

PATENTS ACT 1977

IN THE MATTER OF an application by
S C Johnson & Son Inc to amend Patent Number
GB2338495 and an opposition thereto by
Sara Lee Household & Body Care UK Ltd

DECISION

1. On 23 November 2000 S C Johnson & Son Inc (the defendant) filed a request under section 27(1) to amend the specification of Patent Number GB2338495. Following preliminary consideration by the Patent Office, the amendments were advertised in the *Patents and Designs Journal* of 31 January 2001. Notice of opposition to the application to amend was given under section 27(5) by Sara Lee Household & Body Care UK Ltd (the claimant) originally on 30 March 2001 and then in amended form on 20 April 2001. Proceedings took their usual course with the filing of a statement, counter-statement and evidence.
2. Before the case came to hearing however, the claimant stated that it no longer wished to pursue the opposition to the proposed amendment. Having considered the objections raised by the claimant, I decide that the comptroller's discretion in the matter should be exercised in favour of the defendant. I therefore grant the request and allow the specification to be amended as proposed. I note that parties have agreed that each should bear its own costs in these proceedings.

Dated this 24th day of July 2002.

D J BARFORD
Deputy Director, acting for the Comptroller

THE PATENT OFFICE