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PATENTS ACT 1977

IN THE MATTER OF a reference under section 8(1)(a) by Oxford Consulting Limited in respect of patent application GB 9121282 (serial number 2261503) in the name of Novacare Products Limited

DECISION

Oxford Consulting Limited ("Oxford" or "the referrers") have made a reference to the Comptroller under section 8(1)(a) in respect of Patent Application No 9121282 (published as 2261505) in the name of Novacare Products Limited ("Novacare" or "the applicants"). They seek an order that the application shall proceed in their name instead of that of Novacare. In the alternative they seek an order that the application and any patent granted thereon be amended to exclude any matter in respect of which the present question is referred and/or an order that they have the right in deciding whether, and if so the manner in which, the application is to be proceeded with.

Both parties have filed pleadings, the referrers' statement of case being taken to be that filed on 14 July 1993. The referrers filed evidence in chief in April 1994, but the applicants, who are in liquidation, have filed no evidence. The referrers' evidence comprises an affidavit with fifteen exhibits by Stephen Walpole, the undisputed inventor of the application in suit, and affidavits by Keith Balding, Julie Wenn and David Baker, all associates of Mr Walpole at relevant times. A further affidavit on the referrers' behalf, by Tim Wilkie, a merchant banker acting as the referrers' agent, was filed in November 1994. Three documents mentioned in the affidavit but not attached to it were ostensibly filed later in January 1995 under cover of a supplementary affidavit. The applicants have not accepted the Patent Office's invitation to comment on the admissibility of this further evidence. The reasons given for its late appearance were a combination of difficulties associated with the applicants' liquidation and with domestic problems, and I have concluded that I should admit it to the proceedings. During the course of my consideration of the evidence it emerged that one of

the documents exhibited by Mr Wilkie did not in fact appear to be what it purported to be, and the referrers were given an opportunity, if they wished to rely upon this evidence, to file the correct document. They subsequently did so, exhibited to a third covering affidavit from Mr Wilkie (although it emerged that the missing document had already been exhibited by Mr Walpole, but referred to by him in such terms as not to indicate its actual nature). I have, however, refused to admit into the proceedings yet another document which the referrers sought to exhibit to Mr Wilkie's third affidavit, since it went beyond the terms of my invitation to them to correct their earlier error of filing the wrong exhibit. The applicants have once again declined the opportunity given to them to comment upon the filing of this evidence.

Although the applicants have filed no sworn evidence, copies of two assignments mentioned in their counterstatement have been filed. They are not, however, exhibited to any sworn statement, and their status is therefore less compelling than it would have been had this been done. I shall refer to them later.

The matter is, by agreement, to be decided on the papers, without an attended hearing.

The invention described and claimed in the patent application in suit can be briefly summarised. To sense a parameter of a magnetic or electromagnetic field, a crystal whose optical quality is affected by the parameter is placed in the field. By irradiating the crystal, for example with visible light from a laser, and sensing the radiation, the parameter can be monitored. The arrangement is used to monitor bioelectrical signals from the brain, though the main claims are not limited to this. As disclosed the crystal is quartz, the optical quality which is sensed being the transmission of laser light through the crystal. This may be used to obtain an indication of the strength of the electromagnetic field, and the frequency of modulation of the field may be determined by monitoring the changes in transmitted light intensity over a period of time. The specification includes a simple circuit diagram and a description of a headset for carrying the sensor. This arrangement is on occasions referred to in the evidence as the "electrodeless transducer".

The application is at present awaiting reply to the first examination report, which was issued in December 1994. The Rule 34 period will expire in April 1996.

Although in their counterstatement the applicants have challenged or put the referrers to proof in respect of certain of the facts alleged in the statement, they have not filed any evidence themselves to refute any alleged facts, and I therefore accept as established all alleged facts substantiated in the referrers' evidence.

The most complete account of the events which have a bearing on my determination of this dispute appears in Mr Walpole's evidence. Although Mr Walpole's account is deficient in some respects, for example in not always making it clear whether he is discussing the invention of the application in suit or the broader project of which it is a part, in sometimes failing to identify clearly individuals to whom he is referring or times or periods when events took place, and in not identifying all exhibits, it is supported in its broadest aspects by the other evidence, and I am able to extract from it the following understanding of relevant events. In doing so I have relied entirely upon the sworn evidence itself, rather than on the several unsworn documents filed early in the proceedings, which in one or two places purport to add details to the sworn accounts. In disregarding these unsworn documents I am having due regard to rule 103(1) of The Patents Rules 1990, which states that where under the Rules evidence may be filed, it shall be by statutory declaration or affidavit.

