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**Datasheet for the decision
of 3 September 2010**

Case Number: T 1160/10 - 3.3.07

Application Number: 03766996.7

Publication Number: 1524959

IPC: A61K 7/32

Language of the proceedings: EN

Title of invention:

Clear personal care compositions containing visible capsules

Applicant:

The Gillette Company

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:

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Catchword:

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Case Number: T 1160/10 - 3.3.07

D E C I S I O N
of the Technical Board of Appeal 3.3.07
of 3 September 2010

Appellant: The Gillette Company
Prudential Tower Building
Boston, Massachusetts 02199 (US)

Representative: Wilding, Richard Alan
Procter & Gamble
Technical Centres Ltd
Rusham Park
Whitehall Lane
Egham, Surrey TW20 9NW (GB)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 27 October 2009
refusing European patent application
No. 03766996.7 pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: S. Perryman
Members: B. ter Laan
D. Semino

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division of the European Patent Office dated 6 October 2009 refusing European patent application No. 1524959. The decision was dispatched by registered letter with advice of delivery on 27 October 2009. The applicant filed a notice of appeal by letter received on 1 December 2009 and paid the fee for appeal on 1 December 2009. No Statement of Grounds was filed. The notice of appeal contains nothing that could be regarded as a Statement of Grounds pursuant to Article 108 EPC.
- II. By a communication dated 4 June 2010 and sent by registered post, 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. The Appellant filed no observations in response to said communication.

Reasons for the Decision

As no written statement setting out the grounds of appeal has been filed, 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. Fabiani

S. Perryman