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D E C I S I O N
of 16 March 2000

Case Number: T 0798/99 - 3.2.2

Application Number: 89312679.7

Publication Number: 0431224

IPC: C21D 9/02

Language of the proceedings: EN

Title of invention:

Method of manufacturing a leaf of a leaf spring

Patentee:

HORIKIRI SPRING MFG. CO. LTD.

Opponent:

Verband der Deutschen Federnindustrie

Headword:

-

Relevant legal provisions:

EPC Art. 108

EPC R. 65(1)

Keyword:

"Missing Statement of Grounds"

Decisions cited:

-

Catchword:

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Boards of Appeal

Chambres de recours

Case Number: T 0798/99 - 3.2.2

D E C I S I O N
of the Technical Board of Appeal 3.2.2
of 16 March 2000

Appellant: HORIKIRI SPRING MFG. CO. LTD.
(Proprietor of the patent) Kamitakano 1827-4
Yachiyo-shi
Chiba-ken (JP)

Representative: Clifford, Frederick Alan
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57-60 Lincoln's Inn Fields
London WC2A 3LS (GB)

Respondent: Verband der Deutschen Federnindustrie
(Opponent) Goldene Pforte 1
D-58093 Hagen (DE)

Representative: Schröter, Martin, Dipl.-Ing.
Schröter & Haverkamp
Im Tückwinkel 22
D-58636 Iserlohn (DE)

Decision under appeal: Interlocutory decision of the Opposition Division
of the European Patent Office posted 10 June 1999
concerning maintenance of the European patent
No. 0 431 224 in amended form.

Composition of the Board:

Chairman: W. D. Weiß
Members: R. Ries
R. T. Menapace

Summary of Facts and Submissions

- I. In its decision posted on 10 June 1999 the Opposition Division maintained the European patent No. 0 431 224 in amended form.
- II. The proprietor of the patent appealed against the decision of the Opposition Division and paid the appeal fee on 10 August 1999.
- III. By a communication dated 7 December 1999 and sent by registered post, 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.
- IV. The Appellant filed no observations in response to said 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:

V. Commare

W. D. Weiß