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**Datasheet for the decision
of 7 October 2015**

Case Number: T 0415/15 - 3.3.04

Application Number: 05854332.3

Publication Number: 1833849

IPC: C07K16/00, A61K39/395,
C07H21/04, C12N15/00,
A01N63/00, C07K1/00

Language of the proceedings: EN

Title of invention:
Fc gamma RIIB-specific antibodies and methods of use thereof

Applicant:
MacroGenics, Inc.

Headword:
Fc gamma RIIB antibodies/MACROGENICS

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

Keyword:
"Missing statement of grounds"

Decisions cited:

Catchword:



**Beschwerdekammern
Boards of Appeal
Chambres de recours**

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Case Number: T 0415/15 - 3.3.04

D E C I S I O N
of Technical Board of Appeal 3.3.04
of 7 October 2015

Appellant: MacroGenics, Inc.
(Applicant) 9640 Medical Center Drive
Rockville, MD 20850 (US)

Representative: Bizley, Richard Edward
Avidity IP
Broers Building
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21 J J Thomson Ave
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Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 1 September
2014 refusing European patent application No.
05854332.3 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chairwoman G. Alt
Members: M. Montrone
M.-B. Tardo-Dino

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Examining Division of 1 September 2014 refusing European patent application No. 05854332.3.
- II. The appellant filed a notice of appeal on 11 November 2014 and paid the appeal fee on the same day.
- III. By communication of 6 March 2015, 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 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 Chairwoman:



P. Cremona

G. Alt

Decision electronically authenticated