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D E C I S I O N
of 25 January 2006

Case Number: T 0558/05 - 3.3.03

Application Number: 98965197.1

Publication Number: 1040150

IPC: C08G 59/56

Language of the proceedings: EN

Title of invention:

Novalaks as water-unaffected accelerators for epoxy resin hardeners

Patentee:

Huntsman Advanced Materials (Switzerland) GmbH

Opponent:

Bakelite AG

Headword:

-

Relevant legal provisions:

EPC Art. 108

EPC R. 65(1)

Keyword:

"Missing Statement of Grounds"

Decisions cited:

-

Catchword:

-



Case Number: T 0558/05 - 3.3.03

D E C I S I O N
of the Technical Board of Appeal 3.3.03
of 25 January 2006

Appellant: Bakelite AG
(Opponent) Patentabteilung
Varziner Str. 49
D-47138 Duisburg (DE)

Representative: -

Respondent: Huntsman Advanced Materials (Switzerland) GmbH
(Proprietor of the patent) Kylbeckstrasse 200
CH-4057 Basel (CH)

Representative: Dannappel, Hans-Jochen
Solvias AG
Patente
WKL-402.4.26
Kylbeckstrasse 191
CH-4002 Basel (CH)

Decision under appeal: Decision of the Opposition Division of the
European Patent Office dated 27 January 2005
and posted 21 February 2005 rejecting the
opposition filed against European patent
No. 1040150 pursuant to Article 102(2) EPC.

Composition of the Board:

Chairman: R. Young
Members: M. Gordon
C. Heath

Summary of Facts and Submissions

I. The appeal contests the decision of the Opposition Division of the European Patent Office dated 27 January 2005 and posted 21 February 2005, rejecting the opposition pursuant to Article 102(2) EPC.

The Appellant filed a notice of appeal on 29 April 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.

II. By a communication dated 5 August 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 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, 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