

Publication in the Official Journal Yes / No

File Number: T 874/91 - 3.3.2
Application No.: 86 909 120.0
Publication No.: 0 241 514
Title of invention: Dense ceramics containing a solid solution and method for making the same
Classification: C04B35/56

D E C I S I O N
of 2 March 1992

Applicant: CERAMATEC, INC.

Headword:

EPC Article 108, Rule 65(1)

Keyword: "Missing Statement of Grounds"

Headnote



**Europäisches
Patentamt**

**European
Patent Office**

**Office européen
des brevets**

Beschwerdekammern

Boards of Appeal

Chambres de recours

Case Number : T 874/91 - 3.3.2

D E C I S I O N
of the Technical Board of Appeal 3.3.2
of 2 March 1992

Appellant : CERAMATEC, INC.
2425 South 900 West
Salt Lake City, UT 84119 (US)

Representative : Rees, David Christopher
Kilburn & Strode
30 John Street
London WC1N 2DD (GB)

Decision under appeal : **Decision of Examining Division of the European Patent Office dated 4 June 1991 refusing European patent application No. 86 906 120.0 pursuant to Article 97(1) EPC.**

Composition of the Board :

Chairman : Lançon P.A.M.
Members : Eberhard M.M.
Schulte R.

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division 028 of the European Patent Office dated 4 June 1991 refusing the European patent application No. 86 906 120.0. 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 5 August 1991 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 29 November 1991 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:

P. Martorana

P.A.M. Lançon