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D E C I S I O N
of 31 March 2004

Case Number: T 0635/03 - 3.3.6

Application Number: 97950946.0

Publication Number: 0946706

IPC: C11D 11/00

Language of the proceedings: EN

Title of invention:

A process for making a free-flowing particulate dye transfer
inhibiting detergent admix

Applicant:

THE PROCTER & GAMBLE COMPANY

Opponent:

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Headword:

-

Relevant legal provisions:

EPC Art. 108

EPC R. 65(1)

Keyword:

"Missing Statement of Grounds"

Decisions cited:

-

Catchword:

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Case Number: T 0635/03 - 3.3.6

D E C I S I O N
of the Technical Board of Appeal 3.3.6
of 31 March 2004

Appellant:

THE PROCTER & GAMBLE COMPANY
One Procter & Gamble Plaza
Cincinnati
Ohio 45202 (US)

Representative:

Lawrence, Peter Robin Broughton
Gill Jennings & Every
Broadgate House
7 Eldon Street
London EC2M 7LH (GB)

Decision under appeal:

Decision of the Examining Division of the
European Patent Office posted 23 December 2002
refusing European application No. 97950946.0
pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: P. Krasa
Members: L. Li Voti
U. J. Tronser

Summary of Facts and Submissions

The appeal contests the decision of the Examining Division of the European Patent Office posted 23 December 2002, refusing the European patent application No. 97 950 946.0 pursuant to Article 97(1) EPC.

The Appellant filed a Notice on 22 January 2003 and paid the fee for appeal on 3 February 2003.

No Statement of Grounds was filed.

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

By a communication dated on 18 July 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 (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:

A. Wallrodt

P. Krasa