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**Datasheet for the decision  
of 7 March 2013**

**Case Number:** T 0333/12 - 3.3.07

**Application Number:** 03000044.2

**Publication Number:** 1329215

**IPC:** A61Q5/02, A61K8/365

**Language of the proceedings:** EN

**Title of invention:**  
Hair cleansing compositions

**Patent Proprietor:**  
KAO CORPORATION

**Opponent:**  
THE PROCTER & GAMBLE COMPANY

**Headword:**

**Relevant legal provisions:**  
EPC Art. 108  
EPC R. 101(1)

**Keyword:**  
Admissibility of appeal - missing statement of grounds

**Decisions cited:**

**Catchword:**



**Beschwerdekammern  
Boards of Appeal  
Chambres de recours**

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Case Number: T 0333/12 - 3.3.07

**D E C I S I O N**  
**of Technical Board of Appeal 3.3.07**  
**of 7 March 2013**

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

**Representative:** L'Huillier, Florent Charles  
Procter & Gamble Service GmbH  
Patent Department/ RP  
Berliner Allee 65  
64274 Darmstadt (DE)

**Respondent:** KAO CORPORATION  
(Patent Proprietor) 14-10, Nihonbashi Kayaba-cho 1-chome,  
Chuo-ku  
Tokyo 103-8210 (JP)

**Representative:** HOFFMANN EITLE  
Patent- und Rechtsanwälte  
Arabellastrasse 4  
81925 München (DE)

**Decision under appeal:** **Decision of the Opposition Division of the  
European Patent Office posted on 13 December  
2011 rejecting the opposition filed against  
European patent No. 1329215 pursuant to Article  
101(2) EPC.**

**Composition of the Board:**

**Chairman:** J. Riolo  
**Members:** D. Semino  
D. T. Keeling

## **Summary of Facts and Submissions**

- I. The appeal is against the decision of the opposition division of the European Patent Office announced at the oral proceedings on 15 November 2011 concerning the rejection of the opposition filed against European Patent No. 1 329 215 pursuant to Article 101(2) EPC.
- II. The opponent (hereinafter "appellant") filed a notice of appeal on 16 February 2012 and paid the fee for appeal on the same day.
- III. No statement setting out the grounds of appeal was filed by the appellant. The notice of appeal contains nothing that could be regarded as a statement of grounds pursuant to Article 108 EPC.
- IV. By communication dated 12 December 2012, 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.
- V. The appellant filed no observations in response to said communication.

## Reasons for the Decision

As no written statement setting out the grounds of appeal has been filed, the appeal must be rejected as inadmissible (Article 108 EPC, third sentence, in conjunction with Rule 101(1) EPC).

## Order

**For these reasons it is decided that:**

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:



S. Fabiani

J. Riolo

Decision electronically authenticated