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**Datasheet for the interlocutory decision
of 28 November 2012**

Case Number: T 0979/12 - 3.3.06

Application Number: 05815415.4

Publication Number: 1797166

IPC: C11D 3/00, C11D 3/02, C11D 3/06,
C11D 3/12, C11D 3/08, C11D 3/10,
C11D 3/20

Language of the proceedings: EN

Title of invention:
Surface corrosion protection detergent compositions containing
polyvalent metal compounds and high levels of low foaming,
nonionic surfactants

Patentee:
The Procter & Gamble Company

Opponents:
Reckitt Benckiser (UK) Limited
Henkel AG & Co. KGaA
UNILEVER N.V. / UNILEVER PLC

Headword:
-

Relevant legal provisions:
-

Keyword:
-

Decisions cited:
-

Catchword:
-



Case Number: T 0979/12 - 3.3.06

INTERLOCUTORY DECISION
of the Technical Board of Appeal 3.3.06
of 28 November 2012

Appellant I:
(Opponent 1)

Reckitt Benckiser (UK) Limited
Dansom Lane
Hull HU8 7DS (GB)

Representative:

Bowers, Craig Malcolm
Reckitt Benckiser
Corporate Services Limited
Legal Department - Patents Group
Dansom Lane
Hull HU8 7DS (GB)

Appellants II:
(Opponents 3)

Unilever N.V.
Weena 455
NL-3013 AL Rotterdam (NL)

Unilever PLC
100 Victoria Embankment
London, Greater London EC4Y 0DY (GB)

Representative:

Boerma, Caroline
Unilever Patent Group
P.O. Box 137
NL-3130 AC Vlaardingen (NL)

Respondent:
(Patent Proprietor)

The Procter & Gamble Company
One Procter & Gamble Plaza
Cincinnati, OH 45202 (US)

Representative:

Yorquez Ramirez, Maria Isabel
Patent Department
Procter & Gamble Technical Centres Limited
Whitley Road
Longbenton
Newcastle upon Tyne NE12 9TS (GB)

Party as of right:
(Opponent 2)

Henkel AG & Co. KGaA
Henkelstrasse 67
D-40589 Düsseldorf (DE)

Representative: Henkel AG & Co. KGaA
VTP Patente
D-40191 Düsseldorf (DE)

Decision under appeal: Interlocutory decision of the Opposition
Division of the European Patent Office posted
16 February 2012 concerning maintenance of
European patent No. 1797166 in amended form.

Composition of the Board:

Chairman: P.-P. Bracke
Members: L. Li Voti
U. Tronser

Summary of Facts and Submissions

I. The appeal is from the decision of the opposition division dated 16 February 2012, maintaining the European patent No. 1797166 in amended form.

The appellant I (opponent 01) filed a notice of appeal on 26.04.12. The payment of the appeal fee was recorded on the same day. No statement of grounds was filed.

II. By a communication dated 23.07.12 sent by registered letter with advice of delivery, the board informed the appellant I that no statement of grounds had been filed and that the appeal could be expected to be rejected as inadmissible. The appellant I was invited to file observations within two months and attention was drawn to the possibility of filing a request for re-establishment of rights under Article 122 EPC.

III. No answer has been given to the communication within the time limit.

Reasons for the Decision

As no written statement setting out the grounds of appeal has been filed, the appeal of appellant +I has to be rejected as inadmissible according to Article 108 EPC, last sentence.

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

D. Magliano

P.-P. Bracke