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D E C I S I O N
of 21 August 2000

Case Number: T 0328/99 - 3.4.2

Application Number: 91903081.7

Publication Number: 0514407

IPC: F27D 11/02, H05B 3/66

Language of the proceedings: EN

Title of invention:
High Temperature Diffusion Furnace

Patentee:
THERMTEC, INC.

Opponent:
AET TECHNOLOGIES

Headword:
-

Relevant legal provisions:
EPC Art. 108
EPC R. 65(1)

Keyword:
"Missing Statement of Grounds"

Decisions cited:
-

Catchword:
-



Case Number: T 0328/99 - 3.4.2

D E C I S I O N
of the Technical Board of Appeal 3.4.2
of 21 August 2000

Appellant: THERMTEC, INC.
(Proprietor of the patent) 440 North Central Avenue
Campbell
CA 95008 (US)

Representative: Ford, Michael Fredrick
MEWBURN ELLIS
York House
23 Kingsway
London WC2B 6HP (GB)

Respondent: AET TECHNOLOGIES
(Opponent) 8, chemin de Malacher
F-38240 Meylan (FR)

Representative: Casalonga, Axel
BUREAU D.A. CASALONGA - JOSSE
Morassistrasse 8
D-80469 München (DE)

Decision under appeal: Interlocutory decision of the Opposition Division
of the European Patent Office posted 18 January
1999 concerning maintenance of European patent
No. 0 514 407 in amended form.

Composition of the Board:

Chairman: E. Turrini
Members: S. V. Steinbrener
B. J. Schachenmann

Summary of Facts and Submissions

- I. The appeal contests the decision of the Opposition Division of the European Patent Office posted 18 January 1999, concerning maintenance of the European patent No. 0 514 407 in amended form.

The Appellant (Patentee) filed a Notice of Appeal on 26 March 1999 and paid the fee for appeal on the same date.

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 15 May 2000 sent by registered letter with advice of delivery, 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. No answer to the Registry's communication has been received.

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:

The Chairman:

P. Martorana

E. Turrini