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**Datasheet for the decision
of 24 November 2025**

Case Number: T 0751/25 - 3.2.05

Application Number: 16792728.4

Publication Number: 3296348

IPC: B29D7/01

Language of the proceedings: EN

Title of invention:

Polypropylene film, metal membrane layered film and film capacitor as well as method for manufacturing the same

Patent Proprietor:

Toray Industries, Inc.

Opponent:

Treofan Germany GmbH & Co. KG

Relevant legal provisions:

EPC Art. 108

EPC R. 99(2), 101(1), 126(2)

Keyword:

Admissibility of appeal - missing statement of grounds



Beschwerdekammern
Boards of Appeal
Chambres de recours

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Case Number: T 0751/25 - 3.2.05

D E C I S I O N
of Technical Board of Appeal 3.2.05
of 24 November 2025

Appellant: Treofan Germany GmbH & Co. KG
(Opponent) Bergstrasse
66539 Neunkirchen (DE)

Respondent: Toray Industries, Inc.
(Patent Proprietor) 1-1, Nihonbashi-Muromachi 2-chome
Chuo-ku
Tokyo 103-8666 (JP)

Representative: Mewburn Ellis LLP
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Decision under appeal: **Decision of the Opposition Division of the
European Patent Office posted on 10 April 2025
rejecting the opposition filed against European
patent No. 3296348 pursuant to Article 101(2)
EPC.**

Composition of the Board:

Chairman P. Lanz
Members: O. Randl
A. Bacchin

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the opposition division to reject the sole opposition against European patent No. 3 296 348. The decision was taken on 27 February 2025 and posted on 10 April 2025.
- II. The appellant (opponent) filed a notice of appeal on 26 May 2025 and paid the appeal fee on the same day.
- III. By communication of 8 September 2025, received by the appellant via electronic mailbox on the same day, 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 in application of 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. The appellant also did not file any observation in reaction to the Board's communication dated 8 September 2025, within the given time limit. Neither the notice of appeal nor any other document filed contains anything that could be regarded as a statement setting out the grounds of appeal pursuant to Article 108 EPC and Rule 99(2) EPC.

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

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:



N. Schneider

P. Lanz

Decision electronically authenticated