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**Datasheet for the decision
of 5 March 2019**

Case Number: T 0061/17 - 3.2.07

Application Number: 06707732.1

Publication Number: 1851129

IPC: B65D43/02

Language of the proceedings: EN

Title of invention:

EASY OPEN CONTAINER AND METHOD OF SEALING THEREOF

Patent Proprietor:

CROWN Packaging Technology, Inc.

Opponent:

Ardagh MP Group Netherlands B.V.

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
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Chambres de recours

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Case Number: T 0061/17 - 3.2.07

D E C I S I O N
of Technical Board of Appeal 3.2.07
of 5 March 2019

Appellant: Ardagh MP Group Netherlands B.V.
(Opponent) Zutphenseweg 51
7418 AH Deventer (NL)

Representative: Jacobacci Coralys Harle
32, rue de l'Arcade
75008 Paris (FR)

Respondent: CROWN Packaging Technology, Inc.
(Patent Proprietor) 11535 South Central Avenue
Alsip, IL 60803-2599 (US)

Representative: Witte, Weller & Partner Patentanwälte mbB
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Decision under appeal: **Decision of the Opposition Division of the
European Patent Office posted on 9 December 2016
rejecting the opposition filed against European
patent No. 1851129 pursuant to Article 101(2)
EPC.**

Composition of the Board:

Chairman G. Patton
Members: K. Poalas
R. Cramer

Summary of Facts and Submissions

- I. The opponent and sole appellant filed an appeal against the decision of the Opposition Division of the European Patent Office posted on 9 December 2016 rejecting the opposition filed against European patent No. 1 851 129 pursuant to Article 101(2) EPC.

- II. With a communication dated 14 November 2018 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 inform the Board within two months from notification of the Board's communication if this information was incorrect.

No answer has been given to the communication.

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

Since in the present case no request for continuation of the appeal proceedings was filed, the proceedings can be terminated.

Order

For these reasons it is decided that:

The appeal proceedings are terminated.

The Registrar:

The Chairman:



G. Nachtigall

G. Patton

Decision electronically authenticated