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**Datasheet for the decision
of 24 January 2023**

Case Number: T 2164/22 - 3.3.08

Application Number: 18194714.4

Publication Number: 3434760

IPC: C12N1/38, C12P21/00, C12N5/00,
C07K16/00

Language of the proceedings: EN

Title of invention:
Methods For Increasing Mannose Content Of Recombinant Proteins

Applicant:
Amgen Inc.

Headword:

Relevant legal provisions:
EPC Art. 108, 101(1)
EPC R. 99(2)

Keyword:
Admissibility of appeal - missing statement of grounds

Decisions cited:

Catchword:



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Case Number: T 2164/22 - 3.3.08

D E C I S I O N
of Technical Board of Appeal 3.3.08
of 24 January 2023

Appellant: Amgen Inc.
(Patent Proprietor) One Amgen Center Drive
Thousand Oaks, CA 91320-1799 (US)

Representative: Uexküll & Stolberg
Partnerschaft von
Patent- und Rechtsanwälten mbB
Beselerstraße 4
22607 Hamburg (DE)

Decision under appeal:

Composition of the Board:

Chairwoman T. Sommerfeld
Members: M. Montrone
D. Rogers

Summary of Facts and Submissions

- I. The appeal is directed against the decision of the examining division posted on 7 April 2022 granting European patent 3434760.
- II. The appellant filed a notice of appeal on 14 June 2022 and paid the appeal fee on the same day.
- III. By communication of 25 October 2022, the Registry of the Board informed the appellant that no written statement of grounds of appeal had 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 (Form 3028). The appellant was invited to file observations within two months.
- IV. No reply to the board registry's communication was received. No request for re-establishment of rights was filed.

Reasons for the Decision

1. No written statement of grounds of appeal was filed within the time limit provided by Article 108, third sentence, EPC in conjunction with Rule 126(2) EPC.
2. 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 Chairwoman:



L. Malécot-Grob

T. Sommerfeld

Decision electronically authenticated