



PATENTS ACT 1977

PARTIES Barbeques Galore (Aust) Pty Limited, Hung Mei
Lien, Chih Jen Lin, Hsien Chih Chien, Stephen John
Spencer and Peter Anderson

ISSUE Mention of additional inventor for patent number
GB2495116

HEARING OFFICER Susan Eaves

DECISION

- 1 Patents Form 7 names two inventors: Chih Jen Lin and Hsien Chih Chien. The patent applicant Huizhou Sun Moon Metal & Wooden Product Co. Ltd, subsequently assigned the patent. The current patent proprietors are Barbeques Galore (Aust) Pty Limited and Hung Mei Lien. Barbeques Galore (Aust) Pty Limited have now filed an application in accordance with rule 10(2) of the Patents Rules 2007 to the effect that Stephen John Spencer and Peter Anderson should also have been mentioned as joint inventors in the published patent application.
- 2 Barbeques Galore (Aust) Pty Limited have filed a statement of grounds to initiate these proceedings and have also provided written consent in support of the application from co-proprietor Hung Mei Lien. Stephen John Spencer and Peter Anderson have also consented to being mentioned as inventors.
- 3 Chih Jen Lin has provided written consent to the application however, the patent proprietor has been unable to obtain consent from Hsien Chih Chien. It is clear from the evidence provided that Barbeques Galore (Aust) Pty Limited have attempted to contact Mr Chien however it has not been possible to locate him. With no new information available regarding contact details, the proprietor has therefore been unable to obtain Mr Chien's consent to the application.
- 4 In the absence of written consent, the Office wrote to Mr Chien at the latest address shown on the patents register and allowed him a period of six weeks in which to file a counter statement should he wish to oppose the application. No response was received from Mr Chien.
- 5 In view of the fact that Mr Chien has failed to file a response and consent to the application has been filed by each of the other parties having an interest in this matter and in the absence of any evidence to the contrary, I therefore consider the application to be unopposed.

- 6 Accordingly I find that Stephen John Spencer and Peter Anderson should also be mentioned as joint inventors in the published patent application and any subsequent granted patent for the invention. I therefore direct, in accordance with rule 10(1), that an addendum slip be prepared to reflect this for the published patent application for the invention.

SUSAN EAVES

B3 Tribunals Technical Co-ordinator, acting for the Comptroller