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**Datasheet for the decision  
of 27 November 2006**

**Case Number:** T 0194/06 - 3.2.07

**Application Number:** 97925677.3

**Publication Number:** 0909247

**IPC:** B65D 35/22

**Language of the proceedings:** EN

**Title of invention:**

Uniform dispensing multichamber tubular containers

**Patentee:**

Colgate-Palmolive Company

**Opponent:**

UNILEVER N.V./UNILEVER PLC

**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 0194/06 - 3.2.07

**D E C I S I O N**  
of the Technical Board of Appeal 3.2.07  
of 27 November 2006

**Appellants:**  
(Opponents)

UNILEVER N.V.  
Weena 455  
NL-3013 AL Rotterdam (NL)

UNILEVER PLC  
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Blackfriars  
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**Representative:**

Newbould, Frazer Anthony  
Unilever Patent Group  
Olivier van Noortlaan 120  
NL-3133 AT Vlaardingen (NL)

**Respondent:**  
(Patent Proprietor)

Colgate-Palmolive Company  
300 Park Avenue  
New York, NY 10022-7499 (US)

**Representative:**

Jenkins, Peter David  
Page White & Farrer  
Bedford House  
John Street  
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**Decision under appeal:**

**Decision of the Opposition Division of the  
European Patent Office posted 14 December 2005  
rejecting the opposition filed against European  
patent No. 0909247 pursuant to Article 102(2)  
EPC.**

**Composition of the Board:**

**Chairman:** H. Meinders  
**Members:** H. Felgenhauer  
C. Holtz

## **Summary of Facts and Submissions**

I. The appeal contests the decision of the Opposition Division of the European Patent Office posted on 14 December 2005 rejecting the opposition filed against European patent No. 0 909 247 pursuant to Article 102(2) EPC.

The appellant (opponent) filed a notice of appeal on 10 February 2006 and paid the fee for appeal on the same day.

II. By a communication dated 30 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. Attention was also drawn to Article 122 EPC.

III. No answer has been given to the registry's communication.

## **Reasons for the Decision**

1. The notice of appeal filed on 10 February 2006 contains nothing that could be regarded as a statement of grounds pursuant to Article 108 EPC.

2. As no written statement setting out the grounds of appeal has been filed, the appeal has to be rejected as inadmissible (Rule 65(1) EPC in conjunction with Article 108 EPC).

**Order**

**For these reasons it is decided that:**

The appeal is rejected as inadmissible.

The Registrar

The Chairman

G. Nachtigall

H. Meinders