

## FILE NOTE

**File No.:** 392111  
**Client:** Swanwell, RER, FLS Miljo  
**Date:** 3 October, 2001

Telecon – Stuart Pratt, RER:

He enquired as to the status of this file. I advised that we were still awaiting funds in order to proceed, although recordal of the UK patent had gone ahead since we had received payment from FLS Miljo.

He was somewhat concerned that the UK patent had been recorded, since he had wanted to defer all action until he had received the payments due from FLS Miljo under the agreement.

I advised that my file indicated that legal ownership of the UK patent had been transferred to FLS Miljo. Since I had been instructed to proceed with recordal by the legal owner, I was obliged to proceed, so as to avoid liability for any loss of damages that may have resulted from our failure to record within the six month period provided for by the Patents Act. I advised that legal ownership passed upon execution of the assignment, and whilst equitable ownership may only pass upon payment of the consideration, he could not simply revoke the assignment if FLS did not pay.

He indicated that he wished to proceed with recordal of the assignment of overseas patents in a simplified manner, i.e. from Swanwell to FLS, rather than via RER, so as to reduce costs. I therefore asked him to send me funds to attend to this, and he undertook to do so.

MPS.

THIS IS A REFERENCE TO [SECTION 68 OF THE PATENTS ACT 1977](#)  
AS ENACTED - NOT AS AMENDED [IRREGULARLY, IN 2006]