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**Datasheet for the decision
of 14 January 2020**

Case Number: T 2322/19 - 3.5.07

Application Number: 08844265.2

Publication Number: 2203979

IPC: H03M13/23

Language of the proceedings: EN

Title of invention:

Optimum distance spectrum feedforward tail-biting
convolutional codes

Applicant:

Guangdong OPPO Mobile Telecommunications Corp., Ltd.

Headword:

Missing statement of grounds/GUANGDONG OPPO MOBILE
TELECOMMUNICATIONS

Relevant legal provisions:

EPC Art. 108
EPC R. 99(2), 101(1)

Keyword:

Admissibility of appeal - missing statement of grounds



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Case Number: T 2322/19 - 3.5.07

D E C I S I O N
of Technical Board of Appeal 3.5.07
of 14 January 2020

Appellant: Guangdong OPPO Mobile Telecommunications Corp.,
(Applicant) Ltd.
No. 18 Haibin Road
Wusha, Chang'an
Dongguan,
Guangdong 523860 (CN)

Representative: Finnegan Europe LLP
1 London Bridge
London SE1 9BG (GB)

Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 20 February
2019 refusing European patent application No.
08844265.2 pursuant to Article 97(2) EPC**

Composition of the Board:

Chairman R. Moufang
Members: P. San-Bento Furtado
M. Jaedicke

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Examining Division to refuse European patent application No. 08844265.2, which was posted on 20 February 2019.
- II. The then applicant (Telefonaktiebolaget LM Ericsson (publ)) filed a notice of appeal on 14 March 2019 and paid the appeal fee on the same day. Following a corresponding request, Guangdong OPPO Mobile Telecommunications Corp., Ltd. was registered as new applicant with effect of 7 June 2019 and thereby acquired appellant status.
- III. By communication of 23 August 2019, sent by registered letter with advice of delivery (the receipt of which was confirmed by the appellant on 30 August 2019), 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 was received within the deadline set.

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:



I. Aperribay

R. Moufang

Decision electronically authenticated