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Datasheet for the decision of 17 August 2009

Case Number: T 1036/07 - 3.4.01

Application Number: 99961841.6

Publication Number: 104938

IPC: G01R 33/54

Language of the proceedings: EN

Title of invention:
A method for using three points to define a 2D MR imaging section

Applicant:
GENERAL ELECTRIC COMPANY

Opponent:
-

Headword:
-

Relevant legal provisions:
-

Relevant legal provisions (EPC 1973):
EPC Art. 108
EPC R. 65(1)

Keyword:
"Missing statement of grounds"

Decisions cited:
-

Catchword:
-

b

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Beschwerdekammern | Boards of Appeal | Chambres de recours

Case Number: T 1036/07 - 3.4.01

D E C I S I O N
of the Technical Board of Appeal 3.4.01
of 17 August 2009

Appellant: GENERAL ELECTRIC COMPANY
1 River Road
Schenectady
NY 12345 (US)

Representative: Goode, Ian Roy
London Patent Operation
General Electric International, Inc.
15 John Adam Street
London WC2N 6LU (GB)

Decision under appeal: **Decision of the Examining Division of the European Patent Office posted 22 December 2006 refusing European application No. 99961841.6 pursuant to Article 97(1) EPC 1973.**

Composition of the Board:

Chairman: B. Schachenmann
Members: G. Assi
H. Wolfrum

Summary of Facts and Submissions

I. The appellant (applicant) lodged an appeal, received on 28 February 2007, against the decision of the examining division, dispatched on 22 December 2006, refusing the European patent application No. 1 049 938 (application number 99961841.6). The appeal fee was paid on 28 February 2007.

II. A statement setting out the grounds of appeal was not filed within the time limit of four months prescribed by Article 108 EPC 1973.

III. By a communication dated 13 July 2007, the Registrar of the Board informed the appellant that the written statement of grounds of appeal had not been filed and, therefore, it was to be expected that the appeal be rejected as inadmissible (Article 108 EPC 1973 and Rule 65(1) EPC 1973). The appellant was invited to file observations within two months from notification of the communication.

IV. The appellant filed no observations in response to the communication.

Reasons for the Decision

1. No written statement setting out the grounds of appeal has been filed within the time limit provided by Article 108 EPC 1973 in conjunction with Rule 78(2) EPC 1973. The notice of appeal contained nothing that could be considered as such a statement. Therefore, the appeal is inadmissible (Rule 65(1) EPC 1973).

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar: The Chairman:

R. Schumacher B. Schachenmann