

PATENTS ACT 1977

OPPONENT MWUK Limited

PATENTEE Fashion at Work (UK) Limited

PROCEEDINGS Application under section 27 to
amend patent number GB2503963

HEARING OFFICER H Jones

INTERIM COSTS ORDER

- 1 This Order is concerned with costs arising from a preliminary issue I heard in November 2016 in respect of an application to amend a patent specification after grant ([BL O/531/16](#)). In my decision I indicated that the Patentee was entitled to an interim award of costs and invited submissions from both sides.
- 2 The Patentee has indicated that the aggregate costs incurred in relation to the preliminary matter stands in the amount of £2462.52 ex VAT. It provides no breakdown for this figure nor gives any indication as to how the amount corresponds to the standard scale of costs awarded in proceedings before the Comptroller as set out in the recently updated Tribunal Practice Notice [TPN 2/2016](#). For its part, the Opponent estimates a more appropriate figure in the region of £300 - £400 based on the nature and complexity of tasks set out in the Practice Notice as undertaken to date.
- 3 I agree with the Opponent that the nature and complexity of tasks undertaken in respect of the preliminary issue have been relatively straightforward and that the minimum award for each task is appropriate. In respect of the relevant tasks in the scale, I award the following amounts:

Preparing its case for the preliminary issue	£200
Preparing for and attending the telephone hearing	£500
Total	£700

Order

- 4 I hereby order MWUK Limited to pay Fashion at Work (UK) Ltd the sum of £700 as a contribution towards its costs, this sum to be paid within seven days of the expiry of

the appeal period below.

Appeal

- 5 Any appeal must be lodged within 28 days after the date of this decision.

H Jones

Deputy Director acting for the Comptroller