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THE EUROPEAN PATENT
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**Datasheet for the decision
of 8 September 2008**

Case Number: T 1975/07 - 3.2.03
Application Number: 97930527.3
Publication Number: 0913215
IPC: B22D 7/10, B22C 9/08
Language of the proceedings: EN

Title of invention:

Process for fabricating couplings and other elements for hot topping and supply for cast-iron molds, and formulation for producing such couplings and elements

Patentee:

Ashland Inc.

Opponent:

Foseco International Limited
GTP Schäfer Giesstechnische Produkte GmbH

Headword:

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Relevant legal provisions:

EPC Art. 108
EPC R. 101(1)

Relevant legal provisions (EPC 1973):

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Keyword:

"Missing statement of grounds"

Decisions cited:

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Catchword:

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Case Number: T 1975/07 - 3.2.03

DECISION
of the Technical Board of Appeal 3.2.03
of 8 September 2008

Appellant: Ashland Inc.
(Patent Proprietor) P.O. Box 2219
Columbus
OH 43216 (US)

Representative: Vossius & Partner
Postfach 86 07 67
D-81634 München (DE)

Respondent: Foseco International Limited
(Opponent) Coleshill Road
Fazeley, Tamworth
Staffordshire (GB)

Representative: Ward, David Ian
Marks & Clerk
Alpha Tower
Suffolk Street, Queensway
Birmingham B1 1TT (GB)

Respondent: GTP Schäfer Giesstechnische Produkte GmbH
(Opponent) Aggerstrasse 23
D-50859 - Köln (DE)

Representative: Müller, Karl-Ernst
Patentanwälte
Becker & Müller
Turmstrasse 22
D-40878 Ratingen (DE)

Decision under appeal: Interlocutory decision of the Opposition
Division of the European Patent Office posted
26 September 2007 concerning maintenance of
European patent No. 0913215 in amended form.

Composition of the Board:

Chairman: U. Krause
Members: C. Donnelly
K. Garnett

Summary of Facts and Submissions

I. The appeal contests the interlocutory decision of the Opposition Division of European Patent Office dated 26 September 2007, concerning maintenance of European patent No. 913 215 in amended form.

The Appellant (Patent Proprietor) filed a notice of appeal on 6 December 2007 and paid the fee for appeal on the same day.

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 12 March 2008, sent by registered letter with advice of delivery, the Registry of the Board informed the Appellant that no statement of grounds has been filed and that the appeal could be expected to be rejected as inadmissible. The Appellant was invited to file observations within two months.

III. The Appellant filed no observations in response to said communication.

Reasons for the Decision

As no written statement setting out the ground of appeal has been filed, the appeal has to be rejected as inadmissible (Article 108 EPC in conjunction with Rule 65(1) EPC 1973, Rule 101(1) EPC 2000).

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

U. Bultmann

U. Krause