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THE EUROPEAN PATENT
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D E C I S I O N
of 18 August 1998

Case Number: T 0370/98 - 3.2.2

Application Number: 92917700.4

Publication Number: 0598025

IPC: A61M 25/00

Language of the proceedings: EN

Title of invention:
VARIABLE STIFFNESS CATHETER

Applicant:
TARGET THERAPEUTICS, INC.

Opponent:
-

Headword:
-

Relevant legal provisions:
EPC Art. 108
EPC R. 65(1)

Keyword:
"Missing statement of grounds"

Decisions cited:
-

Catchword:
-



Case Number: T 0370/98 - 3.2.2

D E C I S I O N
of the Technical Board of Appeal 3.2.2
of 18 August 1998

Appellant: TARGET THERAPEUTICS, INC.
47201 Lakeview Boulevard,
P.O. Box 5120
Fremont, CA 94537-5120 (US)
USA

Representative: Price, Nigel John King
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Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 13 November 1997
refusing European patent application
No. 92 917 700.4 pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: W. D. Weiß
Members: M. Bidet
J.-C. de Preter

Summary of Facts and Submissions

- I. The appeal contests the decision of the Examining Division of the European Patent Office, dated 13 November 1997 refusing the European patent application No. 92 917 700.4. The decision was dispatched by registered letter with advice of delivery on 13 November 1997. The Appellant filed a notice of appeal by a letter received on 16 January 1998 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 8 May 1998 sent by registered post 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:

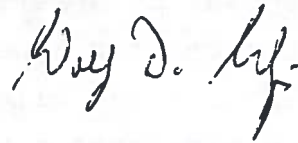
The appeal is rejected as inadmissible.

The Registrar:



S. Fabiani

The Chairman:



W. D. Weiß