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

**Case Number:** T 0165/15 - 3.2.07

**Application Number:** 07847233.9

**Publication Number:** 2091840

**IPC:** B65D81/30, B65D81/38

**Language of the proceedings:** EN

**Title of invention:**  
PROTECTIVE PACKAGING

**Patent Proprietors:**  
Unilever PLC  
Unilever N.V.

**Opponent:**  
Henkel AG & Co. KGaA

**Headword:**

**Relevant legal provisions:**  
EPC Art. 108, third sentence  
EPC R. 101(1)

**Keyword:**  
Admissibility of appeal - missing statement of grounds

**Decisions cited:**

**Catchword:**



**Beschwerdekammern  
Boards of Appeal  
Chambres de recours**

European Patent Office  
D-80298 MUNICH  
GERMANY  
Tel. +49 (0) 89 2399-0  
Fax +49 (0) 89 2399-4465

Case Number: T 0165/15 - 3.2.07

**D E C I S I O N**  
**of Technical Board of Appeal 3.2.07**  
**of 21 July 2015**

**Appellants:** Unilever PLC  
(Patent Proprietors ) Unilever House  
100 Victoria Embankment  
London, Greater London EC4Y 0DY (GB)

and

Unilever N.V.  
Weena 455  
3013 AL Rotterdam (NL)

**Representative:** Hardy, Susan Margaret  
Unilever Patent Group  
Colworth House  
Sharnbrook  
Bedford, MK44 1LQ (GB)

**Respondent:** Henkel AG & Co. KGaA  
(Opponent) Henkelstrasse 67  
40589 Düsseldorf (DE)

**Representative:** Henkel AG & Co. KGaA  
Patente (VLI)  
40191 Düsseldorf (DE)

**Decision under appeal:** **Decision of the Opposition Division of the  
European Patent Office posted on 13 November  
2014 revoking European patent No. 2091840  
pursuant to Article 101(2) EPC.**

**Composition of the Board:**

<b>Chairman</b>	H. Meinders
<b>Members:</b>	G. Patton
	G. Weiss

## **Summary of Facts and Submissions**

- I. The appeal contests the decision of the Opposition Division posted on 13 November 2014 revoking the European patent No. 2 091 840.

The appellants (patent proprietors) filed a notice of appeal on 23 January 2015 and paid the appeal fee on the same day.

No statement setting out the grounds of the appeal was filed.

- II. By a communication dated 13 April 2015 sent by registered letter with advice of delivery, the registry of the Board informed the appellants that no statement of grounds of appeal had been filed and that its appeal could be expected to be rejected as inadmissible.

The appellants were invited to file observations within two months.

- III. No answer has been given to the registry's communication.

## **Reasons for the Decision**

1. The notice of appeal filed on 23 January 2015 contains nothing that could be regarded as a statement setting out the grounds of appeal pursuant to Article 108 EPC.
2. As no such written statement has been filed, the appeal has to be rejected as inadmissible (Article 108 EPC, third sentence, in conjunction with Rule 101(1) EPC).

**Order**

**For these reasons it is decided that:**

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:



G. Nachtigall

H. Meinders

Decision electronically authenticated