Companies and Intellectual Property Commission
a member of the dtic group

NOTICE NO. 20 TO PATENTS STAKEHOLDERS

AMENDED NOTICE IN RESPECT OF ISSUING PATENT CERTIFICATES CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE LISTING

DEAR STAKEHOLDER

This Notice is applicable to the granting of patents that contain sequence listing.

CIPC issued and published a Notice regarding issuing of patent certificate that has DNA Sequence Listing in the Patent Journal of November 2015. However, the current Schedule 5 certificate as previously published does not cover all relevant sequence listings. This is a Notice to amend Schedule 5 to include amino acids and nucleotide acids sequence listings.

Amended Practice Note:

Please take note that where a nucleotide and/or amino acid sequence listing has been filed and forms part of a PCT patent application which enters national phase in South Africa in terms of Section 43E of the Patents Act No. 57 of 1978, such nucleotide and/or amino acid sequence listing will be deemed to have been filed at the patent office in terms of Regulation 1A if such nucleotide and/or amino acid sequence listing was published on the World Intellectual Property organization (WIPO) PATENTSCOPE website.

Please further take note that in terms of Regulation 47 read together with Regulation 1A, the Registrar hereby amends Schedule 5 to the effect that a nucleotide and/or amino acid sequence listing, where it has been filed and forms part of a complete PCT patent application which has entered national phase in South Africa in terms of Section 43E of the Patents Act No. 57 of 1978, will be deemed to have been annexed to the registration certificate in the form that it was published on PATENTSCOPE or as corrected and/or amended in terms of Sections 50 and/or 51 of the Patents Act No. 57 of 1978.

The amended Schedule 5 will read as specified in the ANNEXURE.

Amended ANNEXURE:

Where a complete patent application being granted is derived from a PCT application which was published on PATENTSCOPE with a nucleotide and/or amino acid sequence listing forming part of the PCT application, such nucleotide and/or amino acid sequence listing will be deemed to have been filed at the Companies & Intellectual Property Commission in terms of Regulation 1A and will be deemed to have been annexed hereto in the form that it was published on PATENTSCOPE or as corrected and/or amended in terms of Sections 50 and/or 51 of the Patents Act No. 57 of 1978.

The above-mentioned Notice will be published in the next Publication of the Patent Journal.

Yours faithfully,

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Adv. Rory Voller Commissioner: CIPC

Date: …5… /03 /2021