The genesis of the invention appears to lie in the coming together of two features in the life of the inventor, Stephen Walpole. First, he has suffered for many years from severe migraines, and second, he developed an early interest in medical electronics, designing such equipment as heart rate monitors, electronic thermometers and galvanic skin resistance monitors. His commitment to the work was sufficient for him to give up full-time employment so that he could concentrate on it. After filing his first patent application in 1983 for an electromyogram, he began to experiment in treating migraines by bio-feedback. The approach was broadly to monitor brain activity (by means of a "sensor" or "transducer"), to analyse the results to identify deficiencies (by means of an "analyser"), and to subject the brain to electromagnetic signals to compensate for those deficiencies (by means of a "generator"). Beginning with Alpha wave activity, he refined his system to cover a

wider range of brain activity - Delta, Theta and Beta waves as well as Alpha waves. His research led to his second patent application, for a two-frequency oscillator, filed in 1984 as Application No 8408753 and granted in 1987 as Patent No 2156679 ("679"). This application was concerned only with the generator. It would seem that at this stage he was using electrodes for the sensor.

He was unable to interest anyone in this invention sufficiently to obtain support, until about 1985, when he was working part time for Midwich Computer Company Limited ("Midwich"). Midwich allowed him to do some experimental work in his own time using their facilities, and their Head of Engineering, David Baker, financed the production of some improved generators. Keith Balding, who was Engineering Manager at Midwich, was allowed to provide Mr Walpole with design assistance. In 1986, Mr Walpole also started work, with the assistance of Julie Wenn, Midwich's Computer Systems Manager, on the use of laser-illuminated crystals to monitor weak fields (the "electrodeless transducer"). Mr Walpole states that "it appeared that it was possible to measure very weak electromagnetic fields, such as those emanating from the organs of the body, by measuring the changes on laser light shone through a crystal that was exposed to those fields", and he exhibits a receipt dated June 1986 for "gemstones and crystals" which he states were used in these experiments. The evidence of Messrs Walpole, Baker, and Balding and Mrs Wenn all confirms that this initial work was done prior to February 1987. This work forms the basis of the present application, and indeed, I believe it is fair to observe that, apart from the specific features that the crystal is preferably of quartz, that detection of the transmitted light is by a photo-detector with an associated signal processor, and that the arrangement may be located in a head-set, there is nothing of substance in the claims of the application in suit which the evidence does not indicate was already in place by February 1987. It is, I think, therefore fair to conclude that, in a real sense, the invention was actually made by this date.

Messrs Baker and Balding and Mrs Wenn all state that neither they nor Midwich claim any right or title in that work. This is consistent with the description of Mr Walpole's duties at Midwich as "repairing computers" or "various electronic assembly and test work", and with the impression given by the evidence that he had had the good fortune to encounter an employer who recognised his talents and interest and was prepared to let him use their

facilities in his own time for his own work, as well as colleagues who were prepared to give of their own time to support work for which they were not apparently employed. The fact that his work was apparently having success in controlling the migraines both of himself and of others involved in the project perhaps goes a long way towards explaining the high level of personal support on which Mr Walpole was able to count. I have no reason to conclude other than that at this early stage all rights both in the broad bio-feedback project and in the specific work on the electrodeless transducer belonged to Mr Walpole alone, and it follows from my conclusion in the final sentence of the preceding paragraph that Mr Walpole owned the invention itself.

In February 1987 Mr Walpole left Midwich to concentrate on trying to obtain funding for the project. A seemingly promising possibility was abandoned when he learned that it would have resulted in his work being sold to a drugs company who intended to shelve it. His contacts with the Koestler Foundation, a charitable trust set up to promote alternative medicine, put him touch with an entrepreneur ("Mr X"), and in October 1987 Mr Walpole and Mr X, together with their wives, founded Electromagnetic Therapies Limited ("EMT") to promote Mr Walpole's work. It appears from the evidence of Mr Wilkie, and is confirmed by an assignment document dated 18 March 1988 on the open file of Patent No 679, that Mr Walpole assigned the rights in 679 to EMT in consideration of his appointment as Director of EMT. The assignment document does not cover anything other than 679 itself and its United States equivalent, and expressly states that it does not form part of a larger transaction or series of transactions worth in aggregate more than £30,000. The evidence tells me nothing further about the terms of Mr Walpole's relationship with EMT, but in particular gives me no cause to conclude that rights and title in relation to Mr Walpole's early work devising the electrodeless transducer, which I have already found to rest with Mr Walpole, were expressly or impliedly assigned to EMT. The reference in the 679 assignment to the absence of a larger transaction or series of transactions of above a certain size, while constituting a standard clause and not decisive in itself, would be consistent with Mr Walpole having retained his rights in relation to the electrodeless transducer.

