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D E C I S I O N
of 7 May 2001

Case Number: T 0089/01 - 3.2.2

Application Number: 95939135.0

Publication Number: 0796061

IPC: A61B 19/08

Language of the proceedings: EN

Title of invention:
STERILE SURGICAL COUPLER AND DRAPE

Applicant:
Adair, Edwin L.

Opponent:
-

Headword:
-

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

Keyword:
"Missing Statement of Grounds"

Decisions cited:
-

Catchword:
-



Case Number: T 0089/01 - 3.2.2

D E C I S I O N
of the Technical Board of Appeal 3.2.2
of 7 May 2001

Appellant: Adair, Ewin L.
317 Paragon Way
Castle Pines Village
Colorado 80104 (US)

Representative: Biddy, William Mark
Mathisen, Macara & Co.
The Coach House
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Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 23 August 2000
refusing European patent application
No. 95 939 135.0 pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: W. D. Weiß
Members: M. G. Noël
J. C. M. De Preter

Summary of Facts and Submissions

- I. The appeal lies from the decision of the Examining Division of the European Patent Office dated 4 August 2000 refusing the European patent application No. 95 939 135.0. The decision was dispatched by registered letter with advice of delivery on 23 August 2000. The applicant filed a notice of appeal by letter received on 9 October 2000 and paid the fee for appeal on 9 October 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 2 February 2001 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:

V. Commare

W. D. Weiß