

Internal distribution code:

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

**Datasheet for the decision
of 20 November 2007**

Case Number: T 1518/06 - 3.3.03

Application Number: 96939302.4

Publication Number: 0863183

IPC: C08F 297/08

Language of the proceedings: EN

Title of invention:

Propylene composition, process for preparing the same,
polypropylene composition, and molded articles

Patentee:

Chisso Corporation

Opponent:

Basell Poliolefine Italia s.r.l.

Headword:

-

Relevant legal provisions:

EPC Art. 108, 65(1)

Keyword:

"Missing Statement of Grounds"

Decisions cited:

-

Catchword:

-



Case Number: T 1518/06 - 3.3.03

D E C I S I O N
of the Technical Board of Appeal 3.3.03
of 20 November 2007

(Opponent) Basell Poliolefine Italia s.r.l.
Via Pergolesi 25
I-20124 Milano (IT)

Representative: Gaverini, Gaetano Luigi Attilio
Basell Poliolefine Italia S.r.l.
Intellectual Property
P.le G. Donegani 12
I-44100 Ferrara (IT)

Respondent: Chisso Corporation
(Patent Proprietor) 6-32, Nakanoshima 3-chome
Kita-ku
Osaka-shi
Osaka 530-6591 (JP)

Representative: Gille Hrabal Struck Neidlein Prop Roos
Patentanwälte
Brucknerstraße 20
D-40593 Düsseldorf (DE)

Decision under appeal: Interlocutory decision of the Opposition
Division of the European Patent Office posted
24 July 2006 concerning maintenance of European
patent No. 0863183 in amended form.

Composition of the Board:

Chairman: R. Young
Members: A. Däweritz
H. Preglau

Summary of Facts and Submissions

- I. The appeal contests the decision of the Opposition Division of the European Patent Office posted 24 July 2006 concerning maintenance of the European patent No. 0863183 in amended form.

The Appellant (Opponent) filed a Notice of Appeal by letter received on 3 October 2006 and paid the fee for appeal on the same date.

No Statement of Grounds was filed.

- II. By a communication dated 22 February 2007 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 given the opportunity of filing observations within two months and attention was drawn to Article 122 EPC.
- 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