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**D E C I S I O N**  
**of 9 December 2005**

**Case Number:** T 0366/05 - 3.2.07

**Application Number:** 99300766.5

**Publication Number:** 0933170

**IPC:** B25H 3/02

**Language of the proceedings:** EN

**Title of invention:**  
Rolling containers assembly

**Patentee:**  
500 Group Inc.

**Opponent:**  
Hélène CORRET Cabinet REGIMBEAU

**Headword:**

-

**Relevant legal provisions:**

EPC Art. 108  
EPC R. 65(1)

**Keyword:**  
"Missing statement of grounds"

**Decisions cited:**

-

**Catchword:**

-



Case Number: T 0366/05 - 3.2.07

**D E C I S I O N**  
of the Technical Board of Appeal 3.2.07  
of 9 December 2005

**Appellant:** 500 Group Inc.  
(Proprietor of the patent) One Fawcett Place  
Greenwich, CT 06830 (US)

**Representative:** Kuhnen & Wacker  
Patent- und Rechtsanwaltsbüro  
Postfach 19 64  
D-85319 Freising (DE)

**Respondent:** Hélène CORRET Cabinet REGIMBEAU  
(Opponent) 20, rue de Chazelles  
F-75847 Paris Cedex 17 (FR)

**Representative:** -

**Decision under appeal:** Decision of the Opposition Division of the  
European Patent Office posted 7 January 2005  
revoking European patent No. 0933170 pursuant  
to Article 102(1) EPC.

**Composition of the Board:**

**Chairman:** H. Meinders  
**Members:** K. Poalas  
E. Lachacinski

## Summary of Facts and Submissions

1. The appeal contests the decision of the Opposition Division of the European Patent Office posted on 7 January 2005 revoking the European Patent 0 933 170 pursuant to Article 102(1) EPC.

The Appellant (Proprietor of the patent) filed a notice of appeal on 17 March 2005 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.

2. In a communication dated 22 June 2005 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 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.

3. No answer has been received within the given time limit to the Registry's communication.

### **Reason 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:**

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

G. Nachtigall

H. Meinders