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D E C I S I O N
of 15 October 2001

Case Number: T 0851/01 - 3.3.3

Application Number: 93917143.5

Publication Number: 0652907

IPC: C08K 5/02

Language of the proceedings: EN

Title of invention:
Permanent aqueous marker inks

Applicant:
Berol Corporation

Opponent:
-

Headword:
-

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

Keyword:
"Missing statement of grounds"

Decisions cited:
-

Catchword:
-



Case Number: T 0851/01 - 3.3.3

D E C I S I O N
of the Technical Board of Appeal 3.3.3
of 15 October 2001

Appellant: Berol Corporatipon
29 E. Stephenson Street
Freeport, IL 61032 (US)

Representative: Baillie, Iain Cameron
Ladas & Parry
Dachauerstrasse 37
D-80335 München (DE)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 5 January 2001
refusing European patent application
No. 93 917 143.5 pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: R. Young
Members: C. Idez
J. De Preter

Summary of Facts and Submissions

1. The appeal contests the decision of the examining Division of the European Patent Office posted 5 January 2001, refusing the european patent application No. 93 917 143.5.

The Appellant filed a Notice of Appeal by letter received on 5 March 2001 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.

2. By a communication dated 2 August 2001 sent by registered letter with advice of delivery, 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 given the opportunity of filing observations within two months and attention was drawn to Article 122 EPC.
3. No answer was 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:

E. Görgmaier

R. Young