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**Datasheet for the decision
of 31 January 2011**

Case Number: T 1665/10 - 3.4.02

Application Number: 06023227.9

Publication Number: 1785752

IPC: G02B 5/124

Language of the proceedings: EN

Title of invention:

Metallized cube corner retroreflective sheeting having a high measured daytime luminance factor

Applicant:

EVERY DENNISON CORPORATION

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 1665/10 - 3.4.02

D E C I S I O N
of the Technical Board of Appeal 3.4.02
of 31 January 2011

Appellant:

AVERY DENNISON CORPORATION
150 North Orange Grove Boulevard
Pasadena, CA 91103 (US)

Representative:

Eisenführ, Speiser & Partner
Postfach 31 02 60
D-80102 München (DE)

Decision under appeal:

Decision of the Examining Division of the
European Patent Office posted 18 February 2010
refusing European patent application
No. 06023227.9 pursuant to Article 97(2) EPC.

Composition of the Board:

Chairman: A. G. Klein
Members: M. Rayner
B. Müller

Summary of Facts and Submissions

I. The appellant contests the decision of the examining division of the European Patent Office dated 18 February 2010 refusing European patent application No. 06 023 227.9.

The appellant filed a notice of appeal on 28 April 2010 and paid the appeal fee on the same day.

The notice of appeal contains an auxiliary request for oral proceedings.

A written statement setting out the grounds of appeal was not filed within the four-month time limit provided for in Article 108 EPC.

II. In a communication dated 11 August 2010, the Board informed the appellant that no statement setting out the grounds of appeal had been received and that the appeal could be rejected as inadmissible. The appellant was informed that any observations should be filed within two months.

III. The appellant filed no observations in response to said communication. In a letter dated 11 January 2011 the appellant withdrew the request for oral proceedings.

Reasons for the Decision

No written statement setting out the grounds of appeal was filed within the time limit provided for in Article 108 EPC. Nor did the notice of appeal contain anything that might be considered as such statement pursuant to Article 108 and

Rule 99(2) EPC. Thus, the appeal is inadmissible pursuant to Rule 101(1) EPC.

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

M. Kiehl

A. G. Klein