

PATENTS ACT 1977

IN THE MATTER OF an application under
section 40 by Bernard Frederick Fellerman
for compensation from Electrolux Limited
in respect of various British and foreign patents

DECISION

1. On 12 May 1998 I issued a decision in respect of this section 40 application. Under paragraph (2) of rule 19 of Order 104 of the Rules of the Supreme Court, any appeal had to be filed within six weeks, that is, by 23 June. However, under paragraph (8) I have the power to extend the appeal period upon request made prior to the expiry of the period.
2. On 22 June - before the period had expired - solicitors acting for Mr Fellerman requested an extension. They explained that Mr Fellerman was in the process of applying for legal aid, and that although he had now been granted emergency legal aid for consultation with Counsel over the drafting and filing of the Notice of Appeal, that consultation could not take place until at least the middle of July. Their original request was for an eight week extension, but they have now reduced that to seven. Electrolux have indicated that they do not oppose the request.
3. I recognise that the need to apply for legal aid inevitably delays the preparation of any appeal and therefore consider that it is reasonable to extend the appeal period in this case. Accordingly I allow a further seven weeks from 23 June for a Notice of Appeal to be lodged. The period will now expire on 11 August 1998.

Dated this 25th day of June 1998

P HAYWARD

Superintending Examiner, acting for the Comptroller

THE PATENT OFFICE