

Internal distribution code:

- (A) Publication in OJ
(B) To Chairmen and Members
(C) To Chairmen
(D) No distribution

**Datasheet for the decision
of 9 January 2007**

Case Number: T 0081/06 - 3.2.02

Application Number: 99914454.6

Publication Number: 1155156

IPC: C22C 21/02

Language of the proceedings: EN

Title of invention:

Aluminum alloy containing magnesium and silicon

Patentee:

NORSK HYDRO ASA

Opponent:

PECHINEY

Headword:

-

Relevant legal provisions:

EPC Art. 108, 122

EPC R. 65(1), 84a

Keyword:

"Missing statement of grounds"

Decisions cited:

-

Catchword:

-



Case Number: T 0081/06 - 3.2.02

DECISION
of the Technical Board of Appeal 3.2.02
of 9 January 2007

Appellant: PECHINEY
(Opponent) 7, Place du Chancelier Adenauer
F-75218 Paris Cedex 16 (FR)

Representative: Mougeot, Jean-Claude
PECHINEY
Immeuble "SIS"
217, cours Lafayette
F-69451 Lyon Cedex 06 (FR)

Respondent: NORSK HYDRO ASA
(Patent Proprietor) Bygdoy Alle 2
N-0240 Oslo (NO)

Representative: Bleukx, Lucas Lodewijk M.
Bleukx Consultancy BVBA
Rijksweg 237
B-3650 Dilsen-Stockem (BE)

Decision under appeal: Decision of the Opposition Division of the
European Patent Office posted 24 November 2005
rejecting the opposition filed against European
patent No. 1155156 pursuant to Article 102(2)
EPC.

Composition of the Board:

Chairman: T. Kriner
Members: R. Ries
E. Dufrasne

Summary of Facts and Submissions

I. The appeal contests the decision of the Opposition Division of the European Patent Office rejecting the opposition pursuant to Article 102(2) EPC. The decision was dispatched by registered letter with advice of delivery to each party on 24 November 2005.

The Appellant (Opponent 01) filed a notice of appeal on 20 January 2006 and paid the appeal fee on the same day.

No statement setting out the grounds of appeal was filed.

II. By a communication dated 10 May 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 has been given to the Registry communication.

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:

V. Commare

T.Kriner