

## Administrative Revocation and Invalidation Mechanisms

### Israel

Once a patent has been granted, it is possible to start proceedings for the cancellation of a granted patent before the Registrar at the Israel Patent Office (ILPO), under the relevant Sections of the Israel Patents Law – 1967. Under Section 73B,<sup>i</sup> the Registrar may cancel a patent, based on a request by any person who is not the patent holder, if he found that there are grounds on which it was possible to oppose granting the patent. The Registrar shall not, under Section 74(a), consider a request for cancellation if there are pending Court proceedings for infringement of the same patent without the permission of the Court. If permission is given by the Court, then the Registrar shall decide under Section 74(b) on the request after he has given all the parties involved in the cancellation proceedings an opportunity to state their arguments before him.

If Court proceedings for infringement of a patent were instituted after a request for its cancellation was submitted to the Registrar, then the Registrar shall, under Section 74(c), continue to consider the request if the Court made no other order on that matter.

A cancellation order shall, under Section 75(a), go into effect at the end of thirty days after the period for submitting appeal against it; however, if an appeal against it was submitted, then the Court may postpone its coming into effect, or it may set conditions for its coming into effect or for the postponement, as it deems proper. When a patent has been finally cancelled, then the Registrar shall, under Section 75(b), record the cancellation in the Register, and the patent shall be treated as if it had not been granted.

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<sup>i</sup> The statute of limitations does not apply on a request for cancellation under Section 73B.