

## SCHEDULE

Modifications of the Patents Act 1977 in its application to the Isle of Man

**22.** In section 63(2) (relief for infringement of partially valid patent), for the words from “not grant relief” onwards substitute—

“, when awarding damages, costs or expenses or making an order for an account of profits, take into account the following—

- (a) whether at the date of the infringement the defendant or defender knew, or had reasonable grounds to know, that he was infringing the patent;
- (b) whether the specification of the patent was framed in good faith and with reasonable skill and knowledge;
- (c) whether the proceedings are brought in good faith;

and any relief granted shall be subject to the discretion of the court or the comptroller as to costs or expenses and as to the date from which damages or an account should be reckoned.