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**D E C I S I O N**  
**of 28 March 2003**

**Case Number:** T 1210/02 - 3.3.7

**Application Number:** 96912955.0

**Publication Number:** 0821620

**IPC:** B01J 21/06

**Language of the proceedings:** EN

**Title of invention:**  
Formed compositions

**Applicant:**  
ENGELHARD CORPORATION

**Opponent:**

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**Headword:**

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**Relevant legal provisions:**

EPC Art. 108  
EPC R. 65(1)

**Keyword:**

"Missing statement setting out the grounds of appeal"

**Decisions cited:**

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**Catchword:**

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Case Number: T 1210/02 - 3.3.7

**D E C I S I O N**  
**of the Technical Board of Appeal 3.3.7**  
**of 28 March 2003**

**Appellant:** ENGELHARD CORPORATION  
101 Wood Avenue  
Iselin,  
New Jersey 08830-0770 (US)

**Representative:** Fisher, Adrian John  
CARPMAELS & RANSFORD  
43 Bloomsbury Square  
London WC1A 2RA (GB)

**Decision under appeal:** Decision of the Examining Division of the  
European Patent Office posted 5 July 2002  
refusing European patent application  
No. 96 912 955.0 pursuant to Article 97(1) EPC.

**Composition of the Board:**

**Chairman:** R. E. Teschemacher  
**Members:** B. L. ter Laan  
B. J. M. Struif

## **Summary of Facts and Submissions**

- I. The appeal contests the decision of the Examining Division of the European Patent Office posted on 5 July 2002 refusing European patent application No. 96 912 955.0, published as WO 96/33014, pursuant to Article 97(1) EPC.

The applicant (appellant) filed a notice of appeal on 31 July 2002 and paid the fee for appeal on the same day. No written statement setting out the grounds of appeal 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 10 January 2003, sent by registered letter with advice of delivery, the Registry of the Board informed the appellant that no written 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 received 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