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**Datasheet for the decision  
of 04 July 2008**

**Case Number:** J 0004/08 - 3.1.01

**Application Number:** 06014124.9

**Publication Number:** 1712759

**IPC:** F02B 25/22

**Language of the proceedings:** EN

**Title of invention:**

A flange assembly for supplying additional air to two-stroke engine

**Applicant:**

Husqvarna Aktiebolag

**Opponent:**

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**Headword:**

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**Relevant legal provisions:**

EPC Art. 108

EPC R. 99(2), 101(1)

**Relevant legal provisions (EPC 1973):**

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**Keyword:**

"Missing Statement of Grounds"

**Decisions cited:**

-

**Catchword:**

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Case Number: J 0004/08 - 3.1.01

**D E C I S I O N**  
of the Legal Board of Appeal 3.1.01  
of 04 July 2008

**Appellant:** Husqvarna Aktiebolag  
SE-561 82 Husqvarna (SE)

**Representative:** -

**Decision under appeal:** Decision of the Receiving Section of the  
European Patent Office of 21 August 2007.

**Composition of the Board:**

**Chairman:** B. Günzel  
**Members:** S. Hoffmann  
C. Rennie-Smith

## **Summary of Facts and Submissions**

I. The appeal is directed against the decision of the Receiving Section posted 21 August 2007 according to which the request of the applicant dated 24 March 2007 and confirmed on 19 June 2007 to set aside the Noting of loss of rights pursuant to Rule 69(1) EPC 1973 dated 19 April 2007 was rejected.

The appellant (applicant) filed a notice of appeal on 24 October 2007 and paid the appeal fee on the same day.

II. By a communication dated 13 March 2008, sent by registered post with advice of delivery, the registrar of the Board informed the appellant that it appeared that no written statement of grounds of appeal had been filed and that it was to be expected that the appeal would be rejected as inadmissible. The appellant was invited to file observations within two months.

III. No observations were received in response to said communication.

## **Reasons for the Decision**

No written statement setting out the grounds of appeal has been filed.

Furthermore, the notice of appeal contains nothing that could be regarded as a statement of grounds pursuant to Article 108 and Rule 99(2) EPC. The appeal therefore has to be rejected as inadmissible (Rule 101(1) EPC).

**Order**

**For these reasons it is decided that:**

The appeal is rejected as inadmissible.

The Registrar:

The Chairwoman:

S. Fabiani

B. Günzel