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FOX ON THE CANADIAN LAW OF PATENTS, FIFTH EDITION

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Fox on the Canadian Law of Patents, Fifth Edition is the pre-eminent text for patent lawyers and agents in Canada. The fourth edition was repeatedly cited by courts including the Supreme Court of Canada. However, since its publication in 1969, there have been significant changes in Canadian patent law, including major statutory revisions in 1989 and 1996. The new edition brings the statement of the law up to date while retaining the jurisprudence as compiled by Dr. Fox to the extent that it remains relevant. Topics covered in this edition include: Invention, Subject Matter of Patents, Obviousness, Novelty, Utility, Application for a Patent, International Patent Protection, Dedication and Re-Examination, and Infringement and Remedies for Infringement.

This release features updates and additions to the commentary and case law in Chapters 2 (Invention), 4 (Obviousness), 5 (Novelty), 6 (Utility), 7 (The Specification), 8 (Construction of a Patent), 12 (Reissue, Disclaimer, Correction, Re-examination and Dedication), and 13 (Infringement).

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Highlights

Obviousness

Issues as to obviousness were considered by the England and Wales Court of Appeal in *Abbott Diabetes Care Inc. et Ors v. Dexcom Inc. & Ors*, [2025] EWCA 1687 (E.W.C.A.), and by the England and Wales High Court in *Fujikara Ltd. et al. v. Sterlite Technologies Limited*, [2025] EWHC 3181 (Pat) (Pat. Ct.).

Novelty

The issue of novelty was considered by the England and Wales Court of Appeal in *Abbott Diabetes Care Inc. et Ors v. Dexcom Inc. & Ors*, [2025] EWCA 1687 (E.W.C.A.).

The Specification

The issue of ambiguity was considered by the England and Wales Court of Appeal in *Kohler Mira Limited v. Norcros Group (Holdings) Limited*, [2025] EWCA Civ 1670 (E.W.C.A.).

Construction of a Patent

The issue of construction of the expression “substantially unchanged” was considered by the England and Wales Court of Appeal in *Kohler Mira Limited v. Norcros Group (Holdings) Limited*, [2025] EWCA Civ 1670 (E.W.C.A.).