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**Datasheet for the decision
of 27 May 2025**

Case Number: T 0132/23 - 3.5.05

Application Number: 18701161.4

Publication Number: 3571554

IPC: G05B19/042, B01D53/26,
B01D53/30, G08C17/02

Language of the proceedings: EN

Title of invention:

System comprising an apparatus for treating a fluid and a handheld device, and method for operating such a system

Patent Proprietor:

Donaldson Filtration Deutschland GmbH

Opponent:

Kaeser Kompressoren SE

Headword:

All requests withdrawn/DONALDSON FILTRATION

Relevant legal provisions:

EPC Art. 113(2)

Keyword:

Revocation of the patent - (yes): proprietor withdraws all requests on file

Decisions cited:

T 0677/90



Beschwerdekammern

Boards of Appeal

Chambres de recours

Boards of Appeal of the
European Patent Office
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Case Number: T 0132/23 - 3.5.05

D E C I S I O N
of Technical Board of Appeal 3.5.05
of 27 May 2025

Appellant I: Donaldson Filtration Deutschland GmbH
(Patent Proprietor) Büssingstraße 1
42781 Haan (DE)

Representative: Hoffmann Eitle
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81925 München (DE)

Appellant II: Kaeser Kompressoren SE
(Opponent) Carl-Kaeser-Straße 26
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Representative: Witte, Weller & Partner Patentanwälte mbB
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Decision under appeal: Interlocutory decision of the Opposition
Division of the European Patent Office posted on
2 January 2023 concerning maintenance of the
European Patent No. 3571554 in amended form.

Composition of the Board:

Chair K. Bengi-Akyürek
Members: K. Peirs
F. Bostedt

Summary of Facts and Submissions

- I. The appeals lie from the interlocutory decision of the opposition division to maintain the opposed patent in amended form (Article 101(3)(a) EPC). Both the proprietor and the opponent requested that the appealed decision be set aside.
- II. During the appeal proceedings before the board, the patent proprietor withdrew its agreement to the text of the patent within the meaning of Article 113(2) EPC, withdrew all the claim requests on file and declared that it would not file any new replacement claim requests.

Reasons for the Decision

1. From the proprietor's withdrawal as indicated in point II above, it follows that there is no text agreed by the proprietor of the opposed patent upon which the board could decide (cf. Article 113(2) EPC and **T 677/90**).
2. Against this background, the patent is to be revoked.

Order

For these reasons it is decided that:

1. The decision under appeal is set aside.
2. The patent is revoked.

The Registrar:

The Chair:



B. Brückner

K. Bengi-Akyürek

Decision electronically authenticated