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**Datasheet for the decision
of 29 May 2007**

Case Number: T 1668/06 - 3.3.01

Application Number: 95303008.7

Publication Number: 0682102

IPC: C10M 159/12

Language of the proceedings: EN

Title of invention:
Lubricating oil additives

Patentee:
LUBRIZOL ADIBIS HOLDINGS (UK) LIMITED

Opponent:
Chevron Oronite Company LLC

Headword:
Lubricating oil additives/LUBRIZOL ADIBIS

Relevant legal provisions:
EPC Art. 108
EPC R. 65(1)

Keyword:
"Missing Statement of Grounds"

Decisions cited:
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Catchword:
-



Case Number: T 1668/06 - 3.3.01

D E C I S I O N
of the Technical Board of Appeal 3.3.01
of 29 May 2007

Appellant: LUBRIZOL ADIBIS HOLDINGS (UK) LIMITED
(Patent Proprietor) Dock Road South
Bromborough
Wirral
Merseyside L62 4SH (GB)

Representative: Bradley, Josephine Mary
D Young & Co
120 Holborn
London EC1N 2DY (GB)

Respondent: Chevron Oronite Company LLC
(Opponent) 1301 McKinney Street
Houston 77010 (US)

Representative: Nash, David Allan
HASELTINE LAKE
Redcliff Quay
120 Redcliff Street
Bristol BS1 6HU (GB)

Decision under appeal: Decision of the Opposition Division of the
European Patent Office posted 25 August 2006
revoking European patent No. 0682102 pursuant
to Article 102(1) EPC.

Composition of the Board:

Chairman: A. J. Nuss
Members: C. M. Radke
J. Van Moer

Summary of Facts and Submissions

- I. The appeal contests the decision of the Opposition Division of the European Patent Office dated 25 August 2006 revoking the European patent No. 0682101. The decision was dispatched by registered letters with advice of delivery on 25 August 2006. The proprietor of the patent filed a notice of appeal by letter dated 23 October 2006, received on 23 October 2006, and paid the fee for appeal on 24 October 2006. No Statement of Grounds was filed. The notice of appeal contains nothing that could be regarded as a Statement of Grounds pursuant to Article 108 EPC.
- II. By a communication dated 13 February 2007 sent by registered post, 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 informed about the possibility of filing a request for re-establishment of rights under Article 122 EPC, and was invited to file observations within two months.
- III. No answer has been given within the given time limit to the Registry's communication.

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:

N. Maslin

A. J. Nuss