

PATENTS ACT 1977

IN THE MATTER OF a reference under
Section 37 and an application under Section
13(3) by Leon J Boole in respect of
of GB Patent Number 2337225 in the names
of Leon Boole and Manhar Chauhan

DECISION

- 1 Patent number GB 2337225 was granted pursuant to the international phase of international patent application number PCT/GBUS/003071 filed in the names of Leon Boole and Manhar Chauhan. In the original PCT application, Leon Boole and Manhar Chauhan were also named as inventors.
2. Leon Boole has referred to the Comptroller under section 37 and 13 the question of the entitlement of patent number GB 2337225 and has requested that he be named as the sole inventor. The statement filed by Franks & Co on behalf of Leon Boole, indicates that the inventorship details were incorrectly specified on form NP1 and in the original PCT patent application. For his part, in a letter dated 25 October 2001, Manhar Chauhan has confirmed that he claims 'no ownership rights on the design and development' of the invention. The Patent Office nevertheless wrote to Manhar Chauhan enclosing a copy of the reference and application, together with the accompanying statement and additional documents filed, and invited him to file a counter-statement. No counter-statement has been filed and so the reference and application stand unopposed.
3. Since the reference and application are unopposed, I accept the facts of the case for the purposes of these proceedings as described in the statement and accompanying documents filed by the claimant that is that the inventorship details on the original PCT patent application and the corresponding GB application patent were incorrectly specified and should have named Leon Boole only and that Leon Boole should be named as sole proprietor for the granted GB patent.

4. Accordingly I direct that Leon Boole should be mentioned as sole proprietor of patent number GB 2337225. This decision also serves as a certificate, issued in accordance with Section 13(3) to the effect that Manhar Chauhan ought not to have been mentioned as an inventor. I further direct that an erratum slip to this effect be prepared for the patent.
5. Since a request for costs has not been made, I accordingly make no order in that respect.
6. Since this is a decision on a substantive matter, the period for appeal is six weeks.

Dated this 18th day of November 2002.

MRS S WILLIAMS

B3 Head of Litigation Section, acting for the Comptroller

THE PATENT OFFICE