

Internal distribution code:

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

**Datasheet for the decision
of 20 August 2013**

Case Number: T 1000/13 - 3.3.05

Application Number: 08158035.9

Publication Number: 2002876

IPC: B01D46/30, B01D46/00,
B60T17/00, B01D45/16, B01D53/26

Language of the proceedings: EN

Title of invention:
Air dryer with oil removal filter

Applicant:
Bendix Commercial Vehicles Systems, LLC

Headword:

Relevant legal provisions:
EPC Art. 108
EPC R. 101(1)

Keyword:
"Missing statement of grounds "

Decisions cited:

Catchword:



**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 1000/13 - 3.3.05

D E C I S I O N
of Technical Board of Appeal 3.3.05
of 20 August 2013

Appellant: Bendix Commercial Vehicles Systems, LLC
(Applicant) 901 Cleveland Street
Elyria, Ohio 44035 (US)

Representative: Finnie, Peter John
Gill Jennings & Every LLP
The Broadgate Tower
20 Primrose Street
London EC2A 2ES (GB)

Decision under appeal: **Decision of the Examining Division of the European Patent Office posted on 4 October 2012 refusing European patent application No. 08158035.9 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chairman: G. Rath
Members: J-M. Schwaller
C. Vallet

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Examining Division posted on 4 October 2012 to refuse European patent application 08 158 035.9.
- II. The appellant filed a notice of appeal on 13 December 2012 and paid the appeal fee on the same day.
- III. By communication of 2 May 2013, 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

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 of appeal 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:



C. Vodz

G. Rath

Decision electronically authenticated