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**Datasheet for the decision
of 18 June 2010**

Case Number: T 2445/09 - 3.4.03

Application Number: 03028048.1

Publication Number: 1542508

IPC: H05B 6/06

Language of the proceedings: EN

Title of invention:

A device for determining the location of cooking utensils on a cooking hob

Patentee:

WHIRLPOOL CORPORATION

Opponent:

AEG Hausgeräte GmbH

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:

"Inadmissible appeal - missing statement of grounds"

Decisions cited:

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Catchword:

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Case Number: T 2445/09 - 3.4.03

D E C I S I O N
of the Technical Board of Appeal 3.4.03
of 18 June 2010

Appellant:
(Opponent)

AEG Hausgeräte GmbH
Muggenhofer Strasse 135
D-90429 Nürnberg (DE)

Representative:

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Meissner, Bolte & Partner GbR
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Respondent:
(Patent Proprietor)

WHIRLPOOL CORPORATION
2000 M-63
Benton Harbor
Michigan 49022 (US)

Representative:

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Decision under appeal:

Interlocutory decision of the Opposition
Division of the European Patent Office posted
20 October 2009 concerning maintenance of
European patent No. 1542508 in amended form.

Composition of the Board:

Chairman: G. Eliasson
Members: E. Wolff
T. Bokor

Summary of Facts and Submissions

I. This is an appeal against the maintenance of European patent No. 1542508 posted 20 October 2009.

A notice of appeal on behalf of the appellant opponent was filed on 18 December 2009. The appeal fee was paid on the same day. No separate statement of grounds of appeal was filed.

II. By a communication dated 25 March 2010 sent by registered letter with advice of delivery, the appellant opponent was informed that no statement of grounds of appeal had been filed and that, therefore, it was to be expected that the appeal would be rejected as inadmissible pursuant to Article 108, third sentence, EPC in conjunction with Rule 101(1) EPC. The appellant was invited to file observations within two months. A copy of the communication was sent to the respondent proprietor on the same day for information.

III. No answer has been given to the communication within the time limit. No request for re-establishment of rights was filed.

Reasons for the Decision

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

S. Sánchez Chiquero

G. Eliasson