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**Datasheet for the decision
of 18 September 2012**

Case Number: T 1301/12 - 3.5.03

Application Number: 05018803.6

Publication Number: 1603248

IPC: H04B 1/707, H04J 13/00

Language of the proceedings: EN

Title of invention:

Spreading codes' generator for CDMA communication systems

Applicant:

INTERDIGITAL TECHNOLOGY CORPORATION

Opponent:

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Headword:

Spreading codes generator/INTERDIGITAL TECHNOLOGY CORPORATION

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 1301/12 - 3.5.03

D E C I S I O N
of the Technical Board of Appeal 3.5.03
of 18 September 2012

Appellant:
(Applicant)

INTERDIGITAL TECHNOLOGY CORPORATION
3411 Silverside Road
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Hagley Building
Wilmington, DE 19801 (US)

Representative:

Bohnenberger, Johannes
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Widenmayerstraße 48
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Decision under appeal:

Decision of the Examining Division of the
European Patent Office posted 27 December 2011
refusing European patent application
No. 05018803.6 pursuant to Article 97(2) EPC.

Composition of the Board:

Chairman: A. S. Clelland
Members: A. J. Madenach
R. Moufang

Summary of Facts and Submissions

- I. The appeal lies from the decision of the examining division of the European Patent Office refusing the European patent application 05018803.6. The decision was dispatched by registered letter with advice of delivery to the applicant on 27 December 2011.
- II. The appellant (applicant) filed a notice of appeal by a letter received on 6 March 2012. The notice of appeal included a request for oral proceedings. The payment of the appeal fee was recorded on the same day.

No statement of grounds was filed.

- III. By a communication dated 14 June 2012, sent by registered post with advice of delivery, the registry of the board informed the appellant that no statement of grounds had been filed and that the appeal could be expected to be rejected as inadmissible pursuant to Article 108, third sentence, EPC in conjunction with Rule 101(1) EPC. The appellant was invited to file observations within two months.
- IV. No answer to the registry's communication was received within the time limit. In a letter dated 20 September 2012 the appellant informed the board that the appeal was not to be continued.

Reasons for the Decision

As no written statement setting out the grounds of appeal has been filed within the time limit provided by Article 108 EPC in conjunction with Rule 126(2) EPC and the notice of appeal contains nothing that could be regarded as a statement of grounds pursuant to Article 108 EPC, the appeal has to be rejected as inadmissible (Rule 101(1) EPC). The request for oral proceedings has to be regarded as withdrawn in view of the appellant's letter dated 20 September 2012 (section IV above).

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

G. Rauh

A. S. Clelland