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D E C I S I O N
of 14 January 1999

Case Number: T 0980/98 - 3.3.1

Application Number: 94919369.2

Publication Number: 0705309

IPC: C09D 5/44

Language of the proceedings: EN

Title of invention:

Photodegradation-resistant electrodepositable primer compositions

Applicant/Patentee:

PPG INDUSTRIES, INC.

Opponent:

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Headword:

-

Relevant legal provisions:

EPC Art. 108

EPC R. 65(1)

Keyword:

"Missing Statement of Grounds"

Decisions cited:

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Catchword:

-



Case Number: T 0980/98 - 3.3.1

D E C I S I O N
of the Technical Board of Appeal 3.3.1
of 14 January 1999

Appellant:

PPG INDUSTRIES, INC.
One PPG Place
Pittsburgh
USA - Pennsylvania 15272 (US)

Representative:

Fleischer, Holm Herbert, Dr.
Patentanwälte Sternagel & Fleischer
Braunsberger Feld 29
DE - 51429 Bergisch Gladbach (DE)

Decision under appeal:

**Decision of the Examining Division of the
European Patent Office posted 24 April 1998
refusing European patent application
No. 94 919 369.2 pursuant to Article 97(1) EPC.**

Composition of the Board:

Chairman: A. J. Nuss
Members: R. Freimuth
R. E. Teschemacher

Summary of facts and submissions

- I. The appeal contests the decision of the Examining Division of the European Patent Office posted 24 April 98 refusing the European patent application No. 94 919 369.2.

The Appellant filed a Notice of Appeal by a letter received on 10 June 98 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 22 October 98, 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 A. Nuss