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Aktenzeichen / Case Number / N^o du recours : T 223/89-3.3.1

Anmeldenummer / Filing No / N^o de la demande : 82 110 908.9

Veröffentlichungs-Nr. / Publication No / N^o de la publication : 0 082 343

Bezeichnung der Erfindung: Process for preparing silicon nitride powder
Title of invention:
Titre de l'invention :

Klassifikation / Classification / Classement : CO1B 21/068

ENTSCHEIDUNG / DECISION

vom / of / du 9 February 1990

Anmelder / Applicant / Demandeur :

Patentinhaber / Proprietor of the patent /
Titulaire du brevet : Kabushiki Kaisha Toshiba
Toshiba Ceramics Co., Ltd.

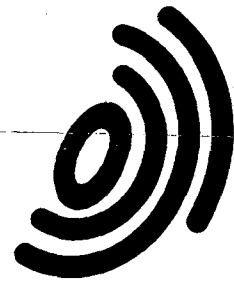
Einsprechender / Opponent / Opposant : Kema Nord Industrikemi AB
DSM Research B.V.

Stichwort / Headword / Référence :

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

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

Leitsatz / Headnote / Sommaire



Case Number : T 223/89-3.3.1

DECISION
of the Technical Board of Appeal 3.3.1
of 9 February 1990

Appellant : Kabushiki Kaisha Toshiba .
(Proprietor of the patent 01) 72, Horikawa-cho Saiwai-ku
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Representative 02 : Hoogstraten, Willem Cornelis Roeland
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Decision under appeal : Decision of Opposition Division of the European Patent Office of 20 December 1988 posted on 2 February 1989 revoking European patent No. 0 082 343 pursuant to Article 102(1) EPC

Composition of the Board :

- Chairman : K. Jahn
- Members : R. Andrews
- J. Stephens-Ofner

Summary of Facts and Submissions

- I. The appeal contests the decision of the Opposition Division of the European Patent Office delivered orally on 20 December 1988, with written reasons posted on 2 February 1989, revoking the European patent No. 0 082 343. The decision was dispatched by registered letter with advice of delivery to the applicant on 2 February 1989. The Appellant filed a notice of appeal by a letter received on 23 March 1989, and paid the fee for appeal on the same day. 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 21 November 1989 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. No answer has been given 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



K. Jahn



R. W. H.
/ 20 / 6.2.90.

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