Datasheet for the decision of 14 August 2019

Case Number: T 0235/19 - 3.3.10
Application Number: 11778095.7
Publication Number: 2566929
IPC: C09K5/04, C07C19/08, C07C17/38, C07C17/383, C07C17/386, C07C17/389
Language of the proceedings: EN

Title of invention: AZEOTROPIC AND AZEOTROPE-LIKE COMPOSITION OF TRANS-1,3,3,3-TETRAFLUOROPROPENE AND WATER

Patent Proprietor: Honeywell International Inc.

Opponent: ARKEMA France

Headword:

Relevant legal provisions:
EPC Art. 108
EPC R. 101(1)
Keyword:
Admissibility of appeal - missing statement of grounds

Decisions cited:

Catchword:
DECISION of Technical Board of Appeal 3.3.10
of 14 August 2019

Appellant: ARKEMA France
(Opponent)
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Representative: Chahine, Audrey Claire
ARKEMA France
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Respondent: Honeywell International Inc.
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Representative: Crooks, Elizabeth Caroline
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Decision under appeal: Interlocutory decision of the Opposition
Division of the European Patent Office posted on
22 November 2018 concerning maintenance of the
European Patent No. 2566929 in amended form.

Composition of the Board:
Chairman: P. Gryczka
Members: C. Komenda
F. Blumer

Case Number: T 0235/19 - 3.3.10
Summary of Facts and Submissions

I. The appeal is directed against the decision of the Opposition Division of 10 September 2018, posted on 22 November 2018.

II. The appellant (opponent) filed a notice of appeal on 22 January 2019 and paid the appeal fee on the same day.

III. By communication of 9 May 2019, 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. Rodriguez Rodríguez               P. Gryczka

Decision electronically authenticated