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**Datasheet for the decision
of 15 June 2020**

Case Number: T 0320/20 - 3.3.07

Application Number: 16194654.6

Publication Number: 3159014

IPC: A61K49/10

Language of the proceedings: EN

Title of invention:

PROCESS FOR PREPARING A PHARMACEUTICAL FORMULATION OF CONTRAST AGENTS

Applicant:

GUERBET

Headword:

Missing statement of grounds

Relevant legal provisions:

EPC Art. 108

EPC R. 99(2), 101(1)

Keyword:

Admissibility of appeal - missing statement of grounds

Decisions cited:

Catchword:



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Case Number: T 0320/20 - 3.3.07

D E C I S I O N
of Technical Board of Appeal 3.3.07
of 15 June 2020

Appellant: GUERBET
(Applicant) 15, Rue des Vanesses
93420 Villepinte (FR)

Representative: Regimbeau
20, rue de Chazelles
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Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 12 July 2019
refusing European patent application No.
16194654.6 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chairman A. Uselli
Members: D. Boulois
P. Schmitz

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Examining Division of 4 June 2019, posted on 12 July 2019.
- II. The appellant filed a notice of appeal on 11 September 2019 and paid the appeal fee on the same day.
- III. By communication of 12 February 2020, 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.

In the same communication, the Board stated that it assumed, unless contradicted by the appellant in the specified period, that the appellant's request for oral proceedings did not apply to the issue of inadmissibility of the appeal because no grounds of appeal had been filed in due time.

- 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).

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:



L. Malécot-Grob

A. Uselli

Decision electronically authenticated