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Datasheet for the decision of 26 June 2008

Case Number: T 1812/07 - 3.5.01

Application Number: 98928848.5

Publication Number: 0990209

IPC: G06F 17/00, G06F 17/30

Language of the proceedings: EN

Title of invention:
Database structure and management

Applicants:
Sharp, Gary L.
Simon, Liane N.

Opponent:
-

Headword:
-

Relevant legal provisions (EPC 1973):
EPC Art. 108
EPC R. 65(1)

Keyword:
"Missing statement of grounds of appeal"

Decisions cited:
-

Catchword:
-

Case Number: T 1812/07 - 3.5.01

D E C I S I O N
of the Technical Board of Appeal 3.5.01
of 26 June 2008

Appellants: Sharp, Gary L.
6930 Barbarossa Street
Boca Raton, FL 33433 (US)

Simon, Liane N.
2800 South Ocean Boulevard #5D
Boca Raton, FL 33432 (US)

Representative: Dendorfer, Claus
Dendorfer & Herrmann
Patentanwälte Partnerschaft
Bayerstrasse 3
80335 München (DE)

Decision under appeal: **Decision of the Examining Division of the European Patent Office posted 11 May 2007 refusing European application No. 98928848.5 pursuant to Article 97(1) EPC 1973.**

Composition of the Board:

Chairman: S. Steinbrener
Members: K. Bumes
A. Pignatelli

Summary of Facts and Submissions

I. The appellants contest the decision of the examining division of the European Patent Office dated 11 May 2007 refusing European patent application No. 98928848.5.

The appellants filed a notice of appeal on 11 July 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 1973. Nor did the notice of appeal contain anything that might be considered as such statement.

II. In a communication dated 4 January 2008, the Board informed the appellants 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 appellants were informed that any observations should be filed within two months.

III. In a letter dated 8 January 2008 the appellants confirmed that no statement setting out the grounds of appeal had been filed. In the same letter the appellants withdrew the request for oral proceedings.
The appellants filed no further observations in response to said communication.

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 1973, the appeal is inadmissible pursuant to Rule 65(1) EPC 1973.

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar The Chairman

T. Buschek S. Steinbrener