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

Case Number: T 0572/99 - 3.3.2

Application Number: 95911713.6

Publication Number: 0748201

IPC: A61K 6/083

Language of the proceedings: EN

Title of invention:

Paste: Paste glass ionomer cement system and methods

Applicant:

MINNESOTA MINING AND MANUFACTURING COMPANY

Opponent:

-

Headword:

-

Relevant legal provisions:

EPC Art. 108

EPC R. 65(1)

Keyword:

"Missing Statement of Grounds"

Decisions cited:

-

Catchword:

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Boards of Appeal

Chambres de recours

Case Number: T 0572/99 - 3.3.2

D E C I S I O N
of the Technical Board of Appeal 3.3.2
of 21 January 2000

Appellant: MINNESOTA MINING AND MANUFACTURING COMPANY
3M Center
P.O. Box 33427
St. Paul
Minnesota 55133-3427 (US)

Representative: VOSSIUS & PARTNER
Postfach 86 07 67
D-81634 München (DE)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 24 February 1999
refusing European patent application
No. 95 911 713.6 pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: P. Lançon
Members: G. Rampold
C. Rennie-Smith

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division of the European Patent Office posted 24 February 1999 refusing the European patent application No. 95 911 713.6.

The Appellant filed a Notice of Appeal by a letter received on 6 May 1999 and paid the fee for appeal on the same day. 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 28 October 1999 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 and attention was drawn to the possibility of filing a request for re-establishment of rights under Article 122 EPC.

- III. No answer has been given within the given time limit to the Registry's 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:

M. Dainese

P. Lançon