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**Datasheet for the decision
of 18 September 2013**

Case Number: T 1065/13 - 3.3.07

Application Number: 06794696.2

Publication Number: 1937317

IPC: A61K51/04

Language of the proceedings: EN

Title of invention:

AUTOMATED METHOD FOR PREPARING TECHNETIUM COMPLEXES

Applicant:

GE Healthcare Limited

Headword:

Relevant legal provisions:

EPC Art. 108
EPC R. 101(1)

Keyword:

Admissibility of appeal - missing statement of grounds

Decisions cited:

Catchword:



**Beschwerdekammern
Boards of Appeal
Chambres de recours**

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Case Number: T 1065/13 - 3.3.07

**D E C I S I O N
of Technical Board of Appeal 3.3.07
of 18 September 2013**

Appellant: GE Healthcare Limited
(Applicant) Amersham Place
Little Chalfont
Buckinghamshire HP7 9NA (GB)

Representative: Canning, Lewis R.
GE Healthcare Limited
Amersham Place
Little Chalfont
Buckinghamshire HP7 9NA (GB)

Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 21 November
2012 refusing European patent application No.
06794696.2 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chairman: J. Riolo
Members: D. Semino
P. Schmitz

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Examining Division of 24 October 2012, posted on 21 November 2012.
- II. The appellant filed a notice of appeal on 16 January 2013 and paid the appeal fee on the same day.
- III. By communication of 10 May 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:



S. Fabiani

J. Riolo

Decision electronically authenticated