

Internal distribution code:

- (A) [-] Publication in OJ
- (B) [-] To Chairmen and Members
- (C) [-] To Chairmen
- (D) [X] No distribution

**Datasheet for the decision
of 19 July 2016**

Case Number: T 0983/16 - 3.3.08

Application Number: 10184549.3

Publication Number: 2295569

IPC: C12N15/10

Language of the proceedings: EN

Title of invention:

Methods and compositions for preparing rna from a fixed sample

Applicant:

Life Technologies Corporation

Headword:

Methods and compositions for preparing rna

Relevant legal provisions:

EPC Art. 108

Keyword:

Missing statement of grounds

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 0983/16 - 3.3.08

D E C I S I O N
of Technical Board of Appeal 3.3.08
of 19 July 2016

Appellant: Life Technologies Corporation
(Applicant) 5791 Van Allen Way
Carlsbad, CA 92008 (US)

Representative: Weber, Birgit
Life Technologies GmbH
Frankfurter Strasse 129 B
64293 Darmstadt (DE)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted on 6 November 2015
refusing European patent application No.
10184549.3 pursuant to Article 97(2) EPC.

Composition of the Board:

Chairman M. Wieser
Members: P. Julià
J. Geschwind

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Examining Division posted on 6 November 2015.
- II. The appellant filed a notice of appeal on 23 December 2015 and paid the appeal fee on the same day. In the notice of appeal, oral proceedings under Article 116 EPC were requested. However, no statement of grounds of appeal was filed within the time limit set by Article 108 EPC.
- III. By communication of 29 April 2016, 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

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. Therefore, the

appeal has to be rejected as inadmissible (Rule 101(1) EPC). Since the appeal is inadmissible, none of the requests in the notice of appeal, including the request for oral proceedings, can be considered.

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:



A. Wolinski

M. Wieser

Decision electronically authenticated