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**Datasheet for the decision
of 17 March 2008**

Case Number: T 1772/07 - 3.5.05

Application Number: 98957968.5

Publication Number: 1029304

IPC: G06F 19/00

Language of the proceedings: EN

Title of invention:

System and method for dynamic profiling of users in one-to-one applications and for validating user rules

Applicant:

NEW YORK UNIVERSITY

Opponent:

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Headword:

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Relevant legal provisions:

EPC Art. 108

EPC 101(1)

Relevant legal provisions (EPC 1973):

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Keyword:

"Missing statement of Grounds"

Decisions cited:

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Catchword:

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Case Number: T 1772/07 - 3.5.05

D E C I S I O N
of the Technical Board of Appeal 3.5.05
of 17 March 2008

Appellant:

NEW YORK UNIVERSITY
70 Washington Square South
New York
NY 10012-1091 (US)

Representative:

Maiwald, Walter
Maiwald Patentanwalts GmbH
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Decision under appeal:

Decision of the Examining Division of the
European Patent Office posted 2 May 2007
refusing European application No. 98957968.5
pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: D. H. Rees
Members: P. Corcoran
P. Schmitz

Summary of Facts and Submissions

- I. The appellant contests the decision of the examining division of the European Patent Office dated 2 May 2007 refusing European patent application No. 98957968.5.

The appellant filed a notice of appeal on 2 July 2007 and paid the appeal fee on the same day.

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 4 December 2007, 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. The appellant filed no observations in response to said communication.

With a facsimile dated 20 February 2008 the appellant informed the Board that no additional documents had been sent after the receipt of the communication of 4 December 2007.

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 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

K. Götz

D. H. Rees