- Art. 14(1)(c)(d) substituted by [S.I. 2019/801 reg. 61\(3\)](#)
- Art. 14(1)(c) word inserted in earlier amending provision S.I. 2019/801, reg. 61(3) by [S.I. 2020/1471 reg. 3\(11\)\(a\)](#)
- Art. 14(1)(d) words substituted in earlier amending provision S.I. 2019/801, reg. 61(3) by [S.I. 2020/1471 reg. 3\(11\)\(b\)](#)
- Art. 14(2) inserted by [S.I. 2019/801 reg. 61\(4\)](#)
- Art. 14(2)(3) inserted by [S.I. 2020/1471 Sch. para. 20](#)