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**Datasheet for the decision
of 9 July 2010**

Case Number: T 1018/08 - 3.2.01

Application Number: 01911972.6

Publication Number: 1289798

IPC: B60Q 1/22

Language of the proceedings: EN

Title of invention:

Reversing alarm

Patentees:

Brigade Electronics Plc, et al

Opponent:

Sound Alert Limited

Headword:

-

Relevant legal provisions:

EPC Art. 108

Relevant legal provisions (EPC 1973):

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Keyword:

"Admissibility of appeal (no)"

Decisions cited:

-

Catchword:

-



Case Number: T 1018/08 - 3.2.01

D E C I S I O N
of the Technical Board of Appeal 3.2.01
of 9 July 2010

Appellants I:
(Patent Proprietors)

Brigade Electronics Plc
Brigade House
The Mills
Station Road
South Darenth
Kent DA4 9BD (GB)

Yamaguchi Electric Ind. Co. Limited
3-11-9, Ikejiri
Setagaya-ku
Tokyo 154 (JP)

Representative:

Spencer, Michael David
Bromhead Johnson
19 Buckingham Street
London WC2 6EF (GB)

Appellant II:
(Opponent)

Sound Alert Limited
Century House
11 St. Peter's Square
Manchester M2 3DN (GB)

Representative:

Wilson, Peter
Novagraaf Patents Limited
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Decision under appeal:

**Interlocutory decision of the Opposition
Division of the European Patent Office posted
9 April 2008 concerning maintenance of European
patent No. 1289798 in amended form.**

Composition of the Board:

Chairman: S. Crane
Members: C. Narcisi
T. Karamanli

Summary of Facts and Submissions

- I. The European patent No. 1 289 798 was maintained in amended form by the decision of the Opposition Division posted on 9 April 2008. Respective appeals against this decision were filed by the Patentees (Appellants I) and by the Opponent (Appellant II) on 1 June 2008 and on 16 June 2008 respectively. The respective appeal fees were paid on 2 June 2008 and on 16 June 2008. The Patentees filed the statement of grounds of appeal on 8 August 2008. No statement of grounds of appeal was filed by the Opponent within the time limit provided by Article 108, third sentence, EPC.

- II. By a communication dated 16 September 2008, sent by registered post with acknowledgement of receipt, the Registry of the Board informed the Opponent that it appeared that no written statement of grounds of appeal had been filed and that it was to be expected that the appeal would be rejected as inadmissible. The Opponent was invited to file observations within two months.

- III. No observations were received in response to said communication.

- IV. Oral proceedings were held on 9 July 2010. The Opponent did not attend the oral proceedings. The Board discussed the matter with the Patentees and after the debate the Patentees withdrew their appeal.

Reasons for the Decision

No written statement setting out the grounds of appeal has been filed by the Opponent. Furthermore, the notice of appeal contains nothing that could be regarded as a statement of grounds of appeal pursuant to Article 108 EPC. The appeal of the Opponent therefore has to be rejected as inadmissible (Rule 101(1) EPC).

Order

For these reasons it is decided that:

The appeal of the Appellant II (Opponent) is rejected as inadmissible.

The Registrar:

The Chairman:

A. Vottner

S. Crane