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**D E C I S I O N**  
of 5 November 1997

**Case Number:** T 0846/97 - 3.2.4

**Application Number:** 92110148.1

**Publication Number:** 519400

**IPC:** B65G 47/32

**Language of the proceedings:** EN

**Title of invention:**

Device for equally-spaced transportation of randomly arranged incoming products

**Applicant:**

G. D. Societa' per Azioni

**Opponent:**

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**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 0846/97 - 3.2.4

**D E C I S I O N**  
of the Technical Board of Appeal 3.2.4  
of 5 November 1997

**Appellant:**

G. D. Societa' per Azioni  
Via Pomponia 10  
I-40133 Bologna (IT)

**Representative:**

Jorio, Paolo, Dr. Ing.  
Studio Torta S.r.l.  
Via Viotti 9  
10121 Torino (IT)

**Decision under appeal:**

Decision of the Examining Division of the  
European Patent Office posted 5 March 1997  
refusing European patent application  
No. 92 110 148.1 pursuant to Article 97(1) EPC.

**Composition of the Board:**

**Chairman:** C. Andries  
**Members:** P. Petti  
J.-P. Seitz

## **Summary of Facts and Submissions**

- I. The appeal contests the decision of the Examining Division of the European Patent Office refusing the European patent application No. 92 110 148.1. The decision was dispatched by registered letter with advice of delivery on 5 March 1997. The applicant filed a notice of appeal by letter received on 2 May 1997 and paid the fee for appeal on the same date. 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 13 August 1997 and 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:**

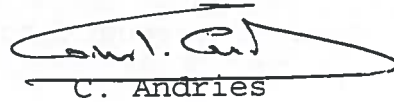
The appeal is rejected as inadmissible.

The Registrar:



N. Maslin

The Chairman:

  
C. Andries