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D E C I S I O N
of 30 June 2003

Case Number: T 1178/02 - 3.2.6

Application Number: 94930480.2

Publication Number: 0723606

IPC: D04B 21/00

Language of the proceedings: EN

Title of invention:
Light reflecting screen

Patentee:
Polysack Plastic Industries Nir Itzhak-Sufa

Opponent:
Plaspack Netze GmbH

Headword:
-

Relevant legal provisions:
EPC Art. 108,
EPC R. 65(1)

Keyword:
"Missing statement of grounds (yes)"

Decisions cited:
-

Catchword:
-



Case Number: T 1178/02 - 3.2.6

D E C I S I O N
of the Technical Board of Appeal 3.2.6
of 30 June 2003

Appellant: Plaspack Netze GmbH
(Opponent) Dr. Grobben-Strasse 1
A-4690 Schwandenstadt (AT)

Representative: Kopecky, Helmut, Dipl.-Ing.
Kopecky & Schwarz
Patentanwälte
Wipplingerstrasse 32/22
A-1010 Wien (AT)

Respondent: Polysack Plastic Industries Nir Itzhak-Sufa
(Proprietor of the patent) Kibbutz Nir Yitzhak
Sufa D.N. 85455 (IL)

Representative: Blum, Rudolf Emil Ernst
c/o E. Blum & Co
Patentanwälte
Vorderberg 11
CH-8044 Zürich (CH)

Decision under appeal: Decision of the Opposition Division of the
European Patent Office posted 30 September 2002
rejecting the opposition filed against European
patent No. 0 723 606 pursuant to Article 102(2)
EPC.

Composition of the Board:

Chairman: P. Alting van Geusau
Members: H. Meinders
M. J. Vogel

Summary of Facts and Submissions

- I. In its decision dated 30 September 2002 the Opposition Division rejected the opposition in respect of the European patent 0 723 606.

With facsimile dated 29 November 2002 the Appellant (Opponent) filed a Notice of Appeal against this decision; it paid the appeal fee on 4 December 2002. The Appellant requested that the decision under appeal be set aside and that the patent be revoked.

The 4 months time limit for filing a written statement setting out the grounds of appeal pursuant to Article 108 EPC ended on 10 February 2003. No statement of grounds of appeal has been received by the EPO.

- II. With a communication dated 17 March 2003 and sent by registered letter, the Registry of the Board informed the Appellant that no statement of grounds had been filed and that the appeal would be rejected as inadmissible. The Appellant was invited to file observations within two months.

- III. No response to said communication was received by the EPO within the time limit set. In a telephone conversation of 26 June 2003 the representative of the Appellant informed the Registry of the Board that it no longer had an interest in the case.

Reasons for the Decision

As no written statement setting out the grounds of appeal has been filed and the Notice of Appeal does not contain anything that could be regarded as a statement of grounds, 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:

M. Patin

P. Alting van Geusau