

Internal distribution code:

- (A) Publication in OJ
(B) To Chairmen and Members
(C) To Chairmen
(D) No distribution

**Datasheet for the decision
of 23 October 2008**

Case Number: T 1249/08 - 3.5.05

Application Number: 04025104.3

Publication Number: 1498801

IPC: G06F 1/00

Language of the proceedings: EN

Title of invention:

Security link management in dynamic networks

Applicant:

MICROSOFT CORPORATION

Opponent:

-

Headword:

-

Relevant legal provisions:

EPC Art. 108
EPC R. 101(1)

Keyword:

"Missing statement of grounds"

Decisions cited:

-

Catchword:

-



Case Number: T 1249/08 - 3.5.05

D E C I S I O N
of the Technical Board of Appeal 3.5.05
of 23 October 2008

Appellant: MICROSOFT CORPORATION
One Microsoft Way
Redmond, WA 98052 (US)

Representative: Grünecker, Kinkeldey,
Stockmair & Schwanhäusser
Anwaltssozietät
Leopoldstraße 4
D-80802 München (DE)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 14 January 2008
refusing European application No. 04025104.3
pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: D. H. Rees
Members: M. Höhn
F. Blumer

Summary of Facts and Submissions

I. The appellant contests the decision of the examining division of the European Patent Office dated 14.01.2008 refusing European patent application No. 04025104.3.

The appellant filed a notice of appeal on 25.03.2008 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 10.07.2008, 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. The appellant filed no 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, 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