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**Datasheet for the decision
of 15 February 2012**

Case Number: T 1358/11 - 3.3.01
Application Number: 02256328.2
Publication Number: 1302515
IPC: C09D 5/02, C08F 265/04,
B05D 7/00, C09D 133/00,
C09D 151/00
Language of the proceedings: EN

Title of invention:

Coating composition based on a bimodal emulsion copolymer,
methods of blocking stains, improving hiding, improving block
resistance and improving shear stability

Patent Proprietor:

ROHM AND HAAS COMPANY

Opponent:

BASF SE

Headword:

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Relevant legal provisions:

EPC Art. 108
EPC R. 101(1)

Keyword:

"Missing statement of grounds"

Decisions cited:

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Catchword:

-



Case Number: T 1358/11 - 3.3.01

D E C I S I O N
of the Technical Board of Appeal 3.3.01
of 15 February 2012

Appellant:
(Opponent)

BASF SE
Global Intellectual Property
GVX-C006
D-67056 Ludwigshafen (DE)

Respondent:
(Patent Proprietor)

ROHM AND HAAS COMPANY
100 Independence Mall West
Philadelphia
Pennsylvania 19106-2399 (US)

Representative:

Kent, Venetia Katherine
Patent Outsourcing Limited
1 King Street
Bakewell
Derbyshire DE45 1DZ (GB)

Decision under appeal:

Decision of the Opposition Division of the
European Patent Office posted 14 April 2011
rejecting the opposition filed against European
patent No. 1302515 pursuant to Article 101(2)
EPC.

Composition of the Board:

Chairman: P. Ranguis
Members: G. Seufert
L. Bühler

Summary of Facts and Submissions

I. The appeal contests the decision of the Opposition Division of the European Patent Office dispatched on 14 April 2011, rejecting the opposition pursuant to Article 101(2) EPC.

The Appellant filed a notice of appeal by letter received on 21 June 2011 and paid the fee for appeal on the same day.

No Statement of Grounds was filed. The notice of appeal contains nothing that could be regarded as Statement of Grounds pursuant to Article 108 EPC.

II. By a communication dated 10 October 2011 sent by registered letter with advice of delivery, 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. No answer to the Registry's communication has been 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 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. Schalow

P. Ranguis