



PATENTS ACT 1977

PARTIES Medimmune Vaccines, Inc., Robert George Trager, George Kemble, Richard M. Schwartz, Harshvardhan Meta, Vu Truong-Le, Zhongying Chen, A. Alfred Pan, Eric Tsao, Kathy Chiaoyin Wang, Luisa Yee, Palani Balu, John Michael Berry and Weldong Cui

ISSUE Mention of additional inventors and removal of inventors for patent number EP(UK) 1597400 under sections 13(1) and 13(3)

HEARING OFFICER Andrew Bushell

DECISION

- 1 European patent (UK) no 1597400 names 11 inventors: Robert George Trager, George Kemble, Richard M. Schwartz, Harshvardhan Mehta, Vu Truong-Le, Zhongying Chen, A. Alfred Pan, Eric Tsao, Kathy Chiaoyin Wang, Luisa Yee and Palani Balu . The patent proprietor is Medimmune Vaccines, Inc.
- 2 Medimmune Vaccines, Inc. has filed an application in accordance with rule 10(2) of the Patents Rules 2007 to the effect that John Michael Berry and Weldong Cui should be named as additional joint inventors. They have also filed an application under section 13(3) of the Patents Act 1977 to remove George Kemble, Zhongying Chen, A. Alfred Pan, Eric Tsao, Kathy Chiaoyin Wang and Palani Balu as named inventors on this patent.
- 3 Each of the current listed inventors have confirmed in writing that both John Michael Berry and Weldong Cui should be named as joint inventors. John Michael Berry and Weldong Cui have also confirmed in writing that they should be named as joint inventors on this patent. Each of the current inventors along with John Michael Berry and Weldong Cui have also confirmed in writing that George Kemble, Zhongying Chen, A. Alfred Pan, Eric Tsao, Kathy Chiaoyin Wang and Palani Balu should not be mentioned as inventors on this patent. I therefore conclude that the relevant parties agree that George Kemble, Zhongying Chen, A. Alfred Pan, Eric Tsao, Kathy Chiaoyin Wang and Palani Balu should not be mentioned as inventors in relation to patent number EP (UK) 1597400 and that they should be replaced by John Michael Berry and Weldong Cui.

- 4 Accordingly I find that John Michael Berry and Weldong Cui should be mentioned as joint inventors for the granted EP (UK) patent. I also direct, in accordance with rule 10(1), that an addendum slip mentioning them as such be prepared for the granted patent for the invention.
- 5 This decision also serves as a certificate, issued in accordance with section 13(3), to the effect that George Kemble, Zhongying Chen, A. Alfred Pan, Eric Tsao, Kathy Chiaoyin Wang and Palani Balu should not have been mentioned as joint inventors in the granted EP (UK) patent for the invention.

A R BUSHELL

B3 Head of Litigation, acting for Comptroller