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**Datasheet for the decision
of 28 May 2014**

Case Number: T 0177/14 - 3.4.02

Application Number: 05796093.2

Publication Number: 1794575

IPC: G01N21/64

Language of the proceedings: EN

Title of invention:

LUMINESCENCE SENSOR APPARATUS AND METHOD

Applicant:

Glaxo Group Limited

Headword:

Relevant legal provisions:

EPC Art. 108
EPC R. 101(1)

Keyword:

Missing statement of grounds

Decisions cited:

Catchword:



**Beschwerdekammern
Boards of Appeal
Chambres de recours**

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Case Number: T 0177/14 - 3.4.02

**D E C I S I O N
of Technical Board of Appeal 3.4.02
of 28 May 2014**

Appellant: Glaxo Group Limited
(Applicant) 980 Great West Road
Brentford, Middlesex TW8 9GS (GB)

Representative: Rice, Jason Neale
GlaxoSmithKline
Global Patents (CN 925.1)
980 Great West Road
Brentford, Middlesex TW8 9GS (GB)

Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 14 August 2013
refusing European patent application No.
05796093.2 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chairman A. Klein
Members: F. Maaswinkel
B. Müller

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Examining Division of 14 August 2014, posted on the same day.
- II. The appellant filed a notice of appeal on 24 October 2013 and paid the appeal fee on the same day.
- III. By communication of 30 January 2014, received by the appellant on 27 February 2014, the Registry of the Board informed the appellant that it appeared from the file that the written statement of grounds of appeal had not been filed, and that it was therefore to be expected that the appeal would be rejected as inadmissible pursuant to Article 108, third sentence, EPC in conjunction with Rule 101(1) EPC. The appellant was informed that any observations had to be filed within two months of notification of the communication.
- IV. No reply has been received.

Reasons for the Decision

No written statement setting out the grounds of appeal was filed within the time limit provided by Article 108, third sentence, EPC in conjunction with Rule 126(2) EPC. In addition, neither the notice of appeal nor any other document filed contains anything that could be regarded as a statement of grounds pursuant to Article 108 EPC and Rule 99(2) EPC. Therefore, the appeal has to be rejected as inadmissible (Rule 101(1) EPC).

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:



M. Kiehl

A. Klein

Decision electronically authenticated