Some progress was made during what might be termed the "EMT period". For example, there were trials of Mr Walpole's treatment techniques, which also appear to have been

finding potential application in the treatment of ME (myalgic encephalomyalitis, or post-viral fatigue syndrome), though it is not stated in the evidence whether these trials involved the transducer of the present invention. Also, the analyser was developed further and suitable programmable chips for it were manufactured by a third party. EMT even set up its own clinic in Wimpole Street. However, funding and supply difficulties continued, and Mr Walpole became dissatisfied with the way Mr X was operating and, since he felt he could no longer support Mr X's actions, "resigned" (presumably from EMT) in 1990. There is no evidence of the exact date of his resignation, or of what were the implications for the rights in 679. There is an implication in an official letter dated 3 March 1994 on the open file of 679 that EMT subsequently went into liquidation and that 679 was assigned to a new, unnamed, owner, but this is not confirmed either in the evidence or in any other documents on the file of 679.

Mr Walpole's involvement with EMT clearly did not preclude his continuing at the same time to work with and be supported by his earlier collaborators. Mr Baker, who had now left Midwich to run his own company, Mosaic Systems Limited ("Mosaic"), continued to help, for example by allowing Mr Walpole to use his premises, and Mr Balding, who had also joined Mosaic as Engineering Manager, and Mrs Wenn both continued to assist Mr Walpole. All three of them state that during this period, which continued to September 1990, Mr Walpole completed development of the "electrodeless transducer", and all three of them also repeat their earlier denial of any claim to right or title in the invention, both on their own behalf and, as regards Messrs Baker and Balding, on behalf of Mosaic. They each state additionally that they are of the opinion that the invention belongs in its entirety to Mr Walpole and had never been reassigned to any other individual or company. None of them makes any reference to EMT, and if they knew of it (and I have difficulty in believing that they would not have done so in view of their long-term personal involvement with Mr Walpole and his project) they clearly do not now believe that its existence had any implication for Mr Walpole's ownership of rights in relation to the electrodeless transducer. It is an unusual feature of the case that these two strands - EMT and Mr Walpole's work at Mosaic's premises - seem to have continued in parallel, but that the evidence does not explain how they interrelated. Nevertheless, I note that the applicants have not refuted in

evidence the joint understanding of those closely associated with Mr Walpole's work at Mosaic that the invention rightly belonged to him.

Mr Walpole does not himself state what development of the electrodeless transducer took place during the period from 1987 to 1990. There is only one express reference to it in the relevant part of his evidence - he mentions a discussion of the crystal transducer with someone from Salford University and exhibits what purports to be a note of that discussion. I am unable with confidence to determine from this very brief manuscript note whether it is dated 1987 or 1989, and Mr Walpole does not tell me, but fortunately nothing critical appears to depend upon this. Mr Walpole also includes as an exhibit (SJW12, not explained in his affidavit) a letter from a patient who claims to have been "examined using your new crystal scanner" in late 1990, but this is too vague to be of any use.

Drawing mainly on the accounts of Messrs Baker and Balding and Mrs Wenn, I conclude that some development work on the invention of the application in suit probably took place during the EMT period, up to September 1990. However, having already found both that the basic invention was made prior to this period and that the evidence does not require me to conclude other than that Mr Walpole continued to own the rights in the invention throughout the EMT period, I do not find, on the evidence, that these developments were such as to generate any further rights which should belong to anyone other than Mr Walpole.

