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**Datasheet for the decision  
of 18 September 2006**

**Case Number:** T 0201/06 - 3.5.01

**Application Number:** 03012292.3

**Publication Number:** 1486849

**IPC:** G06F 1/00

**Language of the proceedings:** EN

**Title of invention:**

License management in computer systems that use dynamic  
service-to-server distribution

**Applicant:**

SAP AG

**Opponent:**

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**Headword:**

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**Relevant legal provisions:**

EPC Art. 108

EPC R. 65(1)

**Keyword:**

"Missing statement of grounds"

"Withdrawal of request for oral proceedings"

**Decisions cited:**

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**Catchword:**

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Case Number: T 0201/06 - 3.5.01

**D E C I S I O N**  
of the Technical Board of Appeal 3.5.01  
of 18 September 2006

**Appellant:** SAP AG  
Dietmar-Hopp-Allee 16  
D-69190 Walldorf (DE)

**Representative:** Cohausz & Florack  
Patent- und Rechtsanwälte  
Postfach 10 18 30  
D-40009 Düsseldorf (DE)

**Decision under appeal:** Decision of the Examining Division of the  
European Patent Office posted 23 August 2005  
refusing European application No. 03012292.3  
pursuant to Article 97(1) EPC.

**Composition of the Board:**

**Chairman:** S. Steinbrener  
**Members:** W. Chandler  
P. Schmitz

## **Summary of Facts and Submissions**

I. The appellant contests the decision of the examining division of the European Patent Office dated 23 August 2005 refusing European patent application No. 03 012 292.3.

The appellant filed a notice of appeal on 24 October 2005 and paid the appeal fee on the same day. The notice of appeal contains an auxiliary request for oral proceedings.

A written statement setting out the grounds of appeal was not filed within the four-months time limit provided for in Article 108 EPC. Nor did the notice of appeal contain anything that might be considered as such statement.

II. In a communication dated 6 March 2006, 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.

III. In a letter dated 17 August 2006 the appellant withdrew the request for oral proceedings.

## **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 65(1) EPC.

**Order**

**For these reasons it is decided that:**

The appeal is rejected as inadmissible.

The Registrar

The Chairman

P. Guidi

S. Steinbrener