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**Datasheet for the decision
of 30 January 2007**

Case Number: J 0017/06 - 3.1.01

Application Number: 05008230.4

Publication Number:

IPC:

Language of the proceedings: EN

Title of invention:

Pharmaceutical preparation and method for treatment and prevention of fibromyalgia and chronic fatigue

Applicant:

Gottfriesmottagningen AB

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: J 0017/06 - 3.1.01

D E C I S I O N
of the Legal Board of Appeal 3.1.01
of 30 January 2007

Appellant: Gottfriesmottagningen AB
S-431 80 Mölndal (SE)

Representative: Bublak, Wolfgang
Bardehle, Pagenberg, Dost, Altenburg, Geissler
Galileiplatz 1
D-81679 München (DE)

Decision under appeal: Decision of the Receiving Section of the
European Patent Office of 8 March 2006.

Composition of the Board:

Chairman: B. Günzel
Members: G. Weiss
J. Willems

Summary of Facts and Submissions

- I. The Appellant contests the decision of the Receiving Section of the European Patent Office dated 8 March 2006 rejecting the request for the re-establishment of rights.

The Appellant filed a notice of appeal by letter received on 10 May 2006 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 9 October 2006 and sent by registered letter with advice of delivery, the Registrar of the Board informed the Appellant that no Statement of Grounds had been filed and that the appeal could be expected to be rejected as inadmissible. The Appellant was invited to file observations within two months, if any.
- III. The Appellant filed no observations in response to said 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:

S. Fabiani

B. Günzel