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**Datasheet for the decision
of 4 December 2012**

Case Number: T 1323/12 - 3.4.01

Application Number: 04760228.9

Publication Number: 1618406

IPC: G01S 5/14

Language of the proceedings: EN

Title of invention:

System and method to obtain signal acquisition assistance data

Applicant:

QUALCOMM INCORPORATED

Headword:

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Relevant legal provisions:

EPC Art. 108
EPC R. 101(1)

Keyword:

"Missing statement of grounds"

Decisions cited:

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Catchword:

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Case Number: T 1323/12 - 3.4.01

D E C I S I O N
of the Technical Board of Appeal 3.4.01
of 4 December 2012

Appellant: QUALCOMM INCORPORATED
(Applicant) 5775 Morehouse Drive
San Diego, CA 92121 (US)

Representative: Wagner, Karl H.
Wagner & Geyer Partnerschaft
Patent- und Rechtsanwälte
Gewürzmühlstraße 5
D-80538 München (DE)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 23 December 2011
refusing European patent application
No. 04760228.9 pursuant to Article 97(2) EPC.

Composition of the Board:

Chairman: G. Assi
Members: F. Neumann
J. Geschwind

Summary of Facts and Submissions

- I. The appellant filed a notice of appeal against the decision of the examining division dated 23 December 2011 refusing European patent application number 04760228.9. The notice of appeal was received on 2 March 2012. The appeal fee was paid on the same day. The notice of appeal contained a request for oral proceedings but nothing that could be regarded as a statement setting out the grounds of appeal pursuant to Article 108 EPC.
- No further submissions were filed by the appellant.
- II. In a communication dated 20 June 2012 sent by registered post with advice of delivery, the Board informed the appellant that no statement setting out the grounds of appeal had been received and that it was to be expected that the appeal would be rejected as inadmissible. The appellant was informed that any observations should be filed within two months.
- III. No observations were filed in response to said communication.

Reasons for the Decision

1. Article 108 EPC requires that a statement setting out the grounds of appeal shall be filed within four months of notification of the contested decision. Pursuant to Rule 101(1) EPC the appeal shall be rejected as inadmissible if it does not comply with Article 108 EPC.

2. In the present case no document was filed by the appellant which could be regarded as a statement setting out the grounds of appeal. Consequently the appeal has to be rejected as inadmissible.

3. Since the appeal is inadmissible, none of the requests in the notice of appeal, including the request for oral proceedings, can be considered.

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

R. Schumacher

G. Assi