

Internal distribution code:

- (A) [] Publication in OJ
(B) [] To Chairmen and Members
(C) [X] To Chairmen

D E C I S I O N
of 29 March 1994

Case Number: T 1013/93 - 3.3.3
Application Number: 85101596.6
Publication Number: 0152915
IPC: C08G 18/42

Language of the proceedings: EN

Title of invention:

Digestion products of polyalkylene terephthalate polymers and polycarboxylic acid-containing polyols and polymeric foams obtained therefrom

Applicant:

The Celotex Corporation

Opponent:

-

Headword:

-

Relevant legal norms:

EPC Art. 108
EPC R. 65(1)

Keyword:

"Missing Statement of Grounds"

Decisions cited:

-

Catchword:

-



Case Number: T 1013/93 - 3.3.3

DECISION
of the Technical Board of Appeal 3.3.3
of 29 March 1994

Appellant: The Celotex Corporation
4010 Boy Scout Boulevard
Tampa
Florida 33607 (US)

Representative: Dr. Fuchs, Dr. Luderschmidt
Dr. Mehler, Dipl.-Ing. Weiss
Patentanwälte
Postfach 46 60
D-65036 Wiesbaden (DE)

Decision under appeal: Decision of the Examining Division of the
European Patent Office dated 25 June 1993 refusing
European patent application No. 85 101 596.6
pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: F. Antony
Members: C.R.J. Gérardin
M. Schar-Schuppisser

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division 012 of the European Patent Office dated 25 June 1993 refusing the European patent application No. 85 101 596.6. 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 28 August 1993 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 5 January 1994 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

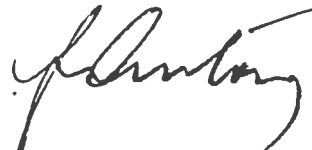
For these reasons, it is decided that:

The appeal is rejected as inadmissible.

The Registrar:


E. Gorgmajer

The Chairman:


F. Antony

cb