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**Datasheet for the decision  
of 14 April 2011**

**Case Number:** T 1817/10 - 3.5.03

**Application Number:** 06117026.2

**Publication Number:** 1879364

**IPC:** H04M 1/10

**Language of the proceedings:** EN

**Title of invention:**

Holster for an electronic hand held device

**Applicant:**

RESEARCH IN MOTION LIMITED

**Opponent:**

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**Headword:**

Hand held device/RESEARCH IN MOTION

**Relevant legal provisions:**

EPC Art. 108

**Relevant legal provisions (EPC 1973):**

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**Keyword:**

"Missing statement of grounds"

**Decisions cited:**

-

**Catchword:**

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Case Number: T 1817/10 - 3.5.03

**D E C I S I O N**  
of the Technical Board of Appeal 3.5.03  
of 14 April 2011

**Appellant:** RESEARCH IN MOTION LIMITED  
295 Phillip Street  
Waterloo  
Ontario N2L 3W8 (CA)

**Representative:** Rickard, David John  
Ipulse  
26 Mallinson Road  
London SW11 1BP (GB)

**Decision under appeal:** Decision of the Examining Division of the  
European Patent Office posted 19 March 2010  
refusing European patent application  
No. 06117026.2 pursuant to Article 97(2) EPC.

**Composition of the Board:**

**Chairman:** A. S. Clelland  
**Members:** T. Snell  
M.-B. Tardo-Dino

## Summary of Facts and Submissions

I. The appeal lies from the decision of the examining division of the European Patent Office refusing European patent application No. 06117026.2. The decision was dispatched by registered letter with advice of delivery to the applicant dated 19 March 2010.

The authorised representative of the appellant, whose address for correspondence was confirmed in a fax letter dated 8 December 2008 to be 26 Mallinson Road, London SW11 1BP, filed a notice of appeal by a letter received on 18 May 2010. The payment of the appeal fee was recorded on the same day.

II. In a communication dated 8 September 2010 sent by registered letter with advice of delivery to the aforementioned address, the registry of the board informed the appellant that no statement of grounds of appeal 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.

III. As no advice of delivery was returned, the registry of the board sent three further letters drawing the appellant's attention to the aforementioned communication of 8 September 2010. No reply has been received to any of the board's letters. The time limit set in the board's communication of 8 September 2010 has long since elapsed.

## **Reasons for the Decision**

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

## **Order**

**For these reasons it is decided that:**

The appeal is rejected as inadmissible.

The Registrar

The Chairman

G. Rauh

A. S. Clelland