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**Datasheet for the decision
of 1 February 2010**

Case Number: T 1054/09 - 3.3.03

Application Number: 98913310.3

Publication Number: 0971962

IPC: C08F 10/00

Language of the proceedings: EN

Title of invention:

Catalyst system for high yield synthesis of polyolefins

Patentee:

INEOS EUROPE LIMITED

Opponent:

TOTAL PETROCHEMICALS RESEARCH FELUY S.A.

Headword:

-

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 1054/09 - 3.3.03

DECISION
of the Technical Board of Appeal 3.3.03
of 1 February 2010

Appellant: INEOS EUROPE LIMITED
(Patent Proprietor) Hawkslease
Chapel Lane
Lyndhurst
Hampshire SO43 7FG (GB)

Representative: Hawkins, David George
Compass Patents LLP
120 Bridge Road
Chertsey
Surrey KT16 8LA (GB)

Respondent: TOTAL PETROCHEMICALS RESEARCH FELUY S.A.
(Opponent) Industrial Property
Patents
Zone Industrielle C
BE-7181 Senefte (Feluy) (BE)

Representative: -

Decision under appeal: Decision of the Opposition Division of the
European Patent Office dated 2 March 2009 and
posted 6 March 2009 revoking European patent
No. 0971962 pursuant to Article 101(3) EPC.

Composition of the Board:

Chairman: A. Däweritz
Members: M. C. Gordon
C.-P. Brandt

Summary of Facts and Submissions

I. The appeal contests the decision of the Opposition Division of the European Patent Office dated 2 March 2009 and posted 6 March 2009 revoking European patent No. 0971962.

The Appellant filed a notice of appeal on 6 May 2009. The fee for appeal was paid on the same day.

No Statement of Grounds was filed.

II. By a communication dated 21 August 2009 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

A. Däweritz