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**D E C I S I O N**  
**of 29 October 2002**

**Case Number:** T 0491/02 - 3.5.1  
**Application Number:** 93303518.0  
**Publication Number:** 0571109  
**IPC:** H04M 3/18, H04M 3/00

**Language of the proceedings:** EN

**Title of invention:**

Overvoltage protection scheme for subscriber loops and method  
of performing same

**Applicant:**

AT&T Corp.

**Opponent:**

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**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 0491/02 - 3.5.1

**D E C I S I O N**  
**of the Technical Board of Appeal 3.5.1**  
**of 29 October 2002**

**Appellant:** AT&T Corp.  
32 Avenue of the Americas  
New York  
NY 10013-2412 (US)

**Representative:** Buckley, Christopher Simon Thirsk  
Lucent Technologies (UK) Ltd  
5 Mornington Road  
Woodford Green  
Essex IG8 0TU (GB)

**Decision under appeal:** Decision of the Examining Division of the  
European Patent Office posted 2 November 2001  
refusing European patent application  
No. 93 303 518.0 pursuant to Article 97(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 Examining Division of the European Patent Office dated 2 November 2001 refusing the European patent application No. 93 303 518.0. The decision was dispatched by registered letter with advice of delivery on 2 November 2001. The applicant filed a notice of appeal by letter received on 17 December 2001 and paid the fee for appeal on the same date. No statement of grounds was filed.
- II. By a communication dated 18 July 2002 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 no observations in response to said communication.

## **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 in conjunction with Rule 78(2) 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

S. V. Steinbrener