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D E C I S I O N
of 7 June 2006

Case Number: T 1130/05 - 3.3.03

Application Number: 97913448.3

Publication Number: 0879826

IPC: C08B 11/04

Language of the proceedings: EN

Title of invention:

Polysaccharide derivatives and hydraulic compositions

Patentee:

KAO CORPORATION

Opponent:

Wolff Cellulosics GmbH & Co. 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 1130/05 - 3.3.03

D E C I S I O N
of the Technical Board of Appeal 3.3.03
of 7 June 2006

Appellant: Wolff Cellulosics GmbH & Co. KG
(Opponent) Postfach 1662
D-29656 Walsrode (DE)

Representative: Lütjens, Henning
Bayer MaterialScience AG
Law and Patents
Patents and Licensing
Geb. Q 18
D-51368 Leverkusen (DE)

Respondent: KAO CORPORATION
(Patent Proprietor) 14-10, Nihonbashi Kayabacho 1-chome
Chuo-Ku, Tokyo 103 (JP)

Representative: Kindler, Matthias
Hoffmann Eitle
Patent- und Rechtsanwälte
Arabellastrasse 4
D-81925 München (DE)

Decision under appeal: Decision of the Opposition Division of the
European Patent Office posted 27 June 2005
rejecting the opposition filed against European
patent No. 0879826 pursuant to Article 102(2)
EPC.

Composition of the Board:

Chairman: R. Young
Members: C. Idez
C. Heath

Summary of Facts and Submissions

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

The Appellant filed a notice of appeal on 30 August 2005 and paid the fee for appeal on the same day.

No Statement of Grounds was filed.

II. By a communication dated 3 February 2006 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 to the Registry's communication has been received.

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:

E. Görgmaier

R. Young