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**Datasheet for the decision  
of 8 September 2014**

**Case Number:** T 0981/14 - 3.3.07

**Application Number:** 08838890.5

**Publication Number:** 2217212

**IPC:** A61K9/16, A61K31/192

**Language of the proceedings:** EN

**Title of invention:**  
PHARMACEUTICAL SOLID HYBRIDS

**Applicant:**  
Pharmaceutics International, Inc.

**Headword:**

**Relevant legal provisions:**

EPC Art. 108  
EPC R. 101(1)

**Keyword:**

Admissibility of appeal - missing statement of grounds

**Decisions cited:**

**Catchword:**



**Beschwerdekammern**  
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Case Number: T 0981/14 - 3.3.07

**D E C I S I O N**  
**of Technical Board of Appeal 3.3.07**  
**of 8 September 2014**

**Appellant:** Pharmaceuticals International, Inc.  
(Applicant) 10819 Gilroy Road  
Hunt Valley MD 21030 (US)

**Representative:** Verhorevoort, Kerry Linda  
Bridle Intellectual Property Limited  
6F Thomas Way  
Lakesview Business Park  
Canterbury CT3 4JZ (GB)

**Decision under appeal:** **Decision of the Examining Division of the European Patent Office posted on 5 November 2013 refusing European patent application No. 08838890.5 pursuant to Article 97(2) EPC.**

**Composition of the Board:**

**Chairman** J. Riolo  
**Members:** A. Usuelli  
D. T. Keeling

### **Summary of Facts and Submissions**

- I. The appeal is directed against the decision of the Examining Division posted on 5 November 2013.
- II. The appellant filed a notice of appeal on 6 January 2014 and paid the appeal fee on the same day.
- III. By communication of 7 May 2014, received by the appellant on 12 May 2014, 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