

Miss Dunrow

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**PATENTS ACT 1977**

IN THE MATTER OF an application under section 13(1) by Daniel Donald Krueger, Sulekh Chand Jain, Richard Gorden Menzies, Michael Eugene Sauby, Bruce Paul Bardes and Swami Ganesh in respect of Patent No 2239826 in the name of Wyman-Gordon Company

**DECISION**

Patent Application No 9001813.6 in the name of Wyman-Gordon Company, which claimed priority from United States Patent Applications 225907 and 377925, was filed on 28 July 1989. It was published on 17 July 1991 under Serial No GB 2239826A naming John M Hyzak, Timothy E Howson, Wilford H Coutts Jr, Steven H Reichman and Hugo E Delgado as inventors. The patent was granted on 21 October 1992.

Application under section 13(1) of the Patents Act 1977 was made on 9 December 1992 by Daniel Donald Krueger, Sulekh Chand Jain, Richard Gorden Menzies, Michael Eugene Sauby, Bruce Paul Bardes and Swami Ganesh declaring that they were joint inventors of the invention which is the subject of the patent in suit and accordingly had a right to be mentioned as such in accordance with the terms of section 13(1).

The application was subsequently accompanied by a statement under rule 14(1) of the Patents Rules 1990 filed on 18 January 1993 in which it was stated:

"We have been employed by the General Electric Company which has cooperated in a research project with Wyman-Gordon Company of Worcester, Massachusetts,

Unites States of America. We took part in discussions of the subject-matter of the present patent in a group which included the originally named inventors of the patent.

When United States Patent Applications 225,907 and 377,925, from which this patent claims priority, were filed in the United States, our names were not included as inventors/applicants. We made a joint application with the named inventors during 1991 in respect of US 225,907 to the United States Patent Office to be included as additional inventors and this application has been allowed by the United States Patent Office.

We understand that when the application was filed which led to the present patent, our names were not included in the list of the inventors. We believe the discussions in which we took part did constitute contributions to the invention now claimed and therefore believe that our names should be added to the list of inventors of the patent."

In accordance with rule 14(2), copies of the application under section 13(1) and the accompanying statement were sent to Wyman-Gordon Company, John M Hyzak, Timothy E Howson and Wilford H Coutts Jr under cover of official letters dated 6 and 26 January 1993 and to Hugo E Delgado and Steven H Reichman under cover of official letters dated 15 July 1993.

None of these recipients has entered opposition to the application as allowed by rule 14(3). In the absence of any such opposition, I am satisfied that Daniel Donald Krueger, Sulekh Chand Jain, Richard Gorden Menzies, Michael Eugene Sauby, Bruce Paul Bardes and Swami Ganesh are joint inventors of the invention which is the subject of the patent in suit and therefore have a right to be mentioned in accordance with the terms of section 13(1).

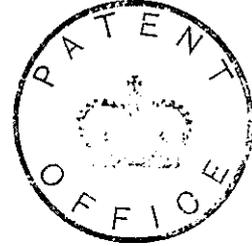
I accordingly direct under rule 14(5) that erratum slips mentioning Daniel Donald Krueger, Sulekh Chand Jain, Richard Gorden Menzies, Michael Eugene Sauby, Bruce Paul Bardes and

Swami Ganesh as joint inventors be prepared for the published application of the patent and the granted specification of the patent.

Signed this 4 day of JANUARY 1994



LESLIE LEWIS  
Principal Examiner, acting for the Comptroller



**THE PATENT OFFICE**