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**Datasheet for the decision
of 12 February 2016**

Case Number: T 1791/15 - 3.3.03

Application Number: 02769003.1

Publication Number: 1456295

IPC: C08L27/16, C08L27/18

Language of the proceedings: EN

Title of invention:
EXTRUDABLE FLUOROPOLYMER BLENDS

Patent Proprietor:
3M Innovative Properties Company

Headword:

Relevant legal provisions:

EPC Art. 108
EPC R. 101(1)

Keyword:

Admissibility of appeal - missing statement of grounds

Decisions cited:

Catchword:



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Case Number: T 1791/15 - 3.3.03

D E C I S I O N
of Technical Board of Appeal 3.3.03
of 12 February 2016

Appellant: 3M Innovative Properties Company
(Patent Proprietor) 3M Center
P.O.Box 33427
St. Paul, MN 55133-3427 (US)

Representative: Kurz, Arnd
3M Deutschland GmbH
3M Office of Intellectual Property Counsel
Carl-Schurz-Strasse 1
41453 Neuss (DE)

Decision under appeal: **Interlocutory decision of the Opposition**
Division of the European Patent Office posted on
16 April 2015 concerning maintenance of the
European Patent No. 1456295 in amended form.

Composition of the Board:

Chairman D. Marquis
Members: F. Rousseau
C. Brandt

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Opposition Division of 16 April 2015, posted on 16 April 2015.
- II. The appellant filed a notice of appeal on 22 June 2015 and paid the appeal fee on the same day.
- III. By communication of 16 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. Observations in this respect were not received and the appellant's request for oral proceedings was withdrawn with letter of 11 February 2016.

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