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D E C I S I O N
of 25 October 2001

Case Number: T 0825/01 - 3.3.1

Application Number: 94913345.8

Publication Number: 0692931

IPC: C07D 209/20

Language of the proceedings: EN

Title of invention:

Synthetic matrix metalloprotease inhibitors and uses thereof

Applicant:

GLYCOMED INCORPORATED

Opponent:

-

Headword:

-

Relevant legal provisions:

EPC Art. 108

EPC R. 65(1)

Keyword:

"Missing statement of Grounds"

Decisions cited:

-

Catchword:

-



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Boards of Appeal

Chambres de recours

Case Number: T 0825/01 - 3.3.1

D E C I S I O N
of the Technical Board of Appeal 3.3.1
of 25 October 2001

Appellant: GLYCOMED INCORPORATED
860 Atlantic Avenue
Alameda
California 94501 (US)

Representative: Goldin, Douglas Michael
J.A. KEMP & CO
14 South Square
Gray's Inn
London WC1R 5JJ (GB)

Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted 4 January 2001
refusing European patent application
No. 94 913 345 pursuant to Article 97(1) EPC.**

Composition of the Board:

Chairman: A. J. Nuss
Members: J. M. Jonk
S. C. Perryman

Summary of Facts and Submissions

I. The appeal contests the decision of the Examining Division of the European Patent Office dispatched by registered letter with advice of delivery to the Applicant on 4 January 2001, and concerning the refusal of the European patent application No. 94 913 345.8.

The Appellant filed a Notice of Appeal by a letter received on 9 March 2001 and paid the fee for appeal on the same day. 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 27 July 2001, sent by registered post, the Registrar of the Board informed the Appellant that no statement of Grounds has been filed and that the appeal could be expected to be rejected as inadmissible. The Appellant was informed about the possibility of filing a request for re-establishment of rights under Article 122 EPC and was invited to file observations within two months.

III. No answer has been given within the given time limit to the Registry's 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:

N. Maslin

A. Nuss