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**Datasheet for the decision
of 17 October 2007**

Case Number: T 1868/06 - 3.3.06

Application Number: 97870055.7

Publication Number: 0875555

IPC: C11D 3/22

Language of the proceedings: EN

Title of invention:

Use of polysaccharide polymer in liquid acidic compositions

Patentee:

THE PROCTER & GAMBLE COMPANY

Opponent:

Reckitt Benckiser (UK) Limited
HENKEL KGaA

Headword:

-

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 1868/06 - 3.3.06

DECISION
of the Technical Board of Appeal 3.3.06
of 17 October 2007

Appellant: THE PROCTER & GAMBLE COMPANY
(Patent Proprietor) One Procter & Gamble Plaza
Cincinnati
Ohio 45202 (US)

Representative: Kellenberger, Jakob
NV Procter & Gamble Services Company SA
Temselaan 100
BE-1853 Strombeek-Bever (BE)

Respondent: Reckitt Benckiser (UK) Limited
(Opponent) 103-105 Bath Road
Slough
Berks SL1 3UH (GB)

Representative: Hayes, Adrian Chetwynd
Boult Wade Tennant
Verulam Gardens
70 Gray's Inn Road
London WC1X 8BT (GB)

(Opponent) HENKEL KGaA
VTP (Patente)
DE-40191 Düsseldorf (DE)

Representative: -

Decision under appeal: Decision of the Opposition Division of the
European Patent Office posted 2 November 2006
revoking European patent No. 0875555 pursuant
to Article 102(1) EPC.

Composition of the Board:

Chairman: P.-P. Bracke
Members: L. Li Voti
U. Tronser

Summary of Facts and Submissions

The appeal contests the decision of the Opposition Division of the European Patent Office posted 2 November 2006, revoking the European patent No. 875555 pursuant to Article 102(1) EPC.

The Appellant (Patentee) filed a notice of appeal on 14 December 2006 and paid the fee for appeal on the same day.

No written statement setting out the grounds of appeal was filed within the four-month time limit provided for in Article 108 EPC.

The notice of appeal does not contain anything that could be regarded as a statement setting out the grounds of appeal pursuant to Article 108 EPC.

No further submissions were filed by the Appellant.

In a communication dated 16 April 2007 sent by registered letter with advice of delivery, the Board informed the Appellant that no statement setting out the grounds of appeal had been received and that the appeal could be expected to be rejected as inadmissible pursuant to Article 108 EPC in conjunction with Rule 65(1) EPC.

The Appellant was invited to file observations within two months from notification of the communication and attention was drawn to the possibility of filing a request for re-establishment of rights under Article 122 EPC.

No answer has been given within the given time limit to the Board's communication.

Reasons for the Decision

As no written statement setting out the grounds of appeal was filed and as the notice of appeal does not contain anything that could be regarded as a statement setting out the grounds of appeal according 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:

G. Rauh

P.-P. Bracke