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**Datasheet for the decision
of 9 February 2015**

Case Number: T 1710/14 - 3.2.06

Application Number: 03726949.5

Publication Number: 1534460

IPC: B23K26/00, B23K26/24,
B23K26/26, B23K26/08

Language of the proceedings: EN

Title of invention:

LASER WELDING WITH BEAM OSCILLATION

Patent Proprietor:

Alcoa Inc.
THE PENN STATE RESEARCH FOUNDATION

Opponent:

Volkswagen Aktiengesellschaft

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 1710/14 - 3.2.06

**D E C I S I O N
of Technical Board of Appeal 3.2.06
of 9 February 2015**

Appellant: Volkswagen Aktiengesellschaft
(Opponent) Berliner Ring 2
38440 Wolfsburg (DE)

Representative: Volkswagen AG
Brieffach 1770
38436 Wolfsburg (DE)

Respondent: Alcoa Inc.
(Patent Proprietor 1) Alcoa Technical Center,
100 Technical Drive,
Alcoa Center, PA 15069-0001 (US)

Respondent: THE PENN STATE RESEARCH FOUNDATION
(Patent Proprietor 2) The Pennsylvania State University
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Representative: Rupprecht, Kay
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80538 München (DE)

Decision under appeal: **Interlocutory decision of the Opposition
Division of the European Patent Office posted on
2 June 2014 concerning maintenance of the
European Patent No. 1534460 in amended form.**

Composition of the Board:

Chairman M. Harrison
Members: T. Rosenblatt
M.-B. Tardo-Dino

Summary of Facts and Submissions

- I. The appeal is directed against the interlocutory decision of the Opposition Division dated 2 June 2014 by which it found that in amended form the European patent No. 1 534 460 and the invention to which it relates meet the requirements of the EPC.
- II. The appellant (opponent) filed a notice of appeal on 8 August 2014 and paid the appeal fee on the same day.
- III. By communication of 30 October 2014, received by the appellant on 3 November 2014, 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. Spira

M. Harrison

Decision electronically authenticated