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D E C I S I O N  
of 10 July 1998

Case Number: T 0142/98 - 3.3.3

Application Number: 88308441.0

Publication Number: 0309136

IPC: C08J 5/18

Language of the proceedings: EN

Title of invention:  
Oriented microporous film

Applicant:  
Minnesota Mining and Manufacturing Company

Opponent:  
Akzo Nobel Faser AG

Headword:  
-

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

Keyword:  
"Missing Statement of Grounds"

Decisions cited:  
-

Catchword:  
-



Case Number: T 0142/98 - 3.3.3

D E C I S I O N  
of the Technical Board of Appeal 3.3.3  
of 10 July 1998

**Appellant:**  
(Proprietor of the patent) Minnesota Mining and Manufacturing Company  
3M Centre  
P.O. Box 33427  
St. Paul  
Minnesota 55133-3427 (US)

**Representative:** Wilhelm, Stefan  
3M Laboratories (Europe) GmbH  
Office of Intellectual Property Counsel  
Hansastraße 9  
41453 Neuss (DE)

**Respondent:**  
(Opponent) Akzo Nobel Faser AG  
Kasinostraße 19-21  
42097 Wuppertal (DE)

**Representative:** -

**Decision under appeal:** Interlocutory decision of the Opposition Division  
of the European Patent Office posted 3 December  
1997 concerning maintenance of European patent  
No. 0 309 136 in amended form.

**Composition of the Board:**

**Chairman:** C. R. J. Gérardin  
**Members:** R. J. Young  
J. A. Stephens-Ofner

## Summary of Facts and Submissions

- I. The appeal contests the decision of the Opposition Division of the European Patent Office posted 3 December 1997 concerning maintenance of the European patent No. 0 309 136 in amended form.

The Appellant (Patentee) filed a Notice of Appeal on 3 February 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 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 to the Registry's communication has been received.

## 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:

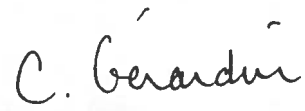
The appeal is rejected as inadmissible.

The Registrar:



E. Görgmaier

The Chairman:



C. Gérardin