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**Datasheet for the decision
of 2 May 2012**

Case Number: T 2051/11 - 3.5.04

Application Number: 06816471.4

Publication Number: 1932337

IPC: H04N5/33, G02B23/12

Language of the proceedings: EN

Title of invention:

ENHANCED NIGHT VISION GOGGLE WITH CAMERA

Applicant:

ITT Manufacturing Enterprises, Inc.

Headword:

Missing statement of grounds

Relevant legal provisions:

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

Keyword:

Admissibility of the appeal (no)

Decisions cited:

Catchword:



Case Number: T2051/11 - 3.5.04

D E C I S I O N
of the Technical Board of Appeal 3.5.04
of 2 May 2012

Appellant: ITT Manufacturing Enterprises, Inc.
(Applicant) 1105 North Market Street
Suite 1217
Wilmington, Delaware 19801 (ETATS-UNIS
D'AMERIQUE)

Representative: Dreiss
Patentanwälte
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Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted 16 March 2011
refusing European patent application No.
06816471.4 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chairman: F. Edlinger
Members: C. Kunzelmann
B. Müller

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Examining Division posted on 16 March 2011.
- II. The appellant filed a notice of appeal on 12 May 2011 and paid the appeal fee on 11 May 2011.
- III. By communication of 2 November 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 has been received.

Reasons for the Decision

No written statement setting out the grounds of appeal was filed within the time limit provided for 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