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**Datasheet for the decision
of 3 September 2012**

Case Number: T 1889/11 - 3.3.04

Application Number: 05023645.4

Publication Number: 1619202

IPC: C07K 14/47, C07K 4/12,
C07K 7/06, A61K 38/08

Language of the proceedings: EN

Title of invention:
Immunotherapeutic methods using epitopes of wt-1 and gata-1

Patentee:
Ganymed Pharmaceuticals AG

Opponent:
Dainippon Sumitomo Pharma Co., Ltd.

Headword:
Epitopes of wt-1 and and gata-1/GANYMED PHARMACEUTICALS

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

Keyword:
"Missing statement of grounds of appeal"

Decisions cited:
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Catchword:
-



Case Number: T 1889/11 - 3.3.04

D E C I S I O N
of the Technical Board of Appeal 3.3.04
of 3 September 2012

Appellant: Ganymed Pharmaceuticals AG
(Patent Proprietor) Freiligrathstrasse 12
D-55131 Mainz (DE)

Representative: Schnappauf, Georg
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D-81679 München (DE)

Respondent: Dainippon Sumitomo Pharma Co., Ltd.
(Opponent) 6-8, Dosho-machi 2-chome
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Representative: Vossius & Partner
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Decision under appeal: Decision of the Opposition Division of the
European Patent Office posted 14 June 2011
revoking European patent No. 1619202 pursuant
to Article 101(3)(b) EPC.

Composition of the Board:

Chairman: C. Rennie-Smith
Members: R. Morawetz
G. Alt

Summary of Facts and Submissions

- I. The appeal is against the decision of the opposition division of the European Patent Office dated 14 June 2011, revoking European patent No. 1619202 pursuant to Article 101(3)(b) EPC.
- II. The appellant (patent proprietor) filed a notice of appeal on 22 August 2011 and paid the fee for appeal on the same day.
- III. No statement of grounds was filed by the appellant. The notice of appeal contains nothing that could be regarded as a statement of grounds pursuant to Article 108 EPC.
- IV. By communication dated 17 February 2012, 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.
- V. The appellant filed no observations in response to said 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, third sentence, 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:

K. Götz

C. Rennie-Smith