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**Datasheet for the decision
of 9 August 2010**

Case Number: T 0501/10 - 3.3.01

Application Number: 03723624.7

Publication Number: 1483254

IPC: C07D 307/93

Language of the proceedings: EN

Title of invention:

Resistance-repellent retroviral protease inhibitors

Applicant:

Sequoia Pharmaceuticals

Opponent:

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Headword:

Protease inhibitors/SEQUOIA

Relevant legal provisions:

EPC Art. 108
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 0501/10 - 3.3.01

D E C I S I O N
of the Technical Board of Appeal 3.3.01
of 9 August 2010

Appellant: Sequoia Pharmaceuticals
401 Professional Drive
Gaithersburg, MD 20879 (US)

Representative: Nachshen, Neil Jacob
D Young & Co LLP
120 Holborn
London EC1N 2DY (GB)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 7 September 2009
refusing European patent application
No. 03723624.7 pursuant to Article 97(2) EPC.

Composition of the Board:

Chairman: P. Ranguis
Members: C. M. Radke
C.-P. Brandt

Summary of Facts and Submissions

I. The appellant contests the decision of the examining division of the European Patent Office dated 7 September 2009 refusing European patent application No. 03723624.7.

The appellant filed a notice of appeal on 4 November 2009 and paid the appeal fee on 5 November 2009.

A written statement setting out the grounds of appeal was not 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 18 March 2010, the Board informed the appellant that no statement setting out the grounds of appeal had been received and that the appeal could be expected to be rejected as inadmissible. The appellant was informed 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:

C. Eickhoff

P. Ranguis