BL O/360/04

COUNCIL REGULATION (EEC) No. 1768/92 9th December 2004

APPLICANT Peptech Limited

ISSUE Whether application number SPC/GB/03/036 complies with Article 8

HEARING OFFICER R J Walker

DECISION

1 The examiner wrote to Peptech Limited ("the applicant") on 24 December 2003 and again on 12 February 2004 stating that its application no. SPC/GB/03/036 for a supplementary protection certificate ("the application") did not comply with the requirements of Article 8 of Council Regulation (EEC) No. 1768/92 ("the Regulation"). The applicant did not respond to the examiner's objections within the period specified for reply and in an official letter dated 3 August 2004 the examiner gave the applicant a further opportunity to respond to the objections raised in the earlier letters. This further letter also stated that if no response was received by 2 September 2004, a Hearing Officer acting for the Comptroller would decide whether the application should be rejected under Article 10(2) of the Regulation.

2 The applicant has not responded within the specified period and has not asked to be heard. In the absence of any response from the applicant I am satisfied that the application does not satisfy the requirements of Article 8 and I reject it under Article 10(2).

Appeal

3 Under the Practice Direction to Part 52 of the Civil Procedure Rules, any appeal must be lodged within 28 days.

R J WALKER
Deputy Director acting for the Comptroller