



BL 0/077/04

25th March 2004

PATENTS ACT 1977

BETWEEN

Colin Kenneth Jolly Claimant

and

Domhnall Lang Defendant

PROCEEDINGS

Reference under section 12 of the Patents Act 1977 in
respect of European patent application number EP 1086278

HEARING OFFICER D J Barford

DECISION

- 1 International patent application number PCT/GB00/01424 was filed under the Patent Cooperation Treaty on 14 April 2000 claiming priority from United Kingdom patent application number GB 9908467.5, was published as WO 00/61876 on 19 October 2000 and subsequently entered the regional phase under the European Patent Convention as European patent application number EP 1086278, with Domhnall Lang named as applicant and inventor.
- 2 This reference in respect of application number EP 1086278 was filed on 24 July 2003 together with a statement of case. An amended statement was filed on 15 September 2003 and served on the defendant in an official letter dated 22 October 2003. This letter set a period of six weeks under rule 7(3) for the defendant to file a counter-statement if he wished to oppose the reference. Since no response was received by then, an official letter dated 23 December 2003 indicated that the reference would be treated as unopposed subject to comment from either party within one month. In the absence of any such comment within that period, an official letter dated 2 February 2004 confirmed that the reference would be treated as unopposed.
- 3 Accordingly, in accordance with the relief requested in the amended statement and having regard to the jurisdiction arising from sections 12 and 82, I hereby declare that Colin Kenneth Jolly is sole inventor of and is solely entitled to grant of any patent resulting from European patent application number EP 1086278.
- 4 The question of costs has not been raised, and accordingly I make no order in that

respect.

5 Any appeal against this decision must be lodged within 28 days.

DAVID BARFORD

Deputy Director, acting for the Comptroller