

There have since been several rounds of correspondence and several sets of amendments have been filed.

- 6 The most recent amendments to the main claim of application GB1004327.1 were filed on 6 February 2012. These supersede the 'working copy' of the claims upon which the pre-hearing report, dated 19 January 2012, was based. I will use this latest amendment as the basis for my decision as the 'working copy' claims would appear to be identical to those on file for 1018550.2.

Therefore, the main claim of 1004327.1 reads as follows:

Wherein said panel maybe used in a series of applications;

An integrated or Independent detachable multifunctional roof modules and concepts comprising primarily polymer based composites or any other suitable materials, being single or double layered translucent and/or tinted translucent, opaque roofs or roof and windows adaptations or modules as a roller-screen, Detachable multifunctional window panel or other concept designs that can be replaced if damaged, For or As any vehicle, buildings or transportations and/or Air-craft designs or Any Sea going vessel shell, or hulls, or kitchen furniture panels, transportation panels train panel or skin designs, solid robust body panels, bodyworks, polymer shells, skin, walls, roller canopy, staircases, ceilings, floors, hulls, chassis designs or any inflatable temporary advertising concepts and designs, or other devices imparting or producing motion being self-contained, dependent or independent unit(s), Aftermarket fits, or as translucent or tinted translucent vehicles or transportation, vessels, that may include steel or aluminum roll bar, roll cage, structural framework designs, such concepts may include illuminations, such concept modules or roofs are either roller screen(s) being Translucent and/or Tinted translucent or Opaque materials and the roof or roof module structures are multi-section ally foldable soft top convertible designs, or roll able screen(s) roof or roof and rear window module structural designs detachable or fixed roof designs for vehicles, or screen rolled up on roller, or as a roller screen, Screens rolled out/in from a roller, extended over as a transparent, translucent, or tinted translucent roof or roof and rear windscreen designs, roll-screen roof modules are channeled through longitudinal guides within the arches of the body or "Rainbow Arches" and means to provide substantially sealed roof designs guttering channels may also be included are envisaged consists of one or more layer(s), or sandwiches providing substantially sealed component parts, or seen through air gaps, or defused lighting arrangements or opaquely sealed in order to improve thermal and sound insulation, such roof designs are also activated "to close" by rain sensor detection means, or could be operable by solar activated control means, or manually, the roof designs may include "parallel roll cage, or arches" with channeled means for the inclusion of the roll up roof screen designs made from Tarpaulin, or plastics/polymer, or bubble plastics materials, with or without a translucent a rear window, that is extendable, retractable on a roller, the screen canopy designs can be supported via integrated traversal rods in order to improve the structural rigidity, **or Such soft top roller screened roof designs may include one or more traversal attached rod elements in order to strengthen the roof structure and reduce wind turbulence**, appropriate guttering are designed into the roof system allowing rain water to run off and drain away, thus convertible roof designs into a separate rear space area of a vehicle, vessel, bodywork that may include a separate open-able lid providing a space for the roof to fold away and a further independent space with lid for luggage or separate boot compartment, the fixed or retractable roof designs on a roller are operated either manually or electronically and/or hydraulically, and may also be operable via rain sensor activation technology, such described integrated multifunctional panels may be utilized in building construction or in any vehicle bodyworks, such vehicles or vessels being opaque, or translucent, or tinted translucent plastics, glass fiber resins, thermo-set, or color fast, fire resistant materials, reflective layer(s) of material

can be combined with the concepts enhances the exterior or interior glow of the embodiments via natural light reflection, or defuse lighting and systems that could change the color and appearances of the concepts bodywork operable by switches, such panels having any suitable sizes, shapes, or configurations allowing multidimensional lighting systems and effects and/or display applications, of which are also designed using at least one element selected from the group of claims integrating the innovative principles **dependent or independent** outlined within the scope here,