In August 1990, after leaving EMT, and now advised by Mr Wilkie, Mr Walpole and his wife signed an agreement with the referrer company, Oxford, registered in Gibraltar. Mr Walpole talks about his rights being held by Oxford "in trust", but Mr Wilkie exhibits a copy of the agreement. It required Mr and Mrs Walpole "as Directors of EMT" (though this is a little difficult to reconcile with Mr Walpole's statement that he had "resigned") to follow Oxford's instructions so that Oxford should gain control of EMT. It also required them to try to get the rights in 679 (described here as the "Delta Key") reassigned from EMT to Oxford, and to carry out further development of the Delta Key, a specific analyser and software so as to produce and, if possible, to patent (in Oxford's name) a system of specified characteristics. They were obliged not to attempt to produce any system of pain relief other than by research carried out for and on behalf of Oxford, and not to work for anyone else

without Oxford's written consent. The agreement also made clear that it was intended that all present and future rights in the generator, the analyser **and any connected and related technology and processes** [*my emphasis*] were to belong to Oxford. In return, Mr Walpole would be employed by Oxford for a specified minimum salary as soon as funding was obtained, and Mrs Walpole would receive a consulting fee. I am satisfied that the electrodeless transducer of the application in suit is so closely integrated as part of the overall system with which the agreement between Oxford and Mr Walpole is concerned that it must qualify as "connected and related technology", and must therefore be regarded as falling within the terms of the agreement. It therefore appears to me that the effect of the agreement was to transfer to Oxford all present and future rights in the invention in suit which, I have already found, were at that point in time rightly Mr Walpole's to dispose of.

According to Mr Wilkie, in September 1990 there were negotiations between the promoters of what was to become the present applicants, Novacare, and Oxford, but they came to nothing. Mr Wilkie says that during these negotiations the promoters put forward a joint venture agreement that acknowledged Oxford's rights to the technology. However, the document eventually exhibited by Mr Wilkie as 3TDW1, which he describes as a "Business Plan and outline terms for a joint venture", and which appears to have been submitted by Novacare's promoters to Oxford in November 1990 (though the date on the covering letter, added in manuscript and not necessarily contemporaneous with the letter itself, could as well be read as 1992) appears to include no such acknowledgement, at least in the explicit terms seemingly implied by Mr Wilkie. The nearest this exhibit seems to get in this respect is in the covering letter, from a firm of accountants who presumably either were themselves or represented Novacare's promoters, which includes the following:

> "We will need a detailed technical report on the analyser and oscillator together with copies of patents, and all relevant information regarding how the technology actually works. We also suggest that the technology and patents etc are held in escrow to protect all parties."

Whatever else this exhibit shows, I cannot conclude with any confidence that it contains, as Mr Wilkie appears to allege, an acceptance by the promoters "that Oxford had the right to

all past present and future technology", or "that it was in the ownership of the Referrer", and I cannot either, for that matter, see in the exhibit, as Mr Wilkie implies, terms "whereby (the promoters) would have a future interest in the past, present and future technology". This exhibit, the filing of which seemed to cause the referrers such difficulty, does not, in short, substantiate much of what Mr Wilkie appears to ascribe to it.

Mr Walpole exhibits a letter dated 25 March 1994 from him to Novacare's eventual liquidators in which he asserted that the promoters were given a copy of the Walpole/Oxford agreement during these negotiations. This is denied in the counterstatement, and while there is, of course, no evidence from the applicants to support this denial, I note that Mr Walpole does not actually reaffirm the assertion in his sworn affidavit, but merely identifies the letter. Mr Wilkie makes no mention of the Novacare promoters having seen or been made aware of the Walpole/Oxford agreement during these talks, and its existence is certainly not expressly acknowledged in exhibit 3TDW1. Strictly, therefore, I cannot regard the assertion contained in the letter as a fact established by the absence of contrary evidence. It is unhelpful, therefore, from the point of view of my resolution of this dispute, that the evidence is particularly weak on the question of the understanding that existed at or around September or November 1990 between Novacare's promoters and Mr Wilkie, in his capacity as representative of Oxford and/or Mr Walpole. This is not, however, necessarily critical, since, whatever may have been Novacare's understanding at the time, I have found that rights in the invention, which vested initially with Mr Walpole, were tranferred to Oxford by the agreement of August 1990. The fact that the negotiations with Novacare at that time came to nothing merely confirms that the position regarding rights in the invention was at that stage unchanged.

