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**Datasheet for the decision
of 19 November 2018**

Case Number: T 2419/17 - 3.4.01

Application Number: 05775204.0

Publication Number: 1779123

IPC: G01R27/00, G01N22/02

Language of the proceedings: EN

Title of invention:

HIGH-RESOLUTION, NONDESTRUCTIVE IMAGING OF DIELECTRIC MATERIALS

Applicant:

Little, Jack R., Jr.

Headword:

Relevant legal provisions:

EPC Art. 108

EPC R. 99(2), 101(1)

Keyword:

Admissibility of appeal - missing statement of grounds

Decisions cited:

Catchword:



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Chambres de recours

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Case Number: T 2419/17 - 3.4.01

D E C I S I O N
of Technical Board of Appeal 3.4.01
of 19 November 2018

Appellant: Little, Jack R., Jr.
(Applicant) 912 Holystone Drive
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Representative: Fox-Male, Nicholas Vincent Humbert
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Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 15 May 2017
refusing European patent application No.
05775204.0 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chairman P. Scriven
Members: F. Neumann
J. Geschwind

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Examining Division dated 15 May 2017 refusing European patent application number 05 775 204.0.
- II. The Appellant filed a notice of appeal on 5 July 2017 and paid the appeal fee on the same day.
- III. By communication of 6 November 2017, received by the appellant on 10 November 2017, 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 advised that the request for oral proceedings made in the notice of appeal was assumed not to apply to the issue of admissibility since no statement of grounds had been filed. The Appellant was informed that any observations - including any statement regarding the Board's assumption that the request for oral proceedings did not apply to the question of admissibility of the appeal - had to be filed within two months of notification of the communication.
- IV. Observations in this respect were not received and no indication was made that the Board's assumption with respect to the request for oral proceedings was wrong.

Reasons for the Decision

1. 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:



R. Schumacher

P. Scriven

Decision electronically authenticated