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Datasheet for the decision
of 12 October 2015

Case Number: T 0578/15 - 3.3.05
Application Number: 03250798.0
Publication Number: 1363344
IPC: H01M10/46, H01M10/39, H01M10/48, H01M10/50, H01M10/42
Language of the proceedings: EN

Title of invention:
Control system for sodium-sulfur battery

Patent Proprietor:
NGK Insulators, Ltd.

Opponent:
BASF SE

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 0578/15 - 3.3.05

DECISION
of Technical Board of Appeal 3.3.05
of 12 October 2015

Appellant: BASF SE
(Opponent) 67056 Ludwigshafen (DE)

Respondent: NGK Insulators, Ltd.
(Patent Proprietor) 2-56 Suda-cho,
Mizhuo-ku
Nagoya-City, Aichi Pref. 467-8530 (JP)

Representative: Naylor, Matthew John
Mewburn Ellis LLP
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40 Basinghall Street
London EC2V 5DE (GB)

Decision under appeal: Interlocutory decision of the Opposition
Division of the European Patent Office
maintaining European Patent No. 1363344 in
amended form.

Composition of the Board:
Chairman G. Raths
Members: J.-M. Schwaller
C. Vallet
Summary of Facts and Submissions

I. The appeal is directed against the decision of the Opposition Division of 1 December 2014 posted on 8 January 2015.

II. The appellant filed a notice of appeal on 13 March 2015 and paid the appeal fee on the same day.

III. By communication of 29 June 2015, received by the appellant, 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 informed that any observations had to be filed within two months of notification of the communication.

IV. No reply was received.

Reasons for the Decision

No written statement setting out the grounds of appeal was filed within the time limit provided 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:

C. Vodz                           G. Raths

Decision electronically authenticated