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File Number: 754/92 - 3.3.1
Application No.: 90 105 675.4
Publication No.: 0 395 875
Title of invention: Lubrication blends

Classification: C10M 103/00

DECISION
of 30 November 1992

Applicant: ATOCHEM NORTH AMERICA, INC.

Headword:

EPC Article 108, Rule 65(1)

Keyword: "Missing Statement of Grounds"



Case Number : T 754/92 - 3.3.1

D E C I S I O N
of the Technical Board of Appeal 3.3.1
of 30 November 1992

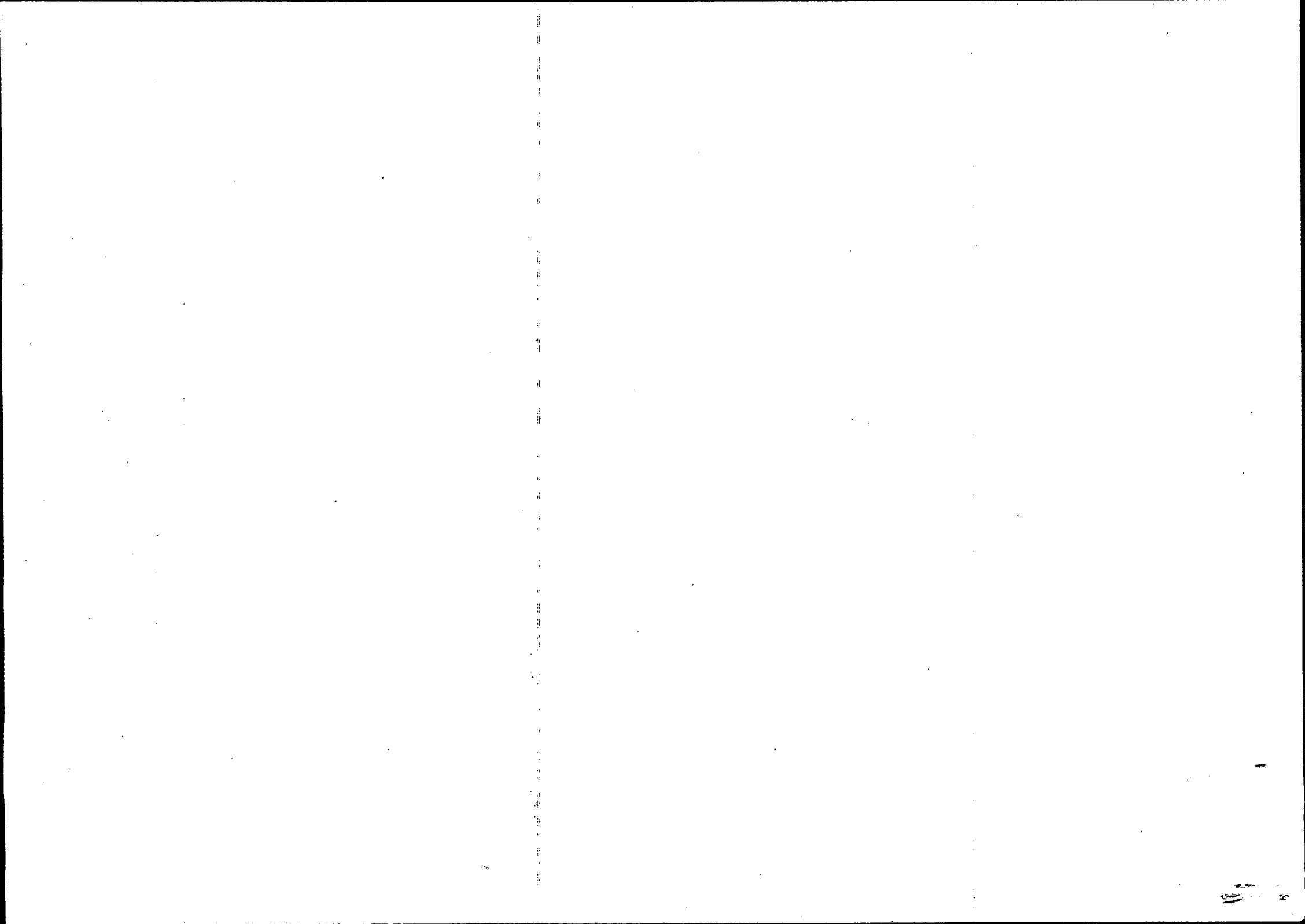
Appellant : Atochem North America, Inc.
Three Parkway
Philadelphia
Pennsylvania 19102 (US)

Representative : Kraus, Walter, Dr.
Patentanwälte Kraus, Weisert & Partner
Thomas-Wimmer-Ring 15
W-8000 München 22 (DE)

Decision under appeal : Decision of the Examining Division of the
European Patent Office dated 2 April 1992
refusing European patent application
No. 90 105 675.4 pursuant to Article 97(1) EPC.

Composition of the Board :

Chairman : K.J.A. Jahn
Members : R.W. Andrews
J.C. Saisset



Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division of the European Patent Office dated 2 April 1992 refusing the European patent application No. 90 105 675.4. 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 2 June 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. In a letter filed on 10 August 1992, the Appellant informed the Board that the formal appeal would not be substantiated.
- III. By a communication dated 4 September 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.
- IIII. 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

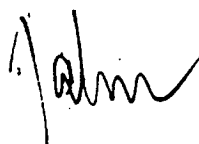
For these reasons, it is decided that:

The appeal is rejected as inadmissible.

The Registrar:


E. Görgmaier

The Chairman:


K. Jahn

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