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**Datasheet for the decision
of 8 April 2024**

Case Number: T 0087/24 - 3.3.08

Application Number: 19150426.5

Publication Number: 3572505

IPC: C12N9/24, C11D3/386, C12N9/28

Language of the proceedings: EN

Title of invention:
VARIANT MALTOHEXAOSE-FORMING ALPHA-AMYLASE VARIANTS

Applicant:
Danisco US Inc.

Headword:
Maltohexaose-forming alpha-amylase variants/DANISCO

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

Keyword:
Missing statement of grounds of appeal

Decisions cited:

Catchword:



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Case Number: T 0087/24 - 3.3.08

D E C I S I O N
of Technical Board of Appeal 3.3.08
of 8 April 2024

Appellant: Danisco US Inc.
(Applicant) 925 Page Mill Road
Palo Alto, CA 94304 (US)

Representative: Ward, Eliot
Mewburn Ellis LLP
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Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 4 August 2023
refusing European patent application No.
19150426.5 pursuant to Article 97(2) EPC**

Composition of the Board:

Chairwoman T. Sommerfeld
Members: D. Pilat
L. Bühler

Summary of Facts and Submissions

- I. The appeal is directed against the decision of an Examining Division posted on 4 August 2023 to revoke the European patent application 19 150 426.5.
- II. The applicant (hereinafter "appellant") filed a notice of appeal on the 12 October 2023 and paid the appeal fee on the same day.
- III. By a communication dated 18 January 2024, the board informed the appellant that apparently 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. 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

1. 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 Rules 99(2) and 126(2) EPC, as amended in the OJ EPO 2023, A29.
2. 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