

Veröffentlichung im Amtsblatt	Ja/Nein
Publication in the Official Journal	Yes/No
Publication au Journal Officiel	Oui/Non

Aktenzeichen / Case Number / N^o du recours : J 9/88

Anmeldenummer / Filing No / N^o de la demande : 85 900 333.7

Veröffentlichungs-Nr. / Publication No / N^o de la publication : WO 85/02 413

Bezeichnung der Erfindung: Human monoclonal antibody against Rh(D) Antigen
Title of invention: and its uses
Titre de l'invention :

Klassifikation / Classification / Classement : C12 P 21/00

ENTSCHEIDUNG / DECISION

vom / of / du 21 September 1988

Anmelder / Applicant / Demandeur : The Board of Trustees of the Leland
Stanford Junior University

Patentinhaber / Proprietor of the patent /
Titulaire du brevet :

Einsprechender / Opponent / Opposant :

Stichwort / Headword / Référence :

EPÜ / EPC / CBE Art. 108, Rule 65(1)

Schlagwort / Keyword / Mot clé : "Missing Statement of Grounds"

Leitsatz / Headnote / Sommaire

Europäisches
Patentamt

Beschwerdekammern

Case Number : J 9/88

European Patent
Office

Boards of Appeal

Office européen
des brevets

Chambres de recours



D E C I S I O N
of the Legal Board of Appeal
of 21 September 1988

Appellant : The Board of Trustees of the Leland
Stanford Junior University
Stanford University
Stanford, California 94305
US

Representative : Seaborn, George Stephen
c/o Edward Evans & Co.
Chancery House
53-64 Chancery Lane
London WC 2A 1SD (GB)

Decision under appeal : Decision of the Receiving Section of the
European Patent Office dated 15 September 1987

Composition of the Board :

Chairman : P. Ford

Members : G.D. Paterson
W. Moser

Summary of Facts and Submissions

- I. The appeal contests the decision of the Receiving Section of the European Patent Office dated 15 September 1987 rejecting the application for re-establishment of rights into the period for payment of the national fee, search fee and designation fee and stating that the application is deemed to be withdrawn. The decision was dispatched by registered letter with advice of delivery on 15 September 1987. The Appellant filed a notice of appeal by a telex dated 25 November 1987. The telex was confirmed by a letter received on 30 November 1987 and the appeal fee was paid on 25 November 1987. 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 28 April 1988 and sent by registered post, the registry 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.

- 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).

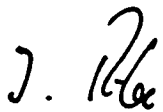
Order

For these reasons, it is decided that:

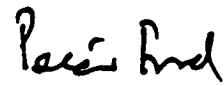
The appeal is rejected as inadmissible.

The Registrar:

The Chairman:



J. Rückerl



P. Ford



W. Moser