

RODYK & DAVIDSON
Advocates and Solicitors, Notaries Public.
COMMISSIONERS FOR OATHS.

Chartered Bank Chambers,
P.O. BOX 462,
Singapore.

G. STARFORTH HILL
T. H. A. POTTS
S. K. TAN
M. COOMARASWAMY
FOO YEW HENG
C. ARUL
H. HANGCHI
P. SELVADURAI

TELEPHONE:
92731 (5 LINES)
TELEGRAMS:
KYDOR, SINGAPORE
TELEX:
ROANDA RS21316

SM/2398/69/LS
Your Ref: P.229/1969

31st January, 1972

- 2 FEB 1972

Dear Sir,

U.K. Patent No. 1038344
CIBA LIMITED

The writer discussed this matter with Mr. D'Rozario recently and the facts are as follows :-

"We received instructions from our clients by Telex at 5.25 p.m. on the 27th of November, 1969 to apply for the registration of British Patent No. 103844 in Singapore. The Patent was sealed in United Kingdom on the 29th of November, 1966 and the three years would have lapsed on the third anniversary which would have been on the 29th of November, 1969. We cabled clients on the 28th of November, 1969 for their Forms A & B which we received on the 1st of December, 1969. Our application was filed on the same day. The 29th of November, 1969 was a Saturday and the next working day was Monday the 1st of December, 1969 and your letter of the 8th of December, 1969 you informed us that the application for registration was refused as the application was made outside the three year period."

Your said letter of the 8th of December, 1969 was not in our file. This was due to gross negligence on the part of a member of our clerical staff who had not filed correspondence in the file but had destroyed them. This clerk has since ceased to be employed by us. When the file was revived sometime in December, 1971, we wrote to you for the Certificate of Registration of the Patent and you then sent to us on the 29th of December 1971, a copy of your letter of the 8th of December, 1969 and this was the first time we learnt that you had refused to registration. We informed our clients on the 4th of January, 1972 of your decision and we have been instructed to place the above actual facts for your consideration so that you could reconsider your refusal to register the Patent.

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We trust you will reconsider the matter in the light of this explanation and approve the registration. We might add that in our view the decision of the Registrar dated the 8th of December, 1969 was neither a judicial or quasi judicial decision and as such it is within your discretion to reconsider the said decision in the light of the special circumstances explained above.

Such registration, if you approve, would not prejudice the rights of any third party.

Yours faithfully,

Bob & David

The Registrar of Patents,
Registry of Trade Marks & Patents,
11 Fort Canning Road,
SINGAPORE.