Datasheet for the decision
of 27 May 2008

Case Number: T 1792/07 - 3.3.08
Application Number: 96916999.4
Publication Number: 0832202
IPC: C12N 15/86
Language of the proceedings: EN
Title of invention:
AAV directed targeted integration
Applicant:
UNIVERSITY OF PITTSBURGH
Headword:
Adeno-associated virus/UNIVERSITY OF PITTSBURGH
Relevant legal provisions:
EPC Art. 108
EPC R. 101(1)
Relevant legal provisions (EPC 1973):

Keyword:
"Missing statement of grounds"
Decisions cited:

Catchword:
Case Number: T 1792/07 - 3.3.08

DECISION
of the Technical Board of Appeal 3.3.08
of 27 May 2008

Appellant: UNIVERSITY OF PITTSBURGH
911 William Pitt Union
Pittsburgh
Pennsylvania 15260 (US)

Representative: Horner, Martin Grenville
Marks & Clerk Scotland
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Composition of the Board:
Chairman: L. Galligani
Members: M. R. Vega Laso
C. Rennie-Smith
Summary of Facts and Submissions

I. The applicant (appellant) filed on 13 July 2007 a notice of appeal against the decision of the examining division dated 8 May 2007, whereby the European patent application No. 96 916 999.4 (published as WO 96/39495) entitled "AAV directed targeted integration" was refused pursuant to Article 97(1) EPC 1973. The appeal fee was paid on the same day. No statement of grounds of appeal was filed within the time limit set by Article 108 EPC.

II. By a communication dated 28 December 2007 sent by registered letter with advice of delivery, the appellant was informed that no statement of grounds of appeal had been filed and that, therefore, it was to be expected that the appeal would be rejected as inadmissible pursuant to Article 108, 3rd sentence EPC in conjunction with Rule 101(1) EPC. The appellant was invited to file observations within two months. The appellant did not reply to said communication, and no request for re-establishment of rights was filed.

Reasons for the Decision

As no written statement setting out the grounds of appeal has been filed and as the notice of appeal does not contain anything that could be regarded as a statement of grounds of appeal according to Article 108 EPC, the appeal has to be rejected as inadmissible (Article 108 EPC in conjunction with Rule 101(1) EPC).
Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar

A. Wolinski

The Chairman

L. Galligani