

Veröffentlichung im Amtsblatt Publication in the Official Journal Publication au Journal Officiel	J/Nein Yes/No Oui/Non
---	-----------------------------



AA

Aktenzeichen / Case Number / N° du recours : T 343/86

Anmeldenummer / Filing No / N° de la demande : 79 301 202.2

Veröffentlichungs-Nr. / Publication No / N° de la publication : 0 006 738

Bezeichnung der Erfindung: Antiperspirants

Title of invention:

Titre de l'invention :

Klassifikation / Classification / Classement : A 61 K 7/38

### ENTSCHEIDUNG / DECISION

vom / of / du 2 March 1987

Anmelder / Applicant / Demandeur :

Patentinhaber / Proprietor of the patent /

Titulaire du brevet :

UNILEVER PLC

UNILEVER NV (Respondent)

Einsprechender / Opponent / Opposant :

BRISTOL-MYERS Comp. (Appellant)

Stichwort / Headword / Référence :

EPO / EPC / CBE Art. 108, Rule 65(1)

Kennwort / Keyword / Mot clé : "Missing Statement of Grounds"

Leitsatz / Headnote / Sommaire

Europäisches  
Patentamt

Beschwerdekammern

European Patent  
Office

Boards of Appeal

Office européen  
des brevets

Chambres de recours



Case Number : T 343 /86

**D E C I S I O N**  
of the Technical Board of Appeal 3.3.1  
of 2 March 1987

**Appellant :**  
(Opponent)

Bristol-Myers Company  
345, Park Avenue  
New York, N.Y. 10154  
USA

**Representative :**

Kinzebach, Werner, Dr.  
Patentanwälte  
Reitstötter, Kinzebach und Partner  
Bauerstrasse 22  
Postfach 780  
D-8000 München 43

**Respondent :**  
(Proprietor of the patent)

UNILEVER PLC  
Unilever House,  
Blackfriars, P.O. Box 68  
London EC4P 4BQ  
GB

UNILEVER NV  
Burgemeester s'Jacobplein 1  
P.O. Box 760  
NL - 3000 DK Rotterdam  
NL

**Representative :**

Doucy, Robert Henry  
Unilever PLC  
Patents Division  
P.O. Box 68  
Unilever House  
London EC4P 4BQ

**Decision under appeal :**

Interlocutory decision of the Opposition Division of  
the European Patent Office dated 21 July 1986  
concerning maintenance of European Patent No. 6738  
in amended form.

**Composition of the Board :**

**Chairman :** K. Jahn

**Member :** R. Andrews

**Member :** E. Persson

**Summary of Facts and Submissions**

- I. The appeal lies from the interlocutory decision of the Opposition Division of the European Patent Office dated 21 July 1986 concerning the maintenance of European Patent No. 6738 in amended form. The decision was dispatched by registered letter with advice of delivery to the parties on the day it was given. The Opponent filed the appeal by letter on 22 September 1986 with payment of the appropriate fee. No Statement of Grounds was filed. The notice of appeal contains nothing that could be regarded as a Statement of Grounds.
- II. By a letter dated 17 December 1986 the Opponent informed the Board that no Statement of Grounds would be filed.

**Reasons for the Decision**

As no Statement of Grounds has been filed the appeal has to be rejected as inadmissible (Article 108 EPC in conjunction with Rule 65(1) EPC).

**Order**

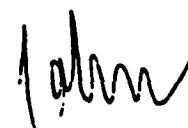
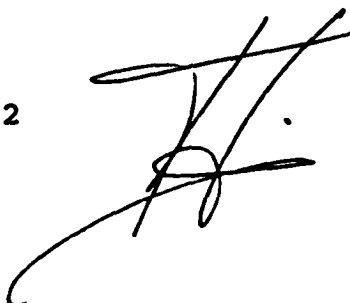
For these reasons, it is decided that:

The appeal is rejected as inadmissible.

The Registrar

The Chairman

00642



RWA.  
SP  
6.1.1