

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 September 2020**

Case Number: T 0863/20 - 3.4.01

Application Number: 09178807.5

Publication Number: 2204658

IPC: G01R29/18, G01R31/02

Language of the proceedings: EN

Title of invention:
Meter phase identification

Applicant:
Aclara Meters LLC

Relevant legal provisions:

EPC Art. 108
EPC R. 101(1)

Keyword:

Admissibility of appeal - 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 0863/20 - 3.4.01

D E C I S I O N
of Technical Board of Appeal 3.4.01
of 24 September 2020

Appellant: Aclara Meters LLC
(Applicant) 945 Hornet Drive
Hazelwood MO 63042 (US)

Representative: Lecomte & Partners
76-78, rue de Merl
2146 Luxembourg (LU)

Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 23 October 2019
refusing European patent application No.
09178807.5 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chairman P. Scriven
Members: B. Noll
J. Geschwind

Summary of Facts and Submissions

- I. The appellant contests the decision of the Examining Division of the European Patent Office posted on 23 October 2019 refusing European patent application No. 09178807.5 pursuant to Article 97(2) EPC.
- II. The appellant filed a notice of appeal on 2 January 2020 and paid the appeal fee on the same day.
- III. A written statement setting out the grounds of appeal was not filed within the four-month time limit provided for in Article 108 EPC. Nor did the notice of appeal contain anything that might be considered as such statement.
- IV. In a communication dated 8 April 2020, the Board informed the appellant that no statement setting out the grounds of appeal had been received and that the appeal could be expected to be rejected as inadmissible. The appellant was informed that any observations should be filed within two months.
- V. The appellant filed no observations in response to said communication.

Reasons for the Decision

As no written statement setting out the grounds of appeal was filed within the time limit provided for in Article 108 EPC, the appeal is inadmissible pursuant to Rule 101(1) EPC.

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:



D. Meyfarth

P. Scriven

Decision electronically authenticated