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

**Case Number:** T 1000/11 - 3.5.04  
**Application Number:** 05814155.7  
**Publication Number:** 1708503  
**IPC:** H04N5/91, G11B20/10, G11B20/12,  
G11B27/00, H04N5/85  
**Language of the proceedings:** EN

**Title of invention:**

RECORDING DEVICE AND METHOD, RECORDING MEDIUM, AND PROGRAM

**Applicant:**

Sony Corporation

**Headword:**

"Missing Statement of Grounds"

**Relevant legal provisions:**

EPC Art. 108 sentence 3  
EPC R. 101(1)

**Keyword:**

**Decisions cited:**



Case Number: T1000/11 - 3.5.04

**D E C I S I O N**  
**of the Technical Board of Appeal 3.5.04**  
**of 14 December 2011**

**Appellant:** Sony Corporation  
(Applicant) 7-35, Kitashinagawa 6-chome  
Shinagawa-ku  
Tokyo 141-0001 (JAPON)

**Representative:** Mills, Julia  
D Young & Co LLP  
120 Holborn  
London EC1N 2DY (ROYAUME UNI)

**Decision under appeal:** **Decision of the Examining Division of the  
European Patent Office posted 26 November 2010  
refusing European patent application No.  
05814155.7 pursuant to Article 97(2) EPC.**

**Composition of the Board:**

**Chairman:** F. Edlinger  
**Members:** A. Dumont  
B. Müller

## **Summary of Facts and Submissions**

I. The appeal is directed against the decision of the Examining Division posted on 26 November 2010.

II. The appellant filed a notice of appeal on 7 January 2011 and paid the appeal fee on 17 January 2011.

III. By communication of 18 May 2011, received by the appellant, the Registry of the Board informed the appellant that it appeared from the file that the written statement of grounds of appeal had not been filed, and that it was therefore 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 informed that any observations had to be filed within two months of notification of the communication.

IV. No reply was received.

## **Reasons for the Decision**

No written statement setting out the grounds of appeal was filed within the time limit provided by Article 108, third sentence, EPC in conjunction with Rule 126(2) EPC. In addition, neither the notice of appeal nor any other document filed contains anything that could be regarded as a statement of grounds pursuant to Article 108 EPC and Rule 99(2) EPC. Therefore, 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:



K. Boelicke

F. Edlinger

Decision electronically authenticated