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D E C I S I O N
of 27 September 2004

Case Number: T 0710/04 - 3.3.7

Application Number: 98305654.0

Publication Number: 0892025

IPC: C09D 11/10

Language of the proceedings: EN

Title of invention:

Reliability enhancement of microemulsion-based ink-jet inks

Applicant:

Hewlett-Packard Company, A Delaware Corporation

Opponent:

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Headword:

-

Relevant legal provisions:

EPC Art. 108

EPC R. 65(1)

Keyword:

"Missing statement of grounds"

Decisions cited:

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Catchword:

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Case Number: T 0710/04 - 3.3.7

D E C I S I O N
of the Technical Board of Appeal 3.3.7
of 27 September 2004

Appellant: Hewlett-Packard Company
A Delaware Corporation
3000 Hanover Street
Palo Alto
CA 94304 (US)

Representative: Carpmaels & Ransford
43 Bloomsbury Square
London WC1A 2RA (GB)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 5 December 2003
refusing European application No. 98305654.0
pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: R. E. Teschemacher
Members: B. L. ter Laan
G. Santavicca

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division of the European Patent Office posted on 5 December 2003 refusing European patent application No. 98 305 654.0 pursuant to Article 97(1) EPC.

The applicant (appellant) filed a notice of appeal on 5 February 2004 and paid the fee for appeal 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 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 could be expected to be rejected as inadmissible.

The appellant was informed about the possibility of filing a request for re-establishment of rights under Article 122 EPC and was invited to file observations within two months.

- III. No answer has been received within the given time limit to the Registry's 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:

C. Eickhoff

R. Teschemacher