

Publication in the Official Journal	Yes / No
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File Number: T 20/91 - 3.3.3

Application No.: 84 300 931.7

Publication No.: 0 127 253

Title of invention: Process for removal of residual monomers from ethylene copolymers

Classification: CO8F 6/26

DECISION  
of 6 March 1992

Proprietor of the patent: MOBIL OIL CORPORATION

Opponent: BASF Aktiengesellschaft, Ludwigshafen

Headword:

EPC Article 111(1)

Keyword: "Revocation of European patent on request of proprietor"

Headnote



Case Number : T 20/91 - 3.3.3

**D E C I S I O N**  
of the Technical Board of Appeal 3.3.3  
of 6 March 1992

**Appellant :**  
(Opponent)

BASF Aktiengesellschaft, Ludwigshafen  
-Patentabteilung - C6-  
Carl-Bosch-Strasse 38  
W-6700 Ludwigshafen (DE)

**Respondent :**  
(Proprietor of the patent)

MOBIL OIL CORPORATION  
150 East 42nd Street  
New York  
New York 10017 (US)

**Representative :**

Cooper, John Anthony  
Mobil Court  
3 Clements Inn  
London WC2A 2EB (GB)

**Decision under appeal :**

Decision of Opposition Division of the European  
Patent Office dated 24 July 1990, posted on  
31 October 1990 rejecting the opposition filed  
against European patent No. 0 127 253 pursuant to  
Article 102(2) EPC.

**Composition of the Board :**

**Chairman :** F. Antony  
**Members :** S. Schoedel  
J.A. Stephens-Ofner

## Summary of Facts and Submissions

- I. In a decision dated 24 July 1990, posted on 31 October 1990 the Opposition Division rejected the Opposition filed against European patent No. 0 127 253 granted upon the subject-matter of European patent application No. 84 300 931.7.
- II. On 14 December 1990 the Appellant (Opponent) appealed against the decision and paid the appropriate fee. A Statement of Grounds was filed on 1 March 1991 in which he requested that the patent be revoked.
- III. In a letter dated 24 February 1992 the representative of the proprietor stated "... the proprietor wishes the above patent to be revoked."

## Reasons for the Decision

1. The appeal complies with Articles 106 to 108 and Rule 64 EPC and is admissible.
2. The patentee has made it clear through his representative that he wishes his patent to be revoked. The Board can therefore in the exercise of its power under Article 111(1) EPC decide to revoke the European patent (see Decision T 237/86, OJ EPO 1988, 261).

Order

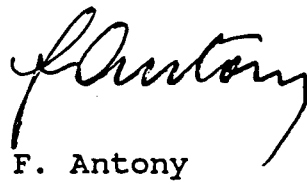
For these reasons, it is decided that:

1. The decision of the Opposition Division is set aside.
2. The patent is revoked.

The Registrar:

  
E. Gorgmaier

The Chairman:

  
F. Antony

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