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**Datasheet for the decision
of 7 March 2011**

Case Number: T 2465/10 - 3.4.03

Application Number: 02011191.0

Publication Number: 1263018

IPC: H01J 37/147

Language of the proceedings: EN

Title of invention:

Charged particle beam alignment method and charged particle
beam apparatus

Applicant:

Hitachi, Ltd.

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:

"Inadmissible appeal - missing statement of grounds"

Decisions cited:

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Catchword:

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Case Number: T 2465/10 - 3.4.03

D E C I S I O N
of the Technical Board of Appeal 3.4.03
of 7 March 2011

Appellant:

Hitachi, Ltd.
6, Kanda Surugadai 4-chome
Chiyoda-ku
Tokyo 100-8010 (JP)

Representative:

Strehl Schübel-Hopf & Partner
Maximilianstrasse 54
D-80538 München (DE)

Decision under appeal:

Decision of the Examining Division of the
European Patent Office posted 5 July 2010
refusing European patent application
No. 02011191.0 pursuant to Article 97(2) EPC.

Composition of the Board:

Chairman: G. Eliasson
Members: V. L. P. Frank
T. Bokor

Summary of Facts and Submissions

I. This is an appeal against the refusal of European patent application No. 02011191 posted 5 July 2010.

A notice of appeal on behalf of the applicant appellant was filed on 1 September 2010. The appeal fee was paid on 9 September 2010. No separate statement of grounds of appeal was filed.

II. By a communication dated 23 December 2010 sent by registered letter with advice of delivery, the appellant was informed that no statement of grounds of appeal had been filed and that, therefore, it was to be expected that the appeal would be rejected as inadmissible pursuant to Article 108, third sentence, EPC in conjunction with Rule 101(1) EPC. The appellant was invited to file observations within two months.

III. No answer has been given to the communication within the time limit. No request for re-establishment of rights was filed.

Reasons for the Decision

As no written statement setting out the grounds of appeal has been filed and as the notice of appeal does not contain anything that could be regarded as a statement of grounds of appeal according 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

S. Sánchez Chiquero

G. Eliasson