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**Datasheet for the decision
of 8 December 2022**

Case Number: T 1834/22 - 3.3.05

Application Number: 14722884.5

Publication Number: 2969218

IPC: B01L3/00

Language of the proceedings: EN

Title of invention:

SYSTEM AND METHOD FOR MOBILE DEVICE ANALYSIS OF NUCLEIC ACIDS
AND PROTEINS

Applicant:

Nanobiosym, Inc.

Headword:

Mobile device analysis/Nanobiosym

Relevant legal provisions:

EPC Art. 108
EPC R. 101(1)

Keyword:

Missing statement of grounds

Decisions cited:

Catchword:



Beschwerdekammern
Boards of Appeal
Chambres de recours

Boards of Appeal of the
European Patent Office
Richard-Reitzner-Allee 8
85540 Haar
GERMANY
Tel. +49 (0)89 2399-0
Fax +49 (0)89 2399-4465

Case Number: T 1834/22 - 3.3.05

D E C I S I O N
of Technical Board of Appeal 3.3.05
of 8 December 2022

Appellant: Nanobiosym, Inc.
(Applicant) 245 First Street, 18th Floor
Cambridge MA 02142 (US)

Representative: HGF
HGF Limited
1 City Walk
Leeds LS11 9DX (GB)

Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 16 February
2022 refusing European patent application No.
14722884.5 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chairman E. Bendl
Members: S. Besselmann
P. Guntz

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the Examining Division of 16 February 2022, posted on the same day, to refuse European patent application No. 14 722 884.
- II. The appellant filed a notice of appeal on 12 April 2022 and paid the appeal fee on the same day.
- III. By communication of 1 August 2022, 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. The appellant was also informed that it was assumed that the request for oral proceedings did not apply to the issue of inadmissibility of the appeal because no grounds of appeal had been filed.
- IV. No reply was received.

Reasons for the Decision

1. As no written statement setting out the grounds of appeal has been filed within the time limit provided by Article 108, third sentence, EPC in conjunction with Rule 126(2) EPC and as the notice of appeal does not contain anything that could be regarded as a statement

of grounds pursuant to Article 108 EPC and Rule 99(2) EPC, the appeal has to be rejected as inadmissible in conjunction with Rule 101(1) EPC.

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:



C. Vodz

E. Bendl

Decision electronically authenticated