

PATENTS ACT 1977

PARTIES Beertech UK Limited, Dennis James Jolley, Irene Margaret Comerford and Narendra Patel

ISSUE Whether Narendra Patel should be mentioned as sole inventor and the names of Dennis James Jolley and Irene Margaret Comerford removed as joint inventors in patent number GB 2409503 under section 13(1) and 13(3)

HEARING OFFICER S M Williams

DECISION

- 1 Patent application number GB 0417122.7 was filed on 10 December 2004. The application was published and proceeded to grant with Dennis James Jolley and Irene Margaret Comerford named as joint patent proprietors and joint inventors.
- 2 On 30 May 2008, Beertech UK Limited filed an assignment and declaration document in relation to the granted patent. The assignment was recorded at the UK Intellectual Property Office on 8 August 2008 and transferred the registered joint proprietorship of the patent from Dennis James Jolley and Irene Margaret Comerford to the sole proprietorship of Beertech UK Limited.
- 3 Beertech UK Limited also made an application under section 13(1) of the Act to the effect that Narendra Patel should be named as sole inventor of the patent. With agreement of Beertech UK Limited, the application has been taken as filed under rule 10(2) of the Patents Rules 2007. Patents Form 2 has been amended accordingly. Beertech UK Limited also filed an application under Section 13(3) to the effect that Dennis James Jolley and Irene Margaret Comerford should not have been named as inventors.
- 4 In the assignment and declaration document filed on 30 May 2008, Dennis James Jolley and Irene Margaret Comerford declared in writing that they both should not have been named as joint inventors and that Narendra Patel should be named as sole inventor. For her part, Narendra Patel has declared in writing

in the assignment and declaration document that she should be named as sole inventor.

- 5 Accordingly I find that Narendra Patel should be mentioned as sole inventor in relation to the published patent application and granted patent for the invention. I also direct, in accordance with rule 10(1), that an addendum slip mentioning her as sole inventor be prepared for the published patent application and the granted patent for the invention.
- 6 This decision also serves as a certificate, issued in accordance with section 13(3), to the effect that Dennis James Jolley and Irene Margaret Comerford should not have been mentioned as joint inventors for the published patent application and granted patent for the invention.

S M WILLIAMS

B3 Head of Litigation Section, acting for the Comptroller