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**Datasheet for the decision  
of 24 January 2017**

**Case Number:** T 2338/16 - 3.4.02

**Application Number:** 03010788.2

**Publication Number:** 1363156

**IPC:** G02F1/13363

**Language of the proceedings:** EN

**Title of invention:**

Optical compensator for a liquid crystal display employing a positive and a negative birefringent retardation film

**Applicant:**

LG CHEM, LTD.

**Headword:**

**Relevant legal provisions:**

EPC Art. 108  
EPC R. 101(1)

**Keyword:**

Missing statement of grounds

**Decisions cited:**

**Catchword:**



**Beschwerdekammern**  
**Boards of Appeal**  
**Chambres de recours**

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Case Number: T 2338/16 - 3.4.02

**D E C I S I O N**  
**of Technical Board of Appeal 3.4.02**  
**of 24 January 2017**

**Appellant:** LG CHEM, LTD.  
(Applicant) 20, Yoido-dong,  
Youngdungpo-gu,  
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**Representative:** Goddar, Heinz J.  
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**Decision under appeal:** Decision of the Examining Division of the  
European Patent Office posted on 29 April 2016  
refusing European patent application No.  
03010788.2 pursuant to Article 97(2) EPC.

**Composition of the Board:**

**Chairman** R. Bekkering  
**Members:** A. Hornung  
B. Müller

## **Summary of Facts and Submissions**

- I. The appeal is directed against the decision of the Examining Division of 4 February 2016, posted on 29 April 2016.
- II. The appellant filed a notice of appeal on 28 June 2016 and paid the appeal fee on the same day.
- III. By communication of 19 October 2016, 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 has been 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:



M. Kiehl

R. Bekkering

Decision electronically authenticated