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D E C I S I O N
of 19 January 2005

Case Number: T 0719/04 - 3.5.3

Application Number: 98906512.3

Publication Number: 0962090

IPC: H04M 3/50

Language of the proceedings: EN

Title of invention:
Sponsored call and cell service

Applicant:
Nortel Networks Limited

Opponent:
-

Headword:
-

Relevant legal provisions:
EPC Art. 108
EPC R. 65(1)

Keyword:
"Missing statement of grounds"

Decisions cited:
-

Catchword:
-



Case Number: T 0719/04 - 3.5.3

D E C I S I O N
of the Technical Board of Appeal 3.5.3
of 19 January 2005

Appellant: Nortel Networks Limited
2351 Boulevard Alfred-Nobel
St. Laurent,
Quebec H4S 2A9 (CA)

Representative: Maury, Richard Philip
Mark & Clerk
45 Grosvenor Road
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Hertfordshire AL1 3AW (GB)

Decision under appeal: Decision of the examining division of the
European Patent Office posted 30 December 2003
refusing European application No. 98906512.3
pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: A. S. Clelland
Members: F. van der Voort
R. Moufang

Summary of Facts and Submissions

I. The appeal lies from the decision of the examining division of the European Patent Office dated 30 December 2003 refusing European patent application No. 98 906 512.3. The decision was dispatched by registered letter with advice of delivery to the applicant on the day it was given.

The appellant filed a notice of appeal by a letter received on 26 February 2004 and paid the fee for appeal on 27 February 2004.

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 8 July 2004, 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 and attention was drawn to the possibility of filing a request for re-establishment of rights under Article 122 EPC.

III. No answer has been given to the registry's communication within the time limit.

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:

D. Magliano

A. Clelland