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**Datasheet for the decision
of 1 October 2009**

Case Number: T 1017/09 - 3.5.02

Application Number: 98301388.9

Publication Number: 0862145

IPC: G07B 17/02

Language of the proceedings: EN

Title of invention:

Security and authentication of postage indicia

Applicant:

NEOPOST LIMITED

Opponent:

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Headword:

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Relevant legal provisions:

EPC Art. 108
EPC R. 101(1)

Relevant legal provisions (EPC 1973):

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Keyword:

"Missing statement of grounds"

Decisions cited:

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Catchword:

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Case Number: T 1017/09 - 3.5.02

D E C I S I O N
of the Technical Board of Appeal 3.5.02
of 1 October 2009

Appellant: NEOPOST LIMITE
South Street
Romford
Essex RM1 2AR (GB)

Representative: David, Alain
Cabinet Beau de Loménie
158, rue de l'Université
F-75340 Paris Cedex 07 (FR)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 25 November 2008
refusing European application No. 98301388.9
pursuant to Article 97(2) EPC.

Composition of the Board:

Chairman: M. Ruggiu
Members: G. Flyng
P. Mühlens

Summary of Facts and Submissions

I. The appeal lies from the decision of the examining division of the European Patent Office refusing European patent application No. 98301388.9. The decision was dispatched by registered letter with advice of delivery to the applicant on 25 November 2008.

The appellant filed a notice of appeal by a letter received on 4 February 2009. The payment of the appeal fee was recorded on the same day.

No separate statement of grounds was filed.

II. By a communication dated 18 May 2009 sent by registered letter with advice of delivery, the registry of the board informed the appellant that no statement of grounds had been filed and that the appeal could be expected to be rejected as inadmissible. The appellant was invited to file observations within two months.

III. No answer has been given to the registry's communication within the time limit. However, by fax received on 1 July 2009, the appellant confirmed that he had received the communication of 18 May 2009.

Reasons for the Decision

As no written statement setting out the grounds of appeal has been filed and as the notice of appeal contains nothing that could be regarded as statement of grounds pursuant to Article 108 EPC, the appeal has to be rejected as inadmissible (Article 108 EPC in conjunction with Rule 101(1) EPC)

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar

The Chairman

U. Bultmann

M. Ruggiu