

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

Aktenzeichen / Case Number / N<sup>o</sup> du recours : T 437/89  
Anmeldenummer / Filing No / N<sup>o</sup> de la demande : 84 111 483.8  
Veröffentlichungs-Nr. / Publication No / N<sup>o</sup> de la publication : 0 141 253  
Bezeichnung der Erfindung: Novel polyols and uses thereof  
Title of invention:  
Titre de l'invention :  
Klassifikation / Classification / Classement : C08G 65/28

**ENTSCHEIDUNG / DECISION**  
vom / of / du 6 November 1989

Anmelder / Applicant / Demandeur : Union Carbide Corporation  
Patentinhaber / Proprietor of the patent /  
Titulaire du brevet :  
Einsprechender / Opponent / Opposant :  
Stichwort / Headword / Référence :  
EPÜ / 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 437/89 - 3.3.1

**D E C I S I O N**  
of the Technical Board of Appeal  
of 6 November 1989

**Appellant :** Union Carbide Corporation  
Old Ridgebury Road  
Danbury, Connecticut 06817  
US

**Representative :** Wuesthoff, Franz, Dr.-Ing.  
Patentanwälte Wuesthoff  
-v. Pechmann-Behrens-Goetz  
Schweigerstrasse 2  
D-8000 München 90

**Decision under appeal :** Decision of Examining Division 012  
of the European Patent Office  
dated 3 February 1989 refusing  
European patent application  
No. 84 111 483.8 pursuant to  
Article 97(1) EPC

**Composition of the Board :**

**Chairman :** K. Jahn

**Members :** C. Gérardin

J. Stephens-Ofner

## Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division 012 of the European Patent Office dated 3 February 1989 refusing the European patent application No. 84 111 483.8. 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 a letter received on 30 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 10 August 1989 sent by registered letter with advice of delivery, 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:

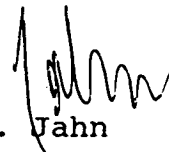
The appeal is rejected as inadmissible.

The Registrar:

The Chairman:



M. Beer



K. Jahn

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CG