

IN THE MATTER OF a reference under section 37 by British Telecommunications plc and an application under section 13 by Philip Graham Reeves and Derek Stanley Adams in respect of Patent Number 2260364 in the name of Fadjoy (Engineering) Limited

Bridges 30/12/96  
Entitlement - settled by  
agreement

## DECISION

The proceedings in suit were brought under Section 8 (subsequently treated as being under Section 37 by virtue of Section 9) by British Telecommunications Plc ("BT") and under Sections 13(1) and 13(3) by Philip Graham Reeves and Derek Stanley Adams on 7 June 1994. They relate to United Kingdom patent application No. 9217439 (subsequently granted as patent No. 2260364) in the name of Fadjoy (Engineering) Limited ("Fadjoy"). The invention of the patent in suit relates to a pay-phone coin box.

Shortly before the issue was to be decided at a substantive hearing, the Comptroller was informed, in a letter dated 20 May 1996 from BT, that the parties had reached a compromise agreement and wished the proceedings to be terminated on that basis. A jointly signed document in the following terms was enclosed:

*"The parties hereto have reached agreement to compromise each of the Reference and the Application in these proceedings GB2205/SPT.*

*As a consequence of the compromise it is agreed that*

*1. Each of Philip Graham Reeves and Derek Stanley Adams shall be mentioned as co-inventors with Mr Ernest Fletcher of the invention or inventions claimed in GB 2260364.*

*2. As Mr Reeves and Mr Adams were at all material times employees of BT, in accordance with Section 39 of the Patents Act 1977, BT shall be added as co-proprietor of GB 2260364 jointly with Fadjoy.*

*3. Upon entry in the Register of these changes the proceedings shall be terminated (alternatively, BT agrees to withdrawal of the Reference and Messrs Reeves and Adams agree to withdrawal of the Application upon such entries being made).*

*4. The parties hereby request the Comptroller to make the appropriate entries in the Register (or to so order) with no order as to costs in the proceedings and no other order."*

An Official letter dated 26 June 1996 in response indicated that it was the view of the Office that the most appropriate way to terminate the action would be for the Comptroller to issue a decision setting out as orders the terms of the agreed compromise and making no award of costs. No objection to this proposal having been raised by the parties, that is what I will now do.

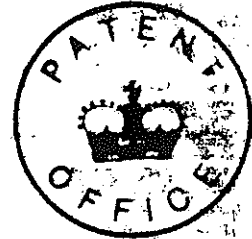
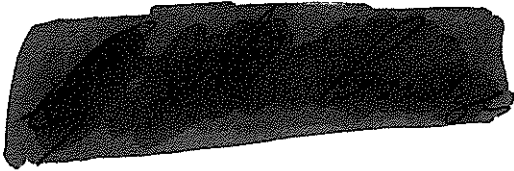
To conclude therefore, as a result of agreement between the parties and as set out in a document dated 17 May 1996, the consequence of this entitlement action is that:

1. I direct that Philip Graham Reeves and Derek Stanley Adams shall be mentioned as joint inventors of Patent No 2260364 along with Ernest Fletcher in accordance with the terms of Section 13(1);
2. I direct that, in accordance with Rule 14(5), an addendum slip mentioning Philip Graham Reeves and Derek Stanley Adams as joint inventors be prepared accordingly;
3. I declare that British Telecommunications public limited company should be added as co-proprietor of Patent No 2260364 along with Fadjoy (Engineering) Limited;

4. I direct that the Register of Patents be amended accordingly;

5. I make no order for costs in these proceedings.

Dated this 30 day of JULY 1996.



**G M BRIDGES**

Superintending Examiner, acting for the Comptroller.

**THE PATENT OFFICE**