



BL O/023/06

18 January 2006

PATENTS ACT 1977

APPLICANT	Mr Allan Gill
ISSUE	Whether search of patent application number GB 0411191.0 would serve a useful purpose under section 17(5)
HEARING OFFICER	Mrs S E Chalmers

DECISION

- 1 Patent application GB 041191.0 entitled "Water saucer" was filed on 20 May 2004 by Mr Allan Gill. The application has not yet been published.
- 2 The examiner reported that he could not carry out a search as he was unable to determine the nature of the invention from the specification as filed. He invited Mr Gill to file amended claims, which the applicant duly did. However, following reconsideration of these claims, the examiner remained of the view that no search was possible. He therefore offered Mr Gill the options of (a) leaving the matter to be considered in more detail at substantive examination, if requested, (b) having a hearing to determine whether search was indeed possible and (c) withdrawing his application.
- 3 Following extensive correspondence between the examiner and applicant, Mr Gill accepted the offer of a hearing. He indicated he did not wish to attend the hearing but filed further arguments to assist me in reaching a decision from the papers on the official file.

The application

- 4 According to the application, the invention relates to "a water wheel and/or pneumatic hydraulic system for the control of angular velocity of that flywheel rotating construction and whose external shape is in the shape of a saucer being made of composite of metals or alloys...." It is said to provide "a means for controlling the amount and velocity of flow of a fluid through orifices and the rapid transfer from one container to another of a fluid or gas or vapour under pressure". This is said to be done by fitting a "water saucer", which may have an inner surface with concentric undulating waves, to a pump with

turbine blades. The application also states that the saucer may act as a centrifugal pump or propulsion system through its expansion and contraction giving enhanced velocity to air and “can focus electromagnetic radiation with reference to the photoelectric effect and the production of electricity”. There are three drawings which show various parts of the system, namely the saucer, a turbine and a part of a turbine blade.

The original claims

5 The application as filed comprises 9 claims. Claim 1 reads:

“ A saucer shaped and similar construction of various diameter which rotates and which acts as a centrifugal pump of gas or liquid and may transfer large amount of that gas or liquid rapidly into other vessel or container also shaped similar to the forsaied saucer shape through ion production and rotation of the forsaied liquid with reference to heating of the skin or external layers of the forsaied shape by air velocity and or other external force as it rotates and or is displaced external to its own rotation”.

6 The other dependent claims relate to the shape and construction of the saucer and the air flow characteristics it is said to produce.

The amended claims

7 Later, the applicant filed an amended set of 12 claims. These are broadly of the same nature as the original claims but differ in certain details. I need only reproduce claim 1 which reads:

“ A Water Saucer of similar shape their to with adjacent container jackets containing a gas or liquid and which acts as a centrifugal pump and which may be actuated to pump large amount of a gas a liquid or both rapidly into other vessel partly through the heating of the foresaid gases liquids by rotation and the circulation of the heated gas within a inner jackets which may heat the said liquid or water as well as by the heating of the external skin by rotation and impact of gases, particles external to it.”

8 The other dependent claims relate to the construction of the saucer and to the airflow and temperature characteristics to be achieved.

Applicant’s arguments

9 Mr Gill’s arguments are not easy to follow but he states that his invention relates “basically to streamlining of a centrifugal pump of conventional type or known technology”. He explains that “wherein a number of wave shape may expand and contract when either the metal alloy their of is heated, and with reference to external impact of air upon

the machine and heating through friction, which as the wave shapes expand, may force air around pneumatic system with a raise in temperature, this energy being transferred into a velocity of displacement of gas or fluid into other vessel, or the production of ions and or electricity.” I assume that by “wave shape”, Mr Gill is referring to the undulating concentric circles on the inner surface of the “saucer” as described in his application.

Conclusions

- 10 I have read the specification several times but I confess that I do not understand the invention as described in the application. Regrettably, Mr Gill’s explanation sheds little further light on what his invention is and how it works. I have no doubt that this all makes perfect sense to Mr Gill, but the nature and overall construction of his system and how it is supposed to operate are simply not clear to me. Although the drawings show various parts of the system, namely the saucer, a turbine and a part of a turbine blade, there is no description of the system as a whole, how these individual parts are assembled to form the system, how they interact and how that system operates in use.
- 11 I therefore agree with the examiner that the nature of the invention is unclear such that no meaningful search is possible. I therefore find that the search would not serve a useful purpose under section 17(5)(b).
- 12 It is open to Mr Gill to file further amendments to seek to clarify his invention and these will be considered at substantive examination. The examiner will also reconsider whether a search is possible. However, Mr Gill seems to have limited room for manoeuvre since patent law forbids him to add extra information to his application at this stage. He may therefore wish to reconsider whether it is in his best interests to withdraw this application and to refile a new application containing more details about his invention. Although the application is already overdue for publication, I will give Mr Gill a further 4 weeks ie until the end of the appeal period, to decide if he wants to withdraw the application. If he chooses this option, then his invention will not be made public. If neither a request for withdrawal is received nor an appeal is lodged by the end of this period, the case will be sent for publication in the usual way.

Appeal

- 13 Under the Practice Direction to Part 52 of the Civil Procedure Rules, any appeal must be lodged within 28 days.

MRS S E CHALMERS
Deputy Director acting for the Comptroller