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**Datasheet for the decision
of 16 March 2009**

Case Number: T 1475/08 - 3.5.01

Application Number: 02008293.9

Publication Number: 1255206

IPC: G06F 17/30

Language of the proceedings: EN

Title of invention:

System, computer program product and method for selecting an application service provider

Applicant:

Ricoh Company, Ltd.

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:

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Catchword:

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Case Number: T 1475/08 - 3.5.01

**DECISION
of the Technical Board of Appeal 3.5.01
of 16 March 2009**

Appellant: Ricoh Company, Ltd.
3-6, Nakamagome 1-chome,
Ohta-ku
Tokyo 143-8555 (JP)

Representative: Schwabe - Sandmair - Marx
Patentanwälte
Stuntzstrasse 16
81677 München (DE)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 18 February
2008 refusing European application
No. 02008293.9 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 18 February 2008 refusing European patent application No. 02008293.9.

The appellant filed a notice of appeal on 17 April 2008 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 18 September 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.

In a letter dated 23 January 2009 the appellant withdrew the request for oral proceedings.

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.

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar

The Chairman

T. Buschek

S. Steinbrener