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**Datasheet for the decision
of 5 November 2008**

Case Number: T 0135/08 - 3.3.03

Application Number: 01994249.9

Publication Number: 1349884

IPC: C08G 63/78

Language of the proceedings: EN

Title of invention:

Methods of post-polymerisation extruder injection in
condensation polymer production

Patentee:

WELLMAN, INC.

Opponent:

Ciba Spezialitätenchemie Holding AG
EASTMAN CHEMICAL COMPANY

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 0135/08 - 3.3.03

D E C I S I O N
of the Technical Board of Appeal 3.3.03
of 5 November 2008

Appellant:

(Patent Proprietor)

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Respondents:

(Opponent)

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(Opponent)

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Representative:

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Decision under appeal:

Decision of the Opposition Division of the European Patent Office dated 7 November 2007 and posted 20 November 2007 revoking European patent No. 1349884 pursuant to Article 102(1) EPC.

Composition of the Board:

Chairman: R. Young
Members: M. C. Gordon
E. Dufrasne

Summary of Facts and Submissions

- I. The appeal contests the decision of the Opposition Division of the European Patent Office dated 7 November 2007 and posted 20 November 2007 revoking European Patent No. 1349884 pursuant to Article 102(1) EPC 1973.

The Appellant filed a notice of appeal on 21 January 2008 by letter dated 16 January 2008. The fee for appeal was paid on 16 January 2008.

No Statement of Grounds was filed.

- II. By a communication dated 7 May 2008 sent by registered letter with advice of delivery, 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.
- III. No answer to the Registry's communication has been received.

Reasons for the Decision

As 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, the appeal has to be rejected as inadmissible (Article 108 EPC in conjunction with Rule 101(1) EPC).

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

E. Görgmaier

R. Young