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**Datasheet for the decision  
of 23 July 2019**

**Case Number:** T 0646/18 - 3.2.08

**Application Number:** 13701926.1

**Publication Number:** 2802794

**IPC:** F16H15/38

**Language of the proceedings:** EN

**Title of invention:**

CONTINUOUSLY VARIABLE TOROIDAL TRANSMISSION

**Applicant:**

Torotrak (Development) Limited

**Headword:**

**Relevant legal provisions:**

EPC Art. 108

EPC R. 126(2), 99(2), 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 0646/18 - 3.2.08

**D E C I S I O N**  
**of Technical Board of Appeal 3.2.08**  
**of 23 July 2019**

**Appellant:** Torotrak (Development) Limited  
(Applicant) 1 Aston Way  
Leyland, Lancashire PR26 7UX (GB)

**Representative:** CSY St Albans  
45 Grosvenor Road  
St Albans, Hertfordshire AL1 3AW (GB)

**Decision under appeal:** Decision of the Examining Division of the  
European Patent Office posted on 14 September  
2017 refusing European patent application No.  
13701926.1 pursuant to Article 97(2) EPC.

**Composition of the Board:**

**Chairwoman** P. Acton  
**Members:** M. Alvazzi Delfrate  
Y. Podbielski

## **Summary of Facts and Submissions**

- I. The appeal is directed against the decision of the Examining Division posted on 14 September 2017, refusing the European patent application No. 13701926.1.
- II. The applicant (appellant) filed a notice of appeal on 7 November 2017 and paid the appeal fee on the same day.
- III. By communication of 8 March 2019, 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 Chairwoman:



C. Moser

P. Acton

Decision electronically authenticated