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D E C I S I O N
of 16 October 2001

Case Number: T 0350/01 - 3.3.6

Application Number: 93202395.5

Publication Number: 0583836

IPC: C10G 65/12

Language of the proceedings: EN

Title of invention:

Process for the preparation of hydrocarbon fuels

Patentee:

SHELL INTERNATIONALE RESEARCH MAATSCHAPPIJ B.V.

Opponent:

Chevron U.S.A. Inc.

Headword:

-

Relevant legal provisions:

EPC Art. 108
EPC R. 65(1)

Keyword:

"Missing Statement of Grounds"

Decisions cited:

-

Catchword:

-



Case Number: T 0350/01 - 3.3.6

D E C I S I O N
of the Technical Board of Appeal 3.3.6
of 16 October 2001

Appellant: Chevron U.S.A. Inc.
(Opponent) 2613 Camino Ramon
San Ramon
California 94583-4289 (US)

Representative: Nash, David Allan
Haseltine Lake & Co.
Imperial House
15-19 Kingsway
London WC2B 6UD (GB)

Respondent: SHELL INTERNATIONALE RESEARCH
(Proprietor of the patent) MAATSCHAPPIJ B.V.
Carel van Bylandtlaan 30
NL-2596 HR Den Haag (NL)

Representative: -

Decision under appeal: Interlocutory decision of the Opposition Division
of the European Patent Office posted 23 January
2001 concerning maintenance of European patent
No. 0 583 836 in amended form.

Composition of the Board:

Chairman: P. Krasa
Members: G. Dischinger-Höppler
M. Tardo-Dino

Summary of Facts and Submissions

I. In its decision dated 23 January 2001 the Opposition Division maintained the European patent No. 0 583 836 in amended form.

II. The Appellant (Opponent) filed a Notice of Appeal against the decision of the Opposition Division on 16 March 2001. The appeal fee was paid on 19 March 2001.

No Statement of Grounds of Appeal. The Notice of Appeal contains nothing that could be regarded as a Statement of Grounds pursuant to Article 108 EPC.

III. By a communication dated 6 July 2001 and sent by registered post, the Registry of the Board informed the Appellant that no Statement of Grounds has been filed and that the appeal could be expected to be rejected as inadmissible. The Appellant was invited to file observations within two months.

IV. The Appellant filed no observations in response to said communication.

Reasons for the Decision

As no written statement setting out the grounds of appeal 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:

The Chairman:

G. Rauh

P. Krasa