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**Datasheet for the decision  
of 28 July 2008**

**Case Number:** T 0066/08 - 3.5.01

**Application Number:** 00986381.2

**Publication Number:** 1247224

**IPC:** G06F 17/60

**Language of the proceedings:** EN

**Title of invention:**

Conversion engine and financial reporting system using the  
conversion engine

**Applicant:**

Sumitomo Mitsui Banking Corporation

**Opponent:**

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**Headword:**

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**Relevant legal provisions:**

EPC Art. 108  
EPC R. 101(1)

**Relevant legal provisions (EPC 1973):**

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**Keyword:**

"Missing statement of grounds of appeal"

**Decisions cited:**

J0010/07

**Catchword:**

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**Case Number:** T 0066/08 - 3.5.01

**DECISION  
of the Technical Board of Appeal 3.5.01  
of 28 July 2008**

**Appellant:** Sumitomo Mitsui Banking Corporation  
277 Park Avenue  
New York,  
NY 10172 (US)

**Representative:** Murray, Elisabeth Anne  
Mathys & Squire LLP  
120 Holborn  
London EC1N 2SQ (GB)

**Decision under appeal:** **Decision of the Examining Division of the  
European Patent Office posted 3 August 2007  
refusing European application  
No. 00986381.2 pursuant to Article 97(1)  
EPC 1973.**

**Composition of the Board:**

**Chairman:** S. Steinbrener  
**Members:** R. R. K. Zimmermann  
A. Pignatelli

## **Summary of Facts and Submissions**

I. The appellant contests the decision of the examining division of the European Patent Office dated 3 August 2007 refusing European patent application No. 00986381.2.

The appellant filed a notice of appeal on 12 October 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 31 January 2008, 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. In a letter dated 3 April 2008 the appellant declared that the auxiliary request for oral proceedings was not intended to apply to the question of inadmissibility of the appeal. The appellant filed no further observations in response to said communication.

## **Reasons for the Decision**

1. The time limit for filing the statement setting out the grounds of appeal expired on 13 December 2007. The question whether the requirements for the admissibility of an appeal (for which a time limit is foreseen) have been met has to be decided according to the law in force when the time limit expired (see also J10/07, point 1.2, 1.3, to be published). In this case, therefore, the new version of the EPC has to be applied.

2. 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.

## **Order**

**For these reasons it is decided that:**

The appeal is rejected as inadmissible.

The Registrar

The Chairman

T. Buschek

S. Steinbrener