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D E C I S I O N
of 21 March 2001

Case Number: T 0974/00 - 3.3.1

Application Number: 94108195.2

Publication Number: 0627481

IPC: C09K 7/06

Language of the proceedings: EN

Title of invention:
Invert drilling fluids

Patentee:
AMOCO CORPORATION

Opponent:
Shell International B.V. Intellectual Property Services

Headword:
-

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

Keyword:
"Missing Statement of Grounds"

Decisions cited:
-

Catchword:
-



Case Number: T 0974/00 - 3.3.1

D E C I S I O N
of the Technical Board of Appeal 3.3.1
of 21 March 2001

Appellant: Shell International B.V.
(Opponent) Intellectual Property Services
P.O. Box 384
NL-2501 CJ The Hague (NL)

Representative: -

Respondent: AMOCO CORPORATION
(Proprietor of the patent) 200 East Randolph Drive, MC 1907A
Chicago
IL 60601 (US)

Representative: Sandmair, Kurt, Dr. Dr
Patentanwälte
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D-81677 München (DE)

Decision under appeal: Decision of the Opposition Division of the
European Patent Office posted 28 July 2000
rejecting the opposition filed against European
patent No. 0 627 481 pursuant to Article 102(2)
EPC.

Composition of the Board:

Chairman: A. J. Nuss
Members: R. Freimuth
J. P. B. Seitz

Summary of Facts and Submissions

- I. The appeal contests the decision of the Opposition Division of the European Patent Office dated 28 July 2000 rejecting the opposition filed against the European patent No. 0 627 481. The decision was dispatched by registered letters with advice of delivery on 28 July 2000. The opponent filed a notice of appeal by letter dated 19 September 2000, received on 19 September 2000, and paid the fee for appeal on 19 September 2000. 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 28 December 2000 and sent by registered post, 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.

- III. The Appellant filed no observations in response to said 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:

N. Maslin

A. Nuss