

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

Aktenzeichen / Case Number / N^o du recours : T 654/89 - 3.2.4

Anmeldenummer / Filing No / N^o de la demande : 82 304 863.2

Veröffentlichungs-Nr. / Publication No / N^o de la publication : 0 074 855

Bezeichnung der Erfindung: AUTOMATIC GRINDING

Title of invention:

Titre de l'invention :

Klassifikation / Classification / Classement : B24B 3/16, B24B 49/00

ENTSCHEIDUNG / DECISION

vom / of / du 29 July 1990

Anmelder / Applicant / Demandeur :

Patentinhaber / Proprietor of the patent /

Titulaire du brevet :

STAVELEY MACHINE TOOLS LIMITED

Einsprechender / Opponent / Opposant :

01 OSWALD FORST MASCHINENFABRIK GmbH &
Co. KG

03 Fa. KARL KLINK GmbH & Co. KG

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 654/89 - 3.2.4

DECISION
of the Technical Board of Appeal
of 29 July 1990

Appellant : Staveley Machine Tools
(Proprietor of the patent) Otterspool Way
Watford
Hertfordshire WD2 8HS
GB

Representative : Frost, Dennis Thomas
WITHERS & ROGERS
4 Dyer's Buildings
Holborn
London EC1N 2JT
GB

Respondents : Oswald Forst Maschinenfabrik GmbH & Co. KG
(Opponent 01) Schützenstr. 160
D-5650 Solingen 1

Representative : Rau, Manfred, Dr. Dipl.-Ing.
Rau & Schneck, Patentanwälte
Königstrasse 2
D-8500 Nürnberg 1

(Opponent 03) Fa. Karl Klink GmbH & Co. KG
D-7532 Niefern-Öschelbronn 1

Representative : Patentanwälte
Beetz sen. - Beetz jun.
Timpe - Siegfried - Schmitt-Fumian
Steinsdorfstrasse 10
D-8000 München 22

.../...

Decision under appeal : **Decision of the Opposition Division of the European Patent Office dated 21 July 1989 revoking European patent No. 0 074 855 pursuant to Article 102(1) EPC.**

Composition of the Board :

- Chairman :** C. Andries
- Members :** H. Seidenschwarz
- O. Bossung

Summary of Facts and Submissions

- I. The appeal contests the decision of the Opposition Division of the European Patent Office dated 21 July 1989 revoking the European patent No. 0 074 855. The decision was dispatched by registered letter with advice of delivery on 21 July 1989. The applicant filed a notice of appeal by telecopy received on 2 October 1989, confirmed by letter on 4 October 1989 and paid the fee for appeal on 2 October 1989. 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 17 May 1990 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.

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:



N. Maslin

The Chairman:


C. Andries

af. 3/8/90