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**Datasheet for the decision
of 7 December 2015**

Case Number: T 1614/15 - 3.5.03

Application Number: 06300767.8

Publication Number: 1876737

IPC: H04B10/17

Language of the proceedings: EN

Title of invention:

A controlled optical amplifier device and its corresponding
feed back control method

Applicant:

ALCATEL LUCENT

Headword:

Relevant legal provisions:

EPC Art. 108

EPC R. 99(2), 101

Keyword:

Admissibility of appeal - (no) - missing statement of grounds

Decisions cited:

Catchword:



**Beschwerdekammern
Boards of Appeal
Chambres de recours**

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Case Number: T 1614/15 - 3.5.03

D E C I S I O N
of Technical Board of Appeal 3.5.03
of 7 December 2015

Appellant: ALCATEL LUCENT
(Applicant) 148/152 route de la Reine
92100 Boulogne-Billancourt (FR)

Representative: Wetzels, Emmanuelle
Alcatel Lucent
Intellectual Property & Standards
70430 Stuttgart (DE)

Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 9 March 2015
refusing European patent application No.
06300767.8 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chairman F. van der Voort
Members: K. Schenkel
O. Loizou

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Examining Division posted on 9 March 2015.
- II. The appellant filed a notice of appeal on 7 May 2015 and paid the appeal fee on the same day.
- III. With a communication dated 15 September 2015, receipt of which was acknowledged by the appellant, the Registry of the Board informed the appellant that it appeared from the file that a 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 to the communication was received.

Reasons for the Decision

1. 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.
2. In addition, neither the notice of appeal nor any other document filed contains anything that could be regarded as a statement of grounds of appeal pursuant to Article 108 EPC and Rule 99(2) EPC.
3. 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

F. van der Voort

Decision electronically authenticated