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D E C I S I O N
of 12 September 2000

Case Number: T 0212/00 - 3.3.3

Application Number: 87870132.5

Publication Number: 0284708

IPC: C08F 4/60

Language of the proceedings: EN

Title of invention:
Metallocene catalyst systems for olefin polymerization having a silicon hydrocarbyl bridge

Patentee:
FINA TECHNOLOGY, INC.

Opponent:
BASF Aktiengesellschaft, Ludwigshafen

Headword:
-

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

Keyword:
"Missing Statement of Grounds"

Decisions cited:
-

Catchword:
-

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Case Number: T 0212/00 - 3.3.3

D E C I S I O N
of the Technical Board of Appeal 3.3.3
of 12 September 2000

Appellant: (Opponent)
BASF Aktiengesellschaft, Ludwigshafen
-Patentabteilung - C6-
Carl-Bosch-Strasse 38
D-67056 Ludwigshafen (DE)

Representative:
-

Respondent: (Proprietor of the patent)
FINA TECHNOLOGY, INC.
8350 North Central Expressway
Dallas
Texas 75206 (US)

Representative:
Detrait, Jean-Claude
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Decision under appeal: **Decision of the Opposition Division of the European Patent Office posted 4 February 2000 rejecting the opposition filed against European patent No. 0 284 708 pursuant to Article 102(2) EPC.**

Composition of the Board:

Chairman: C. Gérardin
Members: A. Däweritz
J. C. M. De Preter

Summary of Facts and Submissions

I. The appeal contests the decision of the Opposition Division of the European Patent Office posted 4 February 2000, rejecting the opposition pursuant to Article 102(2) EPC.

The Appellant filed a notice of appeal on 17 February 2000 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 29 June 2000 sent by registered letter with advice of delivery, the Registry of the Board informed the Appellant that no Statement of Grounds had been filed and that the appeal could be expected to be rejected as inadmissible. The Appellant was invited to file observations within two months.

III. No answer to the Registry's communication has been received.

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