

BESCHWERDEKAMMERN
DES EUROPÄISCHEN
PATENTAMTS

BOARDS OF APPEAL OF
THE EUROPEAN PATENT
OFFICE

CHAMBRES DE RECOURS
DE L'OFFICE EUROPEEN
DES BREVETS

Internal distribution code:

- (A) [] Publication in OJ
(B) [] To Chairmen and Members
(C) [] To Chairmen
(D) [X] No distribution

**Datasheet for the decision
of 18 August 2008**

Case Number: T 0313/08 - 3.3.09

Application Number: 00914611.9

Publication Number: 1161341

IPC: B32B 5/08

Language of the proceedings: EN

Title of invention:

Flexible fabric from fibrous web and discontinuous domain matrix

Patentee:

AlliedSignal Inc.

Opponent:

Teijin Twaron GmbH

Headword:

-

Relevant legal provisions:

EPC Art. 108

EPC R. 99(2), 101(1)

Relevant legal provisions (EPC 1973):

-

Keyword:

"No statement of grounds filed"

Decisions cited:

-

Catchword:

-

Case Number: T 0313/08 - 3.3.09

**DECISION
of the Technical Board of Appeal 3.3.09
of 18 August 2008**

Appellant: AlliedSignal Inc.
(Patent Proprietor) 101 Columbia Road
P.O. Box 2245
Morristown NJ 07962-2245 (US)

Representative: Samuels, Lucy Alice
Gill Jennings & Every LLP
Broadgate House
7 Eldon Street
London EC2M 7LH (GB)

Respondent: Teijin Twaron GmbH
(Opponent) Kasinostrasse 19-21
D-42103 Wuppertal (DE)

Representative: Heimann, Anette
CPW GmbH
Patentabteilung
Kasinostrasse 19-21
D-42103 Wuppertal (DE)

Decision under appeal: Interlocutory decision of the Opposition
Division of the European Patent Office
posted 27 November 2007 concerning
maintenance of European patent No. 1161341
in amended form.

Composition of the Board:

Chairman: P. Kitzmantel
Members: W. Ehrenreich
M.-B. Tardo-Dino

Summary of Facts and Submissions

I. This case relates to the interlocutory decision of the Opposition Division dated 27 November 2007 concerning the maintenance of European Patent No. 1 161 341 in amended form.

The Appellant (Proprietor) filed a notice of appeal on 6 February 2008 and paid the appeal fee on the same day.

No statement of grounds was filed within the time-limit set by Art. 108 EPC.

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 EPC. 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 Appellant having not reacted within the time-limit given in the communication issued by the Board, 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