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File Number: T 888/92 - 3.3.1

Application No.: 88 103 977.0

Publication No.: 0 282 940

Title of invention: A method for the preparation of a gamma-substituted  
(E)-2-alken-1-AL

Classification: C07C 45/51

DECISION  
of 19 January 1993

Applicant: Shin-Etsu Chemical Co., Ltd.

Headword:

EPC Article 108, Rule 65(1)

Keyword: "Missing Statement of Grounds"



Case Number : T 888/92 - 3.3.1

DECISION  
of the Technical Board of Appeal 3.3.1  
of 19 January 1993

Appellant : Shin-Etsu Chemical Co., Ltd.  
6-1, Otemachi 2-chome  
Chiyoda-ku  
Tokyo 100 (JP)

Representative : Raeck, Wilfrid, Dipl.-Ing.  
Moserstrasse 8  
W-7000 Stuttgart 1 (DE)

Decision under appeal : Decision of the Examining Division of the  
European Patent Office dated 15 April 1992  
refusing European patent application  
No. 88 103 997.0 pursuant to Article 97(1) EPC.

Composition of the Board :

Chairman : K.J.A. Jahn  
Members : P.K.H. Krasa  
J.A. Stephens-Ofner

### Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division of the European Patent Office dated 15 April 1992 refusing the European patent application No. 88 103 977.0. The decision was dispatched by the 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 4 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. By a communication dated 20 October 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. 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

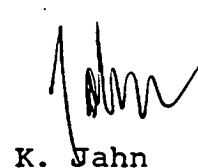
For these reasons, it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

  
E. Görgmaier

The Chairman:

  
K. Jahn

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18.2.1992