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D E C I S I O N
of 24 June 1997

Case Number: T 0262/97 - 3.3.3

Application Number: 91307844.0

Publication Number: 0473399

IPC: C08G 63/553

Language of the proceedings: EN

Title of invention:

Polyester polyols from tall oil fatty acid maleic anhydride,
and aromatic polyester polyols

Patentee:

CAPE INDUSTRIES

Opponent:

-

Headword:

-

Relevant legal provisions:

EPC Art. 108

EPC R. 65(1)

Keyword:

"Missing Statement of Grounds"

Decisions cited:

-

Catchword:

-



Case Number: T 0262/97 - 3.3.3

D E C I S I O N
of the Technical Board of Appeal 3.3.3
of 24 June 1997

Appellant: CAPE INDUSTRIES
Highway 421 North
Wilmington, North Carolina 28402 (US)

Representative: De Minvielle-Devaux, Ian Benedict Peter
Carpmaels & Ransford
43, Bloomsbury Square
London WC1A 2RA (GB)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 11 September 1996
refusing European patent application
No. 91 307 844.0 pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: C. R. J. Gérardin
Members: H. H. R. Fessel
J. A. Stephens-Ofner

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division of the European Patent Office posted 11 September 1996 refusing the European patent application No. 91 307 844.0. The Appellant filed a Notice of Appeal by a letter received on 11 November 1996 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 12 March 1997, 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. 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

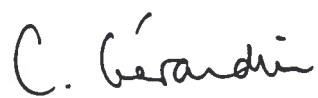
For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:


E. Görgmäier

The Chairman:


C. Gérardin