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**Datasheet for the decision
of 8 December 2011**

Case Number: T 1775/09 - 3.2.01

Application Number: 05008555.4

Publication Number: 1553017

IPC: B62M 25/04

Language of the proceedings: EN

Title of invention:

Switch style bicycle shift control device

Patentee:

SHIMANO INC.

Opponent:

SRAM Deutschland GmbH

Headword:

-

Relevant legal provisions:

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

Relevant legal provisions (EPC 1973):

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Keyword:

"Termination of appeal proceedings"

Decisions cited:

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Catchword:

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Case Number: T 1775/09 - 3.2.01

D E C I S I O N
of the Technical Board of Appeal 3.2.01
of 8 December 2011

Appellant: SRAM Deutschland GmbH
(Opponent) Romstr. 1
D-97424 Schweinfurt (DE)

Representative: -

Respondent: SHIMANO INC.
(Patent Proprietor) 3-77 Oimatsu-cho
Sakai-ku
Sakai City
Osaka 590-8577 (JP)

Representative: Murnane, Graham John
Murgitroyd & Company
165-169 Scotland Street
Glasgow G5 8PL (GB)

Decision under appeal: Decision of the Opposition Division of the
European Patent Office posted 17 June 2009
rejecting the opposition filed against European
patent No. 1553017 pursuant to Article 101 (2)
EPC.

Composition of the Board:

Chairman: G. Pricolo
Members: C. Narcisi
S. Hoffmann

Summary of Facts and Submissions

- I. The opposition filed against European patent No. 1 553 017 was rejected by the decision of the Opposition Division posted on 17 June 2009. Against this decision an appeal was lodged by the Opponent on 20 August 2009 and at the same time the statement of grounds of appeal was filed and the appeal fee was paid.
- II. With letter dated 17 March 2011 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 within two months.
- III. The Appellant (Opponent) did not submit any request that the appeal proceedings be continued.

Reasons for the Decision

1. 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