

COUNCIL REGULATION (EEC) NO. 1768/92

IN THE MATTER OF Application No. SPC/GB/00/012
in the name of Novartis AG

DECISION

1. An official letter dated 1 August 2000 requested information concerning the above application for a Supplementary Protection Certificate. The applicants did not offer observations or comply with the request. The Examiner contacted the agent acting for the applicant by telephone on 22 February 2001 and was informed that the agent had been instructed to file no response. A letter confirming the content of the conversation was issued the same day. This letter also stated that in the absence of a written response within a specified time period the comptroller would reject the application under Article 10(2). No response was received within the specified time period and a further letter dated 6 July 2001 was issued to give the applicant an opportunity to be heard before a decision to reject the application was made. The applicant has not responded to this further letter and the specified deadline for reply has now expired.
2. I therefore order that the application be rejected.
3. The period for appeal against this decision is six weeks.

Dated this 13th day of September 2001.

R J Walker
Deputy Director
acting for the comptroller

THE PATENT OFFICE