

Publication in the Official Journal ~~XXX~~ / No

File Number: T 854/91 - 3.5.2
Application No.: 87 202 357.7
Publication No.: 0 270 182
Title of invention: Information carrier

Classification: G11B 23/00

DECISION
of 4 March 1992

Applicant: Optical Storage International, Holland

Headword:

EPC Article 108, Rule 65(1)

Keyword: "Missing Statement of Grounds"

Headnote



Europäisches
Patentamt

European
Patent Office

Office européen
des brevets

Beschwerdekammern

Boards of Appeal

Chambres de recours

Case Number : T 854/91 - 3.5.2

D E C I S I O N
of the Technical Board of Appeal 3.5.2
of 4 March 1992

Appellant : Optical Storage International, Holland
Emmasingel 6
NL - 5611 AZ Eindhoven (NL)

Representative : Van Weele, Paul Johannes Frits
INTERNATIONAL OCTROOIBUREAU B.V.
Prof. Holstlaan 6
NL - 5656 AA Eindhoven (NL)

Decision under appeal : Decision of Examining Division 067 of the
European Patent Office dated 21 May 1991 refusing
European patent application No. 87 202 357.7
pursuant to Article 97(1) EPC.

Composition of the Board :

Chairman : R.E. Persson
Members : J.A. Van Voorthuizen
A. Hagenbucher

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division of the European Patent Office, dated 21 May 1991 refusing the European patent application No. 87 202 357.7. The decision was dispatched by registered letter with advice of delivery on 21 May 1991. The Appellant filed a notice of appeal by a letter received on 28 June 1991 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 23 December 1991 sent by registered post with advice of delivery, 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. No answer has been given to the Registry's 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).

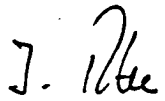
Order

For these reasons, it is decided that:

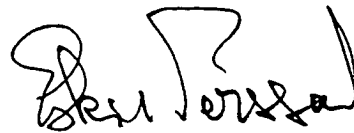
The appeal is rejected as inadmissible.

The Registrar:

The Chairman



J. Rückerl



E. Persson

PE