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D E C I S I O N
of 6 November 1998

Case Number: T 0358/98 - 3.4.1

Application Number: 92103750.3

Publication Number: 0503473

IPC: H01L 21/306

Language of the proceedings: EN

Title of invention:

Method of dry etching InAlAs and InGaAs lattice matched to InP

Applicant:

Texas Instruments Incorporated

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 0358/98 - 3.4.1

D E C I S I O N
of the Technical Board of Appeal 3.4.1
of 6 November 1998

Appellant: Texas Instruments Incorporated
13500 North Central Expressway
Dallas
Texas 75265 (US)

Representative: Leiser, Gottfried, Dipl.-Ing.
Prinz & Partner GbR
Manzingerweg 7
81241 München (DE)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 4 November 1997
refusing European patent application
No. 92 103 750.3 pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: G. Davies
Members: R. K. Shukla
G. Assi

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division of the European Patent Office dated 4 November 1997 refusing the European patent application No. 92 103 750.3.

The Appellant filed a notice of appeal by letter received on 8 January 1998 and paid the fee for appeal on the same date. 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 24 April 1998, sent by registered letter with advice of delivery, 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. No answer has been given 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. Davies