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D E C I S I O N
of 20 December 1993

Case Number: T 0801/93 - 3.4.1

Application Number: 87904351.1

Publication Number: 0272303

IPC: H01L 21/285

Language of the proceedings: EN

Title of invention:

Method for fabricating devices in III-V semiconductor substrates and devices formed thereby

Applicant:

American Telephone and Telegraph Company

Opponent:

-

Headword:

-

Relevant legal norms:

EPC Art. 108
EPC R. 65

Keyword:

"Missing Statement of Grounds"

Decisions cited:

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Headnote/Catchword:

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Boards of Appeal

Chambres de recours

Case Number: T 0801/93 - 3.4.1

D E C I S I O N
of the Technical Board of Appeal 3.4.1
of 20 December 1993

Appellant: American Telephone and Telegraph Company
550 Madison Avenue
New York, NY 10022 (US)

Representative: Blumbach Weser Bergen Kramer
Zwirner Hoffmann
Patentanwälte
Radeckestraße 43
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Decision under appeal: Decision of the Examining Division 048 of the
European Patent Office dated 8 April 1993 refusing
European patent application No. 87 904 351.1
pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: G.D. Paterson
Members: H.J. Reich
Y.J.F. van Henden

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division of the European Patent Office dated 8 April 1993, refusing the European patent application No. 87 904 351.1. The decision was dispatched by registered letter with advice of delivery.

The Appellant filed a notice of appeal by telefax received on 15 June 1993 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 28 September 1993 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 within the given time limit 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. Beer

G.D. Paterson