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**Datasheet for the decision
of 22 May 2018**

Case Number: T 1258/17 - 3.2.04

Application Number: 11150632.5

Publication Number: 2319333

IPC: A24D1/02

Language of the proceedings: EN

Title of invention:

Smoking articles having reduced analyte levels and process for making same

Patent Proprietor:

Schweitzer-Mauduit International, Inc.

Opponent:

Julius Glatz GmbH

Headword:

Relevant legal provisions:

EPC Art. 108
EPC R. 101(1)

Keyword:

Admissibility of appeal - missing statement of grounds

Decisions cited:

Catchword:



Beschwerdekammern

Boards of Appeal

Chambres de recours

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Case Number: T 1258/17 - 3.2.04

D E C I S I O N
of Technical Board of Appeal 3.2.04
of 22 May 2018

Appellant: Schweitzer-Mauduit International, Inc.
(Patent Proprietor) 100 North Point Center East, Suite 600
Alpharetta, GA 30022 (US)

Representative: Finnegan Europe LLP
16 Old Bailey
London EC4M 7EG (GB)

Respondent: Julius Glatz GmbH
(Opponent) Staatsstrasse 37-41
67468 Neidenfels (DE)

Representative: Schön, Christoph
Dr. Schön, Neymeyr & Partner mbB
Bavariaring 26
80336 München (DE)

Decision under appeal: **Interlocutory decision of the Opposition
Division of the European Patent Office posted on
16 March 2017 concerning maintenance of the
European Patent No. 2319333 in amended form.**

Composition of the Board:

Chairman A. de Vries
Members: J. Wright
W. Van der Eijk

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Opposition Division of 16 February 2017, posted on 16 March 2017.
- II. The appellant filed a notice of appeal on 26 May 2017 and paid the appeal fee on the same day.
- III. By communication of 20 February 2018, 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:



G. Magouliotis

A. de Vries

Decision electronically authenticated