



BL O/361/06

13 December 2006

PATENTS ACT 1977

BETWEEN

Bulk Percussion Ltd

Claimant

and

Suzanne Pillinger and
Edward Pillinger

Defendants

PROCEEDINGS

Application for revocation under section 72 of the Patents Act 1977 in
respect of patent number GB 2326267

HEARING OFFICER R J Walker

DECISION

- 1 The claimant filed an application for revocation of patent number GB 2326267 ("the patent") on 18 September 2006. The Office advised the claimant in a letter dated 16 October 2006 that a statement should be filed by 31 October 2006. The period for filing this statement was extended by consent until 7 November 2006 but as of 21 November 2006 no statement had been filed. The Office then wrote to the claimant to advise that subject to any comments received by 5 December 2006 the application for revocation would be treated as withdrawn and referred to an examiner to consider whether there are questions remaining that should be considered in the public interest. No comments were received and so it falls to me to decide whether the patent should be revoked in the public interest.
- 2 The application for revocation identified two prior patents which allegedly rendered the invention of the patent unpatentable. Having considered these earlier patents, I decide to make no order for revocation.

Appeal

- 3 Under the Practice Direction to Part 52 of the Civil Procedure Rules, any appeal must be lodged within 28 days.

R J Walker

Divisional Director acting for the Comptroller