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**D E C I S I O N**  
of 20 February 1997

**Case Number:** T 0901/96 - 3.5.2

**Application Number:** 91115375.7

**Publication Number:** 0487847

**IPC:** G11B 11/12

**Language of the proceedings:** EN

**Title of invention:**  
Magneto-optical recording medium

**Applicant:**  
MITSUBISHI DENKI KABUSHIKI KAISHA

**Opponent:**  
-

**Headword:**

**Relevant legal provisions:**  
EPC Art. 108  
EPC R. 65(1)

**Keyword:**  
"Missing statement of grounds"

**Decisions cited:**  
-

**Catchword:**  
-



Case Number: T 0901/96 - 3.5.2

**D E C I S I O N**  
of the Technical Board of Appeal 3.5.2  
of 20 February 1997

**Appellant:**

mitsubishi denki kabushiki kaisha  
2-3 Marunouchi 2-chome  
Chiyoda-ku  
Tokyo (JP)

**Representative:**

Pfennig, Meinig & Partner  
Mozartstrasse 17  
80336 München (DE)

**Decision under appeal:**

Decision of the Examining Division of the  
European Patent Office posted 22 April 1996  
refusing European patent application  
No. 91 115 375.7 pursuant to Article 97(1) EPC.

**Composition of the Board:**

**Chairman:** W. J. L. Wheeler  
**Members:** M. R. J. Villemin  
B. J. Schachenmann

## **Summary of Facts and Submissions**

- I. The appeal contests the decision of the Examining Division of the European Patent Office dated 22 April 1996, refusing the European patent application No. 91 115 375.7. The decision was dispatched by registered letter with advice of delivery on 22 April 1996. The Applicant filed a Notice of Appeal by a letter received on 24 June 1996 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 22 November 1996, sent by registered post, the Registry of the Board informed the Appellant that no Statement of Grounds has 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).

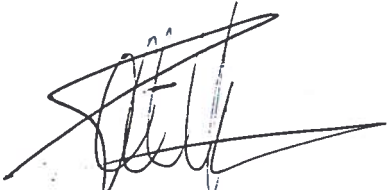
**Order**

**For these reasons it is decided that:**

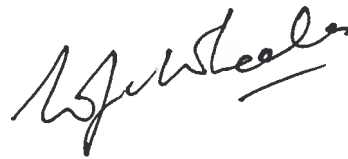
The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

A handwritten signature in black ink, appearing to be 'M. Kiehl', written over a horizontal line.

M. Kiehl

A handwritten signature in black ink, appearing to be 'W. J. L. Wheeler', written over a horizontal line.

W. J. L. Wheeler