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**Datasheet for the decision  
of 18 May 2011**

**Case Number:** T 2022/10 - 3.2.06

**Application Number:** 01971232.2

**Publication Number:** 1318781

**IPC:** A61F 13/537

**Language of the proceedings:** EN

**Title of invention:**

Acquisition distribution layer having void volumes for an absorbent article

**Patentee:**

Tredegar Film Products Corporation

**Opponent:**

Pantex Sud S.r.l.

**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:**

"Inadmissibility of the appeal"

**Decisions cited:**

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**Catchword:**

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Case Number: T 2022/10 - 3.2.06

**D E C I S I O N**  
of the Technical Board of Appeal 3.2.06  
of 18 May 2011

(Opponent)

Pantex Sud S.r.l.  
Via Michelangelo 18  
I-65124 Pescara (IT)

**Representative:**

Fiussello, Francesco  
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**Respondent:**

(Patent Proprietor)

Tredegar Film Products Corporation  
1100 Boulders Parkway  
Richmond, VA 23225 (US)

**Representative:**

Hayes, Adrian Chetwynd  
Boulton Wade Tennant  
Verulam Gardens  
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**Decision under appeal:**

Interlocutory decision of the Opposition  
Division of the European Patent Office posted  
19 July 2010 concerning maintenance of European  
patent No. 1318781 in amended form.

**Composition of the Board:**

**Chairman:** P. Alting van Geusau  
**Members:** G. de Crignis  
K. Garnett

## **Summary of Facts and Submissions**

- I. This matter concerns an appeal against the interlocutory decision of the Opposition Division posted on 19 July 2010, concerning the maintenance of European patent No. 1 318 781 in amended form.
- II. The appellant (proprietor) filed a notice of appeal on 29 September 2010 and paid the fee for appeal on the same date. No statement setting out the grounds for that appeal was filed. The notice of appeal contains nothing that could be regarded as a statement of grounds pursuant to Article 108 EPC, third sentence, and Rule 101(1) EPC.
- III. By a communication dated 03 January 2011, sent by registered letter with advice of delivery and received on 17 January 2011, 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.
- IV. No response to the Registry's communication was received.

## **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, third sentence, 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:

M. Patin

P. Alting van Geusau