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**Datasheet for the decision
of 25 February 2008**

Case Number: T 0684/07 - 3.2.01

Application Number: 99202134.5

Publication Number: 0968918

IPC: B64D 41/00

Language of the proceedings: EN

Title of invention:

Auxiliary power unit passive cooling system

Patentee:

The Boeing Company

Opponent:

AIRBUS Deutschland GmbH et al.

Headword:

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Relevant legal provisions:

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Relevant legal provisions (EPC 1973):

EPC Art. 108

EPC R. 65(1)

Keyword:

"Missing statement of grounds"

Decisions cited:

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Catchword:

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Case Number: T 0684/07 - 3.2.01

DECISION
of the Technical Board of Appeal 3.2.01
of 25 February 2008

Appellant: The Boeing Company
(Patent Proprietor) P.O. Box 3707
M.S. 13-08
Seattle, WA 98124-2207 (US)

Representative: Land, Addick Adrianus Gosling
Arnold & Siedsma
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Respondent: AIRBUS DEUTSCHLAND GmbH et al.
(Opponent) Kreetslag 10
D-21129 Hamburg (DE)

Representative: Kopf, Korbinian Paul
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Decision under appeal: Decision of the Opposition Division of the
European Patent Office posted 12 February 2007
revoking European patent No. 0968918 pursuant
to Article 102(1) EPC.

Composition of the Board:

Chairman: S. Crane
Members: J. Osborne
G. Weiss

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Opposition Division posted 12 February 2007 to revoke the European patent No. 0 968 918.

The appellant (patent proprietor) filed a notice of appeal on 12 April 2007 and paid the fee for appeal on the same day.

- II. By a communication dated 30 July 2007, sent by registered post with acknowledgement of receipt, the registry of the Board informed the appellant that it appeared that no written statement of grounds of appeal had been filed and that it was to be expected that the appeal would be rejected as inadmissible. The appellant was invited to file observations within two months.

- III. No observations were received in response to said communication.

Reasons for the Decision

No written statement setting out the grounds of appeal has been filed. Furthermore, the notice of appeal contains nothing that could be regarded as a statement of grounds pursuant to Article 108 EPC 1973. The appeal therefore has to be rejected as inadmissible (Rule 65(1) EPC 1973).

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

A. Vottner

S. Crane