



BL O/233/05

26th August 2005

PATENTS ACT 1977

PARTIES Quantum Chemical Technologies (Singapore) Pte.
Ltd., Kaihwa Chew, Brandan Ku, Vincent Yue
Sern Kho

ISSUE Whether a certificate should be issued in
accordance with section 13(3) to the effect that
Brandan Ku should not have been mentioned as a
joint inventor for patent application number GB
0423860.6

HEARING OFFICER S M Williams

DECISION

- 1 Patent application number GB 0427489.0 published as GB 2409194 names three inventors: Kaihwa Chew, Brandan Ku and Vincent Yue Sern Kho.
- 2 Quantum Chemical Technologies (Singapore) Pte. Ltd, the patent applicant, has applied to remove the name of Brandan Ku from the list of inventors in accordance with section 13(3) of the Act.
- 3 Brandan Ku has confirmed in writing that he ought not to have been mentioned as a joint inventor in relation to the invention covered by the patent application. Written consent has not been filed by Kaihwa Chew and Vincent Yue Sern Kho.
- 4 In accordance with rule 14(2) of the Patents Act 1995, the comptroller sent a copy of the application and statement to Kaihwa Chew and Vincent Yue Sern Kho on 13 June 2005 inviting them to file a counter-statement if they wished to oppose the application. The inventors were allowed the usual six week period to file a counter-statement, but no response was received. The Office wrote again on 5 August 2005 informing the two inventors that as a counter-statement had not been filed, the application under section 13(3) would now be treated as unopposed. Given that no response has been received and that Brandan Ku has provided written consent to the section 13(3) application filed by the patent applicant, I conclude that all relevant parties agree that the name of Brandan Ku should be removed from the list of inventors.

5 Accordingly I find that Brandan Ku should not have been mentioned as a joint inventor in relation to the invention covered by the patent application. This decision serves as a certificate to this effect. I also direct that an addendum slip be prepared for the published patent application stating that Brandan Ku should not have been mentioned as a joint inventor.

S M WILLIAMS

B3 Head of Litigation Section, acting for the Comptroller