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D E C I S I O N
of 12 September 2000

Case Number: T 0050/00 - 3.5.1

Application Number: 90906640.9

Publication Number: 0422184

IPC: G06F 1/00

Language of the proceedings: EN

Title of invention:
Computer file protection system

Applicant:
Jones, Richard P.

Opponent:
-

Headword:
-

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

Keyword:
"Failure to file statement of grounds"

Decisions cited:
-

Catchword:
-



Case Number: T 0050/00 - 3.5.1

D E C I S I O N
of the Technical Board of Appeal 3.5.1
of 12 September 2000

Appellant: Jones, Richard P.
7930 East Side N.E.
Tacoma, WA 98422 (US)

Representative: Kuhnen & Wacker
Patentanwalts-gesellschaft mbH
Alois-Steinecker-Strasse 22
D-85354 Freising (DE)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 22 June 1999
refusing European patent application
No. 90 906 640.9 pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: P. K. J. van den Berg
Members: V. Di Cerbo
R. S. Wibergh

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division of the European Patent Office dated 22 June 1999 refusing the European patent application No. 90 906 640.9. The decision was dispatched by registered letter with advice of delivery on the same day. The applicant filed a notice of appeal by a letter received on 2 September 1999 and paid the fee for appeal on the same date. No statement of grounds was filed.
- II. By a communication dated 4 February 2000 and sent by registered post, the Registry of the Board informed the appellant that no statement of grounds has 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 observations in response to said communication on 13 April 2000 informing the Board that he was unable to file a written statement in absence of any instructions from the applicant.

Reasons for the Decision

As no written statement setting out the grounds of appeal has been filed within the time limit provided by Article 108 EPC the appeal has to be rejected as inadmissible (Rule 65(1) EPC).

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

M. Kiehl

P. K. J. van den Berg