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**Datasheet for the decision
of 5 April 2013**

Case Number: T 1417/12 - 3.2.07

Application Number: 05002442.1

Publication Number: 1598281

IPC: B65D 37/00

Language of the proceedings: EN

Title of invention:

Piping bag, blank for manufacturing a piping bag and method
for manufacturing a piping bag

Patent Proprietor:

Kee Plastics AB

Opponent:

One Way Plastics B.V.

Headword:

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Relevant legal provisions:

EPC Art. 108, third sentence
EPC R. 101(1)

Keyword:

Admissibility of appeal - missing statement of grounds

Decisions cited:

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Catchword:

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Case Number: T 1417/12 - 3.2.07

D E C I S I O N
of the Technical Board of Appeal 3.2.07
of 5 April 2013

Appellant I: Kee Plastics AB
(Patent Proprietor) Box 62
SE-60102 Norrköping (SE)

Representative: Bokinge, Ole
Awapatent AB
Junkersgatan 1
SE-582 35 Linköping (SE)

Appellant II: One Way Plastics B.V.
(Opponent) Minervum 7382
NL-4817 ZG BREDA (NL)

Representative: Bartelds, Erik
Arnold & Siedsma
Sweelinckplein 1
NL-2517 GK Den Haag (NL)

Decision under appeal: Interlocutory decision of the Opposition
Division of the European Patent Office posted
on 13 April 2012 concerning maintenance of
European patent No. 1598281 in amended form.

Composition of the Board:

Chairman: H. Meinders
Members: H.-P. Felgenhauer
E. Kossonakou

Summary of Facts and Submissions

- I. The appeal contests the interlocutory decision of the Opposition Division of the European Patent Office dated 13 April 2012 concerning maintenance of the European patent No. 1 598 281 in amended form.

The proprietor (hereinafter appellant/proprietor) filed a notice of appeal on 21 June 2012 and paid the fee for appeal on the same day.

No statement of grounds was filed.

The opponent (hereinafter appellant/opponent) filed a notice of appeal on 22 June 2012 and paid the fee for appeal on the same day.

No statement of grounds was filed.

- II. By a communication dated 12 October 2012 sent by registered letter with advice of delivery, the registry of the Board informed the appellant/proprietor that no statement of grounds had been filed and that its appeal could be expected to be rejected as inadmissible. The appellant/proprietor was invited to file observations within two months.

By a communication dated 12 October 2012 sent by registered letter with advice of delivery, the registry of the Board informed the appellant/opponent that no statement of grounds had been filed and that its appeal could be expected to be rejected as inadmissible. The appellant/opponent was invited to file observations within two months.

III. No answer has been given to the registry's communication, neither by the appellant/proprietor nor by the appellant/opponent.

Reasons for the Decision

1. The notice of appeal of the appellant/proprietor filed On 21 June 2012 contains nothing that could be regarded as a statement of grounds pursuant to Article 108 EPC.

The notice of appeal of the appellant/opponent filed on 22 June 2012 contains nothing that could be regarded as a statement of grounds pursuant to Article 108 EPC.

2. As no written statement setting out the grounds of appeal has been filed, neither by the appellant/proprietor nor by the appellant/opponent, the appeals have to be rejected as inadmissible (Article 108 EPC, third sentence, in conjunction with Rule 101(1) EPC).

Order

For these reasons it is decided that:

The appeals of the appellant/proprietor and the appellant/opponent are rejected as inadmissible.

The Registrar:

The Chairman:

G. Nachtigall

H. Meinders