

Internal distribution code:

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

**Datasheet for the decision
of 24 January 2019**

Case Number: T 1172/18 - 3.5.02

Application Number: 09178256.5

Publication Number: 2209200

IPC: H02M7/5387, H02P9/00, H02J3/40

Language of the proceedings: EN

Title of invention:
Electrical System And Control Method

Patent Proprietor:
General Electric Company

Opponent:
ABB Schweiz AG

Relevant legal provisions:
EPC Art. 108
EPC R. 101(1)

Keyword:
"Missing statement of grounds"



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 1172/18 - 3.5.02

D E C I S I O N
of Technical Board of Appeal 3.5.02
of 24 January 2019

Appellant: ABB Schweiz AG
(Opponent) Brown Boveri Strasse 6
5400 Baden (CH)

Representative: ABB Patent Attorneys
c/o ABB Schweiz AG
Intellectual Property CH-IP
Brown Boveri Strasse 6
5400 Baden (CH)

Respondent: General Electric Company
(Patent Proprietor) 1 River Road
Schenectady, NY 12345 (US)

Representative: Bedford, Grant Richard
GPO Europe
GE International Inc.
The Ark
201 Talgarth Road
Hammersmith
London W6 8BJ (GB)

Decision under appeal: **Decision of the Opposition Division of the
European Patent Office posted on 27 February
2018 rejecting the opposition filed against
European patent No. 2209200 pursuant to Article
101(2) EPC.**

Composition of the Board:

Chairman	R. Lord
Members:	F. Giesen
	J. Hoppe

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Opposition Division of 15 January 2018, posted on 27 February 2018.
- II. The appellant filed a notice of appeal on 8 May 2018 and paid the appeal fee on the same day.
- III. By communication of 23 July 2018, 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.
- V. On 18 January 2019 the appellant withdrew its former request for oral proceedings.

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

R. Lord

Decision electronically authenticated