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D E C I S I O N
of 15 February 2005

Case Number: T 1353/04 - 3.2.6

Application Number: 00904484.3

Publication Number: 1162929

IPC: A61F 13/00

Language of the proceedings: EN

Title of invention:

Compact dosage unit for buccal administration of a
pharmacologically active agent

Applicant:

Place, Virgil A.

Opponent:

-

Headword:

-

Relevant legal provisions:

EPC Art. 108, 102(2)

EPC R. 65(1)

Keyword:

"Statement setting out the grounds of appeal (no)"

"Admissibility of the appeal (no)"

Decisions cited:

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Catchword:

-



Case Number: T 1353/04 - 3.2.6

D E C I S I O N
of the Technical Board of Appeal 3.2.6
of 15 February 2005

Appellant: Place, Virgil A.
10 Ala Kahua
P.O. Box 44555
Kawaihae, HI 96743 (US)

Representative: Mallalieu, Catherine Louise
D. Young & Co.
120 Holborn
London EC1N 2DY (GB)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 18 June 2004
refusing European application No. 00904484.3
pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: P. Alting van Geusau
Members: G. L. De Crignis
R. T. Menapace

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division of the European Patent Office posted on 18 June 2004 refusing European Patent Application No. 00 904 484.3.

The Appellant (Applicant) filed a notice of appeal by fax received at the EPO on 17 August 2004 and paid the appeal fee on the same date. No statement of grounds was filed. The notice of appeal contains nothing that could be regarded as a notice of grounds of appeal pursuant to Article 108 EPC.

- II. By a communication dated 6 December 2004 and sent the same day by registered letter with advice of delivery and received by the Appellant on 15 December 2004, 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 any observations within two months and attention was drawn to Article 122 EPC (re-establishment of rights).

- III. No response has been given to the Registry's 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:

U. Bultmann

P. Alting van Geusau