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**Datasheet for the decision
of 14 October 2014**

Case Number: T 0984/14 - 3.3.07

Application Number: 94923977.6

Publication Number: 0707478

IPC: A61K9/00, A61K9/20

Language of the proceedings: EN

Title of invention:
IMPROVED NICOTINE LOZENGE

Patent Proprietor:
McNeil AB

Opponent:
PIERRE FABRE MEDICAMENT

Headword:
IMPROVED NICOTINE LOZENGE/Mc Neil

Relevant legal provisions:
EPC Art. 108
EPC R. 101(1)

Keyword:
Missing statement of grounds of appeal

Decisions cited:

Catchword:



**Beschwerdekammern
Boards of Appeal
Chambres de recours**

European Patent Office
D-80298 MUNICH
GERMANY
Tel. +49 (0) 89 2399-0
Fax +49 (0) 89 2399-4465

Case Number: T 0984/14 - 3.3.07

D E C I S I O N
of Technical Board of Appeal 3.3.07
of 14 October 2014

Appellant:
(Patent Proprietor)

McNeil AB
Norrbroplatsen 2
254 42 Helsingborg (SE)

Representative:

Atkinson, Peter Birch
Marks & Clerk LLP
1 New York Street
Manchester, M1 4HD (GB)

Respondent:
(Opponent)

PIERRE FABRE MEDICAMENT
45, Place Abel Gance
92100 Boulogne-Billancourt (FR)

Representative:

Regimbeau
20, rue de Chazelles
75847 Paris Cedex 17 (FR)

Decision under appeal:

**Decision of the Opposition Division of the
European Patent Office posted on 17 December
2013 revoking European patent No. 0707478
pursuant to Article 101(3) (b) EPC.**

Composition of the Board:

Chairman

J. Riolo

Members:

D. Boulois

D. T. Keeling

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Opposition Division of 21 November 2013, posted on 17 December 2013.
- II. The appellant filed a notice of appeal on 6 December 2013 and paid the appeal fee the same day.
- III. By communication of 15 May 2014, 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. Schneider

J. Riolo

Decision electronically authenticated