

Notice of opposition to a European patent

I. Patent opposed

Patent No.

EP2161336

Application No.

EP09013687.0

Date of mention of the grant in the European Patent Bulletin (Art. 97(3), Art. 99(1) EPC)

31 July 2013

Title of the invention

Human monoclonal antibodies to programmed death 1(PD-1) and methods for treating cancer using anti-PD-1 antibodies alone or in combination with other immunotherapeutics

II. Proprietor of the patent

first named in the patent specification

ONO PHARMACEUTICAL CO., LTD.

Opponent's or representative's reference

O006278EP

III. Opponent

Name

NOVARTIS AG

Address:

Lichtstrasse 35
4065 Basel
Switzerland

State of residence or of principal place of business

Switzerland

Multiple opponents (see additional sheet)

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IV. Authorisation

1. Representative

Company:

MARSHALL Cameron John

Department:

Carpmaels & Ransford LLP
Professional Association No. 182

Address of place of business

One Southampton Row
London WC1B 5HA
United Kingdom

Telephone/Fax

020-7242 8692

020-7405 4166

Multiple representatives (see additional sheet)

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Authorisation(s)

is/are enclosed

☐

has/have been registered under No.

☐

V. Opposition is filed against

the patent as a whole

☒

claim(s) No(s).

VI. Grounds for opposition:

Opposition is based on the following grounds:

(a) the subject-matter of the European patent opposed is not patentable (Art. 100(a) EPC) because:

• it is not new (Art. 52(1); Art. 54 EPC)

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• it does not involve an inventive step (Art. 52(1); Art. 56 EPC)

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• patentability is excluded on other grounds, namely articles

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(b) the patent opposed does not disclose the invention in a manner sufficiently clear and complete for it to be carried out by a person skilled in the art (Art. 100(b) EPC; see Art. 83 EPC).

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(c) the subject-matter of the patent opposed extends beyond the content of the application/of the earlier application as filed (Art. 100(c) EPC, see Art. 123(2) EPC).

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VII. Facts (Rule 76(2)(c) EPC)

presented in support of the opposition are submitted herewith on an attached document

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VIII. Other requests:

• Oral proceedings are requested in the event that the Opposition Division be of the opinion that the opposed patent can be maintained in any form.

Please note that D7 will follow.

IX. Evidence presented**X. Payment**

Mode of payment

Debit from deposit account

The European Patent Office is hereby authorised, to debit from the deposit account with the EPO any fees and costs indicated in the fees section below.

Currency:

EUR

Deposit account number:

28050059

Account holder:

CARPMAELS & RANSFORD LLP

Deferred execution date / total amount to be debited on: (or on the date of receipt if the submission date is after the deferred execution date you have indicated)

Important information:

- This functionality allows you to indicate explicitly that your payment order is to be executed at a later date than the submission date. In this case, the payment date will be deemed to be the deferred execution date, provided that you have sufficient funds on your deposit account on that date.
- Please choose the deferred execution date option only if the fees are to be debited on a future date, as otherwise the default execution date is date of receipt.
- The deferred execution date can be a maximum of 40 days in the future.

Refunds

Any refunds should be made to EPO deposit account:

28050059

Account holder:

CARPMAELS & RANSFORD

Fees

	Factor applied	Fee schedule	Amount to be paid
010 Opposition fee	1	775.00	775.00
Total:		EUR	775.00

A Forms

Details:

System file name:

A-1

Form for notice of opposition

ep-oppo.pdf

B Attached document files

Original file name:

System file name:

B-1

1. Facts and arguments

Notice of opposition as filed.pdf

OPPO.pdf

B-2

1. Any annexes (other than citation) to an opposition letter - D6 WO2004 056875

D6 WO2004 056875.pdf

OTHER-1.pdf

C Attached evidence files

Original file name:

System file name:

Signature of opponent or representative

Place	London
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Date: 25 April 2014

Signed by: /MARSHALL, Cameron John/

Capacity: (Representative)