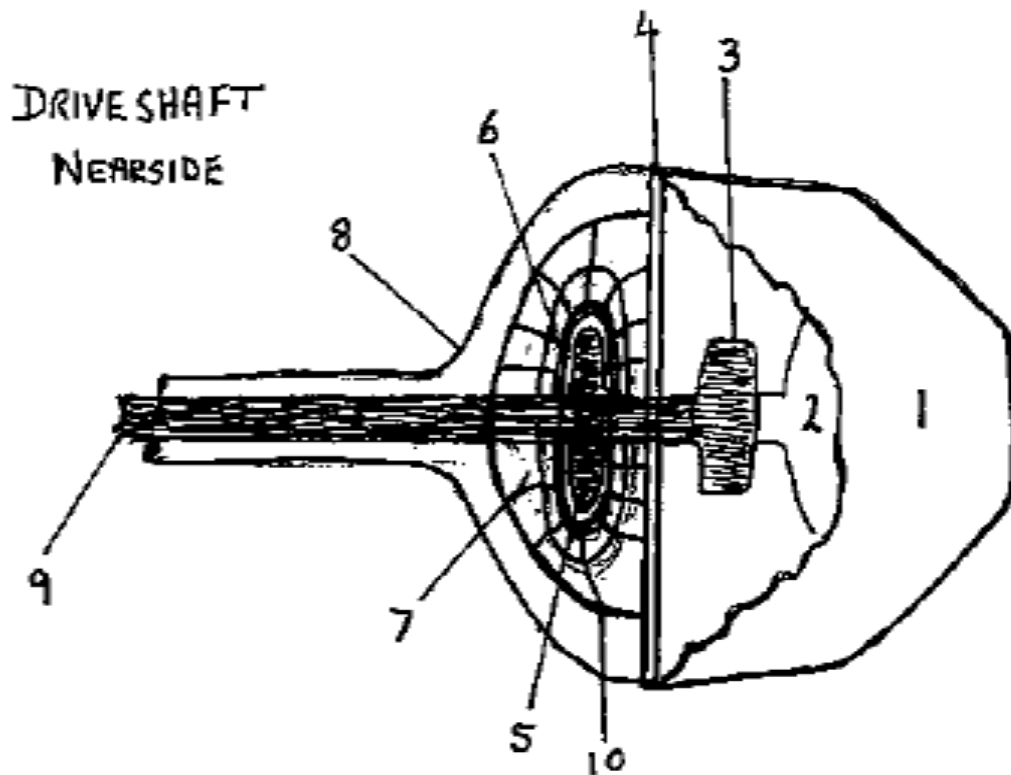


Figure 1 of the application is shown below:



- 5 It is unclear from the description how the outer mechanism of the turbine (labelled 6 on the above figure), which is intended to remain static, is fixed, as no shell/casing of the driveshaft or axle is shown.
- 6 I began the Hearing by asking Mr Lee to describe how his invention, as set out in the application as originally filed, was intended to work. Mr Lee could not clearly describe how the components of the apparatus of his invention interacted in a manner which would allow the apparatus to function.
- 7 If I were to assume, for the sake of argument, that a shell/casing of the driveshaft or axle were implicit, it is not clear how the blades of the turbine would rotate without interfering with the shell/casing of the driveshaft or axle. Whilst several scenarios were discussed at the hearing, none could be achieved without a significant level of inventive skill.
- 8 It follows that the specification does not disclose the invention in a manner which is clear enough and complete enough for the invention to be performed by a person skilled in the art.
- 9 I therefore agree with the examiners assessment that the invention is not sufficiently disclosed to meet the requirements of section 14(3) of the Act. Since

it is not possible to add new information to the specification in order to overcome this defect, I therefore refuse this application under section 18(3) of the Act.

- 10 Having refused the application, I therefore do not need to consider the remaining outstanding objections with respect to Sections 1(a)-(c) of the Act.

Appeal

- 11 Under the Practice Direction to Part 52 of the Civil Procedure Rules, any appeal must be lodged within 28 days.

J Pullen

Deputy Director, acting for the Comptroller