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Aktenzeichen / Case Number / N^o du recours : t 15/89 - 3.5.1

Anmeldenummer / Filing No / N^o de la demande : 83 106 797.0

Veröffentlichungs-Nr. / Publication No / N^o de la publication : 0 100 466

Bezeichnung der Erfindung: Dual-band antenna system of a beam waveguide type
Title of invention:
Titre de l'invention :

Klassifikation / Classification / Classement : H01Q 19/19

ENTSCHEIDUNG / DECISION
vom / of / du 1 December 1989

Anmelder / Applicant / Demandeur :

Patentinhaber / Proprietor of the patent /
Titulaire du brevet : NEC Corporation

Einsprechender / Opponent / Opposant : Siemens AG

Stichwort / Headword / Référence :

EPÜ / EPC / CBE Art. 108, Rule 65(1)

Schlagwort / Keyword / Mot clé : "Missing Statement of Grounds"

Leitsatz / Headnote / Sommaire



Case Number : T 15 /89 - 3.5.1

D E C I S I O N
of the Technical Board of Appeal
of 1 December 1989

Appellant :
(Proprietor of the patent) NEC Corporation
33-1 Shiba 5 chome
Minato-ku
Tokyo
Japan

Representative :
Vossius & Partner
Siebertstrasse 4
P.O. Box 86 07 67
D-8000 München 86

Respondent :
(Opponent) Siemens Aktiengesellschaft
Berlin und München
Postfach 22 02 61
D-8000 München 22

Representative :

Decision under appeal : Decision of Opposition Division of the European Patent Office dated 24 October 1989 revoking European patent No. 0 100 466 pursuant to Article 102(1) EPC.

Composition of the Board :

Chairman : P.K.J. van den Berg
Members : J.A.H. van Voorthuizen
E. Persson

Summary of Facts and Submissions

- I. The appeal contests the decision of the Opposition Division of the European Patent Office dated 24 October 1988 revoking the European patent No. 0 100 466. The decision was dispatched by registered letter with advice of delivery on 24 October 1988. The Patentee filed a notice of appeal by letter received on 3 January 1989 and paid the fee for appeal on 3 January 1989. 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 18 September 1989 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. The Appellant filed no observations in response to said communication.

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:

S. Fabiani

P.K.J. van den Berg