



BL O/320/04

22<sup>nd</sup> October 2004

## PATENTS ACT 1977

**PARTIES** Asphalt Systems International Limited,  
Jonathan Luke Henry Goodhart, Christopher  
Paul James Wightman and Gary Alma Porritt

**ISSUE** Whether Gary Alma Porritt should be  
mentioned as sole inventor in patent numbers  
GB 2345714 and GB 2352750 as a result of an  
application under section 13(1) and 13(3)

**HEARING OFFICER** S M Williams

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## DECISION

- 1 Patent number GB 2345714 was granted pursuant to the international phase of international patent application number PCT/GB99/03929 filed in the name of Asphalt Systems International Limited. The PCT application names Jonathan Luke Henry Goodhart and Christopher Paul James Wightman as joint inventors. Patents Form 7/77 filed in relation to patent number GB 2352750, a divisional of GB 2345714, also names Jonathan Luke Henry Goodhart and Christopher Paul James Wightman as joint inventors. The two patents have since been assigned to ASI Solutions PLC.
- 2 On 25 November 2003, prior to the assignment being recorded at the Patent Office, Asphalt Systems International Limited filed an application to amend the specifications of the two patents under section 27 of the Patents Act 1977. They also applied to have Gary Alma Porritt named as sole inventor in relation to the patents as amended in accordance with section 13(1) of the Act and made an application under section 13(3) to the effect that Jonathan Luke Henry Goodhart and Christopher Paul James Wightman should not be named as joint inventors for the amended patents.
- 3 Although Jonathan Luke Henry Goodhart, Christopher Paul James Wightman and Gary Alma Porritt each confirmed in writing that they consented to the applications filed under section 13(1) and 13(3), the applications were stayed pending the outcome of the amendments proceedings. These have now been finalised and the amendments as filed have been accepted. Accordingly I am now able to determine the section 13 applications.
- 4 I conclude that the relevant parties agree that Gary Alma Porritt should be named as sole inventor for the patents as amended and that Jonathan Luke Henry Goodhart and Christopher Paul James Wightman should not be named as joint inventors for the amended patents.

- 5 I find that Gary Alma Porritt should be mentioned as sole inventor in the patents as amended and direct, in accordance with rule 14(5), that an addendum slip mentioning him as sole inventor be prepared for the granted amended patents. The addendum slip will also mention that Jonathan Luke Henry Goodhart and Christopher Paul James Wightman should not be named as joint inventors in the granted amended patents.
- 6 This decision serves as a certificate, issued in accordance with section 13(3), to the effect that Jonathan Luke Henry Goodhart and Christopher Paul James Wightman should not be named as joint inventors in the granted amended patents.

**S M WILLIAMS**

B3 Head of Litigation Section, acting for the Comptroller