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**Datasheet for the decision
of 9 January 2008**

Case Number: T 0800/07 - 3.5.03

Application Number: 02728528.7

Publication Number: 1381562

IPC: C01B 6/00

Language of the proceedings: EN

Title of invention:

Method and system for providing intelligent network control services in IP telephony

Applicant:

Worldcom, Inc.

Opponent:

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Headword:

Intelligent Network Control/WORLDCOM

Relevant legal provisions:

EPC Art. 108

Keyword:

"Missing statement of grounds"

Decisions cited:

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Catchword:

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Case Number: T 0800/07 - 3.5.03

D E C I S I O N
of the Technical Board of Appeal 3.5.03
of 9 January 2008

Appellant:

Worldcom, Inc.
500 Clinton Center Drive
Clinton, MS 39056 (US)

Representative:

Hofmann, Harald
Sonnenberg Fortmann
Patent- und Rechtsanwälte
Herzogspitalstraße 10a
D-80331 München (DE)

Decision under appeal:

**Decision of the Examining Division of the
European Patent Office posted 13 November 2006
refusing European application No. 02728528.7
pursuant to Article 97(1) EPC 1973.**

Composition of the Board:

Chairman: A. S. Clelland
Members: A. J. Madenach
R. Moufang

Summary of Facts and Submissions

- I. The appeal lies from the decision of the examining division of the European Patent Office dated 13 November 2006 refusing the European patent application 02728528.7. The decision was dispatched by registered letter with advice of delivery to the applicant on the day it was given.
- II. The appellant (applicant) filed a notice of appeal by a letter received on 15 January 2007. The payment of the appeal fee was recorded on the same day.
- No statement of grounds was filed.
- III. By a communication dated 22 May 2007, sent by registered post 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.
- IV. 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 within the time limit provided by Article 108 EPC in conjunction with Rule 126(2) EPC (Rule 78(2) EPC 1973) and the notice of appeal contains nothing that could be regarded as a statement of grounds pursuant to Article 108 EPC, the appeal has to be rejected as inadmissible (Rule 101(1) EPC (Rule 65(1) EPC 1973)).

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

D. Magliano

A. S. Clelland