

RAM WINS

SECOND PATENT CASE against AMMESA - Rotainer

RAM Spreaders makes successful challenge to a Rotainer patent in a hearing at the national patent office.

Summary

Following a recent hearing at the National Patent Office in Canberra, Australia RAM Spreaders had succeeded in the opposition against a Rotainer-AMMESA patent application.

The National Patent office found in the opposition hearing brought by NSL, that an AMMESA Patent application relating to apparatus for handling of containers for bulk purposes lacked novelty as it did not involve any inventive steps; and as a result the patent was not granted to AMMESA.

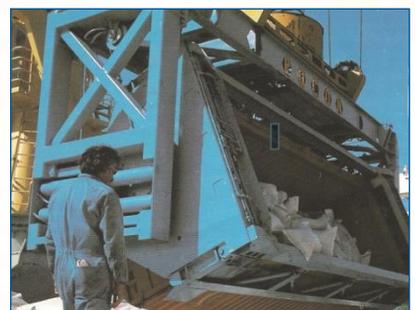
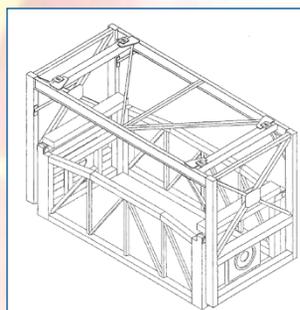
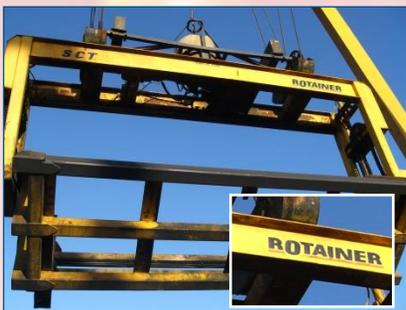
Background

Company AMMESA submitted a Patent application relating to apparatus for the handling of containers for bulk purposes. The patent was for a container tipping device for which there are extensive prior patents.

RAM Spreaders parent company (NSL) raised concerns that the new patent was surprisingly similar to older patents, and supplied extensive examples of these patents to the national patent office which showed the old patent art. This included two American patents and documents prepared by RAM founder, Robert Arthur Mills.

The RAM Spreaders (NSL) concerns were raised in the form of a 'notice of opposition' under various subsections of the Patents Act 1990, insofar as the invention, as claimed, is not a patentable invention as it is not novel.

In March of 2017, the opposition hearing was held at the National Patent Office in Canberra. National Patent Office Delegate Mr. Ed Knock, who chaired the hearing, deliberated the evidence brought before him by the opposition RAM Spreaders (NSL) against the patent application submitted by AMMESA.



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Decision

After careful considerations to the evidence brought before the hearing, Delegate Mr. Ed Knocks found in favour of RAM Spreader (NSL) on a number of claims:

"My finding in this opposition is that the opposition succeeds on just one of the grounds relied on, that of novelty. Claims 1, 2, 5 to 15 and 17 to 19 are not novel"

Delegate Mr. Ed Knocks

AMMESA was granted a period of time to propose amendments to remedy the defects in their application, but the date surpassed and AMMESA's Patent application was refused.

Costs

Mr. Ed Knocks awarded AMMESA to pay RAM Spreaders (NSL) legal costs:

"In accordance with the general principle that costs follow the event, I award costs against the applicant, Australian Mobile Mining Equipment Systems and Accessories Pty. Limited." Delegate Mr. Ed Knocks

Learning about the successful judgment **Mr. Cameron Hay of RAM Spreaders** commented:

"We are pleased to have such an emphatic judgment with the Rotainer patent found to lack novelty and our opposition being successful. At RAM our strategy is to provide the best product and design for our customers and not trolling old IP and trying to create confusion in the market"

Conclusion

1. RAM Spreaders (NSL) opposition to AMMESA Patent application was successful.
2. National Patent Office found in favour of RAM Spreaders (NSL) Claims 1, 2, 5 to 15, 17 to 19 on grounds of lack of novelty to AMMESA patent application.
3. AMMESA patent application refused.

Due to its sustainable growth and its dedication to innovation, RAM Spreaders, a globally recognized container handling equipment manufacturer have successfully registered 25 global patents for a wide range of innovative equipment.

RAM
SPREADERS