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Your reference: xxxx
Application number: xxxx
Date

Dear Sirs

Patents Act 1977: Patent Rules 2007

In your letter dated DD/MM/YYYY you stated your intention to file a divisional application on patent application number GB*****.* (GB*****). Unfortunately this point was overlooked and the application proceeded to grant in error. The grant letter was subsequently issued on DD/MM/YYYY and the B specification published on DD/MM/YYYY. The divisional application was filed on DD/MM/YYYY and allocated the patent application number GB*****.*

As the grant letter was issued prior to the filing of the divisional application number GB*****.* the conditions set out in section 15(9) of the Act have not been met. However, it is the Offices practice to delay grant when a divisional is foreshadowed and this practice was not adhered to in this case.

Therefore the Comptroller has exercised discretion under rule 107(3) to rescind the grant of patent application number GB*****.* (GB*****) and thereby allow the filing of patent application number GB*****.* on DD/MM/YYYY. Patent application number GB*****.* (GB*****) will be re-granted in due course but first I will require the return of the certificate of grant and the B specification issued on DD/MM/YYYY.

Yours faithfully

Formalities Examiner