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**Datasheet for the decision
of 15 September 2014**

Case Number: T 2452/13 - 3.3.09

Application Number: 06759532.2

Publication Number: 1879949

IPC: C08J7/04, C08L29/04, C11D17/04

Language of the proceedings: EN

Title of invention:
FUNCTIONALIZED FILMS

Patent Proprietor:
The Procter & Gamble Company

Opponent:
Reckitt Benckiser (UK) Limited

Headword:

Relevant legal provisions:
EPC Art. 108
EPC R. 99(2), 101(1)

Keyword:
Admissibility of appeal - missing statement of grounds

Decisions cited:

Catchword:



**Beschwerdekammern
Boards of Appeal
Chambres de recours**

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Case Number: T 2452/13 - 3.3.09

**D E C I S I O N
of Technical Board of Appeal 3.3.09
of 15 September 2014**

Appellant: Reckitt Benckiser (UK) Limited
(Opponent) 103-105 Bath Road
Slough
Berks SL1 3UH (GB)

Representative: Hewett, Erica Louise
Reckitt Benckiser
Corporate Services Limited
Legal Department - Patents Group
Dansom Lane
Hull, East Yorkshire HU8 7DS (GB)

Respondent: The Procter & Gamble Company
(Patent Proprietor) One Procter & Gamble Plaza
Cincinnati, OH 45202 (US)

Representative: Yorquez Ramirez, Maria Isabel
Patent Department
Procter & Gamble Technical Centres Limited
Whitley Road
Longbenton
Newcastle upon Tyne NE12 9TS (GB)

Decision under appeal: **Interlocutory decision of the Opposition
Division of the European Patent Office posted on
10 October 2013 concerning maintenance of the
European Patent No. 1879949 in amended form.**

Composition of the Board:

Chairman W. Sieber
Members: N. Perakis
K. Garnett

Summary of Facts and Submissions

- I. The appeal is directed against the interlocutory decision of the Opposition Division of 12 September 2013, posted on 10 October 2013, concerning the maintenance of European patent No. EP 1 879 949 in amended form.
- II. The opponent (in the following: the appellant) filed a notice of appeal on 10 December 2013 and paid the appeal fee on the same day.
- III. By communication of 4 March 2014, received by the appellant, the Registry of the Board informed the appellant that it appeared from the file that no written statement of grounds of appeal had 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 has been received.

Reasons for the Decision

As appears from the above, no written statement setting out the grounds of appeal has been filed within the time limit provided for 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:



M. Cañueto Carbajo

W. Sieber

Decision electronically authenticated