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**Datasheet for the decision
of 14 March 2016**

Case Number: T 0957/15 - 3.3.07

Application Number: 10174312.8

Publication Number: 2269580

IPC: A61K9/16, A61K31/4745,
A61P35/04, A61L24/00, A61L24/06

Language of the proceedings: EN

Title of invention:
Compositions comprising camptothecins in microspheres

Applicant:
Biocompatibles UK Limited

Headword:
Compositions comprising camptothecins in microspheres/
Biocompatibles UK Limited

Relevant legal provisions:
EPC Art. 108

Keyword:
Admissibility of appeal - (no)

Decisions cited:

Catchword:



Beschwerdekammern
Boards of Appeal
Chambres de recours

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Case Number: T 0957/15 - 3.3.07

D E C I S I O N
of Technical Board of Appeal 3.3.07
of 14 March 2016

Appellant: Biocompatibles UK Limited
(Applicant) Chapman House
Farnham Business Park
Weydon Lane
Farnham
Surrey GU9 8QL (GB)

Representative: BTG plc Intellectual Property Group
5 Fleet Place
London EC4M 7RD (GB)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted on 20 November
2014 refusing European patent application No.
10174312.8 pursuant to Article 97(2) EPC.

Composition of the Board:

Chairman J. Riolo
Members: D. Boulois
I. Beckedorf

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Examining Division of 30 October 2014, posted on 20 November 2014.
- II. The appellant filed a notice of appeal on 20 January 2015 and paid the appeal fee on the same day.
- III. By communication of 19 May 2015, received by the appellant, the Registry of the Board informed the appellant that it appeared from the file that the written statement setting out the 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

1. 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.
2. 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