Mr Walpole now found another sponsor ("Mr Y") who agreed to finance the development of a new generator, and a new analyser "based on the work with crystals and lasers". In October 1990 Mr Y and his wife formed a company called Lokitek Limited ("Lokitek") and employed Mr Walpole. The timing of this throws still further doubt on the status of discussions with Novacare's promoters, which continued at least into November, but that does not appear to be of significance. Letters dated 15 March 1991 from Mr Wilkie to Mr Walpole and the Lokitek Directors, exhibited by Mr Walpole, drew attention to

Mr Walpole's agreement of 20 August 1990 with Oxford, and confirmed Oxford's agreement to Lokitek submitting a patent application for a transducer subject to the rights and ownership being vested in Oxford, the precise mechanism whereby this was to be achieved including the possibility of Lokitek themselves being granted the patent and then, on request from Oxford, assigning it to them in return for discussions concerning a licence. Mr Walpole also exhibits a letter dated five days later from himself to a patent agent giving instructions on behalf of Lokitek for the drawing up and filing of a patent application for a transducer (though not, I note, specifically referring to the intention to vest ownership in Oxford). I am satisfied that this evidence establishes that Lokitek were aware of and were being required to adhere to the agreement between Mr Walpole and Oxford, at least by March 1991, though it does not in itself establish positively that they knew of it in October 1990 when Mr Walpole first joined the company. However, it is clear that in October 1990 Mr Walpole himself, having only very recently signed the agreement with Oxford, must have entered into employment with Lokitek in full knowledge of the agreement, and on the balance of probabilities on the admittedly limited evidence, I can accept both that Mr Walpole obtained the necessary permission from Oxford to take this further employment, and that Lokitek were aware at the outset, and not merely by March 1991, of the terms of Mr Walpole's agreement with Oxford and of the constraints which this placed, for example upon their ownership of any intellectual property rights. I am also satisfied, on the balance of probabilities and in the absence of evidence to the contrary, that the "transducer" being referred to in this correspondence was the subject matter of the application in suit, and that the patent application in respect of which Mr Walpole was giving instructions in his letter of 20 March 1991 was the application in suit.

According to Mr Walpole, by April 1991 the new generator and analyser and "the crystal headset" had been prototyped. I detect nothing in the evidence to suggest that further significant development of the electrodeless transducer occurred during Mr Walpole's time with Lokitek. Even if it had, however, it would have happened while Mr Walpole was still subject to his agreement with Oxford, requiring any rights to revert to Oxford.

Piecing together the exact sequence of events from this point becomes even less easy, but it appears from Mr Wilkie's and Mr Walpole's evidence that in April 1991 the present

applicants, Novacare, were established by change of name of another company. Novacare (or its promoters) bought out Lokitek, apparently without Oxford's agreement, and Mr Walpole was, according to a Novacare prospectus dated November 1991 and exhibited by Mr Wilkie, nominally appointed Technical Director. Mr Walpole himself indicates, however, that, according to Companies House records, this appointment never formally took effect.

The applicants allege that on 10 September 1991 Mr Walpole assigned to Lokitek all the "inventor's rights" in two inventions identified by draft patent specifications A and B appended to the assignment document, which was attached to the counterstatement. "A" relates to another magnetic field generator and need not concern me further. "B" is the specification of the present application, minus claims. The assignment refers to an agreement dated 16 January 1991 between Mr Walpole and Lokitek, but no copy of this agreement has been submitted. Although the assignment document appears to bear Mr Walpole's signature, he claims in an exhibited letter to Novacare's liquidators that in fact he never signed it. The letter refers to graphology tests which are alleged to have been carried out, but there is no clear statement of the outcome of these tests, and no substantiation. The applicants' counterstatement states that the rights were, the following day, reassigned to Novacare, the reassignment document also being attached to the counterstatement. Lokitek were then, according to Mr Walpole, wound up.

Were I in a position of having to decide on the authenticity of the two assignment documents, I would need to weigh a number of considerations against one another, including, on the one hand, that the documents are not formally in evidence and in particular are not attached to a sworn statement, and, on the other, that, although Mr Walpole's evidence that he did not sign the first assignment is unchallenged by opposing evidence, it is also unsubstantiated, for example by evidence of graphology tests to which Mr Walpole's evidence refers. Fortunately I do not have to decide this point, since I believe that it follows from my earlier findings that, at the time when, according to the applicants, Mr Walpole assigned the rights in the invention in suit to Lokitek, those rights were not in fact his to assign. They were still vested in Oxford under the terms of the agreement of August 1990. It follows that I find that the two assignment documents had no effect on ownership of rights in the invention.

