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**Datasheet for the decision
of 11 December 2009**

Case Number: T 0647/09 - 3.3.01

Application Number: 03027036.7

Publication Number: 1424327

IPC: C07D 213/73

Language of the proceedings: EN

Title of invention:

4-[(di)alkylamino] pyridines as heat stable supernucleophilic catalysts

Applicant:

Vertellus Specialties Inc.

Opponent:

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Headword:

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Relevant legal provisions:

EPC Art. 109
EPC R. 101(1)

Relevant legal provisions (EPC 1973):

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Keyword:

"Missing statement of grounds"

Decisions cited:

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Catchword:

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Case Number: T 0647/09 - 3.3.01

D E C I S I O N
of the Technical Board of Appeal 3.3.01
of 11 December 2009

Appellant: Vertellus Specialites Inc.
300 North Meridan Street, Suite 1500
Indianapolis
IN 46204-1763 (US)

Representative: Atkinson, Peter Birch
Marks & Clerk LLP
Sussex House
83-85 Mosley Street
Manchester M2 3LG (GB)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 26 September 2008
refusing European patent application
No. 03027036.7 pursuant to Article 97(2) EPC.

Composition of the Board:

Chairman: P. Ranguis
Members: C. M. Radke
R. Menapace

Summary of Facts and Submissions

I. The applicant appealed against the decision of the examining division of the European Patent Office dated 26 September 2008 refusing European patent application No. 03027036.7.

The notice of appeal was filed on 8 December 2008 and the appeal fee was paid on the same day.

No written statement setting out the grounds of appeal was filed within the four-month time limit provided for in Article 108 EPC. Nor did the notice of appeal contain anything that might be considered as such statement.

II. In a communication dated 30 April 2009, the appellant was informed that no statement setting out the grounds of appeal had been received and that the appeal could be expected to be rejected as inadmissible, furthermore that any observations should be filed 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 was filed within the time limit provided for in Article 108 EPC, the appeal is inadmissible pursuant to Rule 101(1) EPC.

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar

The Chairman

M. Schalow

P. Ranguis