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D E C I S I O N
of 11 January 1996

Case Number: T 0572/95 - 3.3.3

Application Number: 87904320.6

Publication Number: 0274536

IPC: C08F 2/00

Language of the proceedings: EN

Title of invention:
Polyolefin composition for injection molding

Patentee:
MITSUI PETROCHEMICAL INDUSTRIES, LTD.

Opponent:
HOECHST AKTIENGESELLSCHAFT

Headword:
-

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

Keyword:
"Missing Statement of Grounds"

Decisions cited:
-

Catchword:
-



Case Number: T 0572/95 - 3.3.3

D E C I S I O N
of the Technical Board of Appeal 3.3.3
of 11 January 1996

Appellant: HOECHST AKTIENGESELLSCHAFT
(Opponent) Werk Ruhrchemie
Postfach 13 01 60
D-46128 Oberhausen (DE)

Representative: -

Respondent: MITSUI PETROCHEMICAL INDUSTRIES, LTD.
(Proprietor of the patent) 2-5, Kasumigaseki 3-chome
Chiyoda-ku
Tokyo 100 (JP)

Representative: Cresswell, Thomas Anthony
J.A. KEMP & CO.
14 South Square
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London WC1R 5LX (GB)

Decision under appeal: Interlocutory decision of the Opposition Division
of the European Patent Office posted 5 May 1995
concerning maintenance of the European patent
No. 0 274 536 in amended form.

Composition of the Board:

Chairman: C. Gérardin
Members: B. ter Laan
J. Stephens-Ofner

Summary of Facts and Submissions

I. The appeal contests the decision of the Opposition Division of the European Patent Office posted 5 May 1995, concerning maintenance of the European patent No. 0 274 536 in amended form.

The Appellant (Opponent) filed a Notice of Appeal on 8 July 1995 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 2 October 1995 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:

The Chairman:

E. Görgmaier

C. Gérardin