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D E C I S I O N
of 22 April 1997

Case Number: T 1039/96 - 3.4.1

Application Number: 92307990.9

Publication Number: 0532223

IPC: H01C 1/084

Language of the proceedings: EN

Title of invention:
Film-type electrical resistor

Applicant:
CADDOCK ELECTRONICS, INC.

Opponent:
-

Headword:
-

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

Keyword:
"Missing statement of grounds"

Decisions cited:
-

Catchword:
-



Case Number: T 1039/96 - 3.4.1

D E C I S I O N
of the Technical Board of Appeal 3.4.1
of 22 April 1997

Appellant: CADDOCK ELECTRONICS, INC.
1717 Chicago Avenue
Riverside
California 92507 (US)

Representative: Rackham, Stephen Neil
GILL JENNINGS & EVERY
Broadgate House
7 Eldon Street
London EC2M 7LH (GB)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 27 June 1996
refusing European patent application
No. 92 307 990.9 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 27 June 1996, refusing the European patent application No. 92 307 990.9. The decision was dispatched by registered letter with advice of delivery to the applicant on 27 June 1996. The applicant filed a notice of appeal by a letter dated 11 July 1996 and received on 15 July 1996; he paid the fee for appeal on 9 August 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 20 January 1997, 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. D. Paterson