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**Datasheet for the decision
of 15 September 2015**

Case Number: T 1116/15 - 3.3.05

Application Number: 03254279.7

Publication Number: 1394133

IPC: C04B24/26, C04B28/02

Language of the proceedings: EN

Title of invention:

Borehole cement composition

Applicant:

HALLIBURTON ENERGY SERVICES, INC.

Headword:

Relevant legal provisions:

EPC Art. 108

EPC R. 101(1), 99(2)

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 1116/15 - 3.3.05

D E C I S I O N
of Technical Board of Appeal 3.3.05
of 15 September 2015

Appellant: HALLIBURTON ENERGY SERVICES, INC.
(Applicant) P.O. Box 1431
Duncan,
Oklahoma 73536 (US)

Representative: Turner, Craig Robert
A.A. Thornton & Co.
10 Old Bailey
London EC4M 7NG (GB)

Decision under appeal: **Decision of the Examining Division of the European Patent Office posted on 22 December 2014 refusing European patent application No. 03254279.7 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chairman G. Rath
Members: A. Haderlein
P. Guntz

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Examining Division of 22 December 2014, posted on the same day, to refuse European patent application No. 03 254 279.
- II. The appellant filed a notice of appeal on 25 February 2015 and paid the appeal fee on the same day.
- III. By communication of 8 June 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. The statement in the notice of appeal that "the subject matter of the claims of the main request... and the third auxiliary request meets the requirements of Articles 56, 84 and 123(2) EPC" does not amount to a sufficiently substantiated statement of grounds of appeal. In addition, no 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. Vodz

G. Rath

Decision electronically authenticated