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**Datasheet for the decision
of 21 January 2015**

Case Number: T 2463/13 - 3.4.01

Application Number: 06254615.5

Publication Number: 1765046

IPC: H05H1/34

Language of the proceedings: EN

Title of invention:

Plasma torch electrode with improved insert configurations

Patent Proprietor:

Hypertherm, Inc.

Opponent:

L'AIR LIQUIDE, SOCIETE ANONYME POUR
L'ETUDE ET L'EXPLOITATION DES PROCEDES
GEORGES CLAUDE

Headword:

Relevant legal provisions:

EPC Art. 108
EPC R. 101(1)

Keyword:

Decisions cited:

Catchword:



**Beschwerdekammern
Boards of Appeal
Chambres de recours**

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Case Number: T 2463/13 - 3.4.01

**D E C I S I O N
of Technical Board of Appeal 3.4.01
of 21 January 2015**

Appellant:
(Patent Proprietor)

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Respondent:
(Opponent)

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Decision under appeal:

**Interlocutory decision of the Opposition
Division of the European Patent Office posted on
11 October 2013 concerning maintenance of the
European Patent No. 1765046 in amended form.**

Composition of the Board:

Chairman G. Assi
Members: H. Wolfrum
C. Schmidt

Summary of Facts and Submissions

- I. The appeal of the patent proprietor is directed against the interlocutory decision of the opposition division dated 11 October 2013 to maintain the patent in amended form.
- II. The appellant filed a notice of appeal on 10 December 2013 and paid the appeal fee on the same day. The appellant announced that "*Details of the sets of claims which the patentee requests are considered in the appeal will be provided with the Grounds of Appeal*".
- III. No statement of grounds of appeal was filed within the four-month time limit provided for in Article 108 EPC.
- IV. By a communication dated 6 May 2014 sent by registered letter with advice of delivery, the Board informed the appellant 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 would have to be filed within two months of notification of the communication.
- V. 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 EPC, third sentence. In addition, the notice of appeal does not contain anything that could be regarded as a statement of grounds of appeal pursuant to Article 108 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:



R. Schumacher

G. Assi

Decision electronically authenticated