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DECISION
of 1 February 1994

Case Number: T 1047/92 - 3.4.1

Application Number: 87400442.7

Publication Number: 027996

IPC: H01L 23/52

Language of the proceedings: EN

Title of invention:

Multiple chip interconnection system and package

Applicant:

Digital Equipment Corporation

Opponent:

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Headword:

-

Relevant legal norms:

EPC Art. 108

EPC R. 65

Keyword:

"Missing Statement of Grounds

Decisions cited:

T 0013/82

Headnote/Catchword:

-



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Boards of Appeal

Chambres de recours

Case Number: T 1047/92 - 3.4.1

D E C I S I O N
of the Technical Board of Appeal 3.4.1
of 1 February 1994

Appellant: Digital Equipment Corporation
146 Main Street
Maynard, MA 01754 (US)

Representative: Mongrédién, André
c/o Societe de Protection des Inventions
25, rue de Ponthieu
F - 75008 Paris (FR)

Decision under appeal: Decision of the Examining Division of the European Patent Office dated 31 July 1992 refusing European patent application No. 87 400 442.7 pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: G.D. Paterson
Members: R. Shukla
U.G. Himmler

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division of the European Patent Office dated 31 July 1992, refusing the European patent No. 87 400 442.7. The decision was dispatched by registered letter with advice of delivery on the day it was given. The Appellant filed a notice of appeal on 30 September 1992, and paid the fee for appeal on the same day. The notice of appeal contains nothing that could be regarded as a Statement of Grounds pursuant to Article 108 EPC.

- II. In a letter dated 27 November 1992 the Appellant informed the Board that "the Applicant has decided to abandon the above-mentioned application. Then, no written statement will be filed". In addition, the Appellant requested the reimbursement of the appeal fee.

- III. By a communication dated 14 January 1993, sent by registered letter with advice of delivery, the Registry of the Board informed the Appellant that no Statement of Grounds has been filed and that the appeal could be expected to be rejected as inadmissible and that no refund of the appeal fee would be possible. The Appellant was invited to file observations within two months.

Reasons for the Decision

As no written Statement setting out the grounds of appeal has been filed, the appeal has to be rejected as inadmissible (Article 108 EPC in conjunction with Rule 65(1) EPC). The request for refund of the appeal fee is refused, following Decision T 13/82 (OJ EPO 1983, 411).

Order

For these reasons, it is decided that:

1. The appeal is rejected as inadmissible.
2. The appeal fee will not be refunded.

The Registrar:

The Chairman:

M. Beer

G.D. Paterson