

BESCHWERDEKAMMERN  
DES EUROPÄISCHEN  
PATENTAMTS

BOARDS OF APPEAL OF  
THE EUROPEAN PATENT  
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**Datasheet for the decision  
of 3 January 2006**

**Case Number:** T 0978/06 - 3.3.06

**Application Number:** 98203513.1

**Publication Number:** 0995792

**IPC:** C11D 3/39

**Language of the proceedings:** EN

**Title of invention:**  
Process of bleaching fabrics

**Applicant:**  
THE PROCTER & GAMBLE COMPANY

**Opponent:**

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**Headword:**

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**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 0978/06 - 3.3.06

**D E C I S I O N**  
of the Technical Board of Appeal 3.3.06  
of 3 January 2006

**Appellant:** THE PROCTER & GAMBLE COMPANY  
One Procter & Gamble Plaza  
Cincinnati, Ohio 45202 (US)

**Representative:** Engisch, Gautier  
BVBA Procter & Gamble Europe SPRL  
Temselaan 100  
B-1853 Strombeek-Bever

**Decision under appeal:** Decision of the Examining Division of the  
European Patent Office posted 31 October 2005  
refusing European application No. 98203513.1  
pursuant to Article 97(1) EPC.

**Composition of the Board:**

**Chairman:** P.-P. Bracke  
**Members:** G. Dischinger-Höppler  
U. Tronser

## **Summary of Facts and Submissions**

The appeal contests the decision of the Examining Division of the European Patent Office posted 31 October 2005, refusing the European patent application No. 98 203 513.1 pursuant to Article 97(1)EPC.

The Appellant filed a notice of appeal on 10 January 2006 and paid the fee for appeal on the same day.

No written statement setting out the grounds of appeal was filed within the four-month time limit provided for in Article 108 EPC.

The notice of appeal does not contain anything that could be regarded as a statement setting out the grounds of appeal pursuant to Article 108 EPC.

No further submissions were filed by the Appellant.

In a communication dated 7 July 2006 sent by registered letter with advice of delivery, the Board informed the Appellant that no statement setting out the grounds of appeal had been received and that the appeal could be expected to be rejected as inadmissible pursuant to Article 108 EPC in conjunction with Rule 65(1) EPC.

The Appellant was invited to file observations within two months from notification of the communication and attention was drawn to the possibility of filing a request for re-establishment of rights under Article 122 EPC.

No answer has been given within the given time limit to the Board's communication.

## **Reasons for the Decision**

As no written statement setting out the grounds of appeal was filed and as the notice of appeal does not contain anything that could be regarded as a statement setting out the grounds of appeal according to Article 108 EPC, 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:

G. Rauh

P.-P. Bracke