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## NOTE

## Ancare New Zealand Ltd v Cyanamid of NZ Ltd

- 10 Judicial Committee Appeal No 32 of 2001  
6, 28 February 2002  
Lord Steyn, Lord Hoffmann, Lord Millett, Lord Rodger of Earlsferry and  
Sir Christopher Slade
- 15 *Patents – Revocation – Obviousness – Test for obviousness – Determining the  
inventive step – Whether to be determined by reference solely to scientific  
knowledge – Importance of market developments – Patents Act 1953, s 41(1)(e)  
and 41(1)(f).*
- 20 Ancare New Zealand Ltd appealed from the judgment of the Court of Appeal  
(reported at [2000] 3 NZLR 299), the appeal being opposed by Fort Dodge  
New Zealand Ltd, previously known as Cyanamid of NZ Ltd and Nufarm Ltd.  
Their Lordships dismissed the appeal, upholding the reasoning of the Court of  
Appeal, and approving the statement of Gault J at para [62], that to ignore what  
25 would lead to the grant of patents for what was already in use, or obvious  
extensions.