

Kluwer Patent Blog

T1700/11, European Patent Office (Appeals Court), 15 November 2012

Lars de Haas (V.O.) · Friday, March 8th, 2013

In an appeal against a decision by the Opposition Division to maintain the patent in amended form, the Board ordered the representative of the opponent to file an authorization. The representative did not do so in due time, but indicated that the opponent would take no further action. The Board held that the legal fiction of Rule 152(6) EPC meant that the opposition was deemed not to have been filed due to the representative's failure to file the authorization, and ordered a refund of the opposition fee.

Click [here](#) for the full text of this case.

A summary of this case will be posted on <http://www.Kluweriplaw.com>

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Law, EPC, Mechanical Engineering, Procedure

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