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**Datasheet for the decision
of 12 September 2012**

Case Number: T 1334/12 - 3.5.05

Application Number: 05754868.7

Publication Number: 1622304

IPC: H04L12/14

Language of the proceedings: EN

Title of invention:

METHOD FOR SELECTING A CHARGING RULE IN CONNECTION WITH
SUBSCRIBER

Patent Proprietor:

Huawei Technologies Co., Ltd.

Opponent:

Telefonaktiebolaget L M Ericsson (publ)

Headword:

Subscriber-based charging rules/HUAWEI

Relevant legal provisions:

EPC Art. 108
EPC R. 101(1)

Keyword:

Admissibility of appeal - missing statement of grounds

Decisions cited:

Catchword:



**Beschwerdekammern
Boards of Appeal
Chambres de recours**

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Case Number: T 1334/12 - 3.5.05

D E C I S I O N
of the Technical Board of Appeal 3.5.05
of 12 September 2012

Appellant: Huawei Technologies Co., Ltd.
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(Opponent) 16 483 Stockholm (SUEDE)

Representative: HOFFMANN EITLÉ
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Decision under appeal: **Interlocutory decision of the Opposition
Division of the European Patent Office posted 19
January 2012 concerning maintenance of the
European Patent No. 1622304 in amended form.**

Composition of the Board:

Chair: A. Ritzka
Members: K. Bengi-Akyuerek
F. Blumer

Summary of Facts and Submissions

- I. The appeal is against the interlocutory decision of the opposition division, posted 19 January 2012, concerning the maintenance of the European patent No. 1622304 in amended form.
- II. Notice of appeal was received on 5 March 2012 and the appeal fee was paid on the same day. The notice of appeal contains an auxiliary request for oral proceedings.
- III. A written statement setting out the grounds of appeal was not filed within the four-month time limit provided for in Article 108 EPC. Nor did the notice of appeal contain anything that might be considered as such statement.
- IV. With a communication dated 19 June 2012, 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 further informed that any observations should be filed within two months.
- V. The appellant filed no observations in response to said communication.
- VI. With a letter dated 10 September 2012, the appellant withdrew the request for oral proceedings.

Reasons for the Decision

As no written statement setting out the grounds of appeal was filed within the time limit provided for in Article 108 EPC,

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 Chair:



K. Götz

A. Ritzka

Decision electronically authenticated