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**D E C I S I O N**  
**of 6 March 2002**

**Case Number:** T 1116/01 - 3.5.2

**Application Number:** 95919851.6

**Publication Number:** 0760176

**IPC:** H02G 15/184

**Language of the proceedings:** EN

**Title of invention:**

Cylindrical radially shrinkable sleeve for an electrical cable  
and composition thereof

**Patentee:**

Minnesota Mining and Manufacturing Company

**Opponent:**

Alcatel Kabel Beteiligungs-AG

**Headword:**

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**Relevant legal provisions:**

EPC Art. 108

EPC R. 65(1)

**Keyword:**

"Statement of Grounds not filed"

**Decisions cited:**

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**Catchword:**

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Case Number: T 1116/01 - 3.5.2

**D E C I S I O N**  
**of the Technical Board of Appeal 3.5.2**  
**of 6 March 2002**

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

**Representative:** Voortmans, Gilbert J.L.  
3M Europe S.A./N.V.  
OIPC  
Hermeslaan 7  
B-1831 Diegem (BE)

**Respondent:** Alcatel Kabel Beteiligungs-AG  
(Opponent) Kabelkamp 20  
Postfach 2 60  
D-30002 Hannover (DE)

**Representative:** Döring, Roger, Dipl.-Ing.  
Patentanwalt  
Weidenkamp 2  
D-30855 Langenhagen (DE)

**Decision under appeal:** Interlocutory decision of the Opposition Division  
of the European Patent Office posted 16 July 2001  
concerning maintenance of European patent  
No. 0 760 176 in amended form.

**Composition of the Board:**

**Chairman:** W. J. L. Wheeler  
**Members:** M. Ruggiu  
P. Muehlens

## **Summary of Facts and Submissions**

- I. The appeal contests the interlocutory decision of the Opposition Division of the European Patent Office posted on 16 July 2001, concerning maintenance of European patent No. 0 760 176 in amended form.

The Appellant (Patentee) filed a notice of appeal on 24 September 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.

- II. By a communication dated 18 December 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.
- III. No answer to the Registry's communication has been given within the time limit.

## **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:

M. Hörnell

W. J. L. Wheeler