

Internal distribution code:

- (A) [-] Publication in OJ
- (B) [-] To Chairmen and Members
- (C) [-] To Chairmen
- (D) [X] No distribution

**Datasheet for the decision
of 23 October 2020**

Case Number: T 1642/20 - 3.2.01

Application Number: 16193999.6

Publication Number: 3156171

IPC: B23K35/30, B23K35/02,
C22C38/04, C22C38/08, C22C38/12

Language of the proceedings: EN

Title of invention:

HIGH STRENGTH WELDING CONSUMABLE BASED ON A 10% NICKEL STEEL
METALLURGICAL SYSTEM

Applicants:

CRS Holdings, Inc.
The United States of America as represented by
the Secretary of the Navy

Headword:

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

Boards of Appeal of the
European Patent Office
Richard-Reitzner-Allee 8
85540 Haar
GERMANY
Tel. +49 (0)89 2399-0
Fax +49 (0)89 2399-4465

Case Number: T 1642/20 - 3.2.01

D E C I S I O N
of Technical Board of Appeal 3.2.01
of 23 October 2020

Appellant: CRS Holdings, Inc.
(Applicant 1) 1105 North Market Street, Suite 601
Wilmington DE 19801 (US)

Appellant: The United States of America as represented by
(Applicant 2) the Secretary of the Navy
One Liberty Center
875 North Randolph Street
Arlington, VA 22203-1995 (US)

Representative: Patentanwaltskanzlei WILHELM & BECK
Prinzenstraße 13
80639 München (DE)

Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 20 January 2020
refusing European patent application No.
16193999.6 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chairman G. Pricolo
Members: V. Vinci
O. Loizou

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the examining division posted on 20 January 2020.
- II. The appellants filed in due time a notice of appeal on 11.03.2020 and paid the appeal fee on the same day.
- III. By communication of 03.08.2020, receipt of which was confirmed by the appellants, the Registry of the Board informed the appellants 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 appellants were informed that any observations had to be filed within two months of notification of the communication.
- IV. No reply to said communication was received.

Reasons for the Decision

1. No written statement of grounds of appeal was filed within the time limit provided by Article 108, third sentence, EPC in conjunction with Rule 126(2) EPC.
2. 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:

1. The appeal is rejected as inadmissible.

The Registrar:

The Chairman:



D. Magliano

G. Pricolo

Decision electronically authenticated