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**Datasheet for the decision
of 25 January 2013**

Case Number: T 1381/12 - 3.5.01

Application Number: 07023535.3

Publication Number: 1930817

IPC: G06F 17/30

Language of the proceedings: EN

Title of invention:

Method and apparatus for managing geographic information
system data

Applicant:

The Boeing Company

Headword:

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Relevant legal provisions:

EPC Art. 108
EPC R. 101(1)

Keyword:

"Missing statement of grounds of appeal"

Decisions cited:

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Catchword:

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Case Number: T 1381/12 - 3.5.01

D E C I S I O N
of the Technical Board of Appeal 3.5.01
of 25 January 2013

Appellant: The Boeing Company
(Applicant) 100 North Riverside Plaza
Chicago, IL 60606-2016 (US)

Representative: Lindner, Michael
Witte, Weller & Partner
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Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 5 January 2012
refusing European patent application
No. 07023535.3 pursuant to Article 97(2) EPC.

Composition of the Board:

Chairman: S. Wibergh
Members: P. Scriven
D. Prietzel-Funk

Summary of Facts and Submissions

- I. The appellant contests the decision of the examining division of the European Patent Office dated 5 January 2012 refusing European patent application No. 07023535.3.

The appellant filed a notice of appeal on 15 March 2012 and paid the appeal fee on the same day.

The notice of appeal contained an auxiliary request for oral proceedings.

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 a statement.

- II. In a communication dated 25 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 informed that any observations should be filed within two months.

In addition, it was asked to clarify whether the auxiliary request for oral proceedings was not meant to apply to a decision about the question of inadmissibility of the appeal.

- III. As a reaction, the appellant filed a letter dated 27 June 2012 in which it (solely) asked for refund of the appeal fee, since no grounds of appeal were

submitted. This request was subsequently withdrawn (by letter dated 3 July 2012).

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.

Under consideration of the above cited circumstances, the Board assumes that the appellant's request for oral proceedings does not apply to the issue of inadmissibility of the appeal. In fact, since the appellant requested a refund of the appeal fee, it is justified to conclude that no further processing of the lodged appeal should take place. Thus, no oral proceedings took place.

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar

The Chairman

T. Buschek

S. Wibergh