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**D E C I S I O N**  
of 9 December 1996

**Case Number:** T 0665/96 - 3.5.1

**Application Number:** 89312341.4

**Publication Number:** 0372795

**IPC:** H04L 12/56

**Language of the proceedings:** EN

**Title of invention:**

Bandwidth allocation and congestion control scheme for an integrated voice and data network

**Patentee:**

AT&T CORPORATION

**Opponent:**

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**Headword:**

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**Relevant legal provisions:**

EPC Art. 108, Rule 65 (1)

**Keyword:**

"Missing Statement of Grounds"

**Decisions cited:**

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**Catchword:**

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Case Number: T 0665/96 - 3.5.1

**D E C I S I O N**  
of the Technical Board of Appeal 3.5.1  
of 9 December 1996

**Appellant:** AT&T CORPORATION  
32 Avenue of the Americas  
US - New York, New York 10013-2412 (US)

**Representative:** Watts, Christopher Malcolm Kelway, Dr.  
Lucent Technologies (UK) Ltd.  
5 Mornington Road  
Woodford Green  
GB - Essex IG8 OTU (GB)

**Decision under appeal:** Decision of the Examining Division of the  
European Patent Office posted 15 February 1996  
refusing European patent application  
No. 89 312 341.4 pursuant to Article 97(1) EPC.

**Composition of the Board:**

**Chairman:** P. K. J. Van den Berg  
**Members:** A. S. Clelland  
C. Holtz

## Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division of the European Patent Office dated 15 February 1996 refusing the European patent application No. 89 312 341.4. The decision was dispatched by registered letter with advice of delivery on 15 February 1996. The applicant filed a notice of appeal by letter received on 11 April 1996 and paid the fee for appeal on 12 April 1996. 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 6 August 1996 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:

M. Kiehl

P. K. J. Van den Berg