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**Datasheet for the decision  
of 9 September 2013**

**Case Number:** T 1337/13 - 3.2.04

**Application Number:** 08868444.4

**Publication Number:** 2227102

**IPC:** A24C 5/18

**Language of the proceedings:** EN

**Title of invention:**

Various embodiments for an apparatus, system and method for producing a concentric core tobacco rod maker with air transporter

**Applicant:**

Philip Morris Products S.A.

**Headword:**

-

**Relevant legal provisions:**

EPC Art. 108  
EPC R. 101(1)

**Keyword:**

"Missing statement of grounds"

**Decisions cited:**

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**Catchword:**

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Case Number: T 1337/13 - 3.2.04

**D E C I S I O N**  
of the Technical Board of Appeal 3.2.04  
of 9 September 2013

**Appellant:** Philip Morris Products S.A.  
(Patent Proprietor) Quai Jeanrenaud 3  
CH-2000 Neuchâtel (CH)

**Representative:** Millburn, Julie Elizabeth  
Reddie & Grose LLP  
16 Theobalds Road  
London WC1X 8PL (GB)

**Decision under appeal:** -

**Composition of the Board:**

**Chairman:** A. de Vries  
**Members:** E. Frank  
C. Heath

## **Summary of Facts and Submissions**

- I. The appeal is directed against the decision of the Examining Division dated 5 October 2012.
- II. The appellant filed a notice of appeal on 17 December 2012 and paid the fee for appeal on the same day.
- III. By communication of 24 June 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 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:

G. Magouliotis

A. de Vries