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**Datasheet for the decision
of 3 August 2007**

Case Number: T 0117/07 - 3.5.03

Application Number: 03723663.5

Publication Number: 1483884

IPC: H04M 3/533

Language of the proceedings: EN

Title of invention:

System and method for mobile electronic messaging

Applicant:

Yahoo Inc.

Opponent:

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Headword:

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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 0117/07 - 3.5.03

D E C I S I O N
of the Technical Board of Appeal 3.5.03
of 3 August 2007

Appellant:

Yahoo Inc.
701 First Avenue
Sunnyvale
CA 94089 (US)

Representative:

Palmer, Jonathan R.
Boult Wade Tennant
Verulam Gardens
70 Gray's Inn Road
London WC1X 8BT (GB)

Decision under appeal:

Decision of the Examining Division of the
European Patent Office posted 6 June 2006
refusing European application No. 03723663.5
pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: A. S. Clelland
Members: A. J. Madenach
M.-B. Tardo-Dino

Summary of Facts and Submissions

I. The appeal lies from the decision of the examining division of the European Patent Office refusing European patent application No. 03723663.5. The decision was dispatched by registered letter with advice of delivery to the applicant on 6 June 2006.

The appellant filed a notice of appeal by a letter received on 8 August 2006. The payment of the appeal fee was recorded on the same day.

No separate statement of grounds was filed.

II. By a communication dated 16 February 2007 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 of the Decision

As no written statement setting out the grounds of appeal has been filed and as the notice of appeal contains nothing that could be regarded as statement of grounds pursuant to

Article 108 EPC, 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. S. Clelland