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**Datasheet for the decision
of 21 August 2019**

Case Number: T 1162/19 - 3.3.08

Application Number: 14763750.8

Publication Number: 2970966

IPC: C12N15/11

Language of the proceedings: EN

Title of invention:

SYNTHETIC ADENO-ASSOCIATED VIRUS INVERTED TERMINAL REPEATS

Applicant:

The University of North Carolina at Chapel Hill

Headword:

Synthetic virus/UNIVERSITY OF NORTH CAROLINA

Relevant legal provisions:

EPC Art. 108
EPC R. 101(1)

Keyword:

Missing statement of grounds of appeal

Decisions cited:

Catchword:



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Case Number: T 1162/19 - 3.3.08

D E C I S I O N
of Technical Board of Appeal 3.3.08
of 21 August 2019

Appellant: The University of North Carolina at Chapel Hill
(Applicant) 308 Bynum Hall
Campus Box 4105
Chapel Hill, NC 27599 (US)

Representative: Kransell & Wennborg KB
P.O. Box 27834
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Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 23 October 2018
refusing European patent application No.
14763750.8 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chairman B. Stolz
Members: M. R. Vega Laso
D. Rogers

Summary of Facts and Submissions

- I. The appeal is directed against the decision of an examining Division posted on 23 October 2018, refusing the European patent application No. 14 763 750.8.
- II. The applicant (appellant) filed a notice of appeal on 21 December 2018 and paid the appeal fee on the same day.
- III. By communication of 25 April 2019, which according to the advice of delivery was received by the appellant on 3 May 2019, the registry of the board informed the appellant that it appeared from the file that a 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:



L. Malécot-Grob

B. Stolz

Decision electronically authenticated