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PATENTAMTS

BOARDS OF APPEAL OF  
THE EUROPEAN PATENT  
OFFICE

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- (B)  To Chairmen and Members
- (C)  To Chairmen

**D E C I S I O N**  
of 16 July 1996

**Case Number:** T 0058/96 - 3.2.2

**Application Number:** 89108952.6

**Publication Number:** 0345501

**IPC:** D21F 3/02

**Language of the proceedings:** EN

**Title of invention:**  
A press with extended nip

**Patentee:**  
VALMET PAPER MACHINERY INC.

**Opponent:**  
Sulzer-Escher-Wyss GmbH

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

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

**Decisions cited:**  
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**Catchword:**  
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Case Number: T 0058/96 - 3.2.2

**D E C I S I O N**  
of the Technical Board of Appeal 3.2.2  
of 16 July 1996

**Appellant:** Sulzer-Escher-Wyss GmbH  
(Opponent) Escher-Wyss-Strasse  
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**Respondent:** VALMET PAPER MACHINERY INC.  
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**Representative:** Lundquist, Lars-Olof  
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**Decision under appeal:** Decision of the Opposition Division of the  
European Patent Office posted 16 November 1995  
rejecting the opposition filed against European  
patent No. 0 345 501 pursuant to Article 102(2)  
EPC.

**Composition of the Board:**

**Chairman:** H. J. Seidenschwarz  
**Members:** M. G. Noel  
J. C. M. De Preter

### **Summary of Facts and Submissions**

I. In its decision dated 16 November 1995 the Opposition Division maintained the European No. 0 345 501 in amended form.

II. The Appellant (Opponent) appealed against the decision of the Opposition Division on 29 December 1995, requesting that the patent be revoked. The appeal fee was paid on 29 December 1995.

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 23 April 1996, sent by registered post, 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. The Appellant filed no observations in response to said 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:

S. Fabiani

H. Seidenschwarz