

18 December 2012

PATENTS ACT 1977

PARTIES National-Oilwell, L.P, Baldwin Zahn, Bryan Kainer and
Kam Konduc

ISSUE Mention of additional inventor for patent number
EP1473433 under Section 13(1)

HEARING OFFICER A R BUSHELL

DECISION

- 1 European Patent (UK) No. 1473433 names two inventors: Baldwin Zahn and Bryan Kainer. The patent proprietors are National-Oilwell L.P.
- 2 National-Oilwell L.P. has now made an application under rule 10(2) of the Patents Rules 2007 to the effect that Kam Konduc should also have been named as a joint inventor.
- 3 A petition to add Kam Konduc as an inventor in relation to corresponding US patent application No. 10/835183 has been provided as evidence for this application. Accompanying the petition are statements from both Bryan Kainer and Baldwin Zahn confirming they consent to Kam Konduc being added as a joint inventor on the US application. For his part, Kam Konduc also submitted a statement confirming he should be named as a joint inventor in respect of US 10/835183.
- 4 In a witness statement dated 19 November 2012, the patent proprietor's attorney, Mr Nicholas Paul Bebbington of Beck Greener, confirmed the inventions described in US application 10/835183 and patent number EP1473433 are in substance the same. They both claim priority from US provisional application no. 60/467508 filed 2 May 2003 and relate to the same invention. On this basis I conclude that all relevant parties agree that Kam Konduc should be named as a joint inventor in respect of the invention covered by patent number EP1473433.

- 5 Accordingly I find that Kam Konduc should be mentioned as a joint inventor in the granted patent for the invention and I direct, in accordance with rule 10(1), that an addendum slip mentioning him as a joint inventor be prepared for the granted patent for the invention.

A R BUSHELL

B3 Head of Litigation Section, acting for the Comptroller