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D E C I S I O N
of 15 November 2002

Case Number: T 0814/02 - 3.4.3

Application Number: 96116009.0

Publication Number: 0767499

IPC: H01L 29/732

Language of the proceedings: EN

Title of invention:

Bipolar transistor with a reduced collector series resistance
and method for fabricating the same

Applicant

NEC CORPORATION

Opponent:

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Headword:

-

Relevant legal provisions:

EPC Art. 108

EPC R. 65(1)

Keyword:

"Missing statement of grounds"

Decisions cited:

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Catchword:

-



Case Number: T 0814/02 - 3.4.3

D E C I S I O N
of the Technical Board of Appeal 3.4.3
of 15 November 2002

Appellant: NEC CORPORATION
7-1, Shiba 5-chome
Minato-ku
Tokyo (JP)

Representative: Baronetzky, Klaus, Dipl.-Ing.
Splanemann Reitzner
Baronetzky Westendorp
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D-80469 München (DE)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 17 January 2002
refusing European patent application
No. 96 116 009.0 pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: R. K. Shukla
Members: M. Chomentowski
M. J. Vogel

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division of the European Patent Office dated 17 January 2002, refusing the European patent application No. 96 116 009.0.

The Appellant filed a notice of appeal on 13 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 dated 30 August 2002, sent by registered letter with advice of delivery, the Registry of the Board informed the Appellant that no statement of grounds has been filed and that the appeal was expected to be rejected as inadmissible. In the communication, the Appellant's attention was also drawn to Rule 84a EPC and Article 122 EPC. The Appellant was invited to file observations within two months.

- III. No answer has been given within the two months time limit 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:

P. Martorana

R. Shukla