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Publication in the Official Journal Yes/No
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Aktenzeichen / Case Number / N° du recours : T 225/87 - 3.3.2

Anmeldenummer / Filing No / N° de la demande : 82 201 077.3

Veröffentlichungs-Nr. / Publication No / N° de la publication : 0 074 145

Bezeichnung der Erfindung: Fractionation of fats using a liquefied gas or a gas
Title of invention: in the supercritical state
Titre de l'invention :

Klassifikation / Classification / Classement : C11B 7/00

ENTSCHEIDUNG / DECISION

vom / of / du 22 March 1988

Anmelder / Applicant / Demandeur :

Patentinhaber / Proprietor of the patent /
Titulaire du brevet :

Unilever NV
Unilever PLC

Einsprechender / Opponent / Opposant :

Warner Dirk Krayer

Stichwort / Headword / Référence :

EPU/EPC/CBE Article 108, Rule 65(1)

Kennwort / Keyword / Mot clé : "Missing Statement of Grounds"

Leitsatz / Headnote / Sommaire



Case Number : T 225/87 - 3.3.2

DECISION
of the Technical Board of Appeal 3.3.2
of 22 March 1988

Appellant :
(Proprietor of the patent) UNILEVER NV
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Representative :
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Respondent :
(Opponent) Krayner, Warner Dirk
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Representative :
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Decision under appeal : Decision of the Opposition Division of the European Patent Office dated 19 February 1987 revoking European patent No. 0 074 145 pursuant to Article 102(1) EPC.

Composition of the Board :

Chairman : P. Lançon
Members : A. Nuss
E. Persson

Summary of Facts and Submissions

- I. The appeal contests the decision of the Opposition Division of the European Patent Office dated 19 February 1987 revoking the European patent No. 0 074 145. The decision was dispatched by registered letters with advice of delivery on the day it was given. The proprietor of the patent filed a notice of appeal by letter dated 27 April 1987, received on 28 April 1987, and paid the fee for appeal on 28 April 1987. No Statement of Grounds was filed. The notice of appeal contains nothing that could be regarded as a Statement of Grounds pursuant to Article 108 EPC.
- II. By a communication dated 1 December 1987 and sent by registered post, the Registry of the Board informed the Appellant that no Statement of Grounds had been filed and that the appeal could be expected to be rejected as inadmissible. The Appellant was invited to file observations within two months.
- III. The Appellant filed no observations in response to said communication, nor has he filed a request for restitutio in integrum.

Reasons for the Decision

As no written statement setting out the grounds of appeal has been filed, the appeal has to be rejected as inadmissible (Article 108 EPC in conjunction with Rule 65(1) EPC).

Order

For these reasons, it is decided that:

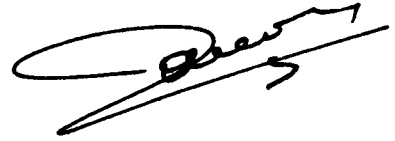
The appeal is rejected as inadmissible.

The Registrar:




F. Klein

The Chairman:



P. Lançon



11.04.84

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