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**Datasheet for the decision
of 23 February 2009**

Case Number: T 0975/08 - 3.3.03

Application Number: 98301241.0

Publication Number: 0861876

IPC: C08L 83/04

Language of the proceedings: EN

Title of invention:

Two component fast-curing-RTV adhesive sealant

Patentee:

GENERAL ELECTRIC COMPANY

Opponent:

Dow Corning Ltd.

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 0975/08 - 3.3.03

DECISION
of the Technical Board of Appeal 3.3.03
of 23 February 2009

Appellant: GENERAL ELECTRIC COMPANY
(Patent Proprietor) 1 River Road
Schenectady
NY 12345 (US)

Representative: Herrmann, Uwe
Lorenz - Seidler - Gossel
Widenmayerstrasse 23
D-80538 München (DE)

Respondents: Dow Corning Ltd.
(Opponent) Cardiff Road
Barry
Soth Glamorgan CF63 2YL (GB)

Representative: Donlan, Andrew Michael
Dow Corning Limited
Intellectual Property Department
Cardiff Road
Barry CF63 2YL (GB)

Decision under appeal: Decision of the Opposition Division of the
European Patent Office dated 20 February 2008
and posted 17 March 2008 revoking European
patent No. 0861876.

Composition of the Board:

Chairman: R. Young
Members: A. Däweritz
C. Vallet

Summary of Facts and Submissions

I. The appeal contests the decision of the Opposition Division of the European Patent Office posted 17 March 2008 revoking European Patent No. 861876.

The Appellant filed a notice of appeal on 13 May 2008. The fee for appeal was paid on the same day.

No Statement of Grounds was filed.

II. By a communication dated 5 August 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