

Internal distribution code:

- (A) [-] Publication in OJ
- (B) [-] To Chairmen and Members
- (C) [-] To Chairmen
- (D) [X] No distribution

**Datasheet for the decision
of 8 March 2018**

Case Number: T 0786/17 - 3.2.05

Application Number: 07857608.9

Publication Number: 2121270

IPC: B29C44/18, B60R13/08, B62D29/00

Language of the proceedings: EN

Title of invention:
Structural reinforcement material, insert, and reinforced
cavity comprising same

Patent Proprietor:
Sika Technology AG

Opponent:
L & L Products Europe S.A.S.

Relevant legal provisions:
EPC Art. 108 sentence 3
EPC R. 101(1)

Keyword:
Admissibility of appeal - missing statement of grounds



Beschwerdekammern

Boards of Appeal

Chambres de recours

Boards of Appeal of the
European Patent Office
Richard-Reitzner-Allee 8
85540 Haar
GERMANY
Tel. +49 (0)89 2399-0
Fax +49 (0)89 2399-4465

Case Number: T 0786/17 - 3.2.05

D E C I S I O N
of Technical Board of Appeal 3.2.05
of 8 March 2018

Appellant: L & L Products Europe S.A.S.
(Opponent) 1 Rue Lindberg
ZA Activeum, Altorf
67129 Molsheim, cedex (FR)

Representative: Felix Wolff
Kutzenberger Wolff & Partner
Theodor-Heuss-Ring 23
DE-50668 Köln (DE)

Respondent: Sika Technology AG
(Patent Proprietor) Zugerstrasse 50
6340 Baar (CH)

Representative: Jörg Isler
c/o Sika Technology AG
Intellectual Property Department
Tüffenwies 16-22
Postfach
8048 Zürich (CH)

Decision under appeal: **Interlocutory decision of the Opposition**
Division of the European Patent Office posted on
20 January 2017 concerning maintenance of the
European Patent No. 2121270 in amended form.

Composition of the Board:

Chairman P. Lanz
Members: O. Randl
D. Rogers

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Opposition Division of 2 December 2016, posted on 20 January 2017.
- II. The appellant filed a notice of appeal on 20 March 2017 and paid the appeal fee on the same day.
- III. By communication of 29 September 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

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:



N. Schneider

P. Lanz

Decision electronically authenticated