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File Number: T 458/92 - 3.3.3

Application No.: 84 101 197.6

Publication No.: 0 118 044

Title of invention: Photocopolymerizable compositions based on epoxy and hydroxyl-containing organic materials having primary hydroxyl content

Classification: C08L 63/00

D E C I S I O N
of 8 February 1993

Patentee: UNION CARBIDE CORPORATION

Opponent: Degussa AG, Frankfurt - Zweigniederlassung
Wolfgang - Zentrale Abteilung Patente

Headword:

EPC Article 108, Rule 65(1)

Keyword: "Missing Statement of Grounds"



Europäisches
Patentamt

European
Patent Office

Office européen
des brevets

Beschwerdekammern

Boards of Appeal

Chambres de recours

Case Number : T 458/92 - 3.3.3

DECISION
of the Technical Board of Appeal 3.3.3
of 8 February 1993

Appellant :
(Proprietor of the patent)

UNION CARBIDE CORPORATION
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Connecticut 06817 (US)

Representative :

Barz, Peter, Dr:
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Respondent :
(Opponent)

Degussa AG, Frankfurt
- Zweigniederlassung Wolfgang -
Zentrale Abteilung Patente
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Decision under appeal :

Decision of the Opposition Division of the
European Patent Office dated 5 February 1992
posted on 12 March 1992 revoking European patent
No. 0 118 044 pursuant to Article 102(1) EPC.

Composition of the Board :

Chairman : F. Antony
Members : C.R.J.M. Gérardin
M.K.S. Aúz Castro

Summary of Facts and Submissions

- I. The appeal contests the decision of the Opposition Division of the European Patent Office dated 5 February 1992, revoking the European patent No. 0 118 044. The decision was dispatched by registered letter with advice of delivery to the Appellant on 12 March 1992. The Appellant filed a notice of appeal by a letter received on 14 May 1992 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 25 November 1992 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 without 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:



E. Gorgmayer

The Chairman:



F. Antony

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HC 15/2/93

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