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File Number: T 538/92 - 3.2.1

Application No.: 89 630 106.6

Publication No.: 0 349 472

Title of invention: Styrene, isoprene, butadiene rubber and tire with tread thereof

Classification: B60C 1/00

D E C I S I O N
of 22 September 1992

Applicant: THE GOODYEAR TIRE & RUBBER COMPANY

Headword:

EPC Article 108, Rule 65(1)

Keyword: "Missing Statement of Grounds"

Headnote
Catchwords



Europäisches
Patentamt

European
Patent Office

Office européen
des brevets

Beschwerdekammern

Boards of Appeal

Chambres de recours

Case Number : T 538/92 - 3.2.1

D E C I S I O N
of the Technical Board of Appeal 3.2.1
of 22 September 1992

Appellant : THE GOODYEAR TIRE & RUBBER COMPANY
1144 East Market Street
Akron; Ohio 44316-0001 (US)

Representative : Leitz, Paul
Goodyear Technical Center
Patent Department
L - 7750 Colmar-Berg (LU)

Decision under appeal : Decision of Examining Division of the European
Patent Office dated 23 December 1991 refusing
European patent application No. 89 630 106.6
pursuant to Article 97(1) EPC.

Composition of the Board :

Chairman : F.A. Gumbel
Members : S. Crane
W.M. Schar

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division of the European Patent Office, dated 23 December 1991 refusing the European patent application No. 89 630 106.6.

The Appellant filed a notice of appeal on 24 February 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 Statement of Grounds pursuant to Article 108 EPC.

- II. By a communication dated 3 July 1992 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. The Appellant did not reply.

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:

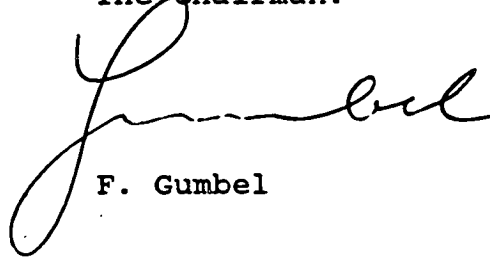
The appeal is rejected as inadmissible.

The Registrar:



N. Maslin

The Chairman:



F. Gumbel

*From
N. Maslin*