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**Datasheet for the decision  
of 4 August 2015**

**Case Number:** T 2322/14 - 3.5.02

**Application Number:** 05787624.5

**Publication Number:** 1808052

**IPC:** H05B33/14, C09K11/06

**Language of the proceedings:** EN

**Title of invention:**  
ORGANIC ELECTROLUMINESCENT DEVICE

**Patent Proprietor:**  
UDC Ireland Limited

**Opponent:**  
Merck Patent GmbH

**Headword:**

**Relevant legal provisions:**

EPC Art. 108  
EPC R. 101, 126

**Keyword:**  
Appeal inadmissible - missing statement of grounds

**Decisions cited:**

**Catchword:**



**Beschwerdekammern  
Boards of Appeal  
Chambres de recours**

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Case Number: T 2322/14 - 3.5.02

**D E C I S I O N  
of Technical Board of Appeal 3.5.02  
of 4 August 2015**

**Appellant:**  
(Patent Proprietor)

UDC Ireland Limited  
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Sussex Road  
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**Representative:**

Hoffmann Eitle  
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**Respondent:**  
(Opponent)

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Frankfurter Strasse 250  
64293 Darmstadt (DE)

**Representative:**

Breuning, Esther  
Merck Patent GmbH  
64271 Darmstadt (DE)

**Decision under appeal:**

**Interlocutory decision of the Opposition  
Division of the European Patent Office posted on  
10 October 2014 concerning maintenance of the  
European Patent No. 1808052 in amended form.**

**Composition of the Board:**

**Chairman** M. Ruggiu  
**Members:** H. Bronold  
W. Ungler

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

- I. The appeal is directed against the decision of the Opposition Division posted on 10 October 2014.
- II. The appellant filed a notice of appeal on 11 December 2014 and paid the appeal fee on the same day.
- III. By communication of 24 March 2015, 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:



B. ter Heijden

M. Ruggiu

Decision electronically authenticated