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D E C I S I O N
of 1 July 1997

Case Number: T 0305/97 - 3.4.2

Application Number: 92630022.9

Publication Number: 0504092

IPC: B01D 39/20

Language of the proceedings: EN

Title of invention:

Ultra-high efficiency porous metal filter

Applicant:

MOTT METALLURGICAL CORPORATION

Opponent:

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Headword:

-

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 0305/97 - 3.4.2

D E C I S I O N
of the Technical Board of Appeal 3.4.2
of 1 July 1997

Appellant: MOTT METALLURGICAL CORPORATION
Farmington Industrial Park
Farmington
Connecticut 06032 (US)

Representative: Schmitz, Jean-Marie
Dennemeyer & Associates Sàrl
PO Box 1502
1015 Luxembourg (LU)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 4 October 1996
refusing European patent application
No. 92 630 022.9 pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: E. Turrini
Members: M. Chomentowski
B. J. Schachenmann

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division of the European Patent Office dated 4 October 1996, refusing the European patent application No. 92 630 022.9 publication No 0 504 092. The Appellant filed a Notice of Appeal by a letter received on 4 December 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 21 March 1997, 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:

The Chairman:

P. Martorana

E. Turrini