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Aktenzeichen / Case Number / N° du recours : T 240/85

Anmeldenummer / Filing No / N° de la demande : 78 300.588.7

Veröffentlichungs-Nr. / Publication No / N° de la publication : 0001925

Bezeichnung der Erfindung: Dual Section Distributed Parameter Delay-Line  
Title of invention:  
Titre de l'invention :

Klassifikation / Classification / Classement : H 03H 7/32

**ENTSCHEIDUNG / DECISION**

vom / of / du 23 June 1987

Anmelder / Applicant / Demandeur :

Patentinhaber / Proprietor of the patent /  
Titulaire du brevet : Sprague Electric Company

Einsprechender / Opponent / Opposant : NV Philips Gloeilampenfabrieken

Stichwort / Headword / Référence :

EPÜ / EPC / CBE Art. 108, Rule 65(1)

Kennwort / Keyword / Mot clé :

"Missing Statement of Grounds"

Leitsatz / Headnote / Sommaire

Europäisches  
Patentamt

Beschwerdekammern

European Patent  
Office

Boards of Appeal

Office européen  
des brevets

Chambres de recours

Case Number : T/240/85

31/1/87



**D E C I S I O N**  
of the Technical Board of Appeal 3.5.1  
of 23 October 1986

**Appellant :**  
(Proprietor of the patent) Sprague Electric Company  
North Adams  
USA Massachusetts 01247

**Representative :**  
Crawford, Andrew Birkby  
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Northumberland House  
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**Respondent :**  
(Opponent) NV Philips Gloeilampenfabrieken  
NL-Eindhoven

**Representative :**  
Veenstra, Gustaaf  
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Prof. Holstlaan 6  
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**Decision under appeal :** Decision of the Opposition Division  
of the European Patent Office dated  
25 July 1985 revoking European patent  
No. 001 925 pursuant to Article 102(1)  
EPC

**Composition of the Board :**

**Chairman :** P.K.J. Van den Berg

**Members :** G.D. Paterson  
W.B. Oettinger

### Summary of Facts and Submissions

- I. The appeal contests the decision of the Opposition Division of the European Patent Office dated 25 July 1985 revoking European patent No. EP 0001925. The decision was dispatched by registered letter with advice of delivery to the applicant on the day it was given. The Appellant filed a notice of appeal by letter dated 20 September 1985, received on 21 September 1985, and paid the fee for appeal on 26 September 1985. No Statement of Grounds was filed. The notice of appeal contains nothing that could be regarded as a Statement of Grounds pursuant to Article 108 EPC.
- II. By a communication dated 13 December 1985 and sent by registered post, the Registry of the Board informed the Appellant that no Statement of Grounds had been filed and that the appeal could be expected to be rejected as inadmissible. The Appellant was invited to file observations within 2 months.
- III. The Appellant filed no observations in response to said communication, nor has he filed a request for *restitutio in integrum*.

### Reasons for the Decision

As no written statement setting out the grounds of appeal has been filed, the appeal has to be rejected as inadmissible (Article 108 EPC in conjunction with Rule 65(1) EPC).

**Order**

**For these reasons, it is decided that:**

**the appeal is rejected as inadmissible.**

**The Registrar:**

**The Chairman:**

**B.A. Norman**

**P.K.J. Van den Berg**