
STATUTORY INSTRUMENTS

1984 No. 1051

The Rules of the Supreme Court (Amendment) 1984

Patents proceedings

51. Order 33, rule 4 shall be amended by omitting paragraph (4).

52. Order 62, Appendix 2, Part VII shall be amended as follows:—

(1) paragraph 4(2) shall be amended by substituting, for the words “Order 103, rule 27”, the words “Order 104, rule 11”;

(2) the following sub-paragraph shall be substituted for sub-paragraph (3) of paragraph 4—
“Where—

- (a) an action or counterclaim for the infringement of a patent, or
- (b) a petition for revocation of a patent under section 32 of the Patents Act 1949, or
- (c) an application for revocation of a patent under section 72 of the Patents Act 1977, or
- (d) a counterclaim for the revocation of a patent under section 61 of the Patents Act 1949, or
- (e) a counterclaim in proceedings for the infringement of a patent under section 61 of the Patents Act 1977

proceeds to trial, no costs shall be allowed to the parties serving any particulars of breaches or particulars of objection in respect of any issues raised in those particulars and relating to that patent except in so far as those issues or particulars have been certified by the Court to have been proven or to have been reasonable and proper.”.

53. Order 103 shall be revoked and the reference to that Order in the Arrangement of Orders at the beginning of the Rules of the Supreme Court 1965 shall be omitted.