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**Datasheet for the decision  
of 12 May 2011**

**Case Number:** T 2183/10 - 3.2.06

**Application Number:** 04029273.2

**Publication Number:** 1568436

**IPC:** B23K 26/10

**Language of the proceedings:** EN

**Title of invention:**

A method and device for laser welding

**Patentee:**

COMAU S.p.A.

**Opponents:**

Daimler AG  
TRUMPF Werkzeugmaschinen GmbH + Co. KG  
KUKA Systems GmbH

**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:**

-

**Catchword:**

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Case Number: T 2183/10 - 3.2.06

**D E C I S I O N**  
of the Technical Board of Appeal 3.2.06  
of 12 May 2011

**Respondent:** Daimler AG  
(Opponent) Mercedesstrasse 137  
D-70327 Stuttgart (DE)

**Respondent:** TRUMPF Werkzeugmaschinen GmbH + Co. KG  
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**Representative:** Kohler Schmid Möbus  
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**Respondent:** KUKA Systems GmbH  
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**Representative:** Ernicke, Klaus Stefan  
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**Appellant:** COMAU S.p.A.  
(Patent Proprietor) Via Rivalta 30  
I-10095 Grugliasco (Torino) (IT)

**Representative:** Notaro, Giancarlo  
Buzzi, Notaro & Antonielli d'Oulx  
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**Decision under appeal:** Interlocutory decision of the Opposition  
Division of the European Patent Office posted  
13 August 2010 concerning maintenance of  
European patent No. 1568436 in amended form.

**Composition of the Board:**

**Chairman:** P. Alting van Geusau  
**Members:** M. Harrison  
W. Sekretaruk

## **Summary of Facts and Submissions**

- I. This matter concerns an appeal against the interlocutory decision of the Opposition Division posted on 13 August 2010, concerning the maintenance of European Patent No. 1 568 436 in an amended form.
- II. The appellant (proprietor) filed a notice of appeal on 22 October 2010 and paid the fee for appeal on the same day.
- III. In a communication dated 27 January 2011 sent by registered letter, with advice of delivery indicating reception by the appellant on 2 February 2011, the Registry of the Board informed the appellant that no statement of grounds had been filed and that it could be expected that the appeal would be rejected as inadmissible.

The appellant was invited to file observations within two months.

- IV. No answer to the Registry's communication was received.

## **Reasons for the Decision**

As no written statement setting out the grounds of appeal has been filed and the notice of appeal contains nothing that could be regarded as a statement of grounds pursuant to Article 108 EPC, third sentence, 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:

M. Patin

P. Alting van Geusau