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Datasheet for the decision
of 20 February 2019

Case Number: T 1475/18 - 3.3.10
Application Number: 12740365.7
Publication Number: 2736879

IPC: C07C231/02, C07C233/18, C07C233/20, C07C233/47, C07C233/49, C07C303/22, C07C309/15

Language of the proceedings: EN

Title of invention: GENERAL METHOD FOR PREPARING FATTY ACYL AMIDO BASED SURFACTANTS

Patent Proprietor: Unilever PLC, a company registered in England and Wales under company no. 41424 of Unilever N.V.

Opponent: Clariant Produkte (Deutschland) GmbH

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

Keyword:
Admissibility of appeal - statement of grounds (not filed)

Decisions cited:

Catchword:
DECISION
of Technical Board of Appeal 3.3.10
of 20 February 2019

Appellant: Unilever PLC, a company registered in England and Wales under company no. 41424 of Unilever House 100 Victoria Embankment London EC4Y 0DY (GB)

Appellant: Unilever N.V. Weena 455 3013 AL Rotterdam (NL)

Representative: Fijnvandraat, Arnoldus Unilever Patent Group Colworth Science Park Sharnbrook Bedford MK44 1LQ (GB)

Respondent: Clariant Produkte (Deutschland) GmbH Brüningstrasse 50 65929 Frankfurt am Main (DE)

Representative: Mathys & Squire LLP The Shard 32 London Bridge Street London SE1 9SG (GB)

Composition of the Board:

Chairman: P. Gryczka
Members: J. Schmid
         T. Bokor
Summary of Facts and Submissions

I. The appeal is directed against the decision of the Opposition Division of 23 January 2018, posted on 12 April 2018.

II. The appellant filed a notice of appeal on 7 June 2018 and paid the appeal fee on the same day.

III. By communication of 13 September 2018, 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. Rodríguez Rodríguez P. Gryczka

Decision electronically authenticated