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:
-
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)
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M.S. 13-08
Seattle, WA 98124-2207 (US)

Representative: Land, Addick Adrianus Gosling
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Respondent: AIRBUS DEUTSCHLAND GmbH et al.
(Opponent)
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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