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**Datasheet for the decision
of 3 February 2016**

Case Number: T 1347/15 - 3.3.03

Application Number: 05700846.8

Publication Number: 1836232

IPC: C08F297/08, C08L23/08,
C08L23/12, B32B27/06,
B32B27/20, B32B27/32

Language of the proceedings: EN

Title of invention:
EXTRUSION COATING POLYETHYLENE

Patent Proprietor:
Borealis Technology Oy

Opponent:
Clariant Produkte (Deutschland) GmbH

Relevant legal provisions:
EPC Art. 108
EPC R. 101(1)

Keyword:
Admissibility of appeal - missing statement of grounds



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Case Number: T 1347/15 - 3.3.03

D E C I S I O N
of Technical Board of Appeal 3.3.03
of 3 February 2016

Appellant: Borealis Technology Oy
(Patent Proprietor) P.O. Box 330
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Representative: Kador & Partner
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80469 München (DE)

Respondent: Clariant Produkte (Deutschland) GmbH
(Opponent) Brüningstrasse 50
65929 Frankfurt am Main (DE)

Representative: Jacobi, Carola
Clariant Produkte (Deutschland) GmbH
Patent Management
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Decision under appeal: **Interlocutory decision of the Opposition
Division of the European Patent Office posted on
21 April 2015 concerning maintenance of the
European Patent No. 1836232 in amended form.**

Composition of the Board:

Chairman D. Marquis
Members: M. C. Gordon
C. Brandt

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Opposition Division of 11 March 2015, posted on 21 April 2015.
- II. The appellant filed a notice of appeal on 1 July 2015 and paid the appeal fee on the same day.
- III. By communication of 11 September 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

D. Marquis

Decision electronically authenticated