



9 August 2011

**PATENTS ACT 1977**

**PARTIES** First Advantage Corporation, Mark A.  
Peterson and Mitch Duitz

**ISSUE** Mention of additional inventor for  
patent number GB2456617 under  
Section 13

**HEARING OFFICER** Andrew Bushell

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**DECISION**

- 1 Following the international phase of international patent application number PCT/US2007/013083, patent application number GB 0821762.2 entered the national phase in the UK and was subsequently published as patent number GB 2456617. The original PCT application named one inventor, Mark A. Peterson.
- 2 First Advantage Corporation, the patent proprietor, made an application under Rule 10(2) of the Patent Rules 2007 to the effect that Mitch Duitz should also have been named as an inventor. A statement from First Advantage Corporation was filed to support the request along with a copy of an e-mail dated 17 November 2008 from inventor Mark A. Peterson to his US attorney. The e-mail requested that Mitch Duitz be included as an inventor on any foreign patent applications deriving from PCT/US2007/013083.
- 3 As the e-mail did not refer specifically to patent number GB0821762.2 the office wrote to First Advantage Corporation on 31 January 2011 requesting consent from both Mark A Peterson and Mitch Duitz for the change to be made. On 25 March 2011 First Advantage Corporation filed consent from Mark A Peterson along with an amended statement of grounds, but they were unable to obtain consent from Mitch Duitz.
- 4 In the absence of consent from Mitch Duitz the office wrote to him allowing a period of six weeks to file a counterstatement should he wish to oppose the proceedings. No response was received. In view of the fact that Mitch Duitz had failed to file a response and given that consent to the application has been filed by the other parties having an interest in this matter, I therefore consider the application to be unopposed.

- 5 Accordingly, I find that Mitch Duitz should be mentioned as joint inventor in the published patent application for the invention. I also direct, in accordance with rule 10(1) that an addendum slip mentioning him as joint inventor be prepared for the published patent application for the invention.

**ANDREW BUSHELL**

Acting B3 Head of Litigation Section, acting for the Comptroller