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D E C I S I O N
of 11 February 2005

Case Number: T 0803/04 - 3.3.3

Application Number: 98907412.5

Publication Number: 0964894

IPC: C08L 101/14

Language of the proceedings: EN

Title of invention:

Mixed-bed ion-exchange hydrogel-forming polymer compositions
and absorbent members comprising relatively high
concentrations of these compositions

Applicant:

The Procter & Gamble Company

Opponent:

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Headword:

-

Relevant legal provisions:

EPC Art. 108, 65(1)

Keyword:

"Missing Statement of Grounds"

Decisions cited:

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Catchword:

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Case Number: T 0803/04 - 3.3.3

D E C I S I O N
of the Technical Board of Appeal 3.3.3
of 11 February 2005

Appellant:

The Procter & Gamble Company
One Procter & Gamble Plaza
Cincinnati
Ohio 45202 (US)

Representative:

Canonici, Jean-Jacques
Procter & Gamble European Services GmbH
Sulzbacher Straße 40 - 50
D-65824 Schwalbach am Taunus (DE)

Decision under appeal:

Decision of the Examining Division of the
European Patent Office posted 31 October 2003
refusing European application No. 98907412.5
pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: R. J. Young
Members: A. Däweritz
A. Pignatelli

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division of the European Patent Office posted 31 October 2003 refusing the European patent application No. 98 907 412.5.

The Appellant filed a Notice of Appeal by letter received on 9 January 2004 and paid the fee for appeal on the same date. 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 28 July 2004 sent by registered letter with advice of delivery, the Registry of the Board informed the Appellant that the appeal could be expected to be rejected as inadmissible. The Appellant was given the opportunity of filing observations within two months and attention was drawn to Article 122 EPC.

- III. No answer was given 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:

E. Görgmaier

R. Young