- **Such described transport/vessel concepts are designed either single or double Decker designs.**
- **or the bonnet acts as crumple zones, comprising one or more panel layers, or multi-paneled front, shells, or casing adaptations.**
- **Such body, panels or walls of a building may also include one or more fixed or adjustable ventilation grills or slits,**
- **Building modules as appropriate are also designed single or multi-floored buildings, industrial, residential, or commercial buildings, conservatory, or integrated prefabricated flat pack homes or stadiums structures with the aesthetically pleasing appearance of precious jewel-like embodiments.**
- **or the doors of concepts are operable or hinged at any angle, and including robust plastics, state of the arts composites, and/or integrated eco-friendly heating technology.**
- **Such concepts may encompass electronic heating elements, over or throughout various or entire unit significantly improving thermal efficiency and defrosting/demisting allowing panoramic views and included where suitable enhancing the glow or illumination over the entire or various sections of the any concept outer or inner embodiments.**
- **or integrated heating elements on or within composites, plastic resin.**
- **For or As any vehicle, buildings or transportations and/or Air-craft designs or Any Sea going vessel shell, or hulls, or kitchen furniture panels, transportation panels train panel or skin designs, solid robust body panels, bodyworks, polymer shells, skin, walls, roller canopy, staircases, ceilings, floors, hulls, chassis designs or any inflatable temporary advertising concepts and designs, or other devices imparting or producing motion being self-contained, dependent or independent unit(s), Aftermarket fits, or as translucent or tinted translucent vehicles or transportation, vessels, Such concepts employing solar power generation techniques and means.**

OR

Integrated polymer based concepts are used in a series of applications for instance For or As, retractable or inflatable or detachable panel adaptations, luminous body panels or shell designs for displaying, advertising or broadcasting, comprising any suitable lighting or PLED's or OLED systems, programmable advertising means or displays, operable via digitally programmable broadcasting systems, or any suitable wireless technologies, for instance Bluetooth or PDA technologies, such panels are constructed to be attached As or For, or detachable to vehicles or any other form of transportation, for Land, Sea vessels, or Aircraft modules or building, or as polymer based luminous panels, or retractable

or inflatable Television sets or computer designs, or inflatable temporary advertising panel designs were appropriate, Such external or internal insulator panel may include heating elements, or eco-friendly heating technology, such concepts are operable via switch, remote control, and/or Clap operation control devices or programmable electronics, and such concepts having any suitable sizes, shape, and configurations dependent on application, and may integrate any suitable materials however envisaged with the integration of at least one claimed element selected from the group dependent or independent on the main claim where appropriate.

OR

Integrated multi-functional Translucent or Tinted translucent or opaque polymer based concepts are used in a series of applications, for instance For or As panels or casing, or bodywork adaptations, or retractable or inflatable or detachable panel adaptations, such as solid hard top moveable roof and rear scree module designs comprising a multi-sectional foldable roof and rear window, or the roof design is a screen rolled up on a roller, convertible into a separate rear space area of a vehicle body, that may include an open able lid or separate boot compartment, the moveable roof designs are operated either electronically and/or hydraulically or manually/hydraulically operated, all being opaque, transparent, translucent, or tinted translucent plastics or glass fiber, thermo-set materials, although any other suitable combination of materials are considered as or for any transportation, or conveyance that may change colour(s) or appearances can be utilized in any type of Transportation either Land, Sea going vessels, and/or Aircraft designs, or Residential, Commercial, or Industrial building constructions such as Vertical Farm Buildings in vehicle roofs or bodywork, the panels may be used as walls or building's, roof modules or as multifunction window units, such innovative concepts comprising one or more layers, or self-contained, dependent, or independent panels, Electro-plastics TM technologies or LED's, OLED's or PED's (plastic emitting diodes), and digitally computer technology integrated broadcasting automation and any suitable utilities or wireless applications dependent on concepts, television sets, or other devices imparting or producing motion e.g., lawn movers being self-contained, dependent or independent unit(s) constructed from flame resistant plastics and integration of at least one element selected from the group of **appendage embodiments that can also be dependent or independent any claims.**

- 7 For the purposes of carrying out the search on GB 1018550.2 the examiner considered the invention to relate to the use of OLED's or PLED's a vehicle or building panel, possibly for advertising purposes. This was communicated to Mr McKenzie in the combined search and examination report of 18 February 2011. There have been several rounds of correspondence and several sets of amendments have been filed.

The most recent amendments to the main claim of application GB1018550.2 were filed on 21 October 2011, the pre-hearing report dated 19 January 2012 was based upon these claims. These amendments run to 19 pages of suggested main claims and alternative main claims. I have chosen only to recite the first of these main claims which reads as follows:

Integrated translucent and/or tinted translucent polymer based Containers, Panels, inflatable panels, and Cased or sandwich layered concepts maybe used in a series of electronic applications, such as laptops-notebook computer designs, transportation embodiments selected from a group of appendages comprising one or more elements selected from a range of appropriate utilities/technologies from the group of embodiments Integrated programmable multi-function advertising media panel platforms, or interface advertising, touch screen adaptations, furniture designs Light emitting diodes (LEDs-OLEDs and PLEDs) lighting/media and systems, programmable advertising means or displays, operable via digitally programmable broadcasting systems, or any suitable wireless technologies, for instance Bluetooth or PDA technologies, such panels are constructed to be attached As or For, or integrating, Electro-plastic™ technology, digitally computerised displays, operations Billboards, walls, as single or double sided illuminations or advertising or displays etc., Industrial, Commercial, or Residential building or All-in-one factory and processing technologies are also envisaged where appropriate and combining conventional or the latest eco-friendly power generation technologies.

