

- 4 A system which operates contrary to well-established physical laws (and which does not therefore really work at all) is not capable of industrial application as explained in paragraph 4.05 of the Office's "Manual of Patent Practice".¹ I cannot see anything in the disclosure in the specification sufficient to enable the person skilled in the art of power generation to make something that would actually work in the way described and claimed.
- 5 I therefore agree with the examiner that the invention is neither capable of industrial application nor sufficiently disclosed. Since it is not possible to add new information to the specification in order to overcome these defects, I refuse the application under section 18(3) of the Act with the consequence under section 16(1) that it will not be published.

Appeal

- 6 If the applicant disagrees with my decision he has a right of appeal to the Patents Court. Under the Practice Direction to Part 52 of the Civil Procedure Rules, any such appeal must be lodged within 28 days.

R C KENNEL

Deputy Director acting for the Comptroller

¹ <http://www.ipo.gov.uk/practice-sec-004.pdf>