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Datasheet for the decision
of 6 October 2017

Case Number: T 0894/17 - 3.3.05
Application Number: 07753865.0
Publication Number: 1999083
IPC: C04B14/10, C04B14/04, C09C1/02, C04B26/06
Language of the proceedings: EN

Title of invention:
PAPER AND COATING MEDIUM FOR MULTIFUNCTIONAL PRINTING

Patent Proprietor:
NewPage Wisconsin System Inc.

Opponent:
Kränzle, Rainer

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 0894/17 - 3.3.05

DECISION of Technical Board of Appeal 3.3.05 
of 6 October 2017

Appellant: 
NewPage Wisconsin System Inc. 
510 High Street 
Wisconsin Rapids, WI 54495 (US)

(Patent Proprietor) 

Representative: 
Flosdorff, Jürgen 
Huss, Flosdorff & Partner GbR 
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Respondent: 
Kränzle, Rainer 
c/o Pfenning, Meinig & Partner GbR 
Theresienhöhe 13 
80339 München (DE)

(Opponent) 

Representative: 
Pfenning, Meinig & Partner mbB 
Patent- und Rechtsanwälte 
Theresienhöhe 11a 
80339 München (DE)

Decision under appeal: Decision of the Opposition Division of the 
European Patent Office posted on 9 February 2017 
revoking European patent No. 1999083 pursuant to 
Article 101(3)(b) EPC.

Composition of the Board:
Chairman: E. Bendl
Members: A. Haderlein
O. Loizou
**Summary of Facts and Submissions**

I. The appeal is directed against the decision of the Opposition Division of 18 January 2017, posted on 9 February 2017.

II. The appellant filed a notice of appeal on 7 April 2017 and paid the appeal fee on the same day.

III. By communication of 6 July 2017, 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**

1. 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.

2. 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                                       E. Bendl

Decision electronically authenticated