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**Datasheet for the decision
of 22 April 2013**

Case Number: T 1718/11 - 3.3.01

Application Number: 03792469.3

Publication Number: 1531668

IPC: A01N 25/28

Language of the proceedings: EN

Title of invention:

Microencapsulated agrochemical composition

Patentee:

Syngenta Limited

Opponent:

BASF SE

Headword:

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Relevant legal provisions:

EPC Art. 108

EPC R. 99(2), 101(1)

Relevant legal provisions (EPC 1973):

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Keyword:

"Admissibility of appeal - missing statement of grounds"

Decisions cited:

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Catchword:

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Case Number: T 1718/11 - 3.3.01

D E C I S I O N
of the Technical Board of Appeal 3.3.01
of 22 April 2013

Appellant:
(Patent Proprietor)

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Respondent:
(Opponent)

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D-67056 Ludwigshafen (DE)

Representative:

Köster, Reinhold
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Decision under appeal:

**Decision of the Opposition Division of the
European Patent Office posted 8 June 2011
revoking European patent No. 1531668 pursuant
to Article 101(3)(b) EPC.**

Composition of the Board:

Chairman: A. Lindner
Members: G. Seufert
L. Bühler

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the opposition division of 24 May 2011, posted on 8 June 2011.
- II. The appellant filed a notice of appeal on 4 August 2011 and paid the appeal fee on the same day.

No statement of grounds was filed.

- III. By communication of 18 December 2012, received by the appellant, the registry of the board informed the appellant that it appeared from the file that the written statement of grounds of appeal had not been filed, and that it was therefore 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 informed that any observations had to be filed within two months of notification of the communication.
- IV. No reply was received.

Reasons for the Decision

1. No written statement setting out the grounds of appeal was filed within the time limit provided by Article 108, third sentence, EPC in conjunction with Rule 126(2) EPC. In addition, neither the notice of appeal nor any other document filed contains anything that could be regarded as a statement of grounds pursuant to Article 108 EPC

and Rule 99(2) EPC. Therefore, the appeal has to be rejected as inadmissible (Rule 101(1) EPC).

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

M. Schalow

A. Lindner