Datasheet for the decision of 17 April 2012

Case Number: T 2258/11 - 3.4.02
Application Number: 06844875.2
Publication Number: 1987392
IPC: G02F 3/00, G02B 6/122
Language of the proceedings: EN
Title of invention: All-optical logic gates using nonlinear elements
Applicant: Coveytech, LLC
Opponent: -
Headword: -
Relevant legal provisions: EPC Art. 108, EPC R. 101(1)
Relevant legal provisions (EPC 1973): -
Keyword: "Missing statement of grounds"
Decisions cited: -
Catchword: -
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DECISION of the Technical Board of Appeal 3.4.02 of 17 April 2012

Appellant: Coveytech, LLC
(Applicant)
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(US)

Representative: Herbjørnsen, Rut
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Decision under appeal:
Decision of the Examining Division of the European Patent Office posted 6 May 2011 refusing European patent application No. 06844875.2 pursuant to Article 97(2) EPC.

Composition of the Board:
Chairman: A. G. Klein
Members: M. Rayner
           B. Müller
Summary of Facts and Submissions

I. The appellant contests the decision of the examining division of the European Patent Office dated 6 May 2011 refusing European patent application No. 06 844 875.2. The appellant filed a notice of appeal on 15 July 2011 and paid the appeal fee on the same day.

A written statement setting out the grounds of appeal was not filed within the four-month time limit provided for in Article 108 EPC.

II. In a communication dated 31 October 2011, the Board informed the appellant that no statement setting out the grounds of appeal had been received and that the appeal could be expected to be rejected as inadmissible. The appellant was informed that any observations should be filed within two months.

III. The appellant filed no observations in response to said communication.

Reasons for the Decision

No written statement setting out the grounds of appeal was filed within the time limit provided for in Article 108 EPC. Nor did the notice of appeal contain anything that might be considered as such statement pursuant to Article 108 and Rule 99(2) EPC. Thus, the appeal is inadmissible pursuant to Rule 101(1) EPC.
Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar     The Chairman

M. Kiehl     A. G. Klein