

## **PATENTS ACT 1977**

IN THE MATTER OF an application under  
Section 13(3) by Transense Technologies PLC  
in respect of Patent Application No. GB 0204940.1  
in the name of Transense Technologies PLC

### **DECISION**

- 1 Patent application number GB 0204940.1 published as GB 2381069 names three inventors: Victor Alexandrovich Kalinin, Kirill Volianski and Mark Lee.
- 2 Transense Technologies PLC, the patent applicants, have applied to remove the name of Kirill Volianski from the list of inventors in accordance with section 13(3) of the Act.
- 3 In their statement, the applicants allege that although Mr Volianski was involved in the project from which the subject matter of the present application evolved, he “....did not, in fact, contribute to the invention which is the subject of the present application, and hence should not have been identified as an inventor”.
- 4 The Office wrote to each of the inventors named in the published application for the patent on 15 May 2003 inviting them to file a counter-statement should they wish to oppose the section 13(3) application. None of the inventors responded within the period set by the Office and so a further letter was issued on 5 August 2003. This indicated that the application under section 13(3) was to be treated as unopposed subject to any comments received. Since none of the inventors has responded within this subsequent period and in the absence of a counter-statement, I consider the application filed under section 13(3) to be unopposed.
- 5 Accordingly I find that Kirill Volianski should not have been mentioned as a joint inventor in the published application for the patent. This decision, issued in accordance with Section 13(3), serves as a certificate to this effect. I also direct that an addendum slip be prepared for the published application for the patent stating that Kirill Volianski should not have been mentioned as a joint inventor.

- 6 A request for costs has not been made and so accordingly I make no order in that respect.
- 7 Any appeal against this decision must be filed within 28 days.

Dated this 17<sup>th</sup> day of September 2003

**MRS S WILLIAMS**

B3 Head of Litigation Section, acting for the Comptroller

**THE PATENT OFFICE**