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**Datasheet for the decision
of 22 October 2012**

Case Number: T 1491/12 - 3.5.05

Application Number: 04724917.2

Publication Number: 1735962

IPC: H04L12/56, H04L29/06

Language of the proceedings: EN

Title of invention:

A METHOD AND AN ARRANGEMENT FOR AVOIDING UNNECESSARY
RETRANSMISSIONS

Applicant:

Telefonaktiebolaget LM Ericsson (publ)

Headword:

Inter-layer coordination of retransmissions/ERICSSON

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 1491/12 - 3.5.05

D E C I S I O N
of the Technical Board of Appeal 3.5.05
of 22 October 2012

Appellant: Telefonaktiebolaget LM Ericsson (publ)
(Applicant) 126 25 Stockholm (SE)

Representative: Stenborg, Anders Vilhelm
Aros Patent AB
P.O. Box 1544
751 45 Uppsala (SE)

Decision under appeal: **Decision of the Examining Division of the European Patent Office posted 24 January 2012 refusing European patent application No. 04724917.2 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chair: A. Ritzka
Members: P. Cretaine
D. Prietzel-Funk

Summary of Facts and Submissions

- I. The appellant contests the decision of the examining division of the European Patent Office dated 24 January 2012 refusing European patent application No. 04724917.2.

The appellant filed a notice of appeal on 20 March 2012 and paid the appeal fee on the same day.

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.

- II. In a communication dated 6 July 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.
- III. The appellant filed no observations in response to said communication.

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