On 8 October 1991 Novacare filed the present patent application, claiming on Form 7/77 that they derived the right to be granted a patent "by virtue of employment of the inventor by the applicants". Since, however, I have found that the invention was made some time before Mr Walpole's employment by Novacare began, I do not regard this claim as effective.

On 9 October 1991 a holding company, Cambridge Research Management Limited, was set up by change of name of another company, with Novacare as a subsidiary and Mr Walpole as a director. From exhibit 3TDW1, there appears to have been a proposal for the, or a, holding company to acquire a 51% stake in Oxford, but as this exhibit is neither dated nor explained, it is difficult to make much of it.

Mrs Wenn was employed to assist Mr Walpole, and some exploitation of the treatment techniques then took place, but there were problems, with complaints from clinics, customers and suppliers. Mr Walpole gives a lengthy recital of the problems, with a number of complaints described in exhibits SJW13 and SJW14. Eventually Mr Walpole resigned from the company in September 1992. Oxford promptly started disputing the ownership of the present patent application.

Three months later, Novacare went into voluntary liquidation. The liquidators wrote to Mr Wilkie in February 1994, in an exhibited letter, to the effect that they were prepared to assign the patent application to Asec Limited, which appears to be an Oxford nominee, but only in return for £5000 and other conditions. They offered to provide a side letter to the Commissioner stating "Subject to the determination by the Commissioner the rights to the Patent application are vested with Oxford Consulting Limited and/or Asec Limited and not with the Liquidator of Novacare Products Limited." While this might be interpreted as meaning that the side letter would only follow the assignment, and hence the payment of £5000, Mr Wilkie also stated that an employee of the Receiver confirmed to him that, to quote Mr Wilkie, "(the receiver) had no rights to the Patent Application and were wholly seeking to utilise their position so that they could extract monies to offset their fees". Again, fortunately, I do not have to decide the weight, or even the admissibility, of this particular item, since, regardless of what the liquidators or their employees may have thought about their ownership or otherwise of the rights in the application, I have found that at this stage

it still belonged to Oxford. That Mr Walpole has continued to regard the agreement of August 1990 as determining the overall position is confirmed by his exhibited letter of March 1994 to the Novacare liquidators, in which he states both that he continues to stand by the agreement, and that Oxford have complied with all its terms.

To summarise my analysis of the situation as drawn from the evidence, Mr Walpole is the sole inventor of the invention of the patent application in suit, and owned all rights in it up to 20 August 1990, when he assigned all those rights, and all future rights in relation to the invention, to Oxford. Although there have been several developments subsequent to that agreement coming into force, nothing has occurred, in my judgement, to reduce its effect, and I therefore find that the referrers, Oxford Consulting Limited, and not the applicants, Novacare Products Limited, are entitled to all rights in Patent Application No 9121282.

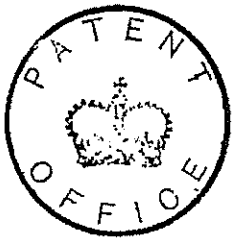
Therefore, as requested by the referrers, I order that the application in suit shall proceed in the name of Oxford Consulting Limited instead of Novacare Products Limited. As I have already noted, the application is at present awaiting reply by the applicants to the first examination report under section 18, such reply having already fallen due on 19 June 1995. I also note that, under rule 34(1)(a) of The Patents (Amendment) Rules 1992, the period within which the application shall comply with the Act and Rules expires on 8 April 1996. Since this is less than twelve months from the date of this decision, which is effectively the first date on which it becomes the responsibility of Oxford Consulting Limited to reply to the first examination report, I invoke rule 110(1) and adopt the terms of rule 34(1A), ordering that the period within the application shall comply with the Act and Rules shall be twelve months from the date of this decision. I also extend the period under section 18(3) within which Oxford Consulting Limited may make observations on the examination report and amend the application so as to comply with the requirements of the Act and Rules to six months from the date of this decision.

Both parties have sought costs. In all the circumstances, including the fact that no hearing was sought by either party, that the applicants have filed no evidence and that the referrers have been successful in their action, I award the referrers the sum of £350 as a contribution

to their costs in these proceedings and order that this sum should be paid to them by the applicants.

Any appeal from this decision must be lodged within six weeks from the date of the decision.

Dated this 7 day of August 1995



Dr P FERDINANDO
Superintending Examiner, acting for the Comptroller

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