

Virgin Atlantic Airways Ltd v. Jet Airways (India) Ltd, High Court Chancery Division (High Court Chancery Division), 27 July 2012

Kluwer Patent Blog
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Please refer to this post as: *Matthew Raynor, 'Virgin Atlantic Airways Ltd v. Jet Airways (India) Ltd, High Court Chancery Division (High Court Chancery Division), 27 July 2012', Kluwer Patent Blog, March 22 2013, <http://patentblog.kluweriplaw.com/2013/03/22/virgin-atlantic-airways-ltd-v-jet-airways-india-ltd-high-court-chancery-division-high-court-chancery-division-27-july-2012/>*

The Court held that a decision by the EPO relating to the UK designation was not capable of challenge. In any event, the procedure chosen by the claimant to challenge the decision (an application to correct the UKIPO register based on Rule 50 of the Patents Rules 2007) was wrong, because it required the consent of the claimant (which would clearly not have been forthcoming). An application for rectification of the Register under section 34 Patents Act 1977 should have been used. Click [here](#) for the full text of this case.

A summary of this case will be posted on <http://www.kluweriplaw.com>