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D E C I S I O N
of 16 February 2004

Case Number: T 1052/03 - 3.5.2

Application Number: 00307404.4

Publication Number: 1124328

IPC: HO3H 9/02

Language of the proceedings: EN

Title of invention:

A method of fabricating a zinc oxide based resonator

Applicant:

LUCENT TECHNOLOGIES INC.

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:

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Case Number: T 1052/03 - 3.5.2

D E C I S I O N
of the Technical Board of Appeal 3.5.2
of 16 February 2004

Appellant: LUCENT TECHNOLOGIES INC.
600 Mountain Avenue
Murray Hill
New Jersey 07974-0636 (US)

Representative: Williams, David John
Page White & Farrer
54 Doughty Street
London WC1N 2LS (GB)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 15 May 2003
refusing European application No. 00307404.4
pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: W. J. L. Wheeler
Members: R. G. O'Connel
E. Lachacinski

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Decision of the European Patent Office dated 15 May 2003 refusing the European patent application 00307404.4.
- II. The Appellant filed a notice of appeal by a letter received on 25 July 2003 and paid the fee for appeal on the same day.
- III. 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.
- IV. By a communication dated 6 November 2003 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.
- V. 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:

D. Sauter

W. J. L. Wheeler