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Aktenzeichen / Case Number / N^o du recours : T 457/87 - 3.2.1

Anmeldenummer / Filing No / N^o de la demande : 83 103 691.8

Veröffentlichungs-Nr. / Publication No / N^o de la publication : 0 104 308

Bezeichnung der Erfindung: Combination of rotary and rectilinear bearing

Title of invention:

Titre de l'invention :

Klassifikation / Classification / Classement : F 16C 31/06

ENTSCHEIDUNG / DECISION

vom / of / du 21 March 1988

Anmelder / Applicant / Demandeur : Thomson Industries Inc.

Patentinhaber / Proprietor of the patent /
Titulaire du brevet :

Einsprechender / Opponent / Opposant :

Stichwort / Headword / Référence :

EPÜ / EPC / CBE Art. 108, Rule 65(1)

Schlagwort / 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 457/87 - 3.2.1

D E C I S I O N
of the Technical Board of Appeal 3.2.1
of 21 March 1988

Appellant : THOMSON INDUSTRIES INC.
1029 Plandome Road
Manhasset New York 11030/US

Representative : Meyer-Roxlau, Reiner Ferdinand, Dipl. -Ing.
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Decision under appeal : Decision of Examining Division 115
of the European Patent Office
dated 19 June 1987 refusing European
patent application No. 83 103 691.8
pursuant to Article 97(1) EPC

Composition of the Board :

Chairman : P. Delbecque
Members : C. Wilson
O. Bossung

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division 115 of the European Patent Office dated 19 June 1987 refusing the European patent application No. 83 103 691.8. 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 a letter received on 17 August 1987, and paid the fee for appeal on the same day. 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 5 January 1988 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 two months.
- III. By a letter dated 13 January 1988 the Appellant stated that it was intended to allow the application to become abandoned by not substantiating the appeal.

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

F. Klein

P. Delbecque