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D E C I S I O N  
of 1 December 1995

Case Number: T 0707/95 - 3.4.2

Application Number: 90101159.3

Publication Number: 0384128

IPC: G02C 7/02

Language of the proceedings: EN

Title of invention:  
Progressive addition spectacle lens

Applicant:  
AMERICAN OPTICAL CORPORATION

Opponent:  
-

Headword:  
-

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

Keyword:  
"Missing Statement of Grounds"

Decisions cited:  
-

Catchword:  
-



Case Number: T 0707/95 - 3.4.2

**D E C I S I O N**  
of the Technical Board of Appeal 3.4.2  
of 1 December 1995

**Appellant:** AMERICAN OPTICAL CORPORATION  
14 Mechanic Street  
Southbridge  
MA 01550 (US)

**Representative:** Freylinger, Ernest T.  
Office de Brevets  
Ernest T. Freylinger  
321, route d'Arlon  
Boîte Postale 48  
L-8001 Strassen (LU)

**Decision under appeal:** Decision of the Examining Division of the European  
Patent Office posted 16 March 1995 refusing  
European patent application No. 90 101 159.3  
pursuant to Article 97(1) EPC.

**Composition of the Board:**

**Chairman:** E. Turrini  
**Members:** W. W. G. Hofmann  
L. C. Mancini

## Summary of Facts and Submissions

1. The appeal contests the decision of the Examining Division of the European Patent Office dated 16 March 1995, refusing the European patent application No. 90 101 159.3. 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 15 May 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 11 September 1995, sent by registered letter with advice of delivery, the Registry of the Board informed the Appellant that no Statement of Grounds has 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:

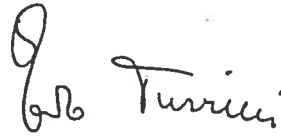
The appeal is rejected as inadmissible.

The Registrar:



P. Martorana

The Chairman:



E. Turrini

*tr*