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**Datasheet for the decision  
of 11 May 2012**

**Case Number:** T 2600/11 - 3.3.08

**Application Number:** 03799870.5

**Publication Number:** 1570084

**IPC:** C12Q 1/68

**Language of the proceedings:** EN

**Title of invention:**

Methods for identifying functionally related genes and drug targets

**Applicant:**

Ribonomics, Inc.

**Opponent:**

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**Headword:**

Functionally related genes/RIBONOMICS

**Relevant legal provisions:**

EPC Art. 108  
EPC R. 101(1)

**Relevant legal provisions (EPC 1973):**

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**Keyword:**

"Missing statement of grounds"  
"Appeal inadmissible"



Case Number: T 2600/11 - 3.3.08

**D E C I S I O N**  
of the Technical Board of Appeal 3.3.08  
of 11 Mai 2012

**Appellant:** Ribonomics, Inc.  
(Applicant) 3908 Patriot Drive  
Durham  
North Carolina 27703 (US)

**Representative:** Helbig, Christian  
Wagner + Helbig  
Patentanwälte  
Pfarrstrasse 14  
D-80538 München (DE)

**Decision under appeal:** Decision of the Examining Division of the  
European Patent Office posted 4 July 2011  
refusing European patent application  
No. 03799870.5 pursuant to Article 97(2) EPC.

**Composition of the Board:**

**Chairman:** M. Wieser  
**Members:** B. Stolz  
R. Moufang

## **Summary of Facts and Submissions**

- I. The appellant (applicant) filed a notice of appeal against the decision of the examining division, dated 4 July 2011, whereby the European patent application No. 03799870.5 was refused.

The appeal was filed on 2 September 2011, and the appeal fee was paid on the same day.

No statement of grounds of appeal was filed within the time limit set by Article 108 EPC.

- II. By a communication, dated 28 December 2011, sent by registered letter with advice of delivery, the appellant was informed that no statement of grounds of appeal had been filed and that, therefore, it was to be expected that the appeal would be rejected as inadmissible pursuant to Article 108, third sentence, EPC in conjunction with Rule 101(1) EPC. The appellant was invited to file observations within two months.

## **Reasons for the Decision**

As no written statement setting out the grounds of appeal has been filed and as the notice of appeal does not contain any statements that could be regarded as a statement of grounds of appeal according to Article 108 EPC, 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

A. Wolinski

M. Wieser