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**Datasheet for the decision
of 23 April 2021**

Case Number: T 0015/21 - 3.5.03

Application Number: 10777139.6

Publication Number: 2507978

IPC: H04M1/725

Language of the proceedings: EN

Title of invention:

Creating and utilizing a context

Applicant:

Qualcomm Incorporated

Headword:

Missing grounds/QUALCOMM

Relevant legal provisions:

EPC Art. 108

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

Keyword:

Admissibility of appeal - missing statement of grounds



Beschwerdekammern

Boards of Appeal

Chambres de recours

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European Patent Office
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Case Number: T 0015/21 - 3.5.03

D E C I S I O N
of Technical Board of Appeal 3.5.03
of 23 April 2021

Appellant: Qualcomm Incorporated
(Applicant) Attn: International IP Administration
5775 Morehouse Drive
San Diego, CA 92121 (US)

Representative: Bardehle Pagenberg Partnerschaft mbB
Patentanwälte Rechtsanwälte
Prinzregentenplatz 7
81675 München (DE)

Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 10 July 2020
refusing European patent application
No. 0777139.6 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chair K. Bengi-Akyürek
Members: K. Peirs
N. Obrovski

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the examining division to refuse the present European patent application for insufficiency of disclosure (Article 83 EPC).
- II. The appellant filed a notice of appeal on 15 September 2020 and paid the appeal fee on the same day.
- III. By communication of 19 January 2021, receipt of which was confirmed by the appellant, 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.

Reasons for the Decision

- 1. Admissibility of the appeal (Article 108 EPC)
 - 1.1 No written statement of grounds of appeal was filed within the time limit provided by Article 108, third sentence, EPC in conjunction with Rule 126(2) EPC.
 - 1.2 In addition, neither the notice of appeal nor any other document filed contains anything that could be regarded

as a statement of grounds of appeal pursuant to Article 108 EPC and Rule 99(2) EPC.

1.3 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 Chair:



B. Brückner

K. Bengi-Akyürek

Decision electronically authenticated