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**Datasheet for the decision
of 15 May 2009**

Case Number: T 2086/08 - 3.4.01

Application Number: 04251880.3

Publication Number: 1467220

IPC: G01R 33/3873

Language of the proceedings: EN

Title of invention:

Passive shimming of an MRI magnet

Applicant:

GE Medical Systems Global Technology Company LLC

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"

Decisions cited:

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Catchword:

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Case Number: T 2086/08 - 3.4.01

D E C I S I O N
of the Technical Board of Appeal 3.4.01
of 15 May 2009

Appellant: GE Medical Systems Global Technology Company LLC
3000 North Grandview Boulevard
Waukesha
Wisconsin 53188-1696 (US)

Representative: Goode, Ian Roy
London Patent Operation
General Electric International, Inc.
15 John Adam Street
London WC2N 6LU (GB)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 11 April 2008
refusing European application No. 04251880.3
pursuant to Article 97(2) EPC.

Composition of the Board:

Chairman: B. Schachenmann
Members: F. Neumann
P. Fontenay

Summary of Facts and Submissions

- I. The appellant contests the decision of the Examining Division dated 11 April 2008 refusing European patent application No. 04 251 880.3.
- II. The appellant filed a notice of appeal received on 17 June 2008 and paid the appeal fee on the same day. No statement of grounds of appeal was received.
- III. In a communication dated 14 November 2008 sent by registered post with advice of delivery, the board informed the appellant that no statement of grounds of appeal had been received and that it was to be expected that the appeal would be rejected as inadmissible. The appellant was informed that any observations should be filed within two months.
- IV. No observations were filed.

Reasons for the Decision

1. Article 108 EPC requires that a statement setting out the grounds of appeal shall be filed within four months of notification of the decision. Pursuant to Rule 101(1) EPC the appeal shall be rejected as inadmissible if it does not comply with Article 108 EPC.
2. In the present case no document was filed by the appellant which could be regarded as a statement setting out the grounds of appeal. Consequently the appeal has to be rejected as inadmissible.

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

R. Schumacher

B. Schachenmann