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**Datasheet for the decision
of 14 January 2014**

Case Number: T 1183/13 - 3.5.02

Application Number: 02076492.4

Publication Number: 1257040

IPC: H02K3/28

Language of the proceedings: EN

Title of invention:
Fractional-slot winding motor

Patent Proprietor:
GM Global Technology Operations LLC

Opponent:
KONE Corporation

Headword:

Relevant legal provisions:
EPC R. 101(1)

Keyword:
Admissibility of appeal - missing statement of grounds

Decisions cited:

Catchword:



**Beschwerdekammern
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Chambres de recours**

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Case Number: T 1183/13 - 3.5.02

D E C I S I O N
of Technical Board of Appeal 3.5.02
of 14 January 2014

Appellant: KONE Corporation
(Opponent) Kartanontie 1
00330 Helsinki (FI)

Respondent: GM Global Technology Operations LLC
(Patent Proprietor) 300 Renaissance Center
Detroit, MI 48265-3000 (US)

Representative: Schmidt, Christian
Manitz, Finsterwald & Partner GbR
Martin-Greif-Strasse 1
80336 München (DE)

Decision under appeal: Interlocutory decision of the Opposition
Division of the European Patent Office posted on
8 March 2013 concerning maintenance of the
European Patent No. 1257040 in amended form.

Composition of the Board:

Chairman: M. Ruggiu
Members: G. Flynn
P. Mühlens

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Opposition Division dated 8 March 2013 and posted on the same day.
- II. The appellant filed a notice of appeal on 8 May 2013 and paid the appeal fee on 6 May 2013.
- III. By communication of 2 September 2013, received by the appellant, the Registry of the Board informed the appellant that it appeared from the file that the written statement of grounds of appeal had not been filed, and that it was therefore to be expected that the appeal would be rejected as inadmissible pursuant to Article 108, third sentence, EPC in conjunction with Rule 101(1) EPC. The appellant was informed that any observations had to be filed within two months of notification of the communication.
- IV. No reply was received.

Reasons for the Decision

No written statement setting out the grounds of appeal was filed within the time limit provided by Article 108, third sentence, EPC in conjunction with Rule 126(2) EPC. In addition, neither the notice of appeal nor any other document filed contains anything that could be regarded as a statement of grounds pursuant to Article 108 EPC and Rule 99(2) EPC. Therefore, the appeal has to be rejected as inadmissible (Rule 101(1) EPC).

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:



U. Bultmann

M. Ruggiu

Decision electronically authenticated