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**Datasheet for the decision
of 21 May 2013**

Case Number: T 0041/13 - 3.5.05

Application Number: 06825598.3

Publication Number: 1946236

IPC: G06F19/00

Language of the proceedings: EN

Title of invention:

On-line healthcare consultation services system and method of using same

Applicant:

Intensive Care On-line

Headword:

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 0041/13 - 3.5.05

D E C I S I O N
of Technical Board of Appeal 3.5.05
of 21 May 2013

Appellant: Intensive Care On-line
(Applicant) 1302 Concourse Drive
Linthicum, MD 21090 (US)

Representative: Viering, Jentschura & Partner
Grillparzerstrasse 14
81675 München (DE)

Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 18 July 2012
refusing European patent application No.
06825598.3 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chair: A. Ritzka
Members: K. Bengi-Akyuerek
G. Weiss

Summary of Facts and Submissions

- I. The appeal is against the decision of the examining division, posted on 18 July 2012, refusing European patent application No. 06825598.3.
- II. Notice of appeal was received on 28 September 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 14 January 2013, 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 communication dated 26 April 2013, the board informed the appellant that no statement setting out the grounds of appeal had been received and reminded the appellant of the pending request for oral proceedings.
- VII. In response to this communication, by letter dated 6 May 2013 and received on 7 May 2013, the appellant withdrew its request for oral proceedings and confirmed

that no additional documents had been submitted after receipt of the board's communication dated 26 April 2013.

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