Internal distribution code:

(A) [-] Publication in OJ
(B) [-] To Chairmen and Members
(C) [-] To Chairmen
(D) [X] No distribution

Datasheet for the decision of 10 April 2014

Case Number: T 1191/12 - 3.3.06

Application Number: 06113458.1

Publication Number: 1852496

IPC: C11D3/40, C11D17/00

Language of the proceedings: EN

Title of invention:
Liquid detergent

Patent Proprietor:
THE PROCTER & GAMBLE COMPANY

Opponent:
UNILEVER PLC / UNILEVER NV

Headword:

Relevant legal provisions:
EPC Art. 108
EPC R. 99(2)

Keyword:
Admissibility of appeal - (no) statement of grounds not filed

Decisions cited:

Catchword:

Europäisches Patentamt
European Patent Office
Office européen des brevets

Beschwerdekammern
Boards of Appeal
Chambres de recours

European Patent Office
D-80298 MUNICH
GERMANY
Tel. +49 (0) 89 2399-0
Fax +49 (0) 89 2399-4465

Case Number: T 1191/12 - 3.3.06

D E C I S I O N
of Technical Board of Appeal 3.3.06
of 10 April 2014

Appellants: (Opponents)	UNILEVER PLC / UNILEVER NV Unilever House 100 Victoria Embankment London EC4Y 0DY (GB)
Representative:	Avila, David Victor Unilever Patent Group Colworth House Sharnbrook Bedford MK44 1LQ (GB)
Respondent: (Patent Proprietor)	THE PROCTER & GAMBLE COMPANY One Procter & Gamble Plaza Cincinnati, OH 45202 (US)
Representative:	Fiesser, Gerold Michael Herzog Fiesser & Partner Patentanwälte Isartorplatz 1 80331 München (DE)
Decision under appeal:	**Decision of the Opposition Division of the European Patent Office posted on 26 March 2012 rejecting the opposition filed against European patent No. 1852496 pursuant to Article 101(2) EPC.**

Composition of the Board:

Chairman: B. Czech
Members: P. Ammendola
J. Geschwind

Summary of Facts and Submissions

I. The appeal is directed against the decision of the Opposition Division of 26 March 2012.

II. The appellants filed a notice of appeal on 15 May 2012 and paid the appeal fee on the same day.

III. By communication of 14.11.2012, received by the appellants, the Registry of the Board informed the appellants 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 appellants were 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

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:

D. Magliano B. Czech

Decision electronically authenticated