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**Datasheet for the decision
of 2 July 2015**

Case Number: T 1813/12 - 3.2.01

Application Number: 06117885.1

Publication Number: 1884457

IPC: B62K5/04, B60G21/00, B62D9/02

Language of the proceedings: EN

Title of invention:
Motorcycle

Patent Proprietor:
YAMAHA MOTOR EUROPE N.V.

Opponent:
MURGITROYD & COMPANY

Headword:

Relevant legal provisions:
EPC R. 84(1), 100(1)

Keyword:
Lapse of patent in all designated states -
termination of appeal proceedings

Decisions cited:

Catchword:



**Beschwerdekammern
Boards of Appeal
Chambres de recours**

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Case Number: T 1813/12 - 3.2.01

D E C I S I O N
of Technical Board of Appeal 3.2.01
of 2 July 2015

Appellant:
(Opponent)

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Scotland House
165-169 Scotland Street
Glasgow
G5 8PL (GB)

Representative:

Hendry, Niall James
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Respondent:
(Patent Proprietor)

YAMAHA MOTOR EUROPE N.V.
Koolhovenlaan 101
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Representative:

Vernout, Robert
Arnold & Siedsma
Bezuidenhoutseweg 57
2594 AC The Hague (NL)

Decision under appeal:

**Interlocutory decision of the Opposition
Division of the European Patent Office posted on
12 June 2012 concerning maintenance of the
European Patent No. 1884457 in amended form.**

Composition of the Board:

Chairman G. Pricolo
Members: C. Narcisi
S. Fernández de Córdoba

Summary of Facts and Submissions

- I. The appeal is directed against the decision posted on 12 June 2012 according to which it was found that, account being taken of amendments made by the patent proprietor during the opposition proceedings, European patent No. 1 884 457 and the invention to which it relates meet the requirements of the EPC. Against this decision an appeal was lodged by the Opponent on 13 August 2012 and the appeal fee was paid on the same day. The statement setting out the grounds of appeal was filed on 22 October 2012.
- II. With letter dated 15 April 2015 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 by the Opponent within two months.
- III. The Appellant (Opponent) did not submit any request that the appeal proceedings be continued.

Reasons for the Decision

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

Decision electronically authenticated