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D E C I S I O N
of 25 April 1995

Case Number: T 0029/95 - 3.4.1

Application Number: 89106568.2

Publication Number: 0337448

IPC: H01L 23/50

Language of the proceedings: EN

Title of invention:
Semiconductor device having a metal stem

Applicant:
KABUSHIKI KAISHA TOSHIBA, et al

Opponent:
-

Headword:
-

Relevant legal provisions:
EPC Art. 108, Rule 65(1)

Keyword:
"Missing Statement of Grounds"

Decisions cited:
-

Headnote/Catchword:
-



Case Number: T 0029/95 - 3.4.1

D E C I S I O N
of the Technical Board of Appeal 3.4.1
of 25 April 1995

Appellant:

KABUSHIKI KAISHA TOSHIBA
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Kanagawa-ken 210 (JP)

Representative:

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Decision under appeal:

Decision of the Examining Division of the European
Patent Office dated 25 July 1994 refusing European
patent application No. 89 106 568.2 pursuant to
Article 97(1) EPC.

Composition of the Board:

Chairman: G. D. Paterson
Members: R. K. Shukla
U. G. O. Himmler

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division 048 of the European Patent Office delivered orally on 15 June 1994, refusing the European patent application No. 89 106 568.2. The decision was dispatched by registered letter with receipt notification to the Applicant on 25 July 1994. The Appellant filed a Notice of Appeal by a letter received on 23 September 1994 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 31 January 1995, 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 and attention was drawn to the possibility of filing a request for re-establishment of rights under Article 122 EPC.

- 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. Paterson