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File Number: T 817/91 - 3.2.3

Application No.: 85 630 050.4

Publication No.: 0 162 001

Title of invention: Top drive well drilling apparatus with improved wrench  
assembly

Classification: E21B 19/16

**D E C I S I O N**  
of 30 November 1992

Applicant: VARCO INTERNATIONAL, INC.

Opponent: ATELIERS ET CHANTIERS DE BRETAGNE ACB

Headword:

EPC Article 108, Rule 65(1)

Keyword: "Missing Statement of Grounds"



Case Number : T 817/91 - 3.2.3

**D E C I S I O N**  
of the Technical Board of Appeal 3.2.3  
of 30 November 1992

**Appellant :**  
(Opponent)

ATELIERS ET CHANTIERS DE BRETAGNE ACB  
Boulevard Prairie-au-Duc  
F - 44040 Nantes Cedex (FR)

**Representative :**

Weinmiller, Jürgen  
Lennéstrasse 9  
Postfach 24  
W - 8133 Feldafing (DE)

**Respondent :**  
(Proprietor of the patent)

VARCO INTERNATIONAL, INC.  
800 North Eckhoff Street  
Orange, CA 92668 (US)

**Representative :**

Waxweiler, Jean  
OFFICE DENNEMEYER S.à.r.l.  
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**Decision under appeal :**

Decision of the Opposition Division of the  
European Patent Office dated 30 August 1991  
rejecting the opposition filed against European  
patent No. 0 162 001 pursuant to Article 102(2)  
EPC.

**Composition of the Board :**

**Chairman :** C.T. Wilson  
**Members :** K.W. Stamm  
J.-C. Saisset

### Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division of the European Patent Office dated 30 August 1991 refusing the European patent application No. 85 630 050.4. The decision was dispatched by registered letter with advice of delivery on 30 August 1991. The Applicant filed a notice of appeal by letter received on 21 October 1991 and paid the fee for appeal on 21 October 1991. 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 2 September 1992 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