

Publication in the Official Journal ~~1990~~ / No

File Number: T 782/90 - 3.2.3

Application No.: 85 904 408.3

Publication No.: 0 194 281

Title of invention: Hydrated catalyst complex and process

Classification: B05D 1/36, B05D 3/04, C08G 18/16, C08G 18/18, C08G 18/22,
C08G 18/24, C08G 18/26

D E C I S I O N
of 12 February 1991

Applicant: Vapocure International Pty Ltd.

Proprietor of the patent:

Opponent:

Headword:

EPC Art. 108, Rule 65(1)

Keyword: "Missing Statement of Grounds"

Headnote



Case Number : T 782/90 - 3.2.3

D E C I S I O N
of the Technical Board of Appeal 3.2.3
of 12 February 1991

Appellant : Vapocure International Pty. Ltd.
220 Pacific Highway
Crows Nest
NSW 2065 (AU)

Representative : Wain, Christopher Paul
A.A. Thornton & Co.
Northumberland House
303-306 High Holborn
London WC1V 7LE

Decision under appeal : Decision of Examining Division 085 of the
European Patent Office dated 30 April 1990
refusing European patent application
No. 85 904 408.3 pursuant to Article 97(1) EPC.

Composition of the Board :

Chairman : C.T. Wilson
Members : F. Brösamle
L. Mancini

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division of the European Patent Office dated 30 April 1990, refusing the European patent application No. 85 904 408.3. The decision was dispatched by registered letter with advice of delivery on 30 April 1990. The applicant filed a notice of appeal by letter received on 28 June 1990. 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 22 November 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

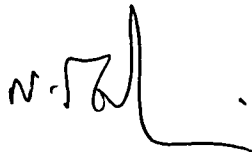
As no written statement setting out the grounds of appeal has been filed, the appeal has to be rejected as inadmissible (Article 108 EPC in conjunction with Rule 65(1) EPC).

Order

For these reasons, it is decided that:

The appeal is rejected as inadmissible.

The Registrar:



N. Maslin

The Chairman:



C.T. Wilson