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**Datasheet for the decision
of 4 October 2006**

Case Number: T 1542/05 - 3.2.03

Application Number: 00106832.9

Publication Number: 1059132

IPC: B22D 11/10

Language of the proceedings: EN

Title of invention:

Method for continuous casting of steel

Patentee:

SUMITOMO METAL INDUSTRIES, LTD.

Opponent:

SMS Demag AG

Headword:

-

Relevant legal provisions:

EPC Art. 108

EPC R. 65(1)

Keyword:

"Missing Statement of Grounds"

Decisions cited:

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Catchword:

-



Case Number: T 1542/05 - 3.2.03

DECISION
of the Technical Board of Appeal 3.2.03
of 4 October 2006

Appellant: SMS Demag AG
(Opponent): Eduard-Schloemann-Str. 4
D-40237 Düsseldorf (DE)

Representative: Valentin, Ekkehard
Patentanwälte
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Respondent: SUMITOMO METAL INDUSTRIES, LTD.
(Patent Proprietor) 5-33, Kitahama 4-chome
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Representative: Kuhnen & Wacker
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Decision under appeal: Decision of the Opposition Division of the
European Patent Office posted 3 November 2005
rejecting the opposition filed against European
patent No. 1059132 pursuant to Article 102(2)
EPC.

Composition of the Board:

Chairman: U. Krause
Members: G. Ashley
K. Garnett

Summary of Facts and Submissions

- I. The appeal contests the decision of the Opposition Division of the European Patent Office dated 20 October 2005 rejecting the opposition filed against the European patent No. 01 059 132. The decision was dispatched by registered letter with advice of delivery on 3 November 2005. The Opponent filed a notice of appeal by letter dated 12 December 2005, received on 15 December 2005 and paid the fee for appeal on 15 December 2005. 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 20 April 2006 and sent by registered post, 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. The appellant filed no observations in response to said 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:

A. Counillon

U. Krause