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D E C I S I O N
of 12 March 2001

Case Number: T 0945/00 - 3.3.7

Application Number: 92303902.8

Publication Number: 0511860

IPC: C09D 4/00

Language of the proceedings: EN

Title of invention:
Photocurable compositions

Patentee:
SERICOL LIMITED

Opponent:
Coates Brothers plc

Headword:
-

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

Keyword:
"Missing statement of grounds"

Decisions cited:
-

Catchword:
-



Case Number: T 0945/00 - 3.3.7

D E C I S I O N
of the Technical Board of Appeal 3.3.7
of 12 March 2001

Appellant:
(Opponent)

Coates Brothers plc
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Kent BR5 3PP (GB)

Representative:

Waldren, Robin Michael
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Respondent:
(Proprietor of the patent)

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Representative:

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Burmah Castrol
Group Patents Department
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Decision under appeal:

Interlocutory decision of the Opposition Division
of the European Patent Office posted 19 July 2000
concerning maintenance of European patent
No. 0 511 860 in amended form.

Composition of the Board:

Chairman: R. E. Teschemacher
Members: G. Santavicca
B. L. ter Laan

Summary of Facts and Submissions

I. The appeal contests the interlocutory decision of the Opposition Division of the European Patent Office posted on 19 July 2000 concerning maintenance of European patent No. 0 511 860 in amended form.

The Appellant (single Opponent after withdrawal of opposition 02 in first instance proceedings) filed a notice of appeal on 19 September 2000 and paid the fee for appeal on the same day.

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 22 December 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 informed about the possibility of filing a request for re-establishment of rights under Article 122 EPC and was invited to file observations within two months.

III. No answer has been received 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:

C. Eickhoff

R. Teschemacher