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D E C I S I O N
of 26 October 2005

Case Number: T 0030/05 - 3.5.01
Application Number: 92909731.9
Publication Number: 0576595
IPC: G06F 3/00, H04J 3/04
Language of the proceedings: EN

Title of invention:
Transmission gate series multiplexer

Patentee:
Translogic Technology, Inc.

Opponent:
Hitachi Ltd.

Headword:

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Relevant legal provisions:

EPC Art. 108
EPC R. 65(1)

Keyword:

"Missing statement of grounds"
"Withdrawal of request for oral proceedings"

Decisions cited:

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Catchword:

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Case Number: T 0030/05 - 3.5.01

D E C I S I O N
of the Technical Board of Appeal 3.5.01
of 26 October 2005

Appellant: Translogic Technology, Inc
(Proprietor of the patent) 1800 N.W. 169th Place
Building A440
Beaverton, Oregon 97006 (US)

Representative: Jones, Keith William
Murgitroyd & Company
Scotland House
165-169 Scotland Street
Glasgow G5 8PL (GB)

Respondent: Hitachi Ltd.
(Opponent) 1-280, Higashi-koigakubo 1-chome
Kokubunji-shi
Tokyo, 185 (JP)

Representative: Behrmann Niels
Hiebsch Behrmann Patentanwälte
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Decision under appeal: Decision of the Opposition Division of the
European Patent Office posted 15 October 2004
revoking European patent No. 0576595 pursuant
to Article 102(1) EPC.

Composition of the Board:

Chairman: S. Steinbrener
Members: R. Zimmermann
A. Pignatelli

Summary of Facts and Submissions

- I. The appeal contests the decision of the Opposition Division of the European Patent Office dated 15 October 2004 revoking the European patent No. 0 576 595. The appellant filed a notice of appeal on 23 December 2004 and paid the fee for appeal on the same day. The notice of appeal contains an auxiliary request for oral proceedings but nothing that could be regarded as a Statement of Grounds pursuant to Article 108 EPC. No further submissions were filed by the Appellant.
- II. By a communication dated 7 April 2005 the Board informed the Appellant that no statement of grounds had been received and that the appeal could be expected to be rejected as inadmissible.
- III. With a fax received by the EPO on 23 June 2005 the representative of the Appellant confirmed the reception of this communication. By letter dated 18 October 2005, the Appellant withdrew the request for oral proceedings.

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, the appeal is inadmissible according to Rule 65(1) EPC.

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

M. Kiehl

S. Steinbrener