

Internal distribution code:

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

**Datasheet for the decision
of 13 March 2009**

Case Number: T 0951/08 - 3.3.03

Application Number: 02405386.0

Publication Number: 1275689

IPC: C08K 3/00

Language of the proceedings: EN

Title of invention:

Pigment compositions with modified block copolymer dispersants

Patentee:

Ciba Holding Inc.

Opponents:

Arkema France
BYK-Chemie GmbH

Headword:

-

Relevant legal provisions:

EPC Art. 108
EPC R. 101(1)

Relevant legal provisions (EPC 1973):

-

Keyword:

"Missing Statement of Grounds"

Decisions cited:

-

Catchword:

-

Case Number: T 0951/08 - 3.3.03

DECISION
of the Technical Board of Appeal 3.3.03
of 13 March 2009

Appellant:
(Patent Proprietor)

Ciba Holding Inc.
Klybeckstrasse 141
CH-4057 Basel (CH)

Representative:

Pfenning, Meinig & Partner GbR
Patent- und Rechtsanwälte
Theresienhöhe 13
D-80339 München (DE)

Respondents:
(Opponent)

Arkema France
DRD/Département Propriété Industrielle
420, rue d'Estienne d'Orves
F-92705 Colombes Cedex (FR)

Representative:

-

(Opponent)

BYK-Chemie GmbH
Abelstrasse 14
D-46483 Wesel (DE)

Representative:

Leifert & Steffan
Patentanwälte
Postfach 10 40 09
D-40031 Düsseldorf (DE)

Decision under appeal:

**Decision of the Opposition Division of the
European Patent Office dated 19 February 2008
and posted 27 March 2008 revoking European
patent No. 1275689.**

Composition of the Board:

Chairman: R. Young
Members: W. Sieber
C. Vallet

Summary of Facts and Submissions

I. The appeal contests the decision of the Opposition Division of the European Patent Office posted 27 March 2008 revoking European patent No. 1275689.

The Appellant filed a notice of appeal on 14 May 2008. The fee for appeal was paid on the same day.

No Statement of Grounds was filed.

II. By a communication dated 10 September 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