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D E C I S I O N
of 6 April 2000

Case Number: T 1028/99 - 3.2.2

Application Number: 97111110.9

Publication Number: 0804904

IPC: A61B 17/12

Language of the proceedings: EN

Title of invention:

Endovascular electrolytically detachable guidewire tip

Applicant:

The Regents of the University of California

Opponent:

-

Headword:

-

Relevant legal provisions:

EPC Art. 108

EPC R. 65(1)

Keyword:

"Missing Statement of Grounds"

Decisions cited:

-

Catchword:

-



Europäisches
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Boards of Appeal

Chambres de recours

Case Number: T 1028/99 - 3.2.2

D E C I S I O N
of the Technical Board of Appeal 3.2.2
of 6 April 2000

Appellant: The Regents of the University of California
1111 Franklin Street
12th Floor
Oakland
CA 94607-5200 (US)

Representative: Price, Nigel John King
J.A. KEMP & CO.
14 South Square
Gray's Inn
London WC1R 5LX (GB)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 2 June 1999
refusing European patent application
No. 97 111 110.9 pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: W. D. Weiß
Members: M. G. Noël
R. T. Menapace

Summary of Facts and Submissions

- I. The appeal lies from the decision of the Examining Division of the European Patent Office dated 26 May 1999 refusing the European patent application No. 97 111 110.9. The decision was dispatched by registered letter with advice of delivery on 2 June 1999. The applicant filed a notice of appeal by letter received on 27 July 1999 and paid the fee for appeal on 27 July 1999. No Statement of Grounds was filed. The notice of appeal contains nothing that could be regarded as a Statement of Grounds pursuant to Article 108 EPC.
- II. By a communication dated 29 December 1999 and sent by registered post, the Registry of the Board informed the Appellant that no Statement of Grounds had been filed and that the appeal could be expected to be rejected as inadmissible. The Appellant was invited to file observations within two months.
- III. The Appellant filed no observations in response to said communication.

Reasons for the Decision

As no written statement setting out the grounds of appeal has been filed, the appeal has to be rejected as inadmissible (Article 108 EPC in conjunction with Rule 65(1) EPC).

Order

For these reasons, it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

S. Fabiani

W. D. Weiß