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D E C I S I O N
of 11 March 1997

Case Number: T 0698/96 - 3.4.1

Application Number: 91303733.9

Publication Number: 0457449

IPC: H01L 23/522

Language of the proceedings: EN

Title of invention:

Semiconductor device having via hole and method of producing
the same

Applicant:

FUJITSU LIMITED

Opponent:

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Headword:

-

Relevant legal provisions:

EPC Art. 108

EPC R. 65(1)

Keyword:

"Missing statement of grounds"

Decisions cited:

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Catchword:

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Case Number: T 0698/96 - 3.4.1

D E C I S I O N
of the Technical Board of Appeal 3.4.1
of 11 March 1997

Appellant: FUJITSU LIMITED
1015, Kamikodanaka
Nakahara-ku
Kawasaki-shi
Kanagawa 211 (JP)

Representative: Billington, Lawrence Emlyn
HASELTINE LAKE & CO
Hazlitt House
28 Southampton Buildings
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London WC2A 1AT (GB)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 21 February 1996
refusing European patent application
No. 91 303 733.9 pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: G. D. Paterson
Members: Y. J. F. van Henden
R. K. Shukla

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division 048 of the European Patent Office dated 21 February 1996, refusing the European patent application No. 91 303 733.9. The decision was dispatched by registered letter with advice of delivery to the Applicant on the day it was given. The Appellant filed a Notice of Appeal by a letter received on 26 April 1996 and paid the fee for appeal on 30 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 1 October 1996, 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. Paterson