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D E C I S I O N
of 11 May 1993

Case Number: T 0006/93 - 3.2.2

Application Number: 88902596.1

Publication Number: 0349566

IPC: A61F 2/08

Language of the proceedings: EN

Title of invention:
A resorbable prosthesis

Applicant:
Astra Tech Aktiebolag

Opponent:
-

Headword:
-

Relevant legal provisions:
EPC Art. 108
EPC R. 65(1)

Keyword:
"Missing Statement of Grounds"

Decisions cited:
-

Catchword:
-



Case Number: T 0006/93 - 3.2.2

D E C I S I O N
of the Technical Board of Appeal 3.2.2
of 11 May 1993

Appellant: Astra Tech Aktiebolag
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S-431 21 Mölndal (SE)

Representative: Kummelsten, Per-Arne
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Decision under appeal: Decision of the Examining Division of the
European Patent Office dated 17 July 1992
refusing European patent application
No. 88 902 596.1 pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: G.S.A. Szabo
Members: J.B.F. Kollar
J. van Moer

Summary of Facts and Submissions

1. The appeal contests the decision of the Examining Division of the European Patent Office dated 17 July 1992 refusing the European patent application 88 902 596.1. The decision was dispatched by registered letter with advice of delivery on 17 July 1992. The Applicant filed a Notice of Appeal by facsimile received on 16 September 1992 and paid the fee for the appeal on the same date. 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.
2. By a communication dated 15 February 1993 and sent by registered mail, 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.
3. The Appellant filed no observations in response to said 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:

S. Fabiani

G. Szabo