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D E C I S I O N
of 20 December 2000

Case Number: T 0935/00 - 3.3.5

Application Number: 94119070.4

Publication Number: 0658373

IPC: B01J 19/12

Language of the proceedings: EN

Title of invention:

Method of controlling a photoreaction with a laser beam

Applicant:

RIKAGAKU KENKYUSHO

Opponent:

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Headword:

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Relevant legal provisions:

EPC Art. 108

EPC R. 65(1)

Keyword:

"Missing Statement of Grounds"

Decisions cited:

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Catchword:

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Case Number: T 0935/00 - 3.3.5

D E C I S I O N
of the Technical Board of Appeal 3.3.5
of 20 December 2000

Appellant:

RIKAGAKU KENKYUSHO
2-1 Hirosawa
Wako-shi
JP - Saitama-ken 351-01 (JP)

Representative:

Grünecker, Kinkeldey,
Stockmair & Schwanhäusser
Anwaltssozietät
Maximilianstr. 58
D - 80538 München (DE)

Decision under appeal:

Decision of the Examining Division of the
European Patent Office posted 19 April 2000
refusing European patent application
No. 94 119 070.4 pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: R. K. Spangenberg
Members: M. M. Eberhard
M. B. Günzel

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division of the European Patent Office posted on 19 April 2000 refusing the European patent application No. 94 119 070.4.

The Appellant filed a Notice of Appeal on 29 June 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 26 September 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 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:

S. Hue

R. Spangenberg