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**Datasheet for the decision
of 20 December 2011**

Case Number: T 1213/11 - 3.4.02
Application Number: 02795516.0
Publication Number: 1444502
IPC: G01N 21/17, G01N 21/55
Language of the proceedings: EN

Title of invention:

Low-cost on-line and in-line spectral sensors based on solid-state source and detector combinations for monitoring lubricants and functional fluids

Applicant:

Sentelligence, Inc.

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"

Decisions cited:

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Catchword:

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Case Number: T 1213/11 - 3.4.02

D E C I S I O N
of the Technical Board of Appeal 3.4.02
of 20 December 2011

Appellant:
(Applicant) Sentelligence, Inc.
100 South Campus Drive
P.O. Box 3799
Terre Haute
IN 47803-0749 (US)

Representative: Volpert, Marcus
Zeitler - Volpert - Kandlbinder
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Herrnstrasse 44
D-80539 München (DE)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 17 December 2010
refusing European patent application
No. 02795516.0 pursuant to Article 97(2) EPC.

Composition of the Board:

Chairman: A. G. Klein
Members: M. Rayner
B. Müller

Summary of Facts and Submissions

I. The appellant contests the decision of the examining division of the European Patent Office dated 17 December 2010 refusing European patent application No. 02795516.0.

The appellant filed a notice of appeal on 17 February 2011 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.

II. In a communication dated 8 June 2011, 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 9 November 2011 the appellant withdrew the request for oral proceedings.

Reasons for the Decision

No written statement setting out the grounds of appeal was filed within the time limit provided for in Article 108 EPC. Nor did the notice of appeal contain anything that might be

considered as such statement pursuant to Article 108 and Rule 99(2) EPC. Thus, 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

M. Kiehl

A. Klein