

**Internal distribution code:**

- (A) [ - ] Publication in OJ
- (B) [ - ] To Chairmen and Members
- (C) [ - ] To Chairmen
- (D) [ X ] No distribution

**Datasheet for the decision  
of 15 October 2018**

**Case Number:** T 0785/18 - 3.5.07

**Application Number:** 04101390.5

**Publication Number:** 1465161

**IPC:** G11B5/02, G11B20/10

**Language of the proceedings:** EN

**Title of invention:**

Apparatus and method for applying write signals for driving a write head

**Applicant:**

Texas Instruments Incorporated

**Headword:**

Missing statement of grounds/TEXAS INSTRUMENTS

**Relevant legal provisions:**

EPC Art. 108

EPC R. 99(2), 101(1)

**Keyword:**

Admissibility of appeal - missing statement of grounds

**Decisions cited:**

**Catchword:**



**Beschwerdekammern**  
**Boards of Appeal**  
**Chambres de recours**

Boards of Appeal of the  
European Patent Office  
Richard-Reitzner-Allee 8  
85540 Haar  
GERMANY  
Tel. +49 (0)89 2399-0  
Fax +49 (0)89 2399-4465

Case Number: T 0785/18 - 3.5.07

**D E C I S I O N**  
**of Technical Board of Appeal 3.5.07**  
**of 15 October 2018**

**Appellant:**  
(Applicant)

Texas Instruments Incorporated  
P.O. Box 655474  
13500 North Central Expressway  
Dallas, TX 75265 (US)

**Representative:**

Zeller, Andreas  
Texas Instruments Deutschland GmbH  
Haggertystraße 1  
85356 Freising (DE)

**Decision under appeal:**

**Decision of the Examining Division of the  
European Patent Office posted on 31 August 2017  
refusing European patent application No.  
04101390.5 pursuant to Article 97(2) EPC.**

**Composition of the Board:**

**Chairman** R. Moufang  
**Members:** R. de Man  
M. Jaedicke

### **Summary of Facts and Submissions**

- I. The appeal is directed against the decision of the Examining Division to refuse European patent application No. 04101390.5 posted on 31 August 2017.
- II. The applicant (Texas Instruments Incorporated) filed a notice of appeal on 10 November 2017 and paid the appeal fee on the same day.
- III. By communication of 28 March 2018, sent by registered letter with advice of delivery (the receipt of which was confirmed by the appellant on 29 March 2018) 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 within the deadline set.

### **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:



I. Aperribay

R. Moufang

Decision electronically authenticated