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D E C I S I O N
of 26 November 2002

Case Number: T 0759/02 - 3.5.2

Application Number: 96903727.4

Publication Number: 0806086

IPC: H03M 13/12

Language of the proceedings: EN

Title of invention:

A digital communication system having a punctured convolutional coding system and method

Applicant:

ERICSSON INC.

Opponent:

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Headword:

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Relevant legal provisions:

EPC Art. 108, R. 65(1)

Keyword:

"Missing statement of grounds"

Decisions cited:

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Catchword:

-



Case Number: T 0759/02 3.5.2

D E C I S I O N
of the Technical Board of Appeal 3.5.2
of 26 November 2002

Appellant: ERICSSON INC.
7001 Development Drive
P.O. Box 13969
Research Triangle Park NC 27709 (US)

Representative: HOFFMANN - EITLÉ
Patent- und Rechtsanwälte
Arabellastrasse 4
D-81925 München (DE)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 17 January 2002
refusing European patent application
No. 96 903 727.4 pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: W. J. L. Wheeler
Members: M. Ruggiu
J. H. P. Willems

Summary of Facts and Submissions

I. The appeal contests the decision of the examining division of the European Patent Office refusing European patent application No. 96 903 727.4. The decision was dispatched by registered letter with advice of delivery on 17 January 2002.

The appellant filed a notice of appeal by a letter received on 19 March 2002 and paid the fee for appeal on the same day. 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 sent by registered letter with advice of delivery on 21 August 2002, 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. The appellant filed no observations in response to said communication.

Reason 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:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

D. Sauter

W. J. L. Wheeler