

Publication in the Official Journal ~~Yes~~ / No

File Number: T 370/91 - 3.3.2

Application No.: 84 300 930.9

Publication No.: 0 127 252

Title of invention: Synthetic film with a paper-like surface and method of forming same

Classification: B32B 27/20

D E C I S I O N
of 6 July 1992

Proprietor of the patent: MOBIL OIL CORPORATION

Opponent: HOECHST AKTIENGESELLSCHAFT, Frankfurt (Main)

Headword:

EPC Articles 102, 111(1), 113(2)

Keyword: Patent revoked as consequence of Patentee stating: "I withdraw this Patent leaving no rights outstanding"

Headnote

Summary of Facts and Submissions

- I. An appeal was lodged by the Appellant/Opponent against the decision of 25 February 1991 of the Opposition Division, which maintained European patent No. 127 252 in amended form, requesting that the decision be set aside and the patent revoked.
- II. In a letter submitted on 16 June 1992, the Respondent/Patentee stated the following:

"I withdraw this patent leaving no rights outstanding."

Reasons for the Decision

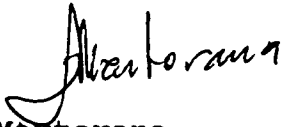
1. The appeal is admissible.
2. In accordance with the jurisprudence of the Boards of Appeal (e.g. T 237/86, OJ EPO 1988, 261, T 430/88 of 14 August 1990 and T 677/90 of 17 May 1991), the Board interprets the statement of the Respondent as agreeing to the revocation of the patent (Article 113(2) EPC).
3. The Board can, therefore, in the exercise of its power under Article 111(1) EPC decide to revoke the European patent (Article 102 EPC).

Order

For these reasons, it is decided that:

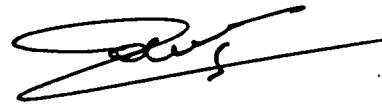
1. The decision under appeal is set aside.
2. European patent No. 127 252 is revoked.

The Registrar:



P. Martorana

The Chairman:



P.A.M. Lançon