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**Datasheet for the decision
of 11 February 2014**

Case Number: T 0290/11 - 3.2.01

Application Number: 02075681.3

Publication Number: 1264739

IPC: B60R19/18, B60R21/34

Language of the proceedings: EN

Title of invention:

Protective structure for vehicles

Patent Proprietor:

Avelda S.r.l

Opponent:

Adler Plastic S.p.A.

Headword:

Relevant legal provisions:

EPC R. 84(1), 100(1)

Keyword:

Lapse of patent in all designated states - termination of
appeal proceedings

Decisions cited:

Catchword:



**Beschwerdekammern
Boards of Appeal
Chambres de recours**

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Case Number: T 0290/11 - 3.2.01

D E C I S I O N
of Technical Board of Appeal 3.2.01
of 11 February 2014

Appellant: Adler Plastic S.p.A.
(Opponent) Via Mozzoni,
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Representative: Cinquantini, Bruno
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Respondent: Avelda S.r.l.
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Representative: Di Gennaro, Sergio
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Decision under appeal: **Interlocutory decision of the Opposition
Division of the European Patent Office posted on
9 December 2010 concerning maintenance of the
European Patent No. 1264739 in amended form.**

Composition of the Board:

Chairman: G. Pricolo
Members: Y. Lemblé
D. T. Keeling

Summary of Facts and Submissions

- I. The appeal is directed against the decision posted 9 December 2010 according to which it was found that, account being taken of amendments made by the patent proprietor during the opposition proceedings, European patent No. 1 264 739 and the invention to which it relates meet the requirements of the EPC. Against this decision an appeal was lodged by the Opponent on 8 February 2011 and the appeal fee was paid on the same day. The statement setting out the grounds of appeal was filed on 6 April 2011.

- II. With letter dated 12 August 2013 the parties were informed that the above mentioned European patent had lapsed with effect for all the designated Contracting States and that the appeal proceedings would be terminated in accordance with the provisions of Rule 84(1) EPC unless a request to continue the proceedings was filed by the Opponent within two months.

- III. The Appellant (Opponent) did not submit any request that the appeal proceedings be continued.

Reasons for the Decision

Pursuant to Rule 84(1) EPC in conjunction with Rule 100(1) EPC the appeal proceedings are continued after lapse of the patent in all the designated Contracting States at the request of the Opponent filed within two months from the communication of the European Patent Office informing him of the lapse. As the Appellant did not file any request of continuation of the proceedings the appeal proceedings are thereby terminated.

Order

For these reasons it is decided that:

The appeal proceedings are terminated.

The Registrar:

The Chairman:



A. Vottner

G. Pricolo

Decision electronically authenticated