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**Datasheet for the decision
of 19 January 2011**

Case Number: T 1027/10 - 3.3.03

Application Number: 01116221.1

Publication Number: 1170312

IPC: C08F 220/06

Language of the proceedings: EN

Title of invention:

Low-molecular (meth)acrylic acid (salt)-based polymer and its production process and uses

Patentee:

NIPPON SHOKUBAI CO., LTD.

Opponent:

BASF SE

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:

-

Case Number: T 1027/10 - 3.3.03

DECISION
of the Technical Board of Appeal 3.3.03
of 19 January 2011

Appellant: BASF SE
(Opponent) Global Intellectual Property
GVX-C006
D-67056 Ludwigshafen (DE)

Representative: -

Respondent: NIPPON SHOKUBAI CO., LTD.
(Patent Proprietor) 1-1, Koraibashi 4-chome
Chuo-ku
Osaka-shi, Osaka 541-0043 (JP)

Representative: Glawe, Delfs, Moll
Patent- und Rechtsanwälte
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Decision under appeal: **Decision of the Opposition Division of the
European Patent Office of 10 February 2010
posted 2 March 2010 rejecting the opposition
filed against European patent No. 1170312
pursuant to Article 101(2) EPC.**

Composition of the Board:

Chairman: R. Young
Members: A. Däweritz
C.-P. Brandt

Summary of Facts and Submissions

I. The appeal contests the decision of the Opposition Division of the European Patent Office posted 2 March 2010, rejecting the opposition pursuant to Article 101(2) EPC.

The Appellant filed a notice of appeal on 12 May 2010 and paid the appeal fee on the same day.

No Statement of Grounds was filed.

II. By a communication dated 16 August 2010 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 as the notice of appeal contains nothing that could be regarded as Statement of Grounds pursuant to Article 108 EPC, the appeal has to be rejected as inadmissible (Article 108 EPC 2000 in conjunction with Rule 101(1) EPC 2000).

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

E. Goergmaier

R. Young