# Article information:

专利无效宣告程序中专利权人应对篇（一）——权利要求的修改 - Lexology  
<https://www.lexology.com/library/detail.aspx?g=079e9da0-2c41-47f9-972f-b73940f31fea>

# Article summary:

1. In the administrative procedure of patent invalidation, the patentee has the right to amend the claims of the patent involved.

2. The Examination Guidelines provide specific methods for amending claims during the invalidation procedure, such as deleting claims, deleting technical solutions, further limiting claims, and correcting obvious mistakes.

3. There may be situations where unconventional amendment methods are needed, such as deleting entire claims or interpreting modifications as deletions of technical solutions. However, these methods may not always be accepted by all collegiate groups and should be used with caution.

# Article rating:

Appears strongly imbalanced: The article is written in a biased or one-sided way, and the information it provides is not trustworthy enough to be considered a reliable source. You should consult other sources to find reliable information on the presented issues.

# Article analysis:

The article titled "专利无效宣告程序中专利权人应对篇（一）——权利要求的修改" discusses the rights and obligations of patentees in the procedure of invalidation declaration after patent grant. While the article provides some useful information about the amendment of claims in the invalidation procedure, it also has several biases and shortcomings that need to be addressed.

Firstly, the article focuses primarily on the rights and opportunities for patentees to amend their claims during the invalidation procedure. It emphasizes how this is their last chance to modify the scope of protection of their patents. However, it fails to adequately address the interests of third parties who may have filed an invalidation request against a patent. The article does not explore potential risks or concerns that third parties may have regarding amendments made by patentees.

Secondly, the article heavily relies on Chinese laws and regulations, such as the Patent Law and its implementing rules, as well as the Examination Guidelines. While these are important sources of information, they do not provide a comprehensive understanding of international practices and standards for claim amendments in patent invalidation procedures. The article lacks a comparative analysis with other jurisdictions or international treaties.

Furthermore, the article mentions that there are unconventional amendment methods that can be explored by patentees but fails to provide any specific examples or explanations of these methods. This lack of evidence undermines the credibility and usefulness of the article's claims.

Additionally, there is a lack of exploration of counterarguments or opposing viewpoints regarding claim amendments in patent invalidation procedures. The article presents only one perspective - that of the patentee - without considering potential arguments from third parties or authorities responsible for reviewing invalidation requests.

Moreover, there is a promotional tone throughout the article, suggesting that patentees should make full use of their rights to amend claims during the invalidation procedure. This bias towards supporting patentees' interests undermines objectivity and impartiality.

In conclusion, while the article provides some insights into claim amendments in patent invalidation procedures, it has several biases and shortcomings. It lacks a balanced perspective that considers the interests of third parties and fails to provide comprehensive evidence or explore counterarguments. The promotional tone and reliance on Chinese laws and regulations also limit its objectivity.

# Topics for further research:

* Comparative analysis of claim amendments in patent invalidation procedures in different jurisdictions
* International standards for claim amendments in patent invalidation procedures
* Concerns and risks of third parties regarding claim amendments in patent invalidation procedures
* Unconventional methods for claim amendments in patent invalidation procedures
* Counterarguments against claim amendments in patent invalidation procedures
* Impartiality and objectivity in patent invalidation procedures

# Report location:

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