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D E C I S I O N
of 25 September 2000

Case Number: T 0016/00 - 3.2.5

Application Number: 92902887.6

Publication Number: 0568560

IPC: B29C 65/06

Language of the proceedings: EN

Title of invention:

An internal combustion engine inlet manifold

Patentee:

ROVER GROUP LIMITED

Opponent:

Solvay (Société Anonyme)

Headword:

Engine inlet manifold/ROVER

Relevant legal provisions:

EPC Art. 108, 122

EPC R. 65(1)

Keyword:

"Missing statement of grounds"

Decisions cited:

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Catchword:

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Case Number: T 0016/00 - 3.2.5

D E C I S I O N
of the Technical Board of Appeal 3.2.5
of 25 September 2000

Appellant: Solvay (Société Anonyme)
(Opponent) Rue de Ransbeek 310
1120 Bruxelles (BE)

Representative: Dufrasne, Eugène
Solvay S.A.
DCR-PI
Rue de Ransbeek 310
1120 Bruxelles (BE)

Respondent: ROVER GROUP LIMITED
(Proprietor of the patent) International Headquarters
Warwick Technology Park
Warwick
Warwickshire CV34 6RG (GB)

Representative: Farrow, Robert Michael
Rover Group Limited
Patent Department
Gaydon Test Centre
Banbury Road
Lighthorne, Warwick CV35 0RG (GB)

Decision under appeal: Decision of the Opposition Division of the
European Patent Office posted 4 November 1999
rejecting the opposition filed against European
patent No. 0 568 560 pursuant to Article 102(2)
EPC.

Composition of the Board:

Chairman: W. Moser
Members: C. G. E. Biggio
P. E. Michel

Summary of Facts and Submissions

I. The appeal is against the decision of the Opposition Division of the European Patent Office posted on 4 November 1999, by which the opposition against European patent No. 0 568 560 was rejected.

The appellant (opponent) filed a notice of appeal by letter received on 28 December 1999 and paid the fee for appeal on the same day. No statement setting out the grounds of appeal (Article 108 EPC, third sentence) was filed. Moreover, the notice of appeal contains nothing that could be regarded as representing such a statement.

II. By a communication dated 30 May 2000, sent by registered letter with advice of delivery, the Registry of the Board informed the appellant that no statement setting out the grounds of appeal had been filed and that the appeal was to be expected to be rejected as inadmissible. The appellant was invited to file observations within two months, and attention was drawn to the possibility of filing a request for re-establishment of rights under Article 122 EPC.

III. The appellant failed to reply to the communication of the Registry.

Reasons for the Decision

As no written statement setting out the grounds of appeal has been filed, the appeal has to be rejected as inadmissible under Rule 65(1) EPC, in conjunction with Article 108 EPC.

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

A. Townend

W. Moser