

Internal distribution code:

- (A) Publication in OJ
(B) To Chairmen and Members
(C) To Chairmen

D E C I S I O N
of 12 December 1997

Case Number: T 0953/97 - 3.3.5

Application Number: 91912085.7

Publication Number: 547057

IPC: D21C 9/04

Language of the proceedings: EN

Title of invention:
Pressurized Dynamic Washer

Patentee:
Beloit Technologies, Inc.

Opponent:
Voith Sulzer Stoffaufbereitung GmbH

Headword:
-

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

Keyword:
"Missing statement of grounds"

Decisions cited:
-

Catchword:
-



Europäisches
Patentamt

European
Patent Office

Office européen
des brevets

Beschwerdekammern

Boards of Appeal

Chambres de recours

Case Number: T 0953/97 - 3.3.5

D E C I S I O N
of the Technical Board of Appeal 3.3.5
of 12 December 1997

Appellant:
(Opponent) Voith Sulzer Stoffaufbereitung GmbH
Escher-Wyss-Strasse 25
88212 Ravensburg (DE)

Representative: Weitzel, Wolfgang, Dr.-Ing.
Patentanwalt
Friedenstrasse 10
89522 Heidenheim (DE)

Respondent:
(Proprietor of the patent) Beloit Technologies, Inc.
Suite 512, 300 Delaware Avenue
Wilmington
Delaware 19801 (US)

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

Decision under appeal: Interlocutory decision of the Opposition Division
of the European Patent Office posted 11 March
1997 concerning maintenance of the European
patent No. 0 547 057 in amended form.

Composition of the Board:

Chairman: R. K. Spangenberg
Members: G. Dischinger-Hoeppler
J. H. Van Moer

Summary of Facts and Submissions

- I. The appeal contests the interlocutory decision of the Opposition Division of the European Patent Office dated 11 March 1997, concerning maintenance of European patent No. 0 547 057 in amended form.

The Appellant (Opponent) filed a notice of appeal on 25 April 1997 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 24 September 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. No answer has been given within the given time limit 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:


R. Spangenberg