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D E C I S I O N
of 10 April 2006

Case Number: T 1146/05 - 3.5.01

Application Number: 96926142.9

Publication Number: 0840981

IPC: H04N 7/18

Language of the proceedings: EN

Title of invention:

Image splitting, forming and processing device and method for use with no moving parts camera

Applicant:

Sensormatic Electronics Corporation

Opponent:

-

Headword:

-

Relevant legal provisions:

EPC Art. 108

EPC R. 65(1)

Keyword:

"Missing statement of grounds"

"Withdrawal of request for oral proceedings"

Decisions cited:

-

Catchword:

-



Case Number: T 1146/05 - 3.5.01

D E C I S I O N
of the Technical Board of Appeal 3.5.01
of 10 April 2006

Appellant: Sensormatic Electronics Corporation
6600 Congress Avenue
Boca Raton, Florida 33487 (US)

Representative: Hafner, Dieter
Hafner & Partner GbR
Patent-/Rechtsanwälte
Schleiermacherstrasse 25
D - 90491 Nürnberg (DE)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 31 March 2005
refusing European application No. 96926142.9
pursuant to Article 97(1) EPC.

Composition of the Board:

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

Summary of Facts and Submissions

- I. The appellant contest the decision of the examining division of the European Patent Office dated 31 March 2005 refusing European patent application No. 96 926 142.9.

The appellant filed a notice of appeal on 31 May 2005 and paid the appeal fee on the same day.

The notice of appeal contains an auxiliary request for oral proceedings.

A written statement setting out the grounds of appeal was not filed within the four-month time limit provided for in Article 108 EPC. Nor did the notice of appeal contain anything that might be considered as such statement.

- II. In a communication dated 26 October 2005, the Board informed the appellant that no statement setting out the grounds of appeal had been received and that the appeal could be expected to be rejected as inadmissible. The appellant was informed that any observations should be filed within two months.
- III. In a letter dated 4 April 2006 the appellant withdrew the request for oral proceedings.

Reasons for the Decision

As no written statement setting out the grounds of appeal was filed within the time limit provided for in Article 108 EPC, the appeal is inadmissible pursuant to Rule 65(1) EPC.

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

P. Guidi

S. Steinbrener