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D E C I S I O N
of 1 March 2005

Case Number: T 0594/04 - 3.3.3

Application Number: 96107875.5

Publication Number: 0754722

IPC: C08K 5/3435

Language of the proceedings: EN

Title of invention:

Compositions for the stabilization of synthetic polymers

Patentee:

3V SIGMA S.p.A.

Opponent:

Ciba Specialty Chemicals Holding Inc.

Headword:

-

Relevant legal provisions:

EPC Art. 108

EPC R. 65(1)

Keyword:

"Missing Statement of Grounds"

Decisions cited:

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Catchword:

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Case Number: T 0594/04 - 3.3.3

D E C I S I O N
of the Technical Board of Appeal 3.3.3
of 1 March 2005

Appellant: 3V SIGMA S.p.A.
(Proprietor of the patent) P.le Principessa Clotilde, 6
I-20121 Milano (IT)

Representative: Bianchetti, Giuseppe, Prof.
Bianchetti Bracco Minoja S.r.l.
Via Plinio, 63
I-20129 Milano (IT)

Respondent: Ciba Specialty Chemicals Holding Inc.
(Opponent) Klybeckstrasse 141
P.O. Box/Postfach
CH-4002 Basel (CH)

Decision under appeal: **Decision of the Opposition Division of the
European Patent Office dated 3 February 2004
and posted 8 March 2004 revoking European
patent No. 0754722 pursuant to Article 102(1)
EPC.**

Composition of the Board:

Chairman: R. J. Young
Members: C. G. Idez
H. Preglau

Summary of Facts and Submissions

- I. The appeal contests the decision of the Opposition Division of the European Patent Office dated 3 February 2004 and posted 8 March 2004, revoking the European patent No. 0 754 722. The Appellant filed a notice of appeal by a letter received on 5 May 2004 and paid the fee for appeal on the same day. 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 20 August 2004 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 invited to file observations within two months and attention was drawn to Article 122 EPC.
- III. No answer has been given to the Registry's communication.

Reasons for the Decision

As a written statement setting out the grounds of appeal has not 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:

E. Görgmaier

R. Young