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**Datasheet for the decision
of 21 December 2009**

Case Number: T 1687/09 - 3.5.03

Application Number: 06112102.6

Publication Number: 1841189

IPC: H04M 1/725

Language of the proceedings: EN

Title of invention:

Mobile phone with sensor for detection of user's handling

Applicant:

IPG Electronics 504 Limited

Opponent:

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Headword:

Mobile phone with sensor/IPG ELECTRONICS 504 LTD.

Relevant legal provisions:

EPC Art. 108

EPC Rule 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 1687/09 - 3.5.03

D E C I S I O N
of the Technical Board of Appeal 3.5.03
of 21 December 2009

Appellant: IPG Electronics 504 Limited
Trafalgar Court
Les Banques
St Peter Port
Guernsey GY1 3QL (GB)

Representative: Talbot-Ponsonby, Clare Josephine
Coller IP Management Limited
Fugro House
Hithercroft Road
Wallingford
Oxfordshire OX10 9RB (GB)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 4 March 2009
refusing European patent application
No. 06112102.6 pursuant to Article 97(2) EPC.

Composition of the Board:

Chairman: A. S. Clelland
Members: A. Madenach
R. Moufang

Summary of Facts and Submissions

- I. The appeal lies from the decision of the examining division of the European Patent Office refusing the European patent application 06112102.6. The decision was dispatched by registered letter with advice of delivery to the applicant on 4 March 2009.
- II. The applicant filed a notice of appeal by a letter received on 30 April 2009. The payment of the appeal fee was recorded on the same day.
- III. Following a corresponding request accompanied by documentary evidence, a transfer of the European patent application 06112102.6 to the present appellant was registered.
- IV. No statement of grounds was filed.
- V. By a communication dated 24 August 2009, sent by registered post with advice of delivery, the registry of the board informed the appellant that no statement of grounds had been filed and that the appeal could be expected to be rejected as inadmissible. The appellant was invited to file observations within two months.
- VI. No answer has been given to the registry's communication within the time limit.

Reasons for the Decision

As no written statement setting out the grounds of appeal has been filed within the time limit provided by Article 108 EPC in conjunction with Rule 126(2) EPC and the notice of appeal contains nothing that could be regarded as a statement of grounds pursuant to Article 108 EPC, the appeal has to be rejected as inadmissible (Rule 101(1) EPC).

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

D. Magliano

A. S. Clelland