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**Datasheet for the decision
of 5 November 2014**

Case Number: T 0480/13 - 3.2.07

Application Number: 05256732.8

Publication Number: 1652955

IPC: C23C4/12, H05H1/42, F01D5/28,
F01D5/00, B23P6/00

Language of the proceedings: EN

Title of invention:
Method for repairing thermal barrier coatings

Patent Proprietor:
United Technologies Corporation

Opponent:
Siemens Aktiengesellschaft

Headword:

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

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

Decisions cited:
T 0329/88, T 0289/06, T 0978/07, T 0949/09, T 0178/12,
T 1132/12

Catchword:



**Beschwerdekammern
Boards of Appeal
Chambres de recours**

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Case Number: T 0480/13 - 3.2.07

D E C I S I O N
of Technical Board of Appeal 3.2.07
of 5 November 2014

Appellant: Siemens Aktiengesellschaft
(Opponent) Wittelsbacherplatz 2
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Representative: Kaiser, Axel
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Respondent: United Technologies Corporation
(Patent Proprietor) United Technologies Building,
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Representative: Leckey, David Herbert
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Decision under appeal: **Decision of the Opposition Division of the
European Patent Office posted on 8 January 2013
rejecting the opposition filed against European
patent No. 1652955 pursuant to Article 101(2)
EPC.**

Composition of the Board:

Chairman H. Meinders
Members: H. Hahn
E. Kossonakou

Summary of Facts and Submissions

- I. The appellant (opponent) lodged an appeal against the decision of the Opposition Division rejecting the opposition filed against the European patent 1 652 955.
- II. In a communication of the Board dated 20 August 2014 the parties were informed that from the Register it was known that the European patent had lapsed for all the designated Contracting States and that the appeal proceedings could be continued at the request of the opponent provided that within two months from notification of this communication a corresponding request is filed.
- III. The respondent (patent proprietor) with its fax dated 3 September 2014 confirmed that the patent lapsed with effect for all designated Contracting states.
- IV. The appellant did not request continuation of the proceedings.

Reasons for the Decision

1. Pursuant to Rule 84(1) EPC in conjunction with Rule 100(1) EPC, proceedings are not continued after the European patent has lapsed, unless there is a request to this effect by the opponent filed within two months from notification by the European Patent Office of the lapse (see e.g. T 329/88; T 289/06; T 978/07; T 949/09; T 1133/12; all not published in OJ EPO).

Since no such request was filed by the appellant, the proceedings are terminated.

Order

For these reasons it is decided that:

The appeal proceedings are terminated.

The Registrar:

The Chairman:



G. Nachtigall

H. Meinders

Decision electronically authenticated