

PATENTS ACT 1977

IN THE MATTER OF

Patent application GB 0105961.7

in the name of David Mason and Philip Holt.

DECISION

1. Patent application number GB 0105961.7 entitled "Easy Shop Card" was filed on 9 March 2001 in the name of David Mason and Philip Holt. A request for preliminary examination and search was made on 14 January 2002.
2. On 23 August 2002, in accordance with section 18(3) of the Act, an Official Letter issued stating that in the examiner's opinion the application did not comply with the requirements of the Patents Act. The accompanying examination report of 23 August 2002 set out the examiner's objections to the application, and a period of 6 months was set in which the applicants could either
 - a) make observations on why the application should not be refused,
 - b) request to have the matter settled immediately by way of a hearing, or
 - c) withdraw the application.
3. As no reply was received within the period specified, a further Official Letter was issued on 2 June 2003 stating that the examiner was minded to refuse the application because there was nothing in the application for which a patent could be granted.
4. A response dated 3 June 2003 was received from the applicants' representative, Roger Pickles & Co (Solicitors), stating that neither of the applicants wished to proceed with the application. However, this response could not be taken as an unequivocal instruction to withdraw the application.
5. No observations and no request to be heard on this matter have been received. I have considered the application and I have decided that there is nothing in the application for which a patent could be granted. I therefore refuse this application under Section 18(3) of the Act.
6. Under rule 52.4 of the Civil Procedure Rules the period for appeal to the Patents Court is 28 days unless I direct a different period. I see no reason to do so, and so the appeal period is 28 days from the date below.

Dated this 11 day of July 2003

Mr Graham Rogers

Deputy Director acting for the Comptroller

The Patent Office