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Datasheet for the decision of 26 November 2009

Case Number: T 1052/09 - 3.5.01

Application Number: 98954601.5

Publication Number: 1116135

IPC: G06F 17/30

Language of the proceedings: EN

Title of invention:
Data processing system

Applicant:
KALIDO LIMITED

Opponent:
-

Headword:
-

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:
-

Catchword:
-

Case Number: T 1052/09 - 3.5.01

D E C I S I O N
of the Technical Board of Appeal 3.5.01
of 26 November 2009

Appellant: KALIDO LIMITED
1 The Strand
London WC2N 5AB (GB)

Representative: Musker, David Charles
R.G.C. Jenkins & Co
26 Caxton Street
London SW1H 0RJ (GB)

Decision under appeal: **Decision of the Examining Division of the European Patent Office posted 26 November 2008 refusing European patent application No. 98954601.5 pursuant to Article 97(2) EPC.**

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 26 November 2008 refusing European patent application No. 98954601.5.

The appellant filed a notice of appeal on 6 February 2009 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 20 May 2009, 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.

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar The Chairman

T. Buschek S. Steinbrener