DECISION
of 23 May 2001

Case Number: T 1131/00 - 3.2.3
Application Number: 95924216.5
Publication Number: 0769124
IPC: F26B 13/10
Language of the proceedings: EN

Title of invention:
Drying device with improved guide for rotary cut wood veneer

Patentee:
Angelo Cremona & Figlio S.p.A.

Opponent:
Babcock-BSH GmbH

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 1131/00 - 3.2.3

DECISION
of the Technical Board of Appeal 3.2.3
of 23 May 2001

Appellant: Babcock-BSH GmbH
(Opponent) August-Gottlieb Strasse 5
D-36251 Bad Hersfeld (DE)

Representative: Frese-Göddeke, Beate, Dr.
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Respondent: Angelo Cremona & Figlio S.p.A.
(Proprietor of the patent) Viale Lombardia, 275
20052 Monza (IT)

Representative: Faraggiana, Vittorio, Dr. Ing.
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Decision under appeal: Decision of the Opposition Division of the European Patent Office posted 27 September 2000 rejecting the opposition filed against European patent No. 0 769 124 pursuant to Article 102(2) EPC.

Composition of the Board:
Chairman: C. T. Wilson
Members: U. Krause
J. P. B. Seitz
Summary of Facts and Submissions

I. The appeal contests the decision of the Opposition Division of the European Patent Office given orally on 7 July 2000 rejecting the opposition against European patent No. 0 769 124. The decision in writing was dispatched by registered letter with advice of delivery to the parties on 27 September 2000. The Appellant filed a notice of appeal by a letter received on 24 November 2000 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 28 February 2001 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.

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 (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:

A. Counillon C. T. Wilson