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**Datasheet for the decision
of 8 October 2019**

Case Number: T 1439/19 - 3.3.08

Application Number: 13729777.6

Publication Number: 2864488

IPC: C12N15/864, A61K48/00

Language of the proceedings: EN

Title of invention:

WIDESPREAD GENE DELIVERY OF GENE THERAPY VECTORS

Applicant:

Association Institut de Myologie

Headword:

WIDESPREAD GENE DELIVERY/ASSOCIATION INSTITUT DE MYOLOGIE

Relevant legal provisions:

EPC Art. 108
EPC R. 101(1)

Keyword:

Admissibility of appeal - missing statement of grounds

Decisions cited:

Catchword:



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Case Number: T 1439/19 - 3.3.08

D E C I S I O N
of Technical Board of Appeal 3.3.08
of 8 October 2019

Appellant: Association Institut de Myologie
(Applicant) Bâtiment Babinski
47-83, Boulevard de l'Hôpital
75013 Paris (FR)

Representative: Sekhri, Redha
Cabinet Becker & Associés
25, rue Louis le Grand
75002 Paris (FR)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted on 27 November
2018 refusing European patent application No.
13729777.6 pursuant to Article 97(2) EPC.

Composition of the Board:

Chairman B. Stolz
Members: D. Pilat
D. Rogers

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Examining Division to refuse the European patent application No. 13 729 777.6 under Article 97(2) EPC, posted on 27 November 2018.
- II. The appellant filed a notice of appeal on 28 January 2019 and paid the appeal fee on the same day.
- III. By communication of 22 May 2019, 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:



L. Malécot-Grob

B. Stolz

Decision electronically authenticated