

**Internal distribution code:**

- (A)  Publication in OJ  
(B)  To Chairmen and Members  
(C)  To Chairmen  
(D)  No distribution

**Datasheet for the decision  
of 12 September 2011**

**Case Number:** T 2467/10 - 3.5.04

**Application Number:** 00916488.0

**Publication Number:** 1166551

**IPC:** H04N 5/445

**Language of the proceedings:** EN

**Title of invention:**

Application program interfaces for electronic program guide  
data services

**Applicant:**

Microsoft Corporation

**Opponent:**

-

**Headword:**

-

**Relevant legal provisions:**

EPC Art. 108  
EPC R. 101(1)

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

-

**Keyword:**

"Missing Statement of Grounds"

**Decisions cited:**

-

**Catchword:**

-



Case Number: T 2467/10 - 3.5.04

**D E C I S I O N**  
of the Technical Board of Appeal 3.5.04  
of 12 September 2011

**Appellant:**

Microsoft Corporation  
One Microsoft Way  
Redmond  
WA 98052-6399 (US)

**Representative:**

Grünecker, Kinkeldey  
Stockmair & Schwanhäusser  
Anwaltssozietät  
Leopoldstrasse 4  
D-80802 München (DE)

**Decision under appeal:**

Decision of the Examining Division of the  
European Patent Office posted 10 August 2010  
refusing European patent application  
No. 00916488.0 pursuant to Article 97(1) EPC.

**Composition of the Board:**

**Chairman:** F. Edlinger  
**Members:** R. Gerdes  
C. Vallet

## **Summary of Facts and Submissions**

- I. The appellant contests the decision of the examining division dated 10 August 2010 refusing European patent No. 00 916 488.0
- II. The appellant filed a notice of appeal received on 20 October 2010 and paid the appeal fee on the same day. No statement of grounds of appeal was received.
- III. In a communication dated 10 March 2011 sent by registered post with advice of delivery, the board informed the appellant that no statement of grounds of appeal had been received and that it was to be expected that the appeal would be rejected as inadmissible. The appellant was informed that any observations should be filed within two months.
- IV. No observations were filed.

## **Reasons for the Decision**

1. Article 108 EPC requires that a statement setting out the grounds of appeal shall be filed within four months of notification of the decision. Pursuant to Rule 101(1) EPC the appeal shall be rejected as inadmissible if it does not comply with Article 108 EPC.
2. In the present case no document was filed by the appellant which could be regarded as a statement setting out the grounds of appeal. Consequently the appeal has to be rejected as inadmissible.

**Order**

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

The appeal is rejected as inadmissible.

The Registrar

The Chairman

K. Boelicke

F. Edlinger