Datasheet for the decision of 6 October 2009

Case Number: T 1223/09 - 3.4.03
Application Number: 03021329.2
Publication Number: 1400931
IPC: G07C 9/00
Language of the proceedings: EN
Title of invention: Vehicle door locking und unlocking system
Applicant: ALPHA CORPORATION
Headword: -
Relevant legal provisions:
EPC Art. 108
EPC R. 101(1)
Relevant legal provisions (EPC 1973): -
Keyword: "Appeal inadmissible - no statement of the grounds of appeal"
Decisions cited: -
Catchword: -
DECISION
of the Technical Board of Appeal 3.4.03
of 6 October 2009

Appellant: ALPHA CORPORATION
6-8, Fukuura 1-chome,
Kanazawa-ku
Yokohama-shi
Kanagawa-Pref. (JP)

Representative: Grünecker, Kinkeldey
Stockmair & Schwanhäusser
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Decision under appeal: Decision of the Examining Division of the European Patent Office posted 29 December 2008 refusing European patent application No. 03021329.2 pursuant to Article 97(2) EPC.

Composition of the Board:
Chairman: G. Eliasson
Members: V. L. P. Frank
P. Mühlens
Summary of Facts and Submissions

I. This is an appeal against the refusal of European patent application No. 03021329 posted 29 December 2008.

A notice of appeal on behalf of the applicant appellant was filed by a letter received on 2 March 2009. The appeal fee was paid on the same day. The notice of appeal included a request for oral proceedings. No separate statement of grounds of appeal was filed.

II. By a communication dated 10 July 2009 sent by registered letter with advice of delivery, the appellant was informed that no statement of grounds of appeal had been filed and that, therefore, it was to be expected that the appeal would be rejected as inadmissible pursuant to Article 108, third sentence, EPC in conjunction with Rule 101(1) EPC. The appellant was invited to file observations within two months and requested to make clear if their request for oral proceedings was not intended to apply to the question of inadmissibility of the appeal. By letter dated 8 September 2009 the appellant withdrew any requests made on their behalf and no request for re-establishment of rights was filed.

Reasons for the Decision

As no written statement setting out the grounds of appeal has been filed and as the notice of appeal does not contain anything that could be regarded as a statement of grounds of appeal according to Article 108 EPC, the appeal has to be
rejected as inadmissible (Article 108 EPC in conjunction with Rule 101(1) EPC).

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar  The Chairman

S. Sánchez Chiquero  G. Eliasson