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

Case Number: T 0559/05 - 3.3.03

Application Number: 94119080.3

Publication Number: 664300

IPC: C08B 37/00

Language of the proceedings: EN

Title of invention:
Pectin process and composition

Patentee:
CP Kelco APS

Opponent:
DANISCO A/S

Headword:
-

Relevant legal provisions:
EPC Art. 108
EPC R. 65(1)

Keyword:
"Missing Statement of Grounds"

Decisions cited:
-

Catchword:
-



Case Number: T 0559/05 - 3.3.03

DECISION
of the Technical Board of Appeal 3.3.03
of 25 January 2006

Appellant: CP Kelco APS
(Proprietor of the patent) Ved Banen 16
DK-4623 Lille Skensved (DK)

Representative: Hansen, Bernd, Dr. Dipl.-Chem.
Hoffmann Eitle,
Patent- und Rechtsanwälte
Arabellastrasse 4
D-81925 München (DE)

Respondent: DANISCO A/S
(Opponent) Langebrogade 1
PO Box 17
DK-1001 Copenhagen K (DK)

Representative: Williams, Aylsa
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120 Holborn
London EC1N 2DY (GB)

Decision under appeal: Decision of the Opposition Division of the
European Patent Office dated 20 January 2005
and posted 2 March 2005 revoking European
patent No. 664300 pursuant to Article 102(1)
EPC.

Composition of the Board:

Chairman: R. Young
Members: C. Idez
E. Dufrasne

Summary of Facts and Submissions

- I. The appeal contests the decision of the Opposition Division of the European Patent Office dated 20 January 2005 and posted 2 March 2005, revoking the European patent No. 664 300. The Appellant filed a notice of appeal by a letter received 4 May 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 and attention was drawn to Article 122 EPC.
- III. No answer to the Registry's communication has been received.

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