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**Datasheet for the decision
of 17 November 2006**

Case Number: T 0166/06 - 3.3.10

Application Number: 97938460.9

Publication Number: 0922020

IPC: C07C 15/02

Language of the proceedings: EN

Title of invention:

Process for the production of alkylated benzenes

Patentee:

THE DOW CHEMICAL COMPANY

Opponent:

ExxonMobil Chemical Patents Inc.

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 0166/06 - 3.3.10

D E C I S I O N
of the Technical Board of Appeal 3.3.10
of 17 November 2006

Appellant: ExxonMobil Chemical Patents Inc.
(Opponent) 4500 Bayway Drive
Baytown, TX 77520 (US)

Representative: Franck, Peter
Uexküll & Stolberg
Patentanwälte
Beselerstrasse 4
D-22607 Hamburg (DE)

Respondent: THE DOW CHEMICAL COMPANY
(Patent Proprietor) 2030 Dow Center
Midland, Michigan 48674 (US)

Representative: Marsman, Hermanus Antonius M.
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Decision under appeal: Decision of the Opposition Division of the
European Patent Office posted 28 November 2005
rejecting the opposition filed against European
Patent No. 0922020 pursuant to Article 102(2)
EPC.

Composition of the Board:

Chairman: R. Freimuth
Members: P. Gryczka
P. Schmitz

Summary of Facts and Submissions

- I. In its decision dated 28 November 2005 the Opposition Division rejected the opposition against the European patent No. 0 922 020.

- II. The Opponent (Appellant) filed a notice of appeal on 6 February 2006 against the decision of the Opposition Division and paid the appeal fee on the same day. No statement of grounds was filed within the prescribed period in accordance with Article 108 EPC.

- III. By a communication dated 24 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 it was to be expected that the appeal be rejected as inadmissible. The Appellant was invited to file observations within two months.

- IV. No reply from the Appellant was received within this 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:

C. Moser

R. Freimuth