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**Datasheet for the decision  
of 7 November 2014**

**Case Number:** T 0932/14 - 3.3.10

**Application Number:** 01272430.8

**Publication Number:** 1345637

**IPC:** A61L27/06

**Language of the proceedings:** EN

**Title of invention:**

SURFACE MODIFICATION OF IMPLANTS FOR HEALING IN BONE AND SOFT  
TISSUE

**Patent Proprietor:**

TioTec AB

**Opponent:**

Dentsply IH AB

**Headword:**

**Relevant legal provisions:**

EPC Art. 108  
EPC R. 101(1)

**Keyword:**

Admissibility of appeal - missing statement of grounds

**Decisions cited:**

**Catchword:**



**Beschwerdekammern  
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Case Number: T 0932/14 - 3.3.10

**D E C I S I O N**  
**of Technical Board of Appeal 3.3.10**  
**of 7 November 2014**

**Appellant:** Dentsply IH AB  
(Opponent) Aminogatan 1  
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**Representative:** Zakrisson, Ulrika  
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**Respondent:** TioTec AB  
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**Representative:** Romare, Laila Anette  
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**Decision under appeal:** **Interlocutory decision of the Opposition  
Division of the European Patent Office posted on  
28 February 2014 concerning maintenance of the  
European Patent No. 1345637 in amended form.**

**Composition of the Board:**

**Chairman** P. Gryczka  
**Members:** J. Mercey  
F. Blumer

### **Summary of Facts and Submissions**

- I. The appeal is directed against the decision of the Opposition Division of 25 November 2013, posted on 28 February 2014.
- II. The appellant filed a notice of appeal on 23 April 2014 and paid the appeal fee on the same day.
- III. By communication of 7 August 2014, 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:



C. Rodríguez Rodríguez

P. Gryczka

Decision electronically authenticated