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**Datasheet for the decision
of 19 June 2008**

Case Number: T 0443/08 - 3.3.02

Application Number: 00931979.9

Publication Number: 1175203

IPC: A61K 9/10

Language of the proceedings: EN

Title of invention:
FOLIC ACID SUPPLEMENT

Patentee:
Drugtech Corporation

Opponent:
-

Headword:
-

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

Relevant legal provisions (EPC 1973):
-

Keyword:
"Missing statement of grounds"

Decisions cited:
-

Catchword:
-



Case Number: T 0443/08 - 3.3.02

D E C I S I O N
of the Technical Board of Appeal 3.3.02
of 19 June 2008

Appellant: Drugtech Corporation
300 Delaware Avenue
Suite 1270
Wilmington, Delaware 19801 (US)

Representative: Ungria Lopez, Javier
Ramon y Cajal, 78
ES-28043 Madrid (ES)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 12 July 2007
refusing European application No. 00931979.9
pursuant to Article 97(1) EPC 1973.

Composition of the Board:

Chairman: U. Oswald
Members: J. Riolo
P. Mühlens

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 12 July 2007 and concerning the refusal of the European patent application 009319799.

The Appellant (Applicant) filed a Notice of Appeal by a letter received on 12 September 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 7 March 2008 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 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 101(1) EPC).

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

N. Maslin

U. Oswald