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**Datasheet for the decision
of 6 June 2013**

Case Number: T 2485/12 - 3.5.01

Application Number: 01973614.9

Publication Number: 1340172

IPC: G06F 17/60

Language of the proceedings: EN

Title of invention:

Fulfilling a request for an electronic book

Applicant:

Lightning Source, Inc.

Opponent:

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Headword:

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Relevant legal provisions:

EPC Art. 108
EPC R. 101(1)

Relevant legal provisions (EPC 1973):

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Keyword:

"Missing statement of grounds of appeal"

Decisions cited:

-

Catchword:

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Case Number: T 2485/12 - 3.5.01

D E C I S I O N
of the Technical Board of Appeal 3.5.01
of 6 June 2013

Appellant: Lightning Source, Inc.
(Applicant) One Ingram Boulevard
La Vergne, TN 37086 (US)

Representative: Barton, Russell Glen
Withers & Rogers LLP
4 More London Riverside
London SE1 2AU (GB)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 20 June 2012
refusing European patent application
No. 01973614.9 pursuant to Article 97(2) EPC.

Composition of the Board:

Chairman: S. Wibergh
Members: K. Bumès
A. Pignatelli

Summary of Facts and Submissions

I. The appellant contests the decision of the examining division of the European Patent Office dated 20 June 2012 refusing European patent application No. 01973614.9.

The appellant filed a notice of appeal on 30 August 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 a statement.

II. In a communication dated 11 December 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 Chairman

T. Buschek

S. Wibergh