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EPO: T1548/11, European Patent Office (EPO), Board of Appeal, 22 September 2015

Lars de Haas (V.O.) · Wednesday, November 25th, 2015

A board of appeal of the European Patent Office held that a conditional request for oral proceedings filed with a notice of opposition remains effective after appeal and remittal to the opposition division, even when the party fails to restate the request in response to an invitation for requests by the opposition division after the remittal. Although the opposition division had held oral proceedings before the remittal, the request had not been “exhausted” under Article 116(2) EPC, because the subject of the first oral proceedings was novelty and the subject of the decision after remittal was inventive step.

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

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