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**Datasheet for the decision
of 10 December 2012**

Case Number: T 1271/12 - 3.5.04

Application Number: 05777620.5

Publication Number: 1787239

IPC: H04N1/387, G06K9/36

Language of the proceedings: EN

Title of invention:
PHOTOGRAPHIC DOCUMENT IMAGING SYSTEM

Applicant:
COMPULINK MANAGEMENT CENTER, INC.

Headword:
Missing Statement of Grounds

Relevant legal provisions:
EPC Art. 108 sentence 3
EPC R. 99(2), 101(1), 126(2)

Keyword:
Admissibility of appeal - statement of grounds (not filed)

Decisions cited:

Catchword:



**Beschwerdekammern
Boards of Appeal
Chambres de recours**

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Case Number: T 1271/12 - 3.5.04

D E C I S I O N
of the Technical Board of Appeal 3.5.04
of 10 December 2012

Appellant:
(Applicant)

COMPULINK MANAGEMENT CENTER, INC.
3545 Long Beach Boulevard 110
Long Beach CA 90807 (US)

Representative:

Jones Day
Rechtsanwälte, Attorneys-at-Law, Patentanwälte
Prinzregentenstraße 11
80538 München (DE)

Decision under appeal:

**Decision of the Examining Division of the
European Patent Office posted 22 December 2011
refusing European patent application No.
05777620.5 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chairman: F. Edlinger
Members: R. Gerdes
B. Müller

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the examining division posted on 22 December 2011.
- II. The appellant filed a notice of appeal on 21 February 2012 and paid the appeal fee on the same day. The appellant requested that the decision of the examining division be set aside and that a patent be granted on the basis of the claims filed on 19 January 2011. Oral proceedings were requested for the case that the board could not set aside the decision under appeal.
- III. By communication of 25 June 2012, 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. With a letter dated 7 December 2012 the appellant withdrew its request for oral proceedings. No further reply has been received.

Reasons for the Decision

No written statement setting out the grounds of appeal has been 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