

Publication in the Official Journal ~~Yes~~ / No

File Number: T 944/91 - 3.3.2

Application No.: 84 902 742.0

Publication No.: 0 148 259

Title of invention: Stabilized chitin

Classification: A61K 31/70

D E C I S I O N
of 3 April 1992

Applicant: BADE, Maria L.

Headword:

EPC Article 108, Rule 65(1)

Keyword: "Missing Statement of Grounds"

Headnote



Case Number : T 944/91 - 3.3.2

D E C I S I O N
of the Technical Board of Appeal 3.3.2
of 3 April 1992

Appellant :

BADE, Maria L.
Four Bowser Road
Lexington, MA 02173 (US)

Representative :

Zumstein, Fritz, Dr.
Dr. F. Zumstein sen
Dr. E. Assman
Dipl.-Ing. F. Klingseisen
Dr. F. Zumstein jun.
Bräuhausstrasse 4
W-8000 München 2 (DE)

Decision under appeal :

**Decision of Examining Division of the European
Patent Office dated 1 July 1991 refusing European
patent application No. 84 902 742.0 pursuant to
Article 97(1) EPC.**

Composition of the Board :

Chairman : P.A.M. Lançon
Members : I.A. Holliday
E.M.C. Holtz

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division 007 of the European Patent Office dated 1 July 1991 refusing the European patent application No. 84 902 742.0. The decision was dispatched by registered letter with advice of delivery to the applicant on the day it was given. The Appellant filed a notice of appeal by a letter received on 2 September 1991 and paid the fee for appeal on the same day. No Statement of Grounds was filed. The notice of appeal contains nothing that could be regarded as a Statement of Grounds pursuant to Article 108 EPC.

- II. By a communication dated 9 January 1992 sent by registered letter with advice of delivery, 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 observations within two months.

- III. No answer 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:

P. Martorana

P.A.M. Lançon