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**Datasheet for the decision
of 27 May 2011**

Case Number: T 1933/10 - 3.3.10

Application Number: 00972559.9

Publication Number: 1226103

IPC: C07C 51/12

Language of the proceedings: EN

Title of invention:

Methanol plant retrofit for manufacture of acetic acid

Patentee:

Acetex (Cyprus) Limited

Opponent:

BP Chemicals Limited

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 1933/10 - 3.3.10

**DECISION
of the Technical Board of Appeal 3.3.10
of 27 May 2011**

Appellant: Acetex (Cyprus) Limited
(Patent Proprietor) Nicolaou Pentadromos Centre
Office 908
Block A
P.O. Box 50123
Limassol 3601 (CY)

Representative: Ede, Eric
Murgitroyd & Company
165-169 Scotland Street
Glasgow G5 8PL (GB)

Respondent: BP Chemicals Limited
(Opponent) Chertsey Road
Sunbury-on-Thames
Middlesex TW16 7BP (GB)

Representative: Brooke, Caron
BP International Limited
Patents & Agreements
Chertsey Road
Sunbury-on-Thames, Middlesex
TW16 7LN (GB)

Decision under appeal: **Decision of the Opposition Division of the
European Patent Office posted 15 July 2010
revoking European patent No. 1226103
pursuant to Article 102(1) EPC.**

Composition of the Board:

Chairman: P. Gryczka
Members: J. Mercey
J.-P. Seitz

Summary of Facts and Submissions

I. This is an appeal against the decision of the Opposition Division of the European Patent Office posted 15 July 2010, revoking European Patent No. 1226103.

A notice of appeal on behalf of the patent proprietor was filed by a letter received on 15 September 2010. The appeal fee was paid on the same day. No separate statement of grounds of appeal was filed.

II. By a communication dated 16 December 2010 sent by registered letter with advice of delivery, the appellant 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. The appellant did not reply to said communication.

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:

C. Rodríguez Rodríguez

P. Gryczka