Datasheet for the decision
of 4 March 2019

Case Number: J 0016/18 - 3.1.01
Application Number: 16769844.8
Publication Number: 3383181
IPC: A01N63/00, A01P21/00
Language of the proceedings: EN

Title of invention:
ENHANCER COMPOSITIONS FOR AGRICULTURAL CHEMICALS AND
AGRICULTURAL CHEMICAL COMPOSITIONS

Applicant:
Ibex Bionomics LLC

Headword:
Missing statement of grounds/ Ibex Bionomics LLC

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

Keyword:
Admissibility of appeal - statement of grounds (not filed)

Decisions cited:
Catchword:
Case Number: J 0016/18 – 3.1.01

DECISION
of the Legal Board of Appeal 3.1.01
of 4 March 2019

Appellant: Ibex Bionomics LLC
(Applicant)
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2nd Floor
Coral Gables, FL 33134 (US)

Representative: Schüssler, Andrea
Kanzlei Huber & Schüssler
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Composition of the Board:
Chairman: W. Sekretaruk
Members: A. Jimenez
G. Decker
Summary of Facts and Submissions

I. The appeal is directed against the decision of the Receiving Section of 26 June 2018, posted on 26 June 2018.

II. The appellant filed a notice of appeal on 4 September 2018 and paid the appeal fee on the same day.

III. By communication of 21 December 2018, 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.

IV. No reply was received.

Reasons for the Decision

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 Rule 126(2) EPC. 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 Chairman:

C. Eickhoff                           W. Sekretaruk

Decision electronically authenticated