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**Datasheet for the decision  
of 20 February 2019**

**Case Number:** T 1475/18 - 3.3.10

**Application Number:** 12740365.7

**Publication Number:** 2736879

**IPC:** C07C231/02, C07C233/18,  
C07C233/20, C07C233/47,  
C07C233/49, C07C303/22,  
C07C309/15

**Language of the proceedings:** EN

**Title of invention:**

GENERAL METHOD FOR PREPARING FATTY ACYL AMIDO BASED  
SURFACTANTS

**Patent Proprietor:**

Unilever PLC, a company registered in England and  
Wales under company no. 41424 of  
Unilever N.V.

**Opponent:**

Clariant Produkte (Deutschland) GmbH

**Headword:**

**Relevant legal provisions:**

EPC Art. 108  
EPC R. 101(1)

**Keyword:**

Admissibility of appeal - statement of grounds (not filed)

**Decisions cited:**

**Catchword:**



**Beschwerdekammern**  
**Boards of Appeal**  
**Chambres de recours**

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Case Number: T 1475/18 - 3.3.10

**D E C I S I O N**  
**of Technical Board of Appeal 3.3.10**  
**of 20 February 2019**

**Appellant:** Unilever PLC, a company registered in England  
(Patent Proprietor 1) and  
Wales under company no. 41424 of  
Unilever House  
100 Victoria Embankment  
London EC4Y 0DY (GB)

**Appellant:** Unilever N.V.  
(Patent Proprietor 2) Weena 455  
3013 AL Rotterdam (NL)

**Representative:** Fijnvandraat, Arnoldus  
Unilever Patent Group  
Colworth Science Park  
Sharnbrook  
Bedford MK44 1LQ (GB)

**Respondent:** Clariant Produkte (Deutschland) GmbH  
(Opponent) Brüningstrasse 50  
65929 Frankfurt am Main (DE)

**Representative:** Mathys & Squire LLP  
The Shard  
32 London Bridge Street  
London SE1 9SG (GB)

**Decision under appeal:** **Interlocutory decision of the Opposition  
Division of the European Patent Office posted on  
12 April 2018 concerning maintenance of the  
European Patent No. 2736879 in amended form.**

**Composition of the Board:**

**Chairman**            P. Gryczka  
**Members:**            J. Schmid  
                              T. Bokor

### **Summary of Facts and Submissions**

- I. The appeal is directed against the decision of the Opposition Division of 23 January 2018, posted on 12 April 2018.
- II. The appellant filed a notice of appeal on 7 June 2018 and paid the appeal fee on the same day.
- III. By communication of 13 September 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:



C. Rodríguez Rodríguez

P. Gryczka

Decision electronically authenticated