

Veröffentlichung im Amtsblatt	Ja/Nein
Publication in the Official Journal	Yes/No
Publication au Journal Officiel	Oui/Non

Aktenzeichen / Case Number / N^o du recours : J 23/86

Anmeldenummer / Filing No / N^o de la demande : 82 201 662.2

Veröffentlichungs-Nr. / Publication No / N^o de la publication : 0 083 819

Bezeichnung der Erfindung: Device for retaining a directable windmill in the
Title of invention: wind direction
Titre de l'invention :

Klassifikation / Classification / Classement : F 03 D7/02

ENTSCHEIDUNG / DECISION

vom / of / du 25 February 1987

Anmelder / Applicant / Demandeur : JOS HAYEN

Patentinhaber / Proprietor of the patent /
Titulaire du brevet :

Einsprechender / Opponent / Opposant :

Stichwort / Headword / Référence :

EPO / EPC / CBE Article 108, Rule 65(1)

Kennwort / Keyword / Mot clé : "Inadmissible appeal"
"Missing Statement of Grounds"

Leitsatz / Headnote / Sommaire

Europäisches
Patentamt

Beschwerdekammern

Case Number : J 23/86

European Patent
Office

Boards of Appeal

Office européen
des brevets

Chambres de recours



DECISION
of the Legal Board of Appeal
of 25 February 1987

Appellant : Jos HAYEN
Stokstraat, 10
3813 Zepperen
Belgium

Representative : Pieraerts, Jacques
Burcan Gevers SA
rue de Livourne 7, Bte. 1
B-1050 Bruxelles

Decision under appeal : Decision of the Head of the Formalities
Section of Directorate General 2
dated 10.03.1986 refusing a request for
restitutio in integrum.

Composition of the Board :

Chairman : P. Ford
Member : O. Bossung
Member : F. Benussi

Summary of Facts and Submissions

- I. This appeal contests the Decision of the Head of the Formalities Section of Directorate General 2 dated 10 March 1986 refusing a request for *restitutio in integrum*. The decision was dispatched by registered letter with advice of delivery to the appellant on the day it was given. The appellant filed the appeal by letter dated 16 May 1986 and paid the fee for appeal on 20 May 1986. No Statement of Grounds was filed. The notice of appeal contains nothing that could be regarded as a Statement of Grounds.

- II. By a Communication dated 1 September 1986, receipt of which was not acknowledged and a copy of which was posted on 25 November 1986 and received by the appellant on 27 November 1986 the Registrar of the Board informed the Appellant that no Statement of Grounds had been filed and that the appeal presumably would be rejected as inadmissible. The appellant was invited to file observations within 2 months.

- III. The appellant filed no observations nor has he filed a request for *restitutio in integrum* in respect of his failure to file a Statement of Grounds.

Reasons for the Decision

As no Statement of Grounds has been filed the appeal has to be rejected as inadmissible (Article 108 EPC in conjunction with Rule 65(1) EPC).

Order

For these reasons, it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

J. Koe
The Registrar
00854

The Chairman:

Peinhard