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**Datasheet for the decision
of 27 January 2012**

Case Number: T 1787/11 - 3.3.03

Application Number: 04763765.7

Publication Number: 1651691

IPC: C08F 210/06, C08F 4/642

Language of the proceedings: EN

Title of invention:
Process for the preparation of a polyolefin

Applicant:
Lanxess Buna GmbH

Headword:
-

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 1787/11 - 3.3.03

D E C I S I O N
of the Technical Board of Appeal 3.3.03
of 27 January 2012

Appellant: Lanxess Buna GmbH
(Applicant) Mijnweg 1
NL-6167 AC Geleen (NL)

Representative: Herbold, Matthias
Lanxess Deutschland GmbH
LIP-IPR
NL-51369 Leverkusen (NL)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 23 February 2011
refusing European patent application
No. 04763765.7 pursuant to Article 97(2) EPC.

Composition of the Board:

Chairman: B. ter Laan
Members: O. Dury
R. Cramer

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division of the European Patent Office posted 23.02.11, refusing European patent application No. 04763765.7.

The Appellant filed a Notice of Appeal by letter received on 18.04.11 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 a Statement of Grounds pursuant to Article 108 EPC.

- II. In communications dated 19.08.11, sent by registered letter with advice of delivery, the Registry of the Board informed the Appellant that no Statement of Grounds has been filed and that the appeal could be expected to be rejected as inadmissible. The Appellant was given the opportunity of filing observations within two months and attention was drawn to Article 122 EPC.

- III. No answer was given within the given time limit to the Registry's communication.

Reasons for the Decision

As no written statement setting out the grounds of appeal has been filed and as the notice of appeal contains nothing that could be regarded as Statement of grounds pursuant 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:

E. Goergmaier

B. ter Laan