

T_1145/09, EPO Board of Appeal, 17 June 2010

Kluwer Patent Blog
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Questions submitted to the Enlarged Board. During opposition the Proprietor announced that it wanted a correction of the decision to grant from the examining division. The opposition division decided to stay proceedings and the Opponent appealed the decision to stay. The Board submitted questions to the Enlarged Board, asking (1) whether a request for correction of a decision was admissible after initiation of opposition proceedings and (2) whether the examining division could decide about this in a binding manner, precluding the opposition division from examining whether the correction decision amounts to an unallowable amendment.

A [full summary](#) of this case has been published on [Kluwer IP Law](#).