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D E C I S I O N
of 17 January 2002

Case Number: T 1099/01 - 3.2.2

Application Number: 95116117.3

Publication Number: 0723023

IPC: C21C 5/32

Language of the proceedings: EN

Title of invention:
Controlled foamy slag process

Applicant:
LTV STEEL COMPPANY, Inc.

Opponent:

-

Headword:

-

Relevant legal provisions:

EPC Art. 108
EPC R. 65(1)

Keyword:

"Missing Statement of Grounds"

Decisions cited:

-

Catchword:

-



Case Number: T 1099/01 - 3.2.2

D E C I S I O N
of the Technical Board of Appeal 3.2.2
of 17 January 2001

Appellant: LTV STEEL COMPANY, Inc.
25 West Prospect Avenue
Cleveland
Ohio 44115-1069 (US)

Representative: Hansen, Bernd, Dr. Dipl.-Chem.
Hoffmann, Eitle
Patent- und Rechtsanwälte
Arabellastrasse 4
D-81925 München (DE)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 16 March 2001
refusing European patent application
No. 95 116 117.3 pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: W. D. Weiß
Members: S. S. Chowdhury
U. J. Tronser

Summary of Facts and Submissions

I. The appeal contests the decision of the Examining Division of the European Patent Office dispatched by registered letter with advice of delivery to the Applicant on 16 March 2001, and concerning the refusal of the European patent application No. 95 116 117.3.

The Appellant filed a Notice of Appeal by a letter received on 14 May 2001 and paid the appeal fee on the same day. No statement setting out the grounds of appeal was filed. The Notice of Appeal contains nothing that could be regarded as a statement of grounds of appeal pursuant to Article 108 EPC.

II. By a communication dated 15 October 2001, sent by registered post, the Registrar of the Board informed the Appellant that no statement setting out the grounds of appeal has 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 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:

V. Commare

W. D. Weiß