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**Datasheet for the decision
of 7 November 2018**

Case Number: T 0525/18 - 3.3.06

Application Number: 12773358.2

Publication Number: 2763791

IPC: B01J37/02, B01J37/03,
B01J35/00, B01J20/18,
B01J23/42, B01J23/44,
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B01J29/068, B01J29/74,
B01J29/76, B01J35/04, F01N3/20,
F01N3/28

Language of the proceedings: EN

Title of invention:
OXIDATION CATALYST FOR INTERNAL COMBUSTION ENGINE EXHAUST GAS
TREATMENT

Patent Proprietor:
Johnson Matthey Public Limited Company
Johnson Matthey Japan Godo Kaisha

Opponent:
Umicore AG & Co. KG

Headword:
Oxidation catalyst/JOHNSON MATTHEY

Relevant legal provisions:

EPC R. 101(1)

Keyword:

Admissibility of appeal - missing statement of grounds

Decisions cited:

Catchword:



Beschwerdekammern
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Case Number: T 0525/18 - 3.3.06

D E C I S I O N
of Technical Board of Appeal 3.3.06
of 7 November 2018

Appellant: Johnson Matthey Public Limited Company
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Appellant: Johnson Matthey Japan Godo Kaisha
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Decision under appeal: **Decision of the Opposition Division of the
European Patent Office posted on 18 December
2017 revoking European patent No. 2763791
pursuant to Article 101(3) (b) EPC.**

Composition of the Board:

Chairman J.-M. Schwaller
Members: P. Ammendola
 R. Cramer

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Opposition Division of 28 November 2017, posted on 18 December 2017.
- II. The appellant filed a notice of appeal on 21 February 2018 and paid the appeal fee on the same day.
- III. By communication of 18 May 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:



D. Magliano

J.-M. Schwaller

Decision electronically authenticated