

When a potential error is detected, three situations may arise depending on whether the skilled person, using general knowledge,

- (i) can immediately see that the document contains an error and immediately identify what the only possible correction should be;
- (ii) can immediately see that the document contains an error, but is able to identify more than one possible correction; or
- (iii) cannot immediately recognise that an error has occurred.

When assessing the relevance of a document to patentability,

in case (i), the disclosure is considered to contain the correction;

in case (ii), the disclosure of the passage containing the error is not taken into account;

in case (iii), the disclosure is taken into account as is.