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**Datasheet for the decision
of -**

Case Number: T 0564/10 - 3.5.01
Application Number: 00907041.8
Publication Number: 1153344
IPC: G06F 9/445, G06F 17/30
Language of the proceedings: EN

Title of invention:

Pre-defined hardware and software bundle ready for database applications

Applicant:

ORACLE INTERNATIONAL CORPORATION

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 0564/10 - 3.5.01

DECISION
of the Technical Board of Appeal 3.5.01
of -

Appellant: ORACLE INTERNATIONAL CORPORATION
500 Oracle Parkway M/S 5op7
Redwood Shores CA 94065 (US)

Representative: Dendorfer, Claus
Dendorfer & Herrmann
Patentanwälte Partnerschaft
Bayerstraße 3
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Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 1 October
2009 refusing European application
No. 00907041.8 pursuant to Article 97(2)
EPC.

Composition of the Board:

Chairman: S. Wibergh
Members: W. Chandler
G. Weiss

Summary of Facts and Submissions

I. The appellant contests the decision of the examining division of the European Patent Office dated 1 October 2010 refusing European patent application No. 00907041.8.

The appellant filed a notice of appeal on 11 December 2010 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 a statement.

II. In a communication dated 23 March 2010, 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 30 March 2010 the appellant declared that the auxiliary request for oral proceedings was not intended to apply to the question of inadmissibility of the appeal.

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. Wibergh