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**Datasheet for the decision  
of 11 December 2018**

**Case Number:** T 1373/18 - 3.3.10

**Application Number:** 12775993.4

**Publication Number:** 2702018

**IPC:** C07C17/087, C07C21/18,  
B01J23/18, B01J21/06

**Language of the proceedings:** EN

**Title of invention:**

INTEGRATED PROCESS TO CO-PRODUCE 1,1,1,3,3-PENTAFLUOROPROPANE,  
TRANS-1-CHLORO-3,3,3-TRIFLUOROPROPENE and TRANS-1,3,3,3-  
TETRAFLUOROPROPENE

**Patent Proprietor:**

Honeywell International Inc.

**Opponent:**

ARKEMA FRANCE

**Headword:**

**Relevant legal provisions:**

EPC Art. 108  
EPC R. 101(1)

**Keyword:**

Admissibility of appeal - statement of grounds (not filed)

**Decisions cited:**

**Catchword:**



**Beschwerdekammern**  
**Boards of Appeal**  
**Chambres de recours**

Boards of Appeal of the  
European Patent Office  
Richard-Reitzner-Allee 8  
85540 Haar  
GERMANY  
Tel. +49 (0)89 2399-0  
Fax +49 (0)89 2399-4465

Case Number: T 1373/18 - 3.3.10

**D E C I S I O N**  
**of Technical Board of Appeal 3.3.10**  
**of 11 December 2018**

**Appellant:** ARKEMA FRANCE  
(Opponent) Département Propriété Industrielle  
420, rue d'Estienne d'Orves  
92700 Colombes (FR)

**Representative:** Leca, François Michel  
ARKEMA France  
Département Propriété Industrielle  
420, rue d'Estienne d'Orves  
92705 Colombes Cedex (FR)

**Respondent:** Honeywell International Inc.  
(Patent Proprietor) 115 Tabor Road  
Morris Plains, NJ 07950 (US)

**Representative:** Crooks, Elizabeth Caroline  
Kilburn & Strode LLP  
Lacon London  
84 Theobalds Road  
London WC1X 8NL (GB)

**Decision under appeal:** **Decision of the Opposition Division of the  
European Patent Office posted on 4 April 2018  
rejecting the opposition filed against European  
patent No. 2702018 pursuant to Article 101(2)  
EPC.**

**Composition of the Board:**

**Chairman**            P. Gryczka  
**Members:**            M. Kollmannsberger  
                              T. Bokor

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

- I. The appeal is directed against the decision of the Opposition Division of 16 January 2018, posted on 4 April 2018.
- II. The appellant filed a notice of appeal on 31 May 2018 and paid the appeal fee on the same day.
- III. By communication of 13 September 2018, 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**

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. In addition, 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. 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. Rodríguez Rodríguez

P. Gryczka

Decision electronically authenticated