

before the EPO. In the circumstances, I do not see any merit in my attempting to re-examine these issues *ex parte* yet again.

- 6 I therefore make no order for revocation of the patent. This terminates the proceedings for revocation, and there is thus no need for the proprietor to file a counter-statement.

Appeal

- 7 Under the Practice Direction to Part 52 of the Civil Procedure Rules, any appeal must be lodged within 28 days.

B WESTERMAN

Deputy Director acting for the Comptroller