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File Number: T 634/90 - 3.2.4

Application No.: 81 304 361.9

Publication No.: 0 075 052

Title of invention: Pistons

Classification: F02F 3/02

DECISION
of 18 August 1992

Proprietor of the patent: AE PLC

Opponent: MAHLE GMBH

Headword:

EPC

Keyword:

Summary of Facts and Submissions

- I. In a decision dispatched on 6 June 1990 the Opposition Division rejected the opposition filed against European patent No. 0 075 052 granted upon the subject-matter of European patent application No. 81 304 361.9.
- II. The Appellant (Opponent) appealed against this decision by a letter dated 19 July 1990 and received on 28 July 1990, paid the fee for the appeal on the same date and filed a Statement of Grounds of Appeal on 20 September 1990, in which he requested that the patent be revoked.
- III. In a facsimile dated 17 August 1992 the Respondent (Proprietor of the patent) stated "... , we hereby request that the patent granted on the above application be revoked".

Reasons for the Decision

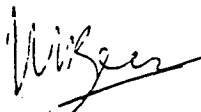
1. The appeal complies with Articles 106 to 108 and Rule 64 EPC and is admissible.
2. The Proprietor has made it clear in his facsimile dated 17 August 1992 that he wishes the patent to be revoked. Following the principles stated in Decision T 237/86 dated 11 June 1987 "Abandoned patent/SMS", in the exercise of its powers under Article 111(1) EPC this Board has decided to revoke the European patent.

Order

For these reasons it is decided that:

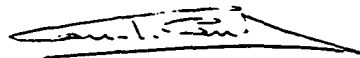
The decision of the Opposition Division dispatched on 6 June 1990 is set aside, and European patent No. 0 075 052 is revoked.

The Registrar:



M. Beer

The Chairman:



C. Andries

Bry
19.8.92