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**Datasheet for the decision  
of 13 March 2019**

**Case Number:** T 2236/18 - 3.3.10  
**Application Number:** 07811541.7  
**Publication Number:** 2054361  
**IPC:** C07C17/38, C07C17/383,  
C07C17/386, C01B7/19, C07C17/25  
**Language of the proceedings:** EN

**Title of invention:**

PROCESSES FOR SEPARATION OF FLUOROOLEFINS FROM HYDROGEN  
FLUORIDE BY AZEOTROPIC DISTILLATION

**Patent Proprietor:**

The Chemours Company FC, LLC

**Opponent:**

ARKEMA FRANCE

**Headword:**

Missing statement of grounds/ARKEMA FRANCE

**Relevant legal provisions:**

EPC Art. 108  
EPC R. 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 2236/18 - 3.3.10

**D E C I S I O N**  
**of Technical Board of Appeal 3.3.10**  
**of 13 March 2019**

**Appellant:** ARKEMA FRANCE  
(Opponent) Département Propriété Industrielle  
420, rue d'Estienne d'Orves  
92700 Colombes (FR)

**Representative:** Leca, François Michel  
ARKEMA France  
Département Propriété Industrielle  
420, rue d'Estienne d'Orves  
92705 Colombes Cedex (FR)

**Respondent:** The Chemours Company FC, LLC  
(Patent Proprietor) 1007 Market Street  
Wilmington DE 19801 (US)

**Representative:** Dehns  
St. Brides House  
10 Salisbury Square  
London EC4Y 8JD (GB)

**Decision under appeal:** **Decision of the Opposition Division of the  
European Patent Office posted on 6 July 2018  
rejecting the opposition filed against European  
patent No. 2054361 pursuant to Article 101(2)  
EPC.**

**Composition of the Board:**

**Chairman** P. Gryczka  
**Members:** C. Komenda  
F. Blumer

## **Summary of Facts and Submissions**

- I. The appeal is directed against the decision of the Opposition Division of 16 May 2018, posted on 6 July 2018.
- II. The appellant filed a notice of appeal on 6 September 2018 and paid the appeal fee on the same day.
- III. By communication of 11 December 2018, receipt of which was confirmed 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

P. Gryczka

Decision electronically authenticated