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**Datasheet for the decision  
of 5 March 2018**

**Case Number:** T 1421/17 - 3.2.03

**Application Number:** 01918272.4

**Publication Number:** 1274905

**IPC:** E04D7/00, C04B41/50

**Language of the proceedings:** EN

**Title of invention:**

PROCESS FOR PROVIDING A PHOTOCATALYTIC COATING ON A SUBSTRATE  
AND COATED SUBSTRATE OBTAINABLE BY THE PROCESS

**Patent Proprietor:**

3M Innovative Properties Company

**Opponent:**

Erlus Aktiengesellschaft

**Headword:**

**Relevant legal provisions:**

**Keyword:**

**Decisions cited:**

**Catchword:**



**Beschwerdekammern**

**Boards of Appeal**

**Chambres de recours**

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Case Number: T 1421/17 - 3.2.03

**D E C I S I O N**  
**of Technical Board of Appeal 3.2.03**  
**of 5 March 2018**

**Appellant:** Erlus Aktiengesellschaft  
(Opponent) Hauptstraße 106  
84088 Neufahrn (DE)

**Representative:** Walcher, Armin  
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**Respondent:** 3M Innovative Properties Company  
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**Representative:** Vossius & Partner  
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**Decision under appeal:** **Interlocutory decision of the Opposition  
Division of the European Patent Office posted on  
31 March 2017 concerning maintenance of the  
European Patent No. 1274905 in amended form.**

**Composition of the Board:**

**Chairman** G. Ashley  
**Members:** B. Miller  
G. Weiss

### **Summary of Facts and Submissions**

- I. The appeal is directed against the decision of the Opposition Division of 12 January 2017, posted on 31 March 2017.
- II. The appellant filed a notice of appeal on 9 June 2017 and paid the appeal fee on the same day.
- III. By communication of 7 September 2017, received by the appellant, the Registry of the Board informed the appellant that it appeared from the file that the written statement of grounds of appeal had not been filed, and that it was therefore to be expected that the appeal would be rejected as inadmissible pursuant to Article 108, third sentence, EPC in conjunction with Rule 101(1) EPC. The appellant was informed that any observations had to be filed within two months of notification of the communication.
- IV. No reply was received.

### **Reasons for the Decision**

1. No written statement setting out the grounds of appeal was filed within the time limit provided by Article 108, third sentence, EPC in conjunction with Rule 126(2) EPC.
2. Neither the notice of appeal nor any other document filed contains anything that could be regarded as a statement of grounds pursuant to Article 108 EPC and Rule 99(2) EPC.

3. Therefore, the appeal has to be rejected as inadmissible (Rule 101(1) EPC).

### **Order**

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

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:



C. Spira

G. Ashley

Decision electronically authenticated