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**Datasheet for the decision
of 29 October 2008**

Case Number: T 1334/08 - 3.3.06

Application Number: 04720452.4

Publication Number: 1608447

IPC: B01D 3/14

Language of the proceedings: EN

Title of invention:

Low capital implementation of distributed distillation in ethylene recovery

Applicant:

INEOS USA LLC

Opponent:

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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:

-

Catchword:

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Case Number: T 1334/08 - 3.3.06

D E C I S I O N
of the Technical Board of Appeal 3.3.06
of 29 October 2008

Appellant:

INEOS USA LLC
4225 Naperville Road Suite 600N
Lisle
IL 60532 (US)

Representative:

Preece, Michael
Compass Patents LLP
120 Bridge Road
Chertsey
Surrey KT16 8LA (GB)

Decision under appeal:

Decision of the Examining Division of the
European Patent Office posted 30 January 2008
refusing European application No. 04720452.4
pursuant to Article 97(2) EPC.

Composition of the Board:

Chairman: P.-P. Bracke
Members: L. Li Voti
U. Tronser

Summary of Facts and Submissions

The appeal contests the decision of the Examining Division of the European Patent Office posted 30 January 2008, refusing the European patent application No. 04 720 452.4 pursuant to Article 97(2) EPC.

The Appellant filed a notice of appeal on 1 April 2008 and paid the fee for appeal on the same day.

No written statement setting out the grounds of appeal was filed within the four-month time limit provided for in Article 108 EPC.

The notice of appeal does not contain anything that could be regarded as a statement setting out the grounds of appeal pursuant to Article 108 EPC.

No further submissions were filed by the Appellant.

In a communication dated 18 July 2008 sent by registered letter with advice of delivery, the Board informed the Appellant that no statement setting out the grounds of appeal had been received and that the appeal could be expected to be rejected as inadmissible pursuant to Article 108 EPC in conjunction with Rule 101(1) EPC.

The Appellant was invited to file observations within two months from notification of the communication.

No answer has been given within the given time limit to the Board's communication.

Reasons for the Decision

As no written statement setting out the grounds of appeal was filed and as the notice of appeal does not contain anything that could be regarded as a statement setting out the grounds of appeal according 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:

G. Rauh

P.-P. Bracke