

PATENTS ACT 1977

IN THE MATTER OF

a reference under S 8(1)(a) and 12(1)(a),
and an application under S 13(1) and 13(3)
by Howard Anthony Quinn in respect of Patent Applications
Nos GB9905434.8 and PCT/GB99/00624 in the name of Decalite Limited
and Nos GB9805045.3, GB9706427.3, PCT/GB98/00803 and EP98913892.0
in the name of David Pearson

DECISION AND ORDER

Introduction

1. David Pearson is named as inventor and Decalite Limited is named as applicant for patent applications GB9905434.8 and PCT/GB99/00624 which both claim priority from patent application GB9805045.3 filed in the name of David Pearson. David Pearson is named as inventor and applicant for patent application PCT/GB98/00803 which claims priority from his earlier application GB9706427.3. International patent application number PCT/GB98/00803 has entered the European regional phase under application number EP98913892.0. These applications are hereinafter referred to as “the Applications”.
2. On 12 September 2000, Howard Anthony Quinn filed a statement referring to the Comptroller under section 8(1)(a) and 12(1)(a) the question whether he should be named as applicant for the Applications and applying under section 13(1) and 13(3) to be named as inventor and for a certificate.
3. The matter proceeded through the usual evidence stages and a hearing was appointed. However, on 15 April 2002 patent agents acting for Mr Quinn wrote informing the Office that the reference under sections 8(1)(a) and 12(1)(a) and application under sections 13(1) and 13(3) were withdrawn. The letter requested an order be made out that the Applications should proceed in the name of Decalite Limited. This request was echoed by the other side in a letter dated 3 May 2002, in order to “record that the entitlement claims by Mr Quinn have been formally concluded by consent”. In doing so, they indicated that the ownership of the various inventions as between Mr Pearson and Decalite Limited have been regulated by appropriate agreements.

Order

4. I am satisfied that all the entitlement claims made by Mr Quinn have been withdrawn and, accordingly, that I should make the order sought by the parties. I therefore order:

That UK patent applications numbered GB9905434.8, GB9805045.3 and GB9706427.3, international patent applications numbered PCT/GB99/00624 and PCT/GB98/00803, and European patent application numbered EP98913892.0 should proceed in the name of Decalite Limited.

Costs

5. Both parties have withdrawn their request for costs. Accordingly, I make no order for costs.

Appeal

6. As this decision does not relate to a procedural matter, the time within which an appeal may be lodged is six weeks from the date of this decision.

Dated this 24th day of May 2002

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Deputy Director, acting for the Comptroller

PATENT OFFICE