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**Datasheet for the decision
of 2 March 2020**

Case Number: T 1977/19 - 3.2.01

Application Number: 15173027.2

Publication Number: 2957190

IPC: A47C7/50

Language of the proceedings: EN

Title of invention:

Footrest device for armchairs or sofas

Patent Proprietor:

CIAR S.P.A.

Opponent:

Motion S.p.A.

Headword:

Relevant legal provisions:

EPC Art. 108

EPC R. 99(2), 101(1)

Keyword:

Admissibility of appeal - missing statement of grounds

Decisions cited:

Catchword:



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Case Number: T 1977/19 - 3.2.01

D E C I S I O N
of Technical Board of Appeal 3.2.01
of 2 March 2020

Appellant: Motion S.p.A.
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Decision under appeal: **Decision of the Opposition Division of the
European Patent Office posted on 17 May 2019
rejecting the opposition filed against European
patent No. 2957190 pursuant to Article 101(2)
EPC.**

Composition of the Board:

Chairman G. Pricolo
Members: W. Marx
A. Jimenez

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Opposition Division posted on 17 May 2019.
- II. The appellant filed a notice of appeal on 8 July 2019 and paid the appeal fee on the same day.
- III. By communication of 18 November 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 Chairman:



A. Vottner

G. Pricolo

Decision electronically authenticated