

P 44359

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September 23, 1982

Michael E. Boud, Esq.  
Parker & Parker  
Floor 23 A.M.P. Building  
140 St. George's Terrace  
Perth, Western Australia 6000

Dear Michael:

Invention Disclosure - HULL/  
KEEL STRUCTURE  
Your Ref.: JON816023  
Our Ref.: PARK-1

BEHOORT BIJ BRIEF

d.d. 82-10-01

van Finnegan, ene

INGEKOMEN

11. OKT. 1982

Beantw

We have now had an opportunity to review the design of the hull and keel structure of Australia II. We believe that there is a good chance that copyright protection on the hull and keel design is obtainable. As you can appreciate there is some uncertainty about this in the American law, however, the nature of the copyright protection makes the effort well worthwhile even in view of the uncertainty.

As we previously advised, a Copyright registration can be issued quite quickly and thus access to the courts to prevent infringement can be obtained expeditiously.

We would therefore recommend that when the keel structure of the Australia II becomes known to the public, that a Copyright application be filed immediately.

For long term protection with more certainty, a patent is still the best vehicle. In this regard, we are quite concerned about the brevity of the application which you sent to us. We are reluctant to criticize the work of such a highly respected firm as Nederlandsch Octrooibureau and believe there is some explanation for the brevity of the present application

*Handwritten notes:*  
disclosure  
of office  
with finance

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Michael E. Boud, Esq.

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such as, for example, limited time and information available to the writer.

Nevertheless, to perform the service you have asked us to undertake I am compelled to point out the inadequacy of the application. The U.S. patent laws are very exacting and demanding. An applicant must make a full and complete disclosure of the best mode contemplated to practice the invention. Without this his patent may be held invalid. A copy of § 112 of our patent code is enclosed.

As you can see from the copy of the patent which I sent to you with my letter of August 26, 1982, U.S. patents are typically much longer and more complete than the present application.

While I have not made a study to determine if the present application would pass close scrutiny on this point, it is my opinion that in an invention of this importance, such a question should not even be raised.

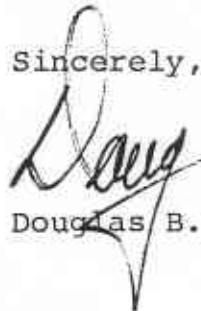
Thus I have taken the liberty of asking my partner, Steve Peterson, to prepare an expanded draft of the application based on the information we now have and to point out additional information that should be included. Ideally we would like to speak with Dr. Van Oossenen to obtain a more detailed description of the keel. A copy of this expanded draft application is enclosed.

Michael, after you have had a chance to consider these matters, please let me have your thoughts.

We have enclosed our statement for our work through August 31, 1982.

With best regards.

Sincerely,



Douglas B. Henderson

DBH:ar

Enc.