Datasheet for the decision of 13 May 2014

Case Number: T 1679/13 - 3.3.09
Application Number: 01964744.5
Publication Number: 1322482
IPC: B32B17/10, C03C27/12, B44C3/02, B44F1/06, B41M5/00
Language of the proceedings: EN

Title of invention:
IMAGE CARRYING LAMINATED MATERIAL

Patent Proprietor:
Digiglass Pty. Ltd.

Opponents:
Glas Trösch AG
AGC Glass Europe
SOLUTION Inc.

Headword:

Relevant legal provisions:
EPC Art. 108
EPC R. 101(1)

Keyword:
Admissibility of appeal - missing statement of grounds

Decisions cited:
Catchword:
Case Number: T 1679/13 - 3.3.09

DECISION
of Technical Board of Appeal 3.3.09
of 13 May 2014

Appellant: Glas Trösch AG
(Opponent 1)
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Party as of right: AGC Glass Europe
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Party as of right: SOLUTIA Inc.
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Composition of the Board:
Chairman: W. Sieber
Members: J. Jardón Álvarez
E. Kossonakou
Summary of Facts and Submissions

I. This appeal is against the interlocutory decision of the opposition division dated 31 May 2013 concerning the maintenance of European patent No. 1 322 482 in amended form.

Opponent 1 (in the following: the appellant), Glas Trösch AG, filed a notice of appeal on 29 July 2013 and paid the appeal fee on the same day.

II. By a communication dated 30 October 2013, received by the appellant on 4 November 2013, the Registry of the Board informed the appellant that it appeared from the file that the written statement of grounds of appeal had not been filed, and that it was therefore to be expected that the appeal would be rejected as inadmissible pursuant to Article 108, third sentence, EPC in conjunction with Rule 101(1) EPC.

The appellant was invited to file observations within two months.

III. No answer to the registry's communication was received within this time limit.

Reasons for the Decision

No written statement setting out the grounds of appeal was filed within the time limit provided to this end by Article 108, third sentence, EPC in conjunction with Rule 126(2) EPC. In addition, neither the notice of appeal nor any other document filed contains anything that could be
regarded as a statement of grounds pursuant to Article 108 EPC and Rule 99(2) EPC. Therefore, the appeal has to be rejected as inadmissible (Rule 101(1) EPC).

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:  

The Chairman:

M. Cañueto Carbajo  

W. Sieber

Decision electronically authenticated