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D E C I S I O N
of 10 January 2000

Case Number: T 0412/99 - 3.2.1

Application Number: 92908148.7

Publication Number: 0577702

IPC: B65D 65/46, B65D 81/32

Language of the proceedings: EN

Title of invention:
Containerization system

Patentee:
RHONE-POULENC AGROCHIMIE

Opponent:
Bayer AG Konzernbereich RP Patente und Lizenzen

Headword:
-

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

Keyword:
"Missing Statement of Grounds"

Decisions cited:
-

Catchword:



Europäisches
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Boards of Appeal

Chambres de recours

Case Number: T 0412/99 - 3.2.1

D E C I S I O N
of the Technical Board of Appeal 3.2.1
of 10 January 2000

Appellant: RHONE-POULENC AGROCHIMIE
(Proprietor of the patent) 14-20, rue Pierre Baizet
F-69009 Lyon (FR)

Representative: Bentham, Stephen
J.A. KEMP & CO.
14 South Square
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London WC1R 5LX (GB)

Respondent: Bayer AG
(Opponent) Konzernbereich RP
Patente und Lizenzen
D-51368 Leverkusen (DE)

Representative: -

Decision under appeal: Decision of the Opposition Division of the
European Patent Office posted 4 February 1999
revoking European patent No. 0 577 702 pursuant
to Article 102(1) EPC.

Composition of the Board:

Chairman: F. Gumbel
Members: M. Ceyte
J. Van Moer

Summary of Facts and Submissions

I. The appeal contests the decision of the Opposition Division of the European Patent Office given at the oral proceedings on 15 January 1999, revoking the European patent No. 0 577 702.

The written decision was dispatched by registered letter with advice of delivery on 4 February 1999.

On 14 April 1999 the Appellant filed a notice of appeal and paid the fee for appeal at the same time. 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 20 September 1999 and 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. The Appellant filed no observations in response to said communication.

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:

S. Fabiani

F. Gumbel