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**Datasheet for the decision
of 26 June 2007**

Case Number: T 1527/06 - 3.2.05

Application Number: 01202485.7

Publication Number: 1145823

IPC: B29C 53/04

Language of the proceedings: EN

Title of invention:

Method for shaping honeycomb core

Patentee:

Spirit AeroSystems, Inc.

Opponent:

Airbus SAS

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 1527/06 - 3.2.05

D E C I S I O N
of the Technical Board of Appeal 3.2.05
of 26 June 2007

Appellant: Airbus SAS
(Opponent) 1 Rond-Point Maurice Bellonte
F-31700 Blagnac (FR)

Representative: Quantin, Bruno Marie Henri
Santarelli
14 Avenue de la Grande Armée
F-75017 Paris (FR)

Respondent: Spirit AeroSystems, Inc.
(Patent Proprietor) P.O. Box 780008 K11-60
Wichita
KS 67278-0008 (US)

Representative: Land, Addick Adrianus Gosling
Arnold & Siedsma
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P.O. Box 18558
NL-2502 EN Den Haag (NL)

Decision under appeal: Decision of the Opposition Division of the
European Patent Office posted 2 August 2006
rejecting the opposition filed against European
Patent No. 1145823 pursuant to Article 102(2)
EPC.

Composition of the Board:

Chairman: W. Zellhuber
Members: P. Michel
E. Lachacinski

Summary of Facts and Submissions

- I. The appeal is against the decision of the Opposition Division of the European Patent Office posted 2 August 2006 rejecting the opposition against the European patent No. 1 145 823.

The appellant (opponent) filed a notice of appeal on 20 September 2006 and paid the fee for appeal on the same date. No statement setting out the grounds of appeal was filed. The notice of appeal contains nothing that could be regarded as a statement within the meaning of Article 108 EPC, third sentence.

- II. By a communication sent by registered letter with advice of delivery on 8 January 2007, and received by the appellant on 11 January 2007, 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. The attention of the appellant was also drawn to Rule 84a EPC and to Article 122 EPC.

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

Reasons for the Decision

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. Consequently, the appeal has to be rejected as inadmissible pursuant to Rule 65(1) EPC in conjunction with Article 108 EPC, third sentence.

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

D. Meyfarth

W. Zellhuber