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**Datasheet for the decision
of 13 August 2008**

Case Number: T 0200/08 - 3.3.09

Application Number: 97924969.5

Publication Number: 0918465

IPC: A23D 9/00

Language of the proceedings: EN

Title of invention:

Liquid fatty component containing composition

Patentee:

Unilever N.V., et al

Opponent:

Forbes Medi-Tech Inc

Walter Rau Lebensmittelwerke GmbH & Co. KG

Headword:

-

Relevant legal provisions:

EPC Art. 108

EPC R. 99(2), 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 0200/08 - 3.3.09

D E C I S I O N
of the Technical Board of Appeal 3.3.09
of 13 August 2008

Appellant: Forbes Medi-Tech Inc
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Respondent: Unilever N.V.
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Representative: Waldren, Robin Michael
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Decision under appeal: Decision of the Opposition Division of the
European Patent Office posted 27 November 2007
rejecting the opposition filed against European
patent No. 0918465 pursuant to Article 102(2)
EPC.

Composition of the Board:

Chairman: P. Kitzmantel
Members: J. Jardón Álvarez
K. Garnett

Summary of Facts and Submissions

I. This case relates to the decision of the Opposition Division orally announced on 26 October 2007 and issued in writing on 27 November 2007 concerning the rejection of the oppositions filed against European Patent No. 0 918 465.

The Appellant (Opponent 01) filed a notice of appeal on 24 January 2008 and paid the appeal fee on 25 January 2008.

No statement setting out the grounds of appeal was filed.

II. By a communication dated 14 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. Attention was also drawn to Rule 101(1) EPC and to Art. 108 EPO. The Appellant was invited to file observations within two months.

III. No reply was received within this time-limit.

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 ground of appeal, the appeal is inadmissible pursuant to Art. 108 EPC in conjunction with Rules 99(2) and 101(1) EPC.

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

G. Röhn

P. Kitzmantel