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**D E C I S I O N**  
**of 11 February 2005**

**Case Number:** T 0236/03 - 3.3.6

**Application Number:** 92200908.9

**Publication Number:** 0507402

**IPC:** C11D 11/04

**Language of the proceedings:** EN

**Title of invention:**

Process for preparing detergent compositions

**Patentee:**

Unilever N.V., et al

**Opponents:**

Henkel KGaA  
Cognis Deutschland GmbH & Co. KG

**Headword:**

-

**Relevant legal provisions:**

EPC Art. 108, 65(1)

**Keyword:**

"Missing Statement of Grounds"

**Decisions cited:**

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**Catchword:**

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Case Number: T 0236/03 - 3.3.6

**D E C I S I O N**  
**of the Technical Board of Appeal 3.3.6**  
**of 11 February 2005**

**Appellants:** Unilever N.V.  
(Proprietor of the patent) Weena 455  
NL-3013 AL Rotterdam (NL)

Unilever PLC  
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**Representative:** Elliott, Peter William  
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**Respondents:** Henkel KGaA  
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**Representative:** -

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**Representative:** Fiesser, Gerold Michael  
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**Decision under appeal:** **Decision of the Opposition Division of the  
European Patent Office posted 19 December 2002  
revoking European patent No. 0507402 pursuant  
to Article 102(1) EPC.**

**Composition of the Board:**

**Chairman:** P. Krasa  
**Members:** P. Ammendola  
U. J. Tronser

## **Summary of Facts and Submissions**

The appeal contests the decision of the Opposition Division of the European Patent Office posted 19 December 2002, revoking the European Patent No. 0 507 402 pursuant to Article 102(1) EPC.

The Appellant (Patentee) filed a Notice of Appeal on 14 February 2003 and paid the fee for appeal on the same day.

No Statement of Grounds of Appeal was filed.

The Notice of Appeal does not contain anything that could be regarded as a Statement of Grounds pursuant to Article 108 EPC.

By a communication dated 2 September 2003 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 could be expected to be rejected as inadmissible. The Appellant was invited to file observations within two months and attention was drawn to the possibility of filing a request for re-establishment of rights under Article 122 EPC.

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 and as the Notice of Appeal does not contain anything that could be regarded as a Statement of Grounds of Appeal according to Article 108 EPC, the appeal has to be rejected as inadmissible (Rule 65(1) EPC in conjunction with Article 108 EPC).

## **Order**

**For these reasons it is decided that:**

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

G. Rauh

P. Krasa