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File Number: T 318/92 - 3.5.1
Application No.: 88 113 249.2
Publication No.: 0 303 300
Title of invention: Machine tool control

Classification: G05B 19/18

D E C I S I O N
of 17 September 1992

Applicant: AE PLC

Headword:

EPC Art. 108, Rule 65(1)

Keyword:



Case Number : T 318/92 - 3.5.1

D E C I S I O N
of the Technical Board of Appeal 3.5.1
of 17 September 1992

Appellant : AE PLC
Cawston House
Cawston
Rugby
Warwickshire CV22 7SB (GB)

Representative : Knott, Stephen Gilbert
Mathisen, Macara & Co.
The Coach House
6-8 Swakeleys Road
Ickenham
Uxbridge
Middlesex UB10 8BZ (GB)

Decision under appeal : Decision of Examining Division of the European
Patent Office dated 28 October 1991 refusing
European patent application No. 88 113 249.2
pursuant to Article 97(1) EPC.

Composition of the Board :

Chairman : P.K.J. van den Berg
Members : C. Holtz
C. Biggio

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division 062 of the European Patent Office dated 28 October 1991 refusing the European patent application No. 88 113 249.2. The decision was dispatched the same day by registered letter with advice of delivery to the Applicant. The Appellant filed a notice of appeal on 26 November 1991 and paid the fee for appeal on the same day. No Statement of Grounds was received. 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 21 May 1992 sent by registered letter 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:

M. Kiehl

P.K.J. van den Berg