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**Datasheet for the decision
of 3 February 2020**

Case Number: T 1841/19 - 3.2.08

Application Number: 09746147.9

Publication Number: 2309944

IPC: A61C7/00, A61C7/08

Language of the proceedings: EN

Title of invention:
DENTAL APPLIANCE REINFORCEMENT

Applicant:
Align Technology, Inc.

Headword:

Relevant legal provisions:

EPC Art. 108
EPC R. 101(1)

Keyword:

Admissibility of appeal - missing statement of grounds

Decisions cited:

Catchword:



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Case Number: T 1841/19 - 3.2.08

D E C I S I O N
of Technical Board of Appeal 3.2.08
of 3 February 2020

Appellant: Align Technology, Inc.
(Applicant) 2820 Orchard Parkway
San Jose, CA 95134 (US)

Representative: Brookes IP
Windsor House
6-10 Mount Ephraim Road
Tunbridge Wells, Kent TN1 1EE (GB)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted on 2 January 2019
refusing European patent application No.
09746147.9 pursuant to Article 97(2) EPC.

Composition of the Board:

Chairwoman P. Acton
Members: C. Herberhold
P. Schmitz

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Examining Division posted on 2 January 2019.
- II. The appellant filed a notice of appeal on 26 February 2019 and paid the appeal fee on the same day.
- III. By communication of 3 July 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:



L. Malécot-Grob

P. Acton

Decision electronically authenticated