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D E C I S I O N
of 9 September 1994

Case Number: T 0804/93 - 3.2.1

Application Number: 87301896.4

Publication Number: 0240174

IPC: B60K 28/16

Language of the proceedings: EN

Title of invention:

Traction control system for controlling slip of a driving wheel
of a vehicle.

Patentee:

HONDA GIKEN KOGYO KABUSHIKI KAISHA

Opponent:

Robert Bosch GmbH

Headword:

-

Relevant legal norms:

EPC Art. 108

EPC R. 65(1)

Keyword:

"Missing Statement of Grounds"

Decisions cited:

-

Catchword:

-



Case Number: T 0804/93 - 3.2.1

D E C I S I O N
of the Technical Board of Appeal 3.2.1
of 9 September 1994

Appellant: Robert Bosch GmbH
(Opponent) Zentralabteilung Patente
Postfach 30 02 20
D-70442 Stuttgart (DE)

Representative: -

Respondent: HONDA GIKEN KOGYO KABUSHIKI KAISHA
(Proprietor of the patent) 1-go, 1-ban, Minami-Aoyama 2-chome
Minato-ku
Tokyo 107 (JP)

Representative: Muir, Ian R.
HASELTINE LAKE & CO.
Hazlitt House
28 Southampton Buildings
Chancery Lane
London WC2A 1AT (GB)

Decision under appeal: Interlocutory decision of the Opposition Division
of the European Patent Office dated 15 July 1993
concerning maintenance of European patent
No. 0 240 174 in amended form.

Composition of the Board:

Chairman: F. A. Gumbel
Members: P. Alting van Geusau
B. J. Schachenmann

Summary of Facts and Submissions

I. In its decision dated 15 July 1993 the Opposition Division maintained the European patent No. 0 240 174 in amended form.

The Appellant (Opponent) filed a notice of appeal against the decision referred to above and paid the appeal fee on 13 September 1993. He requested that the patent be revoked.

The 4 months period for filing a written statement setting out the grounds of appeal pursuant to Article 108 EPC ended on 25 November 1993. However, no Statement of Grounds arrived at the EPO by then.

II. By a communication dated 20 May 1994 and sent by registered letter, the Registry of the Board informed the Appellant that no Statement of Grounds had been filed and that it was to be expected therefore that the appeal would be rejected as inadmissible. The Appellant was invited to file observations within two months.

III. No response to said communication was received by the EPO.

Reasons for the Decision

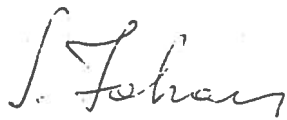
As no written statement setting out the grounds of appeal has been filed, and also the notice of appeal contains nothing that could be regarded as a Statement of Grounds pursuant to Article 108 EPC, the appeal has to be rejected as inadmissible (Article 108 EPC in conjunction with Rule 65(1) EPC).

Order

For these reasons it is decided that:

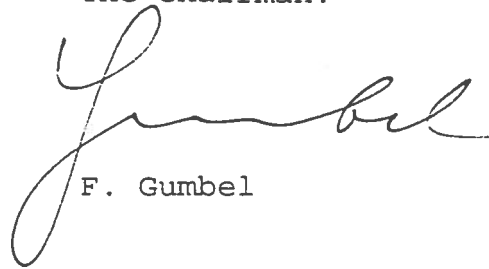
The appeal is rejected as inadmissible.

The Registrar:



S. Fabiani

The Chairman:



F. Gumbel

