

Questions about this communication ?

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Vossius & Partner
Patentanwälte Rechtsanwälte mbB
Siebertstrasse 3
81675 München
ALLEMAGNE

Date

11.01.2017

Reference W2364 EP	Application No./Patent No. 11858533.0 - 1505 / 2677705
Applicant/Proprietor NEC Corporation	

Noting of loss of rights pursuant to Rule 112(1) EPC

The European patent application cited above is deemed to be withdrawn because

- ☒ no indication of the desire to proceed further with the application was furnished within the time limit specified in the communication (EPO Form 1082/1224) issued under Rule 70(2) EPC (R. 70(3) EPC).
- ☒ the invitation to comment on or to correct any deficiencies noted in the opinion accompanying the (supplementary) European search report has not been complied with within the time limit specified in the communication (EPO Form 1082/1224) issued under Rule 70a(2) EPC (R. 70a(3) EPC).

Means of redress

Request for a decision (R. 112(2) EPC)

If the applicant considers that the finding of the European Patent Office is inaccurate, he may, within a (non-extendable) period of **two months** after notification of this communication, apply in writing for a decision on the matter. The application can only lead to the finding being reversed if this does not actually correspond to the factual or legal situation.

Further processing (Art. 121 EPC)

The legal consequence of the failure to observe the time limit shall be deemed not to have ensued if, within a (non-extendable) period of **two months** after notification of this communication, further processing is requested by payment of the fee prescribed under Article 2(1)12 of the Rules relating to Fees and the omitted act is completed (R. 135(1) EPC).

It should be noted that if a loss of rights occurs because **neither** the indication of the desire to proceed further with the application **nor** the reply to the opinion accompanying the European search report has been filed within the time limit, **the flat-rate amount of the further processing fee ("other cases") has to be paid twice.**

Important note to users of the automatic debiting procedure

The fee for further processing will be debited automatically on the day on which the above-mentioned omitted act is completed (see Arrangements for the automatic debiting procedure, supplementary publication 3 - OJ EPO 2015).

Receiving Section