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**Datasheet for the decision
of 10 February 2014**

Case Number: T 1736/13 - 3.2.02

Application Number: 06804122.7

Publication Number: 1931252

IPC: A61B5/05

Language of the proceedings: EN

Title of invention:

INTEGRATED INTRODUCER AND TRANSMITTER ASSEMBLY AND METHODS OF
USE

Applicant:

Abbott Diabetes Care Inc.

Headword:

Relevant legal provisions:

EPC Art. 108
EPC R. 101(1)

Keyword:

Admissibility of appeal - missing statement of grounds

Decisions cited:

Catchword:



**Beschwerdekammern
Boards of Appeal
Chambres de recours**

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Case Number: T 1736/13 - 3.2.02

D E C I S I O N
of Technical Board of Appeal 3.2.02
of 10 February 2014

Appellant: Abbott Diabetes Care Inc.
(Applicant) 1360 South Loop Road
Alameda, CA 94502 (US)

Representative: Horton, Andrew Robert Grant
Bowles Horton
Felden House
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High Street
Berkhamsted, Hertfordshire HP4 2BL (GB)

Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 25 February
2013 refusing European patent application No.
06804122.7 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chairman: E. Dufrasne
Members: P. L. P. Weber
M. Stern

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Examining Division posted on 25 February 2013.
- II. The appellant filed a notice of appeal on 2 May 2013 and paid the appeal fee on the same day.
- III. By communication of 16 August 2013, 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:



D. Hampe

E. Dufrasne

Decision electronically authenticated