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**Datasheet for the decision  
of 9 January 2007**

**Case Number:** T 0714/06 - 3.2.02

**Application Number:** 99966186.1

**Publication Number:** 1141432

**IPC:** C22C 38/34

**Language of the proceedings:** EN

**Title of invention:**  
Corrosion resistant austenitic stainless steel

**Applicant:**  
ATI Properties, Inc.

**Opponent:**  
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**Headword:**  
-

**Relevant legal provisions:**  
EPC Art. 108  
EPC R. 84a, 65(1)

**Keyword:**  
"Missing statement of grounds"

**Decisions cited:**  
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**Catchword:**  
-



Case Number: T 0714/06 - 3.2.02

**D E C I S I O N**  
of the Technical Board of Appeal 3.2.02  
of 9 January 2007

**Appellant:** ATI Properties, Inc.  
1600 N.E. Old Salem Road  
Albany, OR 97321-0580 (US)

**Representative:** Baker, Colin John  
Eric Potter Clarkson  
Parkview House  
58 The Ropewalk  
Nottingham NG1 5DD (GB)

**Decision under appeal:** Decision of the Examining Division of the  
European Patent Office posted 2 December 2005  
refusing European application No. 99966186.1  
pursuant to Article 97(1) EPC.

**Composition of the Board:**

**Chairman:** T. Kriner  
**Members:** R. Ries  
E. Dufrasne

## Summary of Facts and Submissions

I. The appeal lies from the decision of the Examining Division of the European Patent Office dated 2 December 2005 refusing the European patent application No. 99 966 186.1. The decision was dispatched by registered letter with advice of delivery to the Applicant.

The Appellant filed a notice of appeal by a letter received on 1 February 2006 and paid the fee for appeal on the same day.

No Statement of Ground 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 24 May 2006, 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 invited to file observations within two months and attention was drawn to the possibility of filing a request for re-establishment of rights under Article 122 EPO and Rule 84a EPC.

III. No answer has been 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:

V. Commare

T. Kriner