BESCHWERDEKAMMERN DES EUROPÄISCHEN PATENTAMTS

BOARDS OF APPEAL OF THE EUROPEAN PATENT OFFICE

CHAMBRES DE RECOURS DE L'OFFICE EUROPEEN DES BREVETS

Internal distribution code:
(A) [ ] Publication in OJ
(B) [ ] To Chairmen and Members
(C) [ ] To Chairmen
(D) [X] No distribution

D E C I S I O N
of 20 December 2004

Case Number: T 0661/04 - 3.4.2

Application Number: 99925813.0

Publication Number: 1099130

IPC: G02B 5/30

Language of the proceedings: EN

Title of invention:
Post-forming continuous/disperse phase optical bodies

Applicant:
3M Innovative Properties Company

Opponent:
-

Headword:
-

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

Keyword:
"Missing statement of Grounds"

Decisions cited:
-

Catchword:
-

Europäisches Patentamt | European Patent Office | Office européen des brevets

Beschwerdekammern | Boards of Appeal | Chambres de recours

Case Number: T 0661/04 - 3.4.2

D E C I S I O N
of the Technical Board of Appeal 3.4.2
of 20 December 2004

Appellant: 3M Innovative Properties Company
3M Center,
P.O. Box 33427
St. Paul, MN 55133-3427 (US)

Representative: VOSSIUS & PARTNER
Siebertstrasse 4
D-81675 München (DE)

Decision under appeal: **Decision of the Examining Division of the European Patent Office posted 2 December 2003 refusing European application No. 99925813.0 pursuant to Article 97(1) EPC.**

Composition of the Board:

Chairman: A. G. Klein
Members: M. P. Stock
C. Rennie-Smith

Summary of Facts and Submissions

I. The appeal is against the decision of the Examining Division of the European Patent Office dated 2 December 2003, refusing the European patent application No 99 925 813.0 .

The Appellant filed a notice of appeal on 4 February 2004 and paid the appeal fee on the same day.

No statement of grounds was filed. The notice of appeal contains nothing that could be regarded as a statement of grounds pursuant to Article 108 EPC.

II. By a communication dated 29 June 2004, sent by registered letter with advice of delivery, the Registry of the Board informed the Appellant that no statement of grounds had been filed and that the appeal was expected to be rejected as inadmissible. The Appellant was invited to file observations within two months.

III. No answer to the Registry's communication has been received within the two months time limit.

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:

P. Martorana A. G. Klein