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**Datasheet for the decision  
of 3 November 2022**

**Case Number:** T 1122/22 - 3.3.06

**Application Number:** 16704279.5

**Publication Number:** 3256317

**IPC:** B32B27/08, B32B27/32

**Language of the proceedings:** EN

**Title of invention:**

LAMINATED STRUCTURE AND STAND UP POUCH MADE THEREOF

**Patent Proprietor:**

Nova Chemicals (International) S.A.

**Opponents:**

SABIC Global Technologies B.V. /  
SABIC Petrochemicals B.V.

**Headword:**

LAMINATED STRUCTURE AND STAND UP POUCH MADE THEREOF / Nova  
Chemicals (International) S.A.

**Relevant legal provisions:**

EPC Art. 108  
EPC R. 99(2), 101(1), 126(2)

**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 1122/22 - 3.3.06

**D E C I S I O N**  
**of Technical Board of Appeal 3.3.06**  
**of 3 November 2022**

**Appellants:** SABIC Global Technologies B.V. /  
(Opponents) SABIC Petrochemicals B.V.  
Plasticlaan 1 / Europaboulevard 1  
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**Representative:** Sabic Intellectual Property Group  
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P.O. Box 3008  
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**Respondent:** Nova Chemicals (International) S.A.  
(Patent Proprietor) Avenue de la Gare 14  
1700 Fribourg (CH)

**Representative:** Mewburn Ellis LLP  
Aurora Building  
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**Decision under appeal:** **Decision of the Opposition Division of the  
European Patent Office posted on 18 February  
2022 rejecting the opposition filed against  
European patent No. 3256317 pursuant to Article  
101(2) EPC.**

**Composition of the Board:**

**Chairwoman** J. Hoppe  
**Members:** P. Ammendola  
R. Elsässer

## **Summary of Facts and Submissions**

- I. The appeal is directed against the decision of the opposition division to reject the opposition against European patent no. 3 256 317, posted on 18 February 2022.
- II. The appellants filed a notice of appeal on 15 April 2022 and paid the appeal fee on the same day. No statement of grounds of appeal was received within the time limit provided by Article 108, third sentence, EPC.
- III. By communication of 26 July 2022, 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 was received within the two month time limit.

## **Reasons for the Decision**

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. 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:



A. Pinna

J. Hoppe

Decision electronically authenticated