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**Datasheet for the decision
of 17 January 2008**

Case Number: T 1034/07 - 3.3.02

Application Number: 95932094.6

Publication Number: 0782441

IPC: A61K 31/00

Language of the proceedings: EN

Title of invention:
Pharmaceutical control of inflammation

Patentee:
Negma-Lerads

Opponent:
Hoffmann

Headword:
-

Relevant legal provisions:
EPC Art. 108
EPC R. 101(1)

Relevant legal provisions (EPC 1973):
EPC Art. 108
EPC R. 65(1)

Keyword:
"Missing Statement of Grounds"

Decisions cited:
-

Catchword:
-



Case Number: T 1034/07 - 3.3.02

D E C I S I O N
of the Technical Board of Appeal 3.3.02
of 17 January 2008

Appellant: Negma-Lerads
(Patent Proprietor) Avenue de l'Europe
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Representative: Naylor, Kathryn Nay
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Respondent: Hoffmann Eitle
(Opponent) Arabellastrasse 4
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Representative: Hansen, Bernd
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Decision under appeal: Decision of the Opposition Division of the
European Patent Office posted 20 April 2007
revoking European patent No. 0782441 pursuant
to Article 102(1) EPC.

Composition of the Board:

Chairman: U. Oswald
Members: M. C. Ortega Plaza
J. Van Moer

Summary of Facts and Submissions

- I. The appeal contests the decision of the Opposition Division of the European Patent Office posted 20 April 2007 revoking the European patent application No. 95932094.6.

The Appellant filed a Notice of Appeal by a letter received on 21 June 2007 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 10 October 2007, sent by registered letter with advice of delivery, 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 and attention was drawn to the possibility of filing a request for re-establishment of rights under Article 122 EPC.

- 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 101(1) EPC).

Order

For these reasons it is decided that:

The appeal is rejected.

The Registrar:

The Chairman:

A. Townend

U. Oswald