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D E C I S I O N
of 10 June 2002

Case Number: T 0267/02 - 3.3.7

Application Number: 96905855.1

Publication Number: WO 96/29461

IPC: D06P 3/62

Language of the proceedings: EN

Title of invention:

Process for increasing the sun protection factor of cellulosic fibre materials

Applicant:

Ciba Specialty Chemicals Holding Inc.

Opponent:

-

Headword:

-

Relevant legal provisions:

EPC Art. 108

EPC R. 65(1)

Keyword:

"Missing Statement of Grounds"

Decisions cited:

-

Catchword:

-



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Boards of Appeal

Chambres de recours

Case Number: T 0267/02 - 3.3.7

D E C I S I O N
of the Technical Board of Appeal 3.3.7
of 10 June 2002

Appellant: Ciba Specialty Chemicals Holding Inc.
Klybeckstrasse 41
CH-4057 Basel (CH)

Representative: -

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 7 September 2001
refusing European patent application
No. 96 905 855.1 pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: R. E. Teschemacher
Members: G. Santavicca
B. L. ter Laan

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division of the European Patent Office posted on 7 September 2001 refusing European patent application No. 96 905 855.1 pursuant to Article 97(1) EPC.

The applicant (appellant) filed a notice of appeal on 7 November 2001 and paid the fee for appeal on 8 November 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 communication dated 20 March 2002, 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 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:

C. Eickhoff

R. Teschemacher