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D E C I S I O N
of 15 July 2004

Case Number: T 0808/03 - 3.5.2

Application Number: 00913148.3

Publication Number: 1127401

IPC: H02K 57/00

Language of the proceedings: EN

Title of invention:

Improved compact generator, light-emitting wheel having the same, and manufacturing method therefor

Applicant:

Teltek Co., Ltd., et al

Opponent:

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Headword:

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Relevant legal provisions:

EPC Art.

Keyword:

Decisions cited:

Catchword:

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Case Number: T 0808/03 - 3.5.2

D E C I S I O N
of the Technical Board of Appeal 3.5.2
of 15 July 2004

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Decision under appeal: Decision of the Technical Board of Appeal 3.5.2
posted 22 April 2004 in re appeal No. T 0808/03
(application No. 00913148.3).

Composition of the Board:

Chairman: W. J. L. Wheeler
Members: R. G. O'Connell
J. H. P. Willems

Summary of Facts and Submissions

- I. On 12 February 2004 this Board gave a decision in the appeal case T 0808/03, which declared null and void a decision of the first instance to allow a request of the appellants for restitutio in integrum, refused the request of the appellants to remit the case to the first instance for interlocutory revision, refused the request of the appellants for a restitutio in integrum and held that the appeal was deemed not to have been filed.
- II. On 22 June 2004 the representative of the appellants sent a letter to the President of the European Patent Office, forwarding a letter dated 10 June 2004 of Mr Youngpil Lee of Y.P. Lee, Mock & Partners of Seoul (Korea) to the President. This last letter asked the President to reverse that decision of this Board.

The European Patent Office forwarded these letters to this Board.

Reasons for the Decision

1. According to the decision G 1/97 of the Enlarged Board of Appeal dated 10 December 1999, requests which have been submitted by a party to the case that led to a final decision of a board of appeal and which are aimed at overturning that decision, must be considered to be addressed to the board in question as the responsible judicial body. (Reasons for the decision under 6). Therefore the Office has rightly forwarded the letters of the appellants' representative and of Mr Y.P. Lee to

this Board as this last letter expressly requests a reversal of the Board's decision.

2. As the European Patent Convention in its present version however does not recognise requests for revision or reversal of decisions of the Boards of Appeal, the request of the appellant has to be refused as inadmissible.

Order

For this reason it is decided that:

The request for reversal of the decision T 0808/03 of 12 February 2004 is refused as inadmissible.

The Registrar:

The Chairman:

D. Sauter

W. J. L. Wheeler