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**Datasheet for the decision
of 8. February 2008**

Case Number: T 1779/07 - 3.5.05

Application Number: 00309502.3

Publication Number: 1098488

IPC: H04L 29/06

Language of the proceedings: EN

Title of invention:

Data receiving method and data receiving unit therefor

Applicant:

Sony Corporation

Headword:

-

Relevant legal provisions:

EPC Art. 108
EPC R. 101(1)

Relevant legal provisions (EPC 1973):

EPC R. 65(1)

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Keyword:

"Missing statement of Grounds"

Decisions cited:

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Catchword:

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Case Number: T 1779/07 - 3.5.05

D E C I S I O N
of the Technical Board of Appeal 3.5.05
of 8 February 2008

Appellant: Sony Corporation
7-35, Kitashinagawa 6-chome
Shinagawa-ku
Tokyo (JP)

Representative: Ayers, Martyn Lewis Stanley
J.A. KEMP & CO.,
14 South Square,
Gray's Inn
London WC1R 5JJ (GB)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 2 May 2007
refusing European application No. 00309502.3
pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: D. H. Rees
Members: A. Ritzka
P. Schmitz

Facts and submissions

- I. The appellant contests the decision of the examining division of the European Patent Office dated 02.05.2007 refusing European patent application No. 00309502.3.

The appellant filed a notice of appeal on 09.07.2007 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 24.10.2007, 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 24.01.2008 the appellant withdrew the request for oral proceedings and informed the Board that no additional documents had been sent after the receipt of the communication of 24.10.2007.

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