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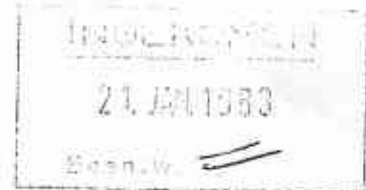
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Dear Peter:

Patent Application for AUSTRALIA II
Hull and Keel Structure
Your Ref: P 44389
Our Ref: PARK-001

Thank you for your telex of December 2, 1982.

The U.S. patent laws require that an "application for patent shall be made by the inventor". This language has been strictly construed by our courts to require that the inventor or inventors listed on the application must be the person or persons who actually made the invention which is set forth in the claims of the application.

The courts have held that the head of a research team or department is not a proper inventor unless he has actually made the claimed invention himself. Where others working under the team leader's direct supervision actually made the invention at his direction the team leader will be considered the sole inventor if he suggested all the inventive features and the other members of the team were merely carrying out his specific directions. Thus if the team leader instructs the team members to conduct certain computer studies on a device using specific guidelines provided by the team leader and the results of the studies reveal a specific design feature for the device which will improve the device then the team leader is the sole inventor of the specific design feature.

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Dr. Peter van Oossanen

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On the other hand where the leader of the team only gives general instructions, and the team members actually conceived the specific features which are claimed in the patent application, then the team leader is at best a co-inventor with the member or members of the team who made the specific feature. For example if a team leader suggests adding a specific feature for a device and a team member finds that the specific feature works but only if it is located at a specific point and is constructed in a specific manner then the leader and the team member are co-inventors (presuming that the whole concept is new).

Finally if the leader of the team merely instructs the team members to do studies to find ways to improve a device, and a team member comes up with a specific feature which makes the device better then the team member is the sole inventor.

Our laws provide that where the wrong inventor is named in a patent application through error without any deceptive intent the application can be amended to correct the error. The petition to correct the error must be made diligently and must be accompanied by a verified statement of facts by the original inventor establishing when the error without deceptive intent was discovered and how it occurred.

Thus it is important that we promptly determine the facts regarding the development of the features of the hull which are set forth in the claims of the application and if error has been made to promptly correct the error.

Please call or write if you have further questions.

With best regards.

Sincerely,



Douglas B. Henderson

DBH/m

cc: Michael E. Boud, Esq.