

## **PATENTS ACT 1977**

IN THE MATTER OF patent application GB 9423327.7 in the name of European Environmental Recycling Ltd, international patent application PCT/GB 95/01686 in the name of Donald Roy Crawley and UK Patent GB 2291419 in the name of Victor George Bennett

and

IN THE MATTER OF referrals under sections 12 and 13 of the Act by Victor George Bennett and Thomas Malcolm Kemp.

### **DECISION**

1. On 9 September 1999, I issued a decision finding against Mr Don Crawley in the above matter. The usual six week appeal period was allowed, ie by 21 October 1999.
2. Mr Crawley had represented himself in the relevant Patent Office hearing, but subsequently he instructed solicitors, namely Irwin Mitchell, to look after his interests. A letter dated 11 October 1999 was received from the latter, requesting a six week extension of time to appeal, ie up to Thursday 2 December 1999.
3. On 13 October, a faxed letter was received from Baron & Warren (agents for Messrs Bennett and Kemp) agreeing to a two week extension only.
4. A response dated 15 October was received in turn from Messrs Irwin Mitchell restating the need for the full six weeks extension and pointing to potential prejudice to their client if this was not allowed.
5. I accept that it would be only reasonable to give some kind of extension, but the question is how long. The standard Patent Office practice in such cases is to give up to four weeks extension for obtaining legal advice, and I do not see why I should do otherwise, especially in the absence of any unusual circumstances peculiar to the present case.
6. I am therefore willing to consent an extension of time, but not the full six weeks requested. I allow four weeks from the expiry of the original hearing period, ie until 18 November 1999.
7. This being a matter of procedure, the time for appeal is 14 days.

Dated this 15<sup>th</sup> Day of October 1999

**G M Bridges**  
**Divisional Director, acting for the Comptroller**

**THE PATENT OFFICE**