

Internal distribution code:

- (A) [] Publication in OJ
(B) [] To Chairmen and Members
(C) [X] To Chairmen

D E C I S I O N
of 4 May 2000

Case Number: T 0105/00 - 3.3.3

Application Number: 93305652.5

Publication Number: 0580386

IPC: C08G 67/04

Language of the proceedings: EN

Title of invention:
Aromatic polyanhydrides

Applicant:
ETHICON, INC.

Opponent:
-

Headword:
-

Relevant legal provisions:
EPC Art. 108
EPC R. 65(1)

Keyword:
"Missing Statement of Grounds"

Decisions cited:
-

Catchword:
-



**Europäisches
Patentamt**

**European
Patent Office**

**Office européen
des brevets**

Beschwerdekammern

Boards of Appeal

Chambres de recours

Case Number: T 0105/00 - 3.3.3

D E C I S I O N
of the Technical Board of Appeal 3.3.3
of 4 May 2000

Appellant: ETHICON, INC.
U.S. Route 22
Somerville, NJ 08876 (US)

Representative: Mercer, Christopher Paul
Carpmaels & Ransford
43 Bloomsbury Square
London, WC1A 2RA (GB)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 29 June 1999
refusing European patent application
No. 93 305 652.5 pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: C. R. J. Cérardin
Members: B. L. ter Laan
J. De Preter

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division of the European Patent Office posted 29 June 1999 refusing the European patent application No. 93 305 652.5.

The Appellant filed a Notice of Appeal by letter received on 2 September 1999 and paid the fee for appeal on the same date. No Statement of Grounds was filed. The Notice of Appeal contains nothing that could be regarded as a Statement of Grounds pursuant to Article 108 EPC.

- II. By a communication dated 15 February 2000, sent by registered letter with advice of delivery, the Registry of the Board informed the Appellant that no Statement of Grounds has been filed and that the appeal could 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. No answer has been given within the given time limit to the Registry's communication.

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 (Article 108 EPC in conjunction with Rule 65(1) EPC).

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

E. Görgmaier

C. Gérardin