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PATENTS ACT 1977

IN THE MATTER OF an application under Section 72 by British Coal Corporation for the revocation of Patent No 2170122B in the name of Glaverbel

DECISION

The application for the revocation of the patent was lodged on 8 June 1989 and proceeded through the usual stages to the point at which the applicants' evidence-in-reply was due to be filed. In their letter of 30 November 1990, however, the agents acting for British Coal stated that it was not their intention to pursue the application and, having considered the evidence, I have decided to make no order for the revocation of the patent.

The applicants have submitted that each party should bear its own costs in the proceedings but this is disputed by the patentees in view of the trouble and expense to which they have been put in responding to the applicants' allegations.

I accept the patentees' arguments and, in dismissing the application for revocation, I direct that British Coal Corporation should pay to Glaverbel the sum of £400 (four hundred pounds) by way of contribution to their costs.

Dated this 5 day of March 1992

[Redacted signature]

P J HERBERT
Superintending Examiner, acting for the Comptroller



THE PATENT OFFICE