

**PATENTS ACT 1977**

BETWEEN

Semtech Emea Limited  
and

Claimant

Hilight Semiconductor Limited

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Defendant

PROCEEDINGS

Proceedings under sections 12(1) and 37(1) in respect of patents GB2523426 and GB2523854 and patent applications US14849764 and US14719647

HEARING OFFICER

Phil Thorpe

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**DECISION**

- 1 Both sides have requested that the comptroller declines to deal with two related references under sections 12 and 37 in light of related proceedings ongoing in the High Court.
- 2 It is clearly undesirable to have the same or largely similar issues litigated both before the comptroller and the court. I am thus satisfied that the question of entitlement in this instance is one which would now more properly be determined by the court.
- 3 Pursuant to sections 12(2) and 37(8) I therefore decline to deal with these references.

**Costs**

- 4 The question of costs to date of these proceedings before the comptroller has not been raised, and accordingly I make no order in that respect.

**Appeal**

- 5 Any appeal must be lodged within 28 days.

**Phil Thorpe**  
**Deputy Director, acting for the Comptroller**