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**Datasheet for the decision
of 7 November 2007**

Case Number: T 0089/07 - 3.3.06

Application Number: 98906504.0

Publication Number: 0968256

IPC: C10G 11/05

Language of the proceedings: EN

Title of invention:
Catalytic cracking process

Patentee:
ExxonMobil Oil Corporation

Opponents:
ALBEMARLE Netherlands B.V.
Grace GmbH & Co. KG

Headword:
-

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

Keyword:
"Missing Statement of Grounds"

Decisions cited:
-

Catchword:
-



Case Number: T 0089/07 - 3.3.06

D E C I S I O N
of the Technical Board of Appeal 3.3.06
of 7 November 2007

Appellant: ExxonMobil Oil Corporation
(Patent Proprietor) 3225 Gallows Road
Fairfax, VA 22037 (US)

Representative: Kador & Partner
Corneliusstraße 15
D-80469 München (DE)

Respondent: ALBEMARLE Netherlands B.V.
(Opponent) Stationsplein 4
NL-3818 LE Amersfoort (NL)

Representative: Rasser, Jacobus Cornelis
Howrey LLP
Rembrandt Tower
Amstelplein 1, 31st Floor
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Respondent: Grace GmbH & Co. KG
(Opponent) In der Hollerecke 1
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Representative: Benson, John Everett
J.A Kemp & Co.
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Gray's Inn
London WC1R 5JJ (GB)

Decision under appeal: Decision of the Opposition Division of the
European Patent Office posted 21 November 2006
revoking European patent No. 0968256 pursuant
to Article 102(1) EPC.

Composition of the Board:

Chairman: P.-P. Bracke
Members: G. Dischinger-Höppler
J. Van Moer

Summary of Facts and Submissions

The appeal contests the decision of the Opposition Division of the European Patent Office posted 21 November 2006, revoking the European patent No.968256 pursuant to Article 102(1) EPC.

The Appellant (Patentee) filed a notice of appeal on 10 January 2007 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 10 May 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