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**Datasheet for the decision
of 12 December 2013**

Case Number: T 1385/13 - 3.5.03

Application Number: 06754201.9

Publication Number: 1900110

IPC: H04B3/54, H04B3/56

Language of the proceedings: EN

Title of invention:

Bus modem for building and industrial electrical systems

Patent Proprietor:

Vimar SpA

Opponents:

Merten GmbH
Siemens Aktiengesellschaft
Insta Elektro GmbH

Headword:

Bus modem/VIMAR

Relevant legal provisions:

EPC Art. 108
EPC R. 99(1)(a), 101(2)

Keyword:

Admissibility of appeal - notice of appeal - name and address
of appellant

Decisions cited:

Catchword:



**Beschwerdekammern
Boards of Appeal
Chambres de recours**

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Case Number: T 1385/13 - 3.5.03

D E C I S I O N
of Technical Board of Appeal 3.5.03
of 12 December 2013

Appellant:
(Patent Proprietor)

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(Opponent 1)

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(Opponent 2)

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Respondent:
(Opponent 3)

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Decision under appeal:

**Decision of the Opposition Division of the
European Patent Office posted on 3 April 2013
revoking European patent No. 1900110 pursuant to
Article 101(2) EPC.**

Composition of the Board:

Chairman: F. van der Voort

Members: B. Noll

M.-B. Tardo-Dino

Summary of Facts and Submissions

- I. This appeal is against the decision of the opposition division revoking European patent No. 1900110.
- II. The appellant filed a notice of appeal on 13 June 2013 and paid the appeal fee the same day.
- III. By registered letter with advice of delivery the registrar of the board sent a communication, dated 21 June 2013 and received by the appellant on 28 June 2013, in which the appellant was invited to remedy, within two months of notification of the communication, deficiencies in the notice of appeal, namely the omission of the appellant's name and address, failing which it was to be expected that the appeal would be rejected as inadmissible pursuant to Article 108, first sentence, EPC in conjunction with Rule 101(2) EPC.
- IV. By registered letter with advice of delivery, dated 29 August 2013, received by the appellant on 6 September 2013, the registrar 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.
- V. Apart from the returned advices of delivery, no reply was received.

Reasons for the Decision

1. The deficiencies under Rule 99(1)(a) EPC (name and address missing) were not remedied by the appellant after having been invited to do so with the communication dated 21 June 2013. Consequently, pursuant to Rule 101(2), last sentence, EPC, the appeal is to be rejected as inadmissible.

2. In view of the above, it is not necessary to further consider the facts set out above in point IV.

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:



G. Rauh

F. van der Voort

Decision electronically authenticated