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**Datasheet for the decision
of 3 July 2013**

Case Number: T 1524/12 - 3.3.02

Application Number: 07733734.3

Publication Number: 2029124

IPC: A61K 31/00, A61P 5/48

Language of the proceedings: EN

Title of invention:
Use of GPCR agonists to delay progression of diabetes

Applicant:
PROSIDION LTD

Headword:
-

Relevant legal provisions:
EPC Art. 108
EPC R. 101

Keyword:
"Missing statement of grounds"

Decisions cited:
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Catchword:
-



Case Number: T 1524/12 - 3.3.02

D E C I S I O N
of the Technical Board of Appeal 3.3.02
of 3 July 2013

Appellant: PROSIDION LTD
(Applicant) Windrush Court
Watlington Road
Oxford, Oxfordshire OX4 6LT (GB)

Representative: Mintz Levin Cohn Ferris Glovsky and Popeo LLP
Alder Castle
10 Noble Street
London EC2V 7JX (GB)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 5 December 2011
refusing European patent application
No. 07733734.3 pursuant to Article 97(2) EPC.

Composition of the Board:

Chairman: U. Oswald
Members: M. C. Ortega Plaza
R. Cramer

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Examining Division of 15 November 2011, posted on 5 December 2011.
- II. The appellant filed a notice of appeal on 13 January 2012 and paid the appeal fee on the same day.
- III. By communication of 5 April 2013, received by the appellant, the Registry of the Board informed the appellant that it appeared from the file that the written statement of grounds of appeal had not been filed, and that it was therefore 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 informed that any observations had to be filed within two months of notification of the communication.
- IV. No reply was received.

Reasons for the Decision

No written statement setting out the grounds of appeal was filed within the time limit provided by Article 108, third sentence, EPC in conjunction with Rule 126(2) EPC. In addition, neither the notice of appeal nor any other document filed contains anything that could be regarded as a statement of grounds pursuant to Article 108 EPC and Rule 99(2) EPC. Therefore, the appeal has to be rejected as inadmissible (Rule 101(1) EPC).

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

N. Maslin

U. Oswald