Datasheet for the decision
of 27 September 2013

Case Number: T 0178/12 - 3.2.07
Application Number: 03728802.4
Publication Number: 1509638
IPC: C23F 15/00, C03C 25/14
Language of the proceedings: EN
Title of invention: Washwater neutralization system for glass forming line
Patent Proprietor: Owens Corning Intellectual Capital, LLC
Opponent: SAINT-GOBAIN ISOVER
Headword: -
Relevant legal provisions: EPC R. 84(1), 100(1)
Keyword: "Lapse of patent - termination of the appeal proceedings"
Decisions cited: T 0329/88, T 0289/06, T 0949/09, T 1133/12
Catchword: -
Case Number: T 0178/12 - 3.2.07

DEcision
of the Technical Board of Appeal 3.2.07
of 27 September 2013

Appellant: SAINT-GOBAIN ISOVER
(Opponent)
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Representative: Lucas, François
SAINT-GOBAIN RECHERCHE
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Respondent: Owens Corning Intellectual Capital, LLC
(Patent Proprietor)
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Representative: Mallalieu, Catherine Louise
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Decision under appeal: Interlocutory decision of the Opposition
Division of the European Patent Office posted
18 November 2011 concerning maintenance of
European patent No. 1509638 in amended form.

Composition of the Board:
Chairman: H. Meinders
Members: H. Hahn
          E. Kossonakou
Summary of Facts and Submissions

I. The opponent and sole appellant filed an appeal against the decision of the Opposition Division to maintain the European patent No. 1 509 638 in amended form pursuant to the twelfth auxiliary request.

II. With a communication dated 26 June 2013 the parties were informed by the Board that according to the information available to the European Patent Office the patent had lapsed in all the designated Contracting States.

In the communication the respondent (patent proprietor) was requested to confirm this information, which he did with letter of 4 September 2013.

Further, the appellant was informed that pursuant to Rule 84(1) in conjunction with Rule 100(1) EPC the appeal proceedings could be continued, if a corresponding request were filed within two months from notification of the Board's communication.

No such request was filed within this period.

Reasons for the Decision

1. Since in the present case no request for continuation of the appeal proceedings was filed, the proceedings can be terminated (see e.g. T 329/88; T 289/06; T 949/09; T 1133/12; all not published in OJ EPO).
Order

For these reasons it is decided that:

The appeal proceedings are terminated.

The Registrar: G. Nachtigall

The Chairman: H. Meinders