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**Datasheet for the decision
of 24 July 2014**

Case Number: J 0008/14 - 3.1.01

Application Number: 10802571.9

Publication Number: null

IPC: G05B11/01

Language of the proceedings: EN

Title of invention:

SYSTEM AND METHOD FOR GENERATOR PHASE SIGNAL MONITORING AND CONTROL

Applicant:

C.E. Niehoff & Co.

Headword:

Relevant legal provisions:

EPC Art. 108 sentence 3

EPC R. 101(1)

Keyword:

Admissibility of appeal - missing statement of grounds

Decisions cited:

Catchword:



**Beschwerdekammern
Boards of Appeal
Chambres de recours**

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Case Number: J 0008/14 - 3.1.01

D E C I S I O N
of the Legal Board of Appeal 3.1.01
of 24 July 2014

Appellant: C.E. Niehoff & Co.
(Applicant) 2021 Lee Street
Evanston, IL 60202 (US)

Representative: Felber, Josef
Felber & Partner AG
Dufourstrasse 116
8034 Zürich (CH)

Decision under appeal: **Decision of the Receiving Section of the European Patent Office posted on 31 October 2013 refusing European patent application No. 10802571.9 pursuant to Rule 163(6) EPC together with Rule 163(5) EPC and Article 133(2) EPC.**

Composition of the Board:

Chairwoman C. Vallet
Members: L. Bühler
D. Rogers

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Receiving Section, posted on 31 October 2013, refusing European patent application EP 10 802 571.9. pursuant to Rule 163(6) EPC in conjunction with Rule 163(5) EPC and Article 133(2) EPC.
- II. The appellant filed a notice of appeal on 13 December 2013 and paid the appeal fee on 16 December 2013.
- III. By communication of 7 May 2014, received by the appellant, the Registry of the Board informed the appellant 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 appellant was informed that any observations had to be filed within two months of notification of the communication.
- IV. No reply was received.

Reasons for the Decision

No written statement setting out the 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:



C. Eickhoff

C. Vallet

Decision electronically authenticated