



Intellectual
Property
Office

BL O/355/18

12 June 2018

PATENTS ACT 1977

BETWEEN

IT-ACS Limited

Claimant

and

Federal Agency for Legal Protection of Military,
Special and Dual Use Intellectual Activity Results et
al.

Defendants

PROCEEDINGS

Reference under section 12(1)(a) in respect of
various foreign and convention patent applications
derived from WO 2014/077724 A1

Conclusion and order

- 35 On the basis of the evidence provided by the claimant and taking into account that the defendant is being treated as having withdrawn from the proceedings, I am satisfied that Professor Schagaev is the devisor of the invention in WO 2014/077724 A1 and the applications and patents derived therefrom and that the currently named inventors did not contribute to the invention. I am also satisfied that IT-ACS Limited is entitled to these applications by virtue of its employment of Professor Schagaev.
- 36 I therefore order that
- i) European patent application number EP 12888226.3 A, Korean patent number KR 20150074110 A, Japanese patent number JP 2015536509 A and Chinese patent number CN 105103060 A and PCT application WO 2014/077724 A1 should all proceed solely in the name of IT-ACS Limited and
 - ii) IT-ACS Limited be named as sole proprietor of US patent US 9734002 B2 and
 - iii) that the currently named inventors on European patent application number EP 12888226.3 A, Korean patent number KR 20150074110 A, Japanese patent number JP 2015536509 A, Chinese patent number CN 105103060 A, PCT application WO 2014/077724 A1 and United States patent US 9734002 B2 be replaced with Professor Schagaev as the sole inventor.