Datasheet for the decision of 15 September 2014

Case Number: T 2452/13 - 3.3.09
Application Number: 06759532.2
Publication Number: 1879949
IPC: C08J7/04, C08L29/04, C11D17/04
Language of the proceedings: EN

Title of invention:
FUNCTIONALIZED FILMS

Patent Proprietor:
The Procter & Gamble Company

Opponent:
Reckitt Benckiser (UK) Limited

Headword:

Relevant legal provisions:
EPC Art. 108
EPC R. 99(2), 101(1)

Keyword:
Admissibility of appeal - missing statement of grounds

Decisions cited:

Catchword:
DECISION
of Technical Board of Appeal 3.3.09
of 15 September 2014

Appellant: Reckitt Benckiser (UK) Limited
(Opponent)
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Representative: Hewett, Erica Louise
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Legal Department - Patents Group
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Respondent: The Procter & Gamble Company
(Patent Proprietor)
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Representative: Yorquez Ramirez, Maria Isabel
Patent Department
Procter & Gamble Technical Centres Limited
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Decision under appeal: Interlocutory decision of the Opposition
Division of the European Patent Office posted on
10 October 2013 concerning maintenance of the

Composition of the Board:
Chairman W. Sieber
Members: N. Perakis
K. Garnett
Summary of Facts and Submissions

I. The appeal is directed against the interlocutory decision of the Opposition Division of 12 September 2013, posted on 10 October 2013, concerning the maintenance of European patent No. EP 1 879 949 in amended form.

II. The opponent (in the following: the appellant) filed a notice of appeal on 10 December 2013 and paid the appeal fee on the same day.

III. By communication of 4 March 2014, received by the appellant, the Registry of the Board informed the appellant that it appeared from the file that no written statement of grounds of appeal had 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 informed that any observations had to be filed within two months of notification of the communication.

IV. No reply has been received.

Reasons for the Decision

As appears from the above, no written statement setting out the grounds of appeal has been filed within the time limit provided for 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