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**Datasheet for the decision
of 26 June 2018**

Case Number: T 2634/17 - 3.2.07

Application Number: 06116276.4

Publication Number: 1873071

IPC: B65D33/04, B65D33/00

Language of the proceedings: EN

Title of invention:

Package comprising holistic coding system

Patent Proprietor:

THE PROCTER & GAMBLE COMPANY

Opponent:

Henkel AG & Co. KGaA

Headword:

Relevant legal provisions:

EPC Art. 108, third sentence
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 2634/17 - 3.2.07

D E C I S I O N
of Technical Board of Appeal 3.2.07
of 26 June 2018

Appellant: THE PROCTER & GAMBLE COMPANY
(Patent Proprietor) One Procter & Gamble Plaza
Cincinnati, OH 45202 (US)

Representative: Kremer, Véronique Marie Joséphine
Procter & Gamble Service GmbH
IP Department
Sulzbacher Straße 40-50
65824 Schwalbach am Taunus (DE)

Respondent: Henkel AG & Co. KGaA
(Opponent) Henkelstrasse 67
40589 Düsseldorf (DE)

Representative: Henkel AG & Co. KGaA
CLI (Patente)
40191 Düsseldorf (DE)

Decision under appeal: **Decision of the Opposition Division of the
European Patent Office posted on 4 October 2017
revoking European patent No. 1873071 pursuant to
Article 101(2) EPC.**

Composition of the Board:

Chairman I. Beckedorf
Members: V. Bevilacqua
G. Patton

Summary of Facts and Submissions

- I. The appeal contests the decision of the Opposition Division of the European Patent Office posted on 4 October 2017 revoking the European patent No. 1 873 071 pursuant to Article 101(2) EPC.

The appellant (patent proprietor) filed a notice of appeal on 4 December 2017 and paid the fee for appeal on the same day.

No statement of grounds was filed.

- II. By a communication dated 26 February 2018 sent by registered letter with advice of delivery, the registry of the Board informed the appellant that no statement of grounds had been filed and that its appeal could be expected to be rejected as inadmissible.

The appellant was invited to file observations within two months.

- III. No answer has been given to the registry's communication.

Reasons for the Decision

1. The notice of appeal filed on 4 December 2017 contains nothing that could be regarded as a statement of grounds pursuant to Article 108 EPC.

2. As no written statement setting out the grounds of appeal has been filed, the appeal has to be rejected as inadmissible pursuant to Article 108 EPC, third sentence, in conjunction with Rule 101(1) EPC.

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:



G. Nachtigall

I. Beckedorf

Decision electronically authenticated