



PATENTS ACT 1977

BETWEEN

Aixtron Limited

Claimant

and

Paragraf Limited and Dr Simon Thomas

Defendant

PROCEEDINGS

Proceedings under sections 12(1) in respect of international patent No. WO2017/029470 and certain other applications arising from that patent

HEARING OFFICER

Phil Thorpe

DECISION

- 1 Both sides have agreed that the comptroller should decline to deal with a reference under section 12 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), I therefore decline to deal with this reference.

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.

Phil Thorpe