

Organisation internationale du Travail  
*Tribunal administratif*

International Labour Organization  
*Administrative Tribunal*

**O.**  
**v.**  
**EPO**

**123rd Session**

**Judgment No. 3814**

THE ADMINISTRATIVE TRIBUNAL,

Considering the complaint filed by Mr R. O. against the European Patent Organisation (EPO) on 2 March 2016;

Considering Articles II, paragraph 5, and VII of the Statute of the Tribunal and Article 7 of its Rules;

Having examined the written submissions;

#### CONSIDERATIONS

1. The complainant filed a complaint impugning the final decision of the EPO Administrative Council rejecting his request for review of the Administrative Council's decision CA/D 10/14. In the complaint form the complainant indicated that he had received this decision on 15 July 2015. He filed his complaint with the Tribunal on 2 March 2016, i.e. 231 days following the notification of the impugned decision.

2. Article VII, paragraph 2, of the Tribunal's Statute provides that "[t]o be receivable, a complaint must [...] have been filed within ninety days after the complainant was notified of the decision impugned".

3. Accordingly, the complaint filed on 2 March 2016 is time-barred and clearly irreceivable and must therefore be summarily dismissed in

accordance with the procedure provided for in Article 7 of the Rules of the Tribunal.

DECISION

For the above reasons,  
The complaint is dismissed.

In witness of this judgment, adopted on 18 October 2016, Mr Claude Rouiller, President of the Tribunal, Mr Giuseppe Barbagallo, Vice-President, and Ms Dolores M. Hansen, Judge, sign below, as do I, Dražen Petrović, Registrar.

Delivered in public in Geneva on 8 February 2017.

CLAUDE ROUILLER

GIUSEPPE BARBAGALLO

DOLORES M. HANSEN

DRAŽEN PETROVIĆ