

COUNCIL REGULATION (EEC) NO. 1768/92

IN THE MATTER OF Application No. SPC/GB/02/004
in the name of Eli Lilly and Company

DECISION

- 1 An official report dated 11 April 2002 raised the objections that the above application for a Supplementary Protection Certificate did not meet the requirements of Articles 3(c) and (d) of Council Regulation (EEC) No.1768/92.
- 2 No reply to the report was received by the end of the specified period for reply.
- 3 An official letter dated 11 November 2002 was issued inviting the applicant to make observations on the objections raised in the report. This letter further stated that in the absence of a response from the applicant within a specified time period the comptroller would decide whether the application should be rejected under Article 10(2) of the Regulation. The letter also gave the applicant an opportunity to be heard.
- 4 No response from the applicant has been received and the specified period for reply has now expired. I therefore order that the application be rejected under Article 10(2) of the Regulation.
- 5 This being a decision other than on a matter of procedure, the period within which any appeal shall be filed is six weeks from the date of this decision.

Dated this day of January 2002

R J WALKER

Deputy Director, acting for the comptroller

THE PATENT OFFICE