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**Datasheet for the decision
of 21 October 2024**

Case Number: T 1013/24 - 3.5.05

Application Number: 18196724.1

Publication Number: 3462259

IPC: G05B19/409, G06F11/36

Language of the proceedings: EN

Title of invention:

Systems and methods for ease of graphical configuration design verification in a process control plant

Applicant:

Fisher-Rosemount Systems, Inc.

Headword:

No statement of grounds of appeal/FISHER-ROSEMOUNT

Relevant legal provisions:

EPC Art. 108

EPC R. 99(2), 101(1), 126(2)

Keyword:

Admissibility of appeal (no): missing statement of grounds



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Boards of Appeal
Chambres de recours

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Case Number: T 1013/24 - 3.5.05

D E C I S I O N
of Technical Board of Appeal 3.5.05
of 21 October 2024

Appellant: Fisher-Rosemount Systems, Inc.
(Applicant) 1100 W. Louis Henna Blvd., Bldg 1
Round Rock, TX 78681 (US)

Representative: Forresters IP LLP
Skygarden
Erika-Mann-Straße 11
80636 München (DE)

Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 29 February
2024 refusing European patent application
No. 18196724.1 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chair K. Bengi-Akyürek
Members: J. Eraso Helguera
C. Heath

Summary of Facts and Submissions

- I. The appeal was lodged against the decision of the examining division to refuse the present European patent application.
- II. The appellant filed a notice of appeal on 26 April 2024 and paid the appeal fee on the same day. The notice of appeal contained a request to hold oral proceedings. However, no statement of grounds of appeal was received within the time limit provided by Article 108, third sentence, EPC.
- III. By communication of 9 August 2024, the Registry of the Board informed the appellant that it appeared from the file that the statement of grounds of appeal had not been filed. 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 also informed that any observations had to be filed within two months of notification of the communication, or the appeal would be rejected as inadmissible. The communication further pointed out that, unless otherwise indicated by the appellant, the request for oral proceedings was assumed not to apply to the issue of inadmissibility.
- IV. No reply was received.

Reasons for the Decision

1. The appeal is not admissible as it does not meet the requirements set out in Article 108 EPC.

- 1.1 No 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 Furthermore, neither the notice of appeal nor any other document filed contains anything that could be construed as a statement setting out the grounds of appeal pursuant to Article 108 EPC and Rule 99(2) EPC.
2. 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