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D E C I S I O N
of 26 September 2002

Case Number: T 0150/02 - 3.2.1

Application Number: 93102313.9

Publication Number: 0555882

IPC: B21B 1/24, B21B 37/00

Language of the proceedings: EN

Title of invention:
Tandem mill system and work roll crossing mill

Patentee:
Hitachi, Ltd.

Opponent:
SMS Demag AG

Headword:
-

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

Keyword:
"Missing Statement of Grounds"

Decisions cited:
-

Catchword:
-



Case Number: T 0150/02 - 3.2.1

D E C I S I O N
of the Technical Board of Appeal 3.2.1
of 26 September 2002

Appellant: SMS Demag AG
(Opponent) Eduard-Schloemann-Str. 4
D-40237 Düsseldorf (DE)

Representative: Valentin, Ekkehard, Dipl.-Ing.
Patentanwälte
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Respondent: Hitachi, Ltd.
(Proprietor of the patent) 6, Kanda Surugadai 4-chome
Chiyoda-ku
Tokyo 101 (JP)

Representative: Beetz & Partner
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Decision under appeal: Decision of the Opposition Division of the
European Patent Office posted 18 December 2001
rejecting the opposition filed against European
patent No. 0 555 882 pursuant to Article 102(2)
EPC.

Composition of the Board:

Chairman: F. A. Gumbel
Members: S. Crane
M. K. S. Aúz Castro

Summary of Facts and Submissions

- I. The appeal contests the decision of the Opposition Division of the European Patent Office posted 18 December 2001 rejecting the opposition filed against the European patent No. 0 555 882. The notice of appeal was received on 7 February 2002, and the fee for appeal was paid on the same day.

- II. By a communication dated 3 June 2002 and sent by registered post, 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. The Appellant filed no observations in response to said communication.

Reasons for the Decision

No written statement setting out the grounds of appeal has been filed. Furthermore the notice of appeal contains nothing which could be regarded as a statement of grounds pursuant to Article 108 EPC. The appeal therefore has to be rejected as inadmissible (Article 108 EPC, second sentence, 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:

S. Fabiani

F. Gumbel