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**D E C I S I O N**  
**of 26 January 1999**

**Case Number:** T 0843/98 - 3.3.3

**Application Number:** 93914343.4

**Publication Number:** 0644911

**IPC:** C08J 7/12

**Language of the proceedings:** EN

**Title of invention:**

Fluorine treatment of polyolefin films

**Applicant:**

Exxon Chemical Patents Inc.

**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 0843/98 - 3.3.3

**D E C I S I O N**  
of the Technical Board of Appeal 3.3.3  
of 26 January 1999

**Appellant:** Exxon Chemical Patents Inc.  
5200 Bayway Drive  
Baytown  
TX 77520-2149 (US)

**Representative:** Dew, Melvyn John  
Exxon Chemical Europe Inc.  
P.O. Box 105  
1830 Machelen (BE)

**Decision under appeal:** Decision of the Examining Division of the  
European Patent Office posted 10 March 1998  
refusing European patent application  
No. 93 914 343.4 pursuant to Article 97(1) EPC.

**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 Examining Division of the European Patent Office posted 10 March 1998, refusing the European patent application No. 93 914 343.4.

The Appellant filed a Notice of Appeal by a letter received on 5 May 1998 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 9 September 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 and attention was drawn to the possibility of filing a request for re-establishment of rights under Article 122 EPC.

- 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: The Chairman:

E. Görgmaier    C. Gérardin