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**Datasheet for the decision
of 4 February 2009**

Case Number: T 1634/08 - 3.3.02

Application Number: 03737361.0

Publication Number: 1478374

IPC: A61K 33/04

Language of the proceedings: EN

Title of invention:

Formulations comprising psychotropic drugs and selenium

Applicant:

Laxdale Limited

Opponent:

-

Headword:

Psychotropic drugs and selenium/LAXDALE

Relevant legal provisions:

EPC Art. 108
EPC R. 101(1)

Relevant legal provisions (EPC 1973):

EPC R. 65(1)

Keyword:

"Missing statement of grounds"

Decisions cited:

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Catchword:

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Case Number: T 1634/08 - 3.3.02

DECISION
of the Technical Board of Appeal 3.3.02
of 4 February 2009

Appellant:

Laxdale Limited
Kings Park House
Laurelhill Business Park
Polmaise Road
Stirling FK7 9JQ (GB)

Representative:

Wakerley, Helen Rachael
Reddie & Grose
16 Theobalds Road
London WC1X 8PL (GB)

Decision under appeal:

Decision of the Examining Division of the
European Patent Office posted 3 March 2008
refusing European application No. 03737361.0
pursuant to Article 97(2) EPC.

Composition of the Board:

Chairman: U. Oswald
Members: H. Kellner
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 on 3 March 2008, refusing European application No. 03737361.0.

The Appellant (Applicant) filed a Notice of Appeal by a letter received on 12 May 2008 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 30 September 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 (formerly Rule 65(1) EPC 1973)).

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

N. Maslin

U. Oswald