



BL O/032/06
30th January 2006

PATENTS ACT 1977

PARTIES Arena Pharmaceuticals Inc, Ruoping Chen,
Huong T Dang, Chen W Liaw and I-Lin Lin

ISSUE Whether James N Leonard and Ruoping
Chen only should be mentioned as joint
inventors in European Patent (UK) No.
1133559 as a result of an application under
section 13(1) and 13(3)

HEARING OFFICER S M Williams

DECISION

- 1 European Patent (UK) No. 1133559 names four inventors: Ruoping Chen, Huong T Dang, Chen W Liaw and I-Lin Lin.
- 2 Arena Pharmaceuticals Inc, the patent proprietors, have applied to have James N Leonard named as an inventor in accordance with section 13(1) of the Act and have made an application under section 13(3) to the effect that Huong T Dang, Chen W Liaw and I-Lin Lin should not have been mentioned as joint inventors.
- 3 Huong T Dang, Chen W Liaw and I-Lin Lin have each confirmed in writing that they should not be named as inventors in the granted patent. Ruoping Chen has also confirmed this in writing and has provided written consent to the application filed under section 13(1) to name James N Leonard as a joint inventor. For this part, Mr Leonard has also confirmed in writing that he should be named as a joint inventor with Ruoping Chen. I therefore conclude that the relevant parties agree that Huong T Dang, Chen W Liaw and I-Lin Lin should not be mentioned as inventors and that Ruoping Chen and James N Leonard should be mentioned as joint inventors.
- 4 Accordingly I find that James N Leonard should be mentioned as a joint inventor in the granted patent for the invention along with Ruoping Chen. I also direct, in accordance with rule 14(5), that an addendum slip be prepared for the granted patent, the slip to mention that James N Leonard should be named as a joint inventor with Ruoping Chen and to state that Huong T Dang, Chen W Liaw and I-Lin Lin should not have been named as joint inventors.
- 5 This decision serves as a certificate, issued in accordance with section 13(3),

to the effect that Huong T Dang, Chen W Liaw and I-Lin Lin should not have been named as joint inventors in the granted patent for the invention.

S M WILLIAMS

B3 Head of Litigation Section, acting for the Comptroller