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

Case Number: T 0313/02 - 3.4.2

Application Number: 98921610.6

Publication Number: 0986832

IPC: H01M 8/08, H01M 8/10, H01M 8/02,
C25B 5/00

Language of the proceedings: EN

Title of invention:
Electrolytic reactor such as fuel cell with zeolite membrane

Applicant:
Smart (Isle Of Man) Limited

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 0313/02 - 3.4.2

D E C I S I O N
of the Technical Board of Appeal 3.4.2
of 26 June 2002

Appellant: Smart (Isle Of Man) Limited
Unicorn Chambers
45 Victoria Street
Douglas IM1 2LD (GB)

Representative: Lucas, Brian Ronald
Lucas & Co.
135 Westhall Road
Warlingham
surrey CR6 9HJ (GB)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 31 October 2001
refusing European patent application
No. 98 921 610.6 pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: E. Turrini
Members: M. P. Stock
B. J. Schachenmann

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division of the European Patent Office dated 31 October 2001, refusing the European patent application No. 98 921 610.6 .

The Appellant filed a notice of appeal on 27 December 2001 and paid the fee for appeal on 28 December 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 10 April 2002, sent by registered letter with advice of delivery, the Registry of the Board informed the Appellant that no statement of grounds has been filed and that the appeal was expected to be rejected as inadmissible. The Appellant was invited to file observations within two months.
- III. No answer has been given within the two months 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:

P. Martorana

E. Turrini