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Aktenzeichen / Case Number / N° du recours : T 178/88 - 3.2.1

Anmeldenummer / Filing No / N° de la demande : 83 300 095.3

Veröffentlichungs-Nr. / Publication No / N° de la publication : 00 84 933

Bezeichnung der Erfindung: Wraparound article carrier with adjustable girth
Title of invention:
Titre de l'invention :

Klassifikation / Classification / Classement : B65 D 71/00

ENTSCHEIDUNG / DECISION
vom / of / du 21 November 1988

Anmelder / Applicant / Demandeur : The Mead Corporation

Patentinhaber / Proprietor of the patent /
Titulaire du brevet :

Einsprechender / Opponent / Opposant :

Stichwort / Headword / Référence : Art. 108, Rule 65(1)

EPU / EPC / CBE "Missing Statement of Grounds"

Schlagwort / Keyword / Mot clé :

Leitsatz / Headnote / Sommaire

Europäisches
Patentamt

Beschwerdekammern

European Patent
Office

Boards of Appeal

Office européen
des brevets

Chambres de recours



Case Number : T 178/88 - 3.2.1

D E C I S I O N
of the Technical Board of Appeal 3.2.1
of 21 November 1988

Appellant : The Mead Corporation
Mead World Headquarters
Courthouse Plaza Northeast
Dayton
OHIO 45463
U.S.A.

Representative : Hepworth, John Malcolm
J.M. Hepworth & Co.
36 Regent Place
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Warwickshire CV21 2PN

Decision under appeal : Decision of Examining Division 082 of the European Patent Office dated 19 November 1987 refusing European patent application No. 83 300 095.3 pursuant to Article 97(1) EPC

Composition of the Board :

Chairman : F. Gumbel
Members : F. Brösamle
F. Benussi

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division 082 of the European Patent Office dated 19 November 1987 refusing the European patent application No. 83 300 095.3. The decision was dispatched by registered letter with advice of delivery to the applicant on the day it was given. The Appellant filed a notice of appeal by telex on 15 January 1988, confirmed by a letter of the same date, and paid the fee for appeal on 18 January 1988. No Statement of Grounds was filed. The notice of appeal contains nothing that could be regarded as a Statement of Grounds pursuant to Article 108 EPC.
- II. By a communication dated 15 June 1988 and sent by registered post, the Registry of the Board informed the Appellant that no Statement of Grounds had been filed and that the appeal could be expected to be rejected as inadmissible. The Appellant was invited to file observations within two months.
- III. The Appellant filed no observations in response to said communication, nor has he filed a request for restitutio in integrum.

Reasons for the Decision

As no written statement setting out the grounds of appeal 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:

I. Fabiani

S. Fabiani

The Chairman:

F. Gumbel

F. Gumbel

Br,

Fabiani