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**D E C I S I O N**  
**of 18 December 2001**

**Case Number:** T 1015/01 - 3.3.2

**Application Number:** 95940822.0

**Publication Number:** 0794756

**IPC:** A61K 6/02

**Language of the proceedings:** EN

**Title of invention:**

Fluorocarbon containing coatings, compositions and methods of use

**Applicant:**

MINNESOTA MINING AND MANUFACTURING COMPANY

**Opponent:**

-

**Headword:**

Coatings/MINNESOTA MINING AND MANUFACTURING COMPANY

**Relevant legal provisions:**

EPC Art. 108, 122

EPC R. 65(1)

**Keyword:**

"Missing Statement of Grounds"

**Decisions cited:**

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**Catchword:**

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**Europäisches  
Patentamt**

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Patent Office**

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Beschwerdekammern

Boards of Appeal

Chambres de recours

**Case Number:** T 1015/01 - 3.3.2

**D E C I S I O N**  
**of the Technical Board of Appeal 3.3.2**  
**of 18 December 2001**

**Appellant:** Minnesota Mining and Manufacturing Company  
3M Center  
P.O. Box 33427  
St. Paul  
Minnesota 55133-3427 (US)

**Representative:** VOSSIUS & PARTNER  
Postfach 86 07 67  
D-81634 München (DE)

**Decision under appeal:** Decision of the Examining Division of the  
European Patent Office posted 16 March 2001  
refusing European patent application  
No. 95 940 822.0 pursuant to Article 97(1) EPC.

**Composition of the Board:**

**Chairman:** P. A. M. Lançon  
**Members:** G. F. E. Rampold  
C. Rennie-Smith

## **Summary of Facts and Submissions**

- I. The appeal contests the decision of the Examining Division of the European Patent Office posted on 16 March 2001 refusing the European patent application No. 95 940 822.0.

The appellant (applicant) filed a notice of appeal by a letter dated 21 May 2001, received on 25 May 2001, and paid the fee for appeal on 25 May 2001. 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 4 October 2001, 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 by the appellant 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:

A. Townend

P. A. M. Lançon