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File No.: T 0305/93 - 3.3.2  
Application No.: 89 305 906.3  
Publication No.: 0 351 057  
Classification: B01J 37/08  
Title of invention: Catalytically active materials and manufacture thereof

**D E C I S I O N**  
of 23 July 1993

Applicant: CORNING INCORPORATED  
Proprietor of the patent:  
Opponent:

Headword:

**EPC:** Art. 108, R. 65(1)

**Keyword:** "Missing Statement of Grounds"

**Headnote**  
**Catchwords**



Case Number: T 0305/93 - 3.3.2

**D E C I S I O N**  
of the Technical Board of Appeal 3.3.2  
of 23 July 1993

**Appellant:** CORNING INCORPORATED  
Houghton Park  
Corning  
New York 14831  
ETATS-UNIS D'AMERIQUE

**Representative:** Smith, Sydney  
Elkington and Fife  
Prospect House  
8 Pembroke Road  
Sevenoaks, Kent TN13 1XR  
GRANDE BRETAGNE

**Decision under appeal:** Decision of the Examining Division of the European Patent Office dated 21.10.92 refusing European patent application No. 89 305 906.3 pursuant to Article 97(1) EPC.

**Composition of the Board:**

**Chairman:** Lançon P.A.M.  
**Members:** Eberhard M.M.  
Perryman S.C.

## Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division 033 of the European Patent Office dated 21.10.92 refusing the European patent application No. 89 305 906.3. 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 17.12.92 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 07 May 1993 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:

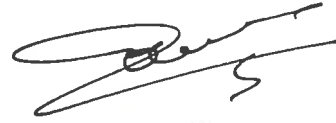
The appeal is rejected as inadmissible.

The Registrar:



P. Martorana

The Chairman:



P.A.M. Lançon

*J. E. B.*

*A.P.*