



PATENTS ACT 1977

BETWEEN

Dr Vanessa Jean Hill

Claimant

and

Touchlight Generics Limited and Touchlight IP Ltd

Defendant

PROCEEDINGS

References under sections 12 and 37 of the Patents Act 1977 in respect of patents EP(UK) 2391731, EP(UK) 2612925, EP(UK) 3150722 and international patent application PCT/GB2010/000165 and all applications for a patent deriving or claiming priority from GB patent Application GB0901593.4

HEARING OFFICER

Phil Thorpe

DECISION

- 1 A request that the comptroller decline to deal with a reference brought under sections 12 and 37 of the Patents Act was supported by both sides.
- 2 Given that the parties are in agreement, that there are also related proceedings before the Patents Court and based on a prima facie consideration of the joint submission made by both sides, I am satisfied that the comptroller should decline to deal with the reference under sections 12 and 37 and that the Court should have jurisdiction to decide the questions of entitlement.
- 3 In accordance with section 12(2) and section 37(8), the comptroller therefore declines to deal with this reference.

Costs

- 4 I make no order as to costs.

PHIL THORPE

Deputy Director Acting for the Comptroller