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**Datasheet for the decision
of 5 July 2011**

Case Number: T 0037/11 - 3.5.04

Application Number: 01119061.8

Publication Number: 1184851

IPC: G11B 7/007

Language of the proceedings: EN

Title of invention:

Recording medium and recording medium master, and method of
manufacturing recording medium

Applicant:

Sony Corporation

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:

"Form of appeal - missing statement of grounds"

Decisions cited:

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Catchword:

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Case Number: T 0037/11 - 3.5.04

D E C I S I O N
of the Technical Board of Appeal 3.5.04
of 5 July 2011

Appellant: Sony Corporation
1-7-1 Konan
Minato-ku
Tokyo 108-0075 (JP)

Representative: Müller - Hoffmann & Partner
Patentanwälte
Innere Wiener Straße
D-81667 München (DE)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 20 July 2010
refusing European patent application
No. 01119061.8 pursuant to Article 97(2) EPC.

Composition of the Board:

Chairman: F. Edlinger
Members: C. Kunzelmann
B. Müller

Summary of Facts and Submissions

- I. The appellant contests the decision of the examining division dated 20 July 2010 refusing European patent application No. 01 119 061.8.
- II. The appellant filed a notice of appeal received on 28 September 2010 and paid the appeal fee on the same day. No statement of grounds of appeal was received.
- III. In a communication dated 20 January 2011 sent by registered post with advice of delivery, the board informed the appellant that no statement of grounds of appeal had been received and that it was to be expected that the appeal would be rejected as inadmissible. The appellant was informed that any observations should be filed within two months.
- IV. No observations were filed.

Reasons for the Decision

1. Article 108 EPC requires that a statement setting out the grounds of appeal shall be filed within four months of notification of the decision. Pursuant to Rule 101(1) EPC the appeal shall be rejected as inadmissible if it does not comply with Article 108 EPC.
2. In the present case no document was filed by the appellant which could be regarded as a statement setting out the grounds of appeal. Consequently the appeal has to be rejected as inadmissible.

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar

The Chairman

K. Boelicke

F. Edlinger