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D E C I S I O N
of 8 September 2005

Case Number: T 0613/04 - 3.2.4

Application Number: 96919750.8

Publication Number: 0844844

IPC: A47L 13/24

Language of the proceedings: EN

Title of invention:

Mop

Patentee:

Minnesota Mining and Manufacturing Company

Opponent:

Carl Freudenberg KG

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 0613/04 - 3.2.4

D E C I S I O N
of the Technical Board of Appeal 3.2.4
of 8 September 2005

Appellant: Carl Freudenberg KG
(Opponent) Höhnerweg 2-4
D-69469 Weinheim/Bergstrasse (DE)

Representative: -

Respondent: Minnesota Mining and Manufacturing Company
(Proprietor of the patent) 3M Center
P.O. Box 33427
St. Paul
Minnesota 55133-3427 (US)

Representative: Hill, Cecilia Ann
3M Europe
Hermeslaan 7
BE-1831 Diegem (BE)

Decision under appeal: Interlocutory decision of the Opposition
Division of the European Patent Office posted
9 March 2004 concerning maintenance of the
European patent No. 0844844 in amended form.

Composition of the Board:

Chairman: M. Ceyte
Members: M. Hatherly
T. Bokor

Summary of Facts and Submissions

I. The appeal contests the decision of the Opposition Division of the European Patent Office maintaining European patent No. 0844844 in amended form. The decision was dispatched by registered letter with advice of delivery to each party on 9 March 2004.

The Appellant (Opponent) filed a notice of appeal on 7 May 2004 and paid the appeal fee on the same day.

No statement setting out the grounds of appeal was filed.

II. By a communication dated 24 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.

III. No answer has been given to the Registry's communication.

Reasons for the Decision

As no written statement setting out the grounds of appeal has been filed and the notice of appeal contains nothing that could be regarded as a statement of grounds pursuant 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:

G. Magouliotis

M. Ceyte