



## PATENTS ACT 1977

BETWEEN

Mr Ali Kordzadeh

Claimant

and

MG Electric (Colchester) Limited

Defendant

PROCEEDINGS

Reference under sections 8 and 12 in respect of UK patent application GB2219033.4 and any international application arising from this application

HEARING OFFICER

B Micklewright

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## COSTS DECISION

### Introduction

- 1 These proceedings relate to references under sections 8 and 12 of the Patents Act 1977 in respect of UK patent application GB2219033.4, and any international application arising from this application, including specifically PCT application PCT/GB2023/053175, filed in the name of the defendant and claiming priority from the UK application. In a decision dated 10 September 2025<sup>1</sup> I found that the defendant was entitled to these patent applications.
- 2 In my decision I invited the parties to make submissions in relation to costs. The defendant subsequently requested costs of £8225.74. The claimant accepted the defendant's submission for costs and expenses and requested that I award the same.

### Assessment of costs

- 3 It is long established practice that in proceedings before the comptroller only a contribution towards the successful party's costs should normally be awarded and that the amount should be guided by the comptroller's published scale unless

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<sup>1</sup> [BL O/0833/25](#)

circumstances warrant departing from the published scale. The current scale is published as Tribunal Practice Notice (TPN) 1/2023:<sup>2</sup>

## Scale of costs in proceedings commenced on or after 1 February 2023

Task	Costs
Preparing a statement and considering the other side's statement	From £250 to £750 depending on the nature of the statements, for example their complexity and relevance
Preparing evidence and considering and commenting on the other side's evidence	From £600 if the evidence is light to £2600 if the evidence is substantial. The award could go above this range in exceptionally large cases but will be cut down if the successful party had filed a significant amount of unnecessary evidence
Preparing for and attending a hearing (including procedural hearings) or submissions-in-lieu	Up to £1900 per day of hearing, capped at £3900 for the full hearing unless one side has behaved unreasonably. From £350 to £650 for preparation of submissions, depending on their substance, if there is no oral hearing
Expenses	(a) Official fees arising from the action and paid by the successful party (other than fees for extensions of time) (b) The reasonable travel and accommodation expenses for any witnesses of the successful party required to attend a hearing for cross examination

- 4 The defendant's request for costs is at the upper end of this published scale. They made submissions supporting their request. These submissions referred to the volume of submissions and evidence, the factual complexity of the case, a lack of clarity in the claimant's case, certain new evidence filed in reply by the claimant, and the length of the hearing (two days), the hearing involving the extensive cross-examination of four witnesses.
- 5 As I have said, the claimant accepts the defendant's request and requests that I award the sum requested by the defendant.
- 6 I agree with the parties that circumstances in these proceedings do not justify departing from the published scale of costs. Noting the submissions made by the defendant in support of their request, and that the claimant accepts the defendant's submission for costs, I am satisfied that the costs requested by the defendant are appropriate in the circumstances of these proceedings and I will award the sum of £8225.74 to the defendant in accordance with the requests of both the defendant and the claimant.

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<sup>2</sup> Tribunal Practice Notice (TPN) 1/2023: Costs in proceedings before the Comptroller, available at <https://www.gov.uk/government/publications/tribunal-practice-notice-tpn-12023-costs-in-proceedings-before-the-comptroller/tribunal-practice-notice-tpn-12023-costs-in-proceedings-before-the-comptroller>

### **Costs Order**

- 7 I hereby order the claimant, Mr Ali Kordzadeh, to pay the defendant, MG Electric (Colchester) Limited, the sum of £8225.74 as a contribution towards their costs, the sum to be paid within seven days of the expiry of the appeal period below.

### **Appeal**

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

**Dr B MICKLEWRIGHT**

Deputy Director, acting for the Comptroller