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**D E C I S I O N**  
**of 24 October 2000**

**Case Number:** T 0219/00 - 3.4.1

**Application Number:** 92109934.7

**Publication Number:** 0518365

**IPC:** G07F 7/10

**Language of the proceedings:** EN

**Title of invention:**

Method of implementing use of electronic cash

**Patentee:**

NIPPON TELEGRAPH AND TELEPHONE CORPORATION

**Opponent:**

GIESECKE & DEVRIENT GmbH

**Headword:**

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**Relevant legal provisions:**

EPC Art. 108

EPC R. 65(1)

**Keyword:**

"Missing Statement of Grounds"

**Decisions cited:**

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**Catchword:**

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Case Number: T 0219/00 - 3.4.1

**D E C I S I O N**  
**of the Technical Board of Appeal 3.4.1**  
**of 24 October 2000**

**Appellant:** GIESECKE & DEVRIENT GmbH  
(Opponent) Prinzregentenstrasse 159  
D-81677 München (DE)

**Representative:** Niedermeier, Peter  
Giesecke & Devrient GmbH  
Patent- und Lizenzabteilung  
Prinzregentenstrasse 159  
D-81677 München (DE)

**Respondent:** NIPPON TELEGRAPH AND TELEPHONE CORPORATION  
(Proprietor of the patent) 19-2 Nishi-Shinjuku 3-chome  
Shinjuku-ku  
Tokyo 163-19 (JP)

**Representative:** Hoffmann, Eckart, Dipl.-Ing.  
Patentanwalt  
Bahnhofstrasse 103  
D-82166 Gräfelfing (DE)

**Decision under appeal:** Interlocutory decision of the Opposition Division  
of the European Patent Office posted 17 December  
1999 concerning maintenance of European patent  
No. 0 518 365 in amended form.

**Composition of the Board:**

**Chairman:** G. Davies  
**Members:** U. G. O. Himmler  
H. K. Wolfrum

## Summary of Facts and Submissions

I. The appeal contests the decision of the Opposition Division of the European Patent Office dispatched by registered letter with advice of delivery to the parties on 17 December 1999, and concerning maintenance of the European patent No. 92 109 934.7 in amended form.

The Appellant filed a Notice of Appeal by letter received on 18 February 2000 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 6 November 2000, sent by registered post, the Registrar 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 informed about the possibility of filing a request for re-establishment of rights under Article 122 EPC and was invited to file observations within two months.

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

By letter dated 23 October 2000, the opponent informed the Board of Appeal that no grounds of appeal will be filed.

## **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:

R. Schumacher

G. Davies