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**Datasheet for the decision  
of 14 August 2019**

**Case Number:** T 0235/19 - 3.3.10

**Application Number:** 11778095.7

**Publication Number:** 2566929

**IPC:** C09K5/04, C07C19/08, C07C17/38,  
C07C17/383, C07C17/386,  
C07C17/389

**Language of the proceedings:** EN

**Title of invention:**

AZEOTROPIC AND AZEOTROPE-LIKE COMPOSITION OF TRANS-1,3,3,3-  
TETRAFLUOROPROPENE AND WATER

**Patent Proprietor:**

Honeywell International Inc.

**Opponent:**

ARKEMA France

**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 0235/19 - 3.3.10

**D E C I S I O N**  
**of Technical Board of Appeal 3.3.10**  
**of 14 August 2019**

**Appellant:** ARKEMA France  
(Opponent) 420 Rue d'Estienne d'Orves  
92700 Colombes (FR)

**Representative:** Chahine, Audrey Claire  
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:** **Interlocutory decision of the Opposition**  
**Division of the European Patent Office posted on**  
**22 November 2018 concerning maintenance of the**  
**European Patent No. 2566929 in amended form.**

**Composition of the Board:**

**Chairman** P. Gryczka  
**Members:** C. Komenda  
F. Blumer

## **Summary of Facts and Submissions**

- I. The appeal is directed against the decision of the Opposition Division of 10 September 2018, posted on 22 November 2018.
- II. The appellant (opponent) filed a notice of appeal on 22 January 2019 and paid the appeal fee on the same day.
- III. By communication of 9 May 2019, 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