Multifunction Transparent, tinted translucent and/or opaque retractable/moveable screens, Skin or panels vehicles and/or roofs, or constructed for or as all types of Land, Sea going vessels and/or Air Vehicles bodywork, or window or building design constructions, that may also include or safety glass, and may integrate light reflective layer

An Integrated multifunctional primarily plastic prefabricated lightweight, Any transparent, translucent, tinted translucent or opaque and combinations insulating plastics or plastic composites, panels, shell, fuselages, hull or casing designs taking the form of any as or for walls for Residential, Commercial, or Industrial building constructions such as Vertical Farm Buildings, or any transportation comprising single or double layered, fixed multifunctional hard top roofs, or roof module designs, inflatable, or hardtop or soft top plastics roof module designs, or any constructed design having any suitable sizes, shapes, and configuration, as or for vehicle roof designs are either fixed solid hard top, or soft-top roof modules, or moveable/roll able roof and rear screen module designs, or multi sectional convertible roof and rear windscreen modules designs that folds into a separate rear space of the vehicle/transport body of which may also an open able lid, the vehicle may include a separate boot compartment, such moveable polymer based roof or roof module designs are operable electronically, and/or hydraulically, or manually hydraulically operation, being transparent, tinted translucent and/or opaque movable roofs, or constructed for or as all types of Land, Sea going vessels and/or Air Vehicles bodywork, or window or building design constructions, that may also include or safety glass, and may integrate light reflective layer of material can be combined with the concepts enhances the exterior or interior glow of the embodiments via natural light reflection Or comprise LED, OLED, or PLED lighting, or defuse lighting and systems that could change the color and appearances of the concepts bodywork.

Discussion

- 8 From the outset, the examiner has reported that the applications do not disclose the invention in a manner which is clear enough and complete enough for it to be performed by a person skilled in the art and hence does not meet the requirements of section 14(3) of the Patents Act 1977 ("the Act") which reads as follows:

"The specification of an application shall disclose the invention in a manner which is clear enough and complete enough for the invention to be performed by a person skilled in the art."

9 The examiner has also raised objections under section 14(5) of the Act which requires the claims to be clear and concise, and supported by the description. The relevant parts of section 14(5) read as follows:

“The claim or claims shall –

(a);

(b) be clear and concise;

(c) be supported by the description; and

(d)”

- 10 Having read both of the specifications in their entirety several times, I have to say, that I do not clearly and fully understand the invention that is described in either of these applications. I have no doubt that it all makes perfect sense to Mr McKenzie, but the nature and overall construction of the panels/devices are simply not clear to me. There are no drawings provided in order to assist in the interpretation of the application and I have no real idea as to how the various component parts interact or indeed how the panels/devices are to be made.
- 11 I am bound therefore to conclude that for each application the invention is not sufficiently disclosed in a manner which is clear enough and complete enough for it to be performed by a person skilled in the art, and as such does not comply with the requirements of section 14(3).
- 12 Unfortunately, whilst having filed several sets of amended claims during the life of each application, Mr McKenzie has not provided any amended claims which overcome the objections or, as an alternative, has provided very little of substance by way of argument to rebut the examiners objections.
- 13 The claims, both as filed and as amended, would appear to be nothing more than lists of devices and statements of possible adaptations to the devices. I cannot find, in any of the offered sets of amendments, a claim which defines the invention in terms of its essential features, nor can I find a claim with sufficient details of the interrelationships between the stated features that I can be confident that the intended objectives of the invention can be met.
- 14 The claims are very length and opaque, and can by no means be regarded as clear enough to comply with section 14(5)(b). The fact that the claims are so unclear, as are the corresponding descriptions, means that it is impossible for me to say whether or not they are supported by the applications as filed under section 14(5)(b) or indeed whether the proposed amendments add matter under section 76(2).
- 15 In the absence of clearly defined claims I am also unable to assess whether what is claimed to have been invented is novel and inventive over the prior art as required by section 1(1).
- 16 I have found that the inventions do not comply with sections 14(3) and 14(5) of the Act. I therefore refuse both applications under section 18(3).

Appeal

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

J Pullen

Deputy Director, acting for the Comptroller