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D E C I S I O N
of 14 February 2002

Case Number: T 0630/01 - 3.5.1

Application Number: 95202193.9

Publication Number: 0697674

IPC: G06K 7/10

Language of the proceedings: EN

Title of invention:

Bar code scanner

Patentee:

Scantech B.V.

Opponent:

INTERMEC SCANNER TECHNOLOGY CENTER (Soc. Anonyme)
Metrologic Instruments, Inc.

Headword:

-

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 0630/01 - 3.5.1

D E C I S I O N
of the Technical Board of Appeal 3.5.1
of 14 February 2002

Appellant: Scantech B.V.
(Proprietor of the patent) Uraniumweg 23
NL-3812 RJ Amersfoort (NL)

Representative: Land, Addick Adrianus Gosling
Arnold & Siedsma
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NL-2517 GK Den Haag (NL)

Respondent: INTERMEC SCANNER TECHNOLOGY CENTER (Soc.
(Opponent 01) Anonyme)
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F-31670 Labège Cedex (FR)

Representative: Cabinet BARRE LAFORGUE & Associés
95, rue des Amidonniers
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(Opponent 02) Metrologic Instruments, Inc.
Coles Road at Route 42
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Representative: Whitten, George Alan
R.G.C. Jenkins & Co.
26 Caxton Street
London SW1H 0RJ (GB)

Decision under appeal: Decision of the Opposition Division of the
European Patent Office posted 26 March 2001
revoking European patent No. 0 697 674 pursuant
to Article 102(1) EPC.

Composition of the Board:

Chairman: S. V. Steinbrener
Members: R. R. K. Zimmermann
E. Lachacinski

Summary of Facts and Submissions

- I. The appeal contests the decision of the Opposition Division of the European Patent Office dated 26 March 2001 revoking the European patent No. 0 697 674. The decision was dispatched by registered letter with advice of delivery to the applicant on the day it was given. The appellant filed a notice of appeal on 31 May 2001 and paid the fee for appeal on the same day. No statement of grounds of appeal was received. 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 21 November 2001 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. No answer has been given 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. Kiehl

S. Steinbrener