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**Datasheet for the decision
of 13 October 2022**

Case Number: T 0854/22 - 3.2.04

Application Number: 13185333.5

Publication Number: 2796048

IPC: A22C13/00, A22C11/00

Language of the proceedings: EN

Title of invention:

Artificial food casing, method for removing and method for manufacturing thereof

Patent Proprietor:

ViskoTeepak Belgium NV

Opponent:

Kalle GmbH

Headword:

Missing statement of grounds

Relevant legal provisions:

EPC Art. 108
EPC R. 101(1)

Keyword:

Decisions cited:

Catchword:



Beschwerdekammern

Boards of Appeal

Chambres de recours

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Case Number: T 0854/22 - 3.2.04

D E C I S I O N
of Technical Board of Appeal 3.2.04
of 13 October 2022

Appellant: Kalle GmbH
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65203 Wiesbaden (DE)

Representative: Plate, Jürgen
Plate Schweitzer Zounek
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65203 Wiesbaden (DE)

Respondent: ViskoTeepak Belgium NV
(Patent Proprietor) Maatheide 81
3920 Lommel (BE)

Representative: Papula Oy
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Decision under appeal: **Interlocutory decision of the Opposition
Division of the European Patent Office posted on
21 January 2022 concerning maintenance of the
European Patent No. 2796048 in amended form.**

Composition of the Board:

Chairman J. Wright
Members: S. Oechsner de Coninck
K. Kerber-Zubrzycka

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Opposition Division of 16 November 2021, posted on 21 January 2022.
- II: The appellant filed a notice of appeal on 29 March 2022 and paid the appeal fee on the same day.
- III. By communication of 21 June 2022, 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.
- IV. The appellant was informed that any observations had to be filed within two months of notification of the communication.
- V. 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. 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.

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:



G. Magouliotis

J. Wright

Decision electronically authenticated