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**Datasheet for the decision
of 5 March 2018**

Case Number: T 0774/17 - 3.2.03

Application Number: 10714684.7

Publication Number: 2401099

IPC: B22F7/00, B23B27/14, C22C1/05,
C22C29/08

Language of the proceedings: EN

Title of invention:
A HARD-METAL BODY

Patent Proprietor:
Element Six GmbH

Opponents:
Ceratizit Luxemburg S.a.r.l.
Sandvik Intellectual Property AB

Headword:

Relevant legal provisions:

Keyword:

Decisions cited:

Catchword:



Beschwerdekammern

Boards of Appeal

Chambres de recours

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Case Number: T 0774/17 - 3.2.03

D E C I S I O N
of Technical Board of Appeal 3.2.03
of 5 March 2018

Appellant: Element Six GmbH
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36151 Burghaun (DE)

Representative: Smallman, Clint Guy
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Respondent: Ceratizit Luxemburg S.a.r.l.
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Representative: Ciesla, Bettina
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Representative: WSL Patentanwälte Partnerschaft mbB
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Decision under appeal: **Interlocutory decision of the Opposition
Division of the European Patent Office posted on
16 January 2017 concerning maintenance of the
European Patent No. 2401099 in amended form.**

Composition of the Board:

Chairman G. Ashley
Members: B. Miller
 E. Kossonakou

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Opposition Division of 16 January 2017, posted on 16 January 2017.
- II. The appellant filed a notice of appeal on 27 March 2017 and paid the appeal fee on the same day.
- III. By communication of 18 July 2017, 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

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. 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.
3. 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. Spira

G. Ashley

Decision electronically authenticated