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**Datasheet for the decision
of 4 August 2017**

Case Number: T 1097/16 - 3.2.08

Application Number: 10720507.2

Publication Number: 2442941

IPC: B23Q17/20, B23Q17/24

Language of the proceedings: EN

Title of invention:

USER-FACILITATED MATERIAL REMOVAL IN COMPOSITE STRUCTURES

Patent Proprietor:

The Boeing Company

Opponents:

Airbus Defence and Space GmbH
Lufthansa Technik AG
Sauer GmbH
Airbus Operations GmbH

Headword:

Relevant legal provisions:

EPC Art. 108
EPC R. 99(2), 101(1), 126(2)

Keyword:

Admissibility of appeal - missing statement of grounds

Decisions cited:

Catchword:



Beschwerdekammern
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Case Number: T 1097/16 - 3.2.08

D E C I S I O N
of Technical Board of Appeal 3.2.08
of 4 August 2017

Appellant: Airbus Defence and Space GmbH
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Decision under appeal: **Interlocutory decision of the Opposition
Division of the European Patent Office posted on
4 March 2016 concerning maintenance of the
European Patent No. 2442941 in amended form.**

Composition of the Board:

Chairwoman P. Acton
Members: M. Alvazzi Delfrate
I. Beckedorf

Summary of Facts and Submissions

- I. The appeals are directed against the decision of the Opposition Division of 18 February 2016, posted on 4 March 2016.
- II. The appellant 01 (opponent 01) filed a notice of appeal on 3 May 2016 and paid the appeal fee on the same day.

The appellant 02 (opponent 04) filed a notice of appeal on 4 May 2016 and paid the appeal fee on the same day.
- III. By communication of 17 August 2016, received by the appellants, the Registry of the Board informed the appellants that it appeared from the file that the written statement of grounds had not been filed, and that it was therefore to be expected that the appeals would be rejected as inadmissible pursuant to Article 108, third sentence, EPC in conjunction with Rule 101(1) EPC. The appellants were 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

1. 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.
2. In addition, neither the notices 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.

3. Therefore, the appeals have to be rejected as inadmissible (Rule 101(1) EPC).

Order

For these reasons it is decided that:

The appeals of opponent 01 and opponent 04 are rejected as inadmissible.

The Registrar:

The Chairwoman:



C. Moser

P. Acton

Decision electronically authenticated