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

Aktenzeichen / Case Number / N^o du recours : T 203/89 - 3.3.2

Anmeldenummer / Filing No / N^o de la demande : 81 106 800.6

Veröffentlichungs-Nr. / Publication No / N^o de la publication : 0 047 464

Bezeichnung der Erfindung: Undrawn polyester yarn and process for
Title of invention: manufacturing the same
Titre de l'invention :

Klassifikation / Classification / Classement : D 01 F 6/92

ENTSCHEIDUNG / DECISION
vom / of / du 30 October 1989

Anmelder / Applicant / Demandeur :

Patentinhaber / Proprietor of the patent /
Titulaire du brevet : Teijn Limited

Einsprechender / Opponent / Opposant : Hoechst AG, Frankfurt

Stichwort / Headword / Référence :

EPU / EPC / CBE Article 108, Rule 65(1)

Schlagwort / 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 203/89. - 3.3.2

D E C I S I O N
of the Technical Board of Appeal
of 30 October 1989

Appellant :
(Opponent)

Hoechst AG, Frankfurt
D-6230 Frankfurt am Main 80

Representative :

Respondent :
(Proprietor of the patent)

Teijn Limited
11, Minamihonmachi 1-chome
Higashi-ku
Osaka-shi, Osaka
JP

Representative :

Hoeger, Stellrecht & Partner
Uhlandstrasse 14c
D-7000 Stuttgart 1

Decision under appeal :

Interlocutory decision of the Opposition Division of
the European Patent Office dated 11 January 1989
concerning maintenance of European patent
No. 0 047 464 in amended form.

Composition of the Board :

Chairman : P. Lançon

Members : A. Nuss

R. Schulte

Summary of Facts and Submissions

- I. The appeal contests the interlocutory decision of the Opposition Division of the European Patent Office dated 11 January 1989 maintaining the European patent application No. 81 106 800.6. The decision was dispatched to the parties involved by registered letter with advice of delivery on the day it was given. The Opponent filed a notice of appeal on 10 March 1989, and paid the fee for appeal on the same day. 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 10 July 1989 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 the Registry's communication.

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:

The Chairman:

M. Beer

P. Lançon