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D E C I S I O N
of 5 September 2005

Case Number: T 0631/05 - 3.3.7

Application Number: 00303314.9

Publication Number: 1046390

IPC: A61K 7/06

Language of the proceedings: EN

Title of invention:

Compositions and methods for cleaning and removing
contaminants from hair

Applicant:

Calgon Corporation

Opponent:

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Headword:

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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 0631/05 - 3.3.7

D E C I S I O N
of the Technical Board of Appeal 3.3.7
of 5 September 2005

Appellant:

Calgon Corporation
One Nalco Center
60563-1198 Naperville
Illinois (US)

Representative:

Harrison, Michael Robert
Harrison Goddard Foote
Belgrave Hall
Belgrave Street
Leeds LS2 8DD (GB)

Decision under appeal:

Decision of the Examining Division of the
European Patent Office posted 6 December 2004
refusing European patent application
No. 00303314.9 pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: R. Teschemacher
Members: B. ter Laan
P. Gryczka

Summary of Facts and Submissions

1. The appeal contests the decision of the Examining Division of the European Patent Office posted on 6 December 2004 refusing European patent application No. 00 303 314.9 pursuant to Article 97(1) EPC.

The Appellant (Applicant) filed a notice of appeal on 4 February 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 16 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 to the Registry's communication has been received within the given time limit.

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:

U. Bultmann

R. Teschemacher