Case Number: T 0965/00 - 3.3.4

Application Number: 91907853.5

Publication Number: 0528820

IPC: G07K 7/06

Language of the proceedings: EN

Title of invention:
Methods and compositions for the identification, characterization and inhibition of farnesyl protein transferase

Patentee:
THE UNIVERSITY OF TEXAS SYSTEM

Opponent:
Bristol-Myers Squibb Company

Headword:
Farnesyl Protein Transferase/TEXAS SYSTEM

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

Keyword: -

Decisions cited: -

Catchword: -
Case Number: T 0965/00 - 3.3.4

DECISION
of the Technical Board of Appeal 3.3.4
of 31 May 2001

Appellant: Bristol-Myers Squibb Company
(Opponent) PO Box 4000
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Representative: Bizley, Richard Edward
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Respondent: THE UNIVERSITY OF TEXAS SYSTEM
(Proprietor of the patent) 201 West 7th Street
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Representative: Dost, Wolfgang, Dr.rer.nat., Dipl.-Chem.
Patent- und Rechtsanwälte
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Composition of the Board:
Chairman: U. M. Kinkeldey
Members: R. E. Gramaglia
S. U. Hoffmann
Summary of Facts and Submissions

I. The appeal contests the interlocutory decision of the opposition division of the European Patent Office posted on 13 July 2000, by which European patent No. 0 528 820 was maintained in amended form.

The appellant (opponent) filed a notice of appeal by telex and facsimile both received on 22 September 2000 and paid the fee for appeal on the same date. No statement of grounds of appeal was filed. The notice of appeal contains nothing that could be regarded as a statement setting out the grounds of appeal pursuant to Article 108 EPC.

II. By a communication dated 26 March 2001, sent by registered letter with advice of delivery, the registry of the board informed the appellant that no statement of grounds has been filed and that the appeal could be expected to be rejected as inadmissible. The appellant was invited to file observations within two months and attention was drawn to the possibility of filing a request for re-establishment of rights under Article 122 EPC.

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 (Rule 65(1) EPC in conjunction with Article 108 EPC).

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar: The Chairwoman:

U. Bultmann U. M. Kinkeldey