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**Datasheet for the decision  
of 23 January 2013**

**Case Number:** T 1739/12 - 3.2.02  
**Application Number:** 10003357.0  
**Publication Number:** 2221089  
**IPC:** A61P 9/00, A61P 9/10,  
A61K 31/202  
**Language of the proceedings:** EN

**Title of invention:**

Lipoxin analogs as novel inhibitors of angiogenesis

**Applicant:**

The Brigham and Women's Hospital, Inc.

**Headword:**

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**Relevant legal provisions:**

EPC Art. 108  
EPC R. 101(1)

**Keyword:**

"Missing statement of grounds"

**Decisions cited:**

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**Catchword:**

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Case Number: T 1739/12 - 3.2.02

**DECISION**  
of the Technical Board of Appeal 3.2.02  
of 23 January 2013

**Appellant:**  
(Applicant)

The Brigham and Women's Hospital, Inc.  
75 Francis Street  
Boston MA 02115 (US)

**Representative:**

Duffy, Assumpta Dympna  
FRKelly  
27 Clyde Road  
Ballsbridge  
Dublin 4 (IE)

**Decision under appeal:**

**Decision of the Examining Division of the  
European Patent Office posted 22 February 2012  
refusing European patent application  
No. 10003357.0 pursuant to Article 97(2) EPC.**

**Composition of the Board:**

**Chairman:** E. Dufrasne  
**Members:** P. L. P. Weber  
M. Stern

## **Summary of Facts and Submissions**

The appellant (applicant) contests the decision of the Examining Division of the European Patent Office posted 22 February 2012 refusing European patent application No. 10 003 357.0 pursuant to Article 97(2) EPC.

The notice of appeal was received on 19 April 2012 and the appeal fee was paid on the same day. No statement of grounds of appeal has been filed.

By a communication dated 9 August 2012 sent by registered letter with advice of delivery, the Registry of the Board informed the appellant that no statement of grounds of appeal had been filed and that, as a consequence, it was to be expected that the appeal would be rejected as inadmissible. The appellant was also given a time limit of two months for filing observations.

No answer has been given to this communication.

## **Reasons for the Decision**

According to Article 108 EPC, a statement setting out the grounds of appeal shall be filed within four months of notification of the decision.

If the appeal does not comply with Article 108 EPC, the appeal must be rejected as inadmissible (Rule 101(1) EPC). In the present case, no written statement setting out the grounds of appeal has been filed and the notice of appeal contains nothing that could be regarded as such.

Consequently the appeal has to be rejected as inadmissible.

**Order**

**For these reasons it is decided that:**

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

D. Hampe

E. Dufrasne