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**Datasheet for the decision  
of 24 September 2021**

**Case Number:** T 0633/21 - 3.3.06

**Application Number:** 12790675.8

**Publication Number:** 2771186

**IPC:** B32B27/08, B32B27/30,  
B32B27/32, B32B27/34,  
A01F25/13, A01F25/14

**Language of the proceedings:** EN

**Title of invention:**

MULTI-LAYER BARRIER FILM AND USE THEREOF

**Applicant:**

2 Gamma S.r.l.

**Headword:**

**Relevant legal provisions:**

EPC Art. 108 sentence 3  
EPC R. 99(2), 101(1)

**Keyword:**

Admissibility of appeal - missing statement of grounds

**Decisions cited:**

**Catchword:**



**Beschwerdekammern**  
**Boards of Appeal**  
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Case Number: T 0633/21 - 3.3.06

**D E C I S I O N**  
**of Technical Board of Appeal 3.3.06**  
**of 24 September 2021**

**Appellant:** 2 Gamma S.r.l.  
(Applicant) Corso Inghilterra 15  
12084 Mondovì (CN) (IT)

**Representative:** Karaghiosoff, Giorgio Alessandro  
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**Decision under appeal:** **Decision of the Examining Division of the  
European Patent Office posted on 28 October 2020  
refusing European patent application No.  
12790675.8 pursuant to Article 97(2) EPC.**

**Composition of the Board:**

**Chairman** S. Arrojo  
**Members:** R. Elsässer  
J. Hoppe

## **Summary of Facts and Submissions**

- I. The appeal is directed against the decision of the examining division to refuse the European patent application No. 12 790 675.8, posted on 28 October 2020.
- II. The appellant filed a notice of appeal on 07 January 2021 and paid the appeal fee on the same day. No statement of grounds of appeal was received within the time limit provided by Article 108, third sentence, EPC.
- III. By communication of 11 June 2021, receipt of which was confirmed 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 within the two months time limit.

## **Reasons for the Decision**

No written statement of 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 by the appellant 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:



A. Pinna

S. Arrojo

Decision electronically authenticated