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D E C I S I O N
of 21 July 1998

Case Number: T 0114/98 - 3.3.1

Application Number: 89304806.6

Publication Number: 0342043

IPC: C11D 17/00

Language of the proceedings: EN

Title of invention:
Granular laundry compositions

Patentee:
The Proctor & Gamble Company

Opponent:
Henkel Kommanditgesellschaft auf Aktien

Headword:
-

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

Keyword:
"Missing Statement of Grounds"

Decisions cited:
-

Catchword:
-

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Case Number: T 0114/98 - 3.3.1

D E C I S I O N
of the Technical Board of Appeal 3.3.1
of 21 July 1998

Appellant: (Opponent)
Henkel
Kommanditgesellschaft auf Aktien
TFP/Patentabteilung
40191 Düsseldorf (DE)

Representative:
-

Respondent: (Proprietor of the patent)
The Proctor & Gamble Company
One Procter & Gamble Plaza
Cincinnati
Ohio 45202 (US)

Representative:
Lawrence, Peter Robin Broughton
Gill Jennings & Every
Boardgate House
7 Eldon Street
London EC2M 7LH (GB)

Decision under appeal:
Decision of the Opposition Division of the European Patent Office posted 1 December 1997 rejecting the opposition filed against European patent No. 0 342 043 pursuant to Article 102(2) EPC.

Composition of the Board:

Chairman: A. J. Nuss
Members: J. M. Jonk
W. Moser

Summary of Facts and Submissions

I. The appeal contests the decision of the Opposition Division of the European Patent Office posted 1 December 1997 rejecting the opposition pursuant to Article 102(2) EPC.

The Appellant filed a notice of appeal on 30 January 1998 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 27 April 1998 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 (Rule 65(1) EPC in conjunction with Article 108 EPC).

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar: The Chairman:

E. Görgmaier A. Nuss