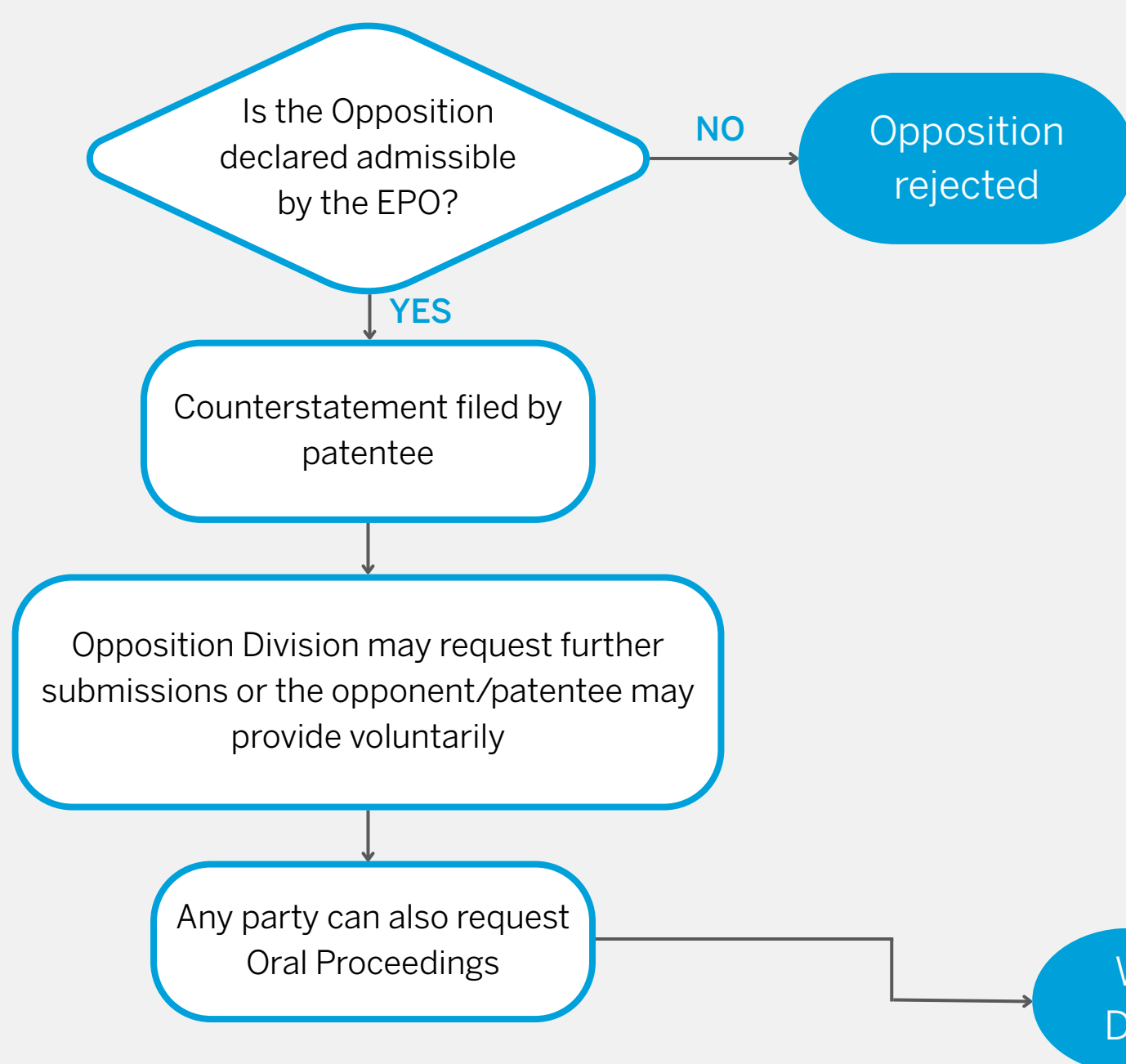


Standard Procedure for European Patent Opposition

This document provides a visual summary of the resulting procedure once an opposition to a European patent is filed, outlining the key stages from the filing to the Written Decision of the Opposition Division, as well as the process for further appealing said Decision to the Board of Appeal.

1. Process after filing opposition to European Patent



Further comments

1. A notice of opposition must be filed within 9 months of the mention of the grant in the European Patent Bulletin.
2. The notice must set out the Grounds of Opposition, which can be:
 - Fails to meet patentability requirements (e.g. novelty, inventive step).
 - Lack of sufficiency.
 - Added subject-matter.
3. Defendant in national infringement proceedings may intervene in a pending EPO opposition within three months of the infringement action.
4. There is no ordinary further "appeal" against a Board of Appeal decision under Article 106 EPC, but there are a few narrow routes:
 - a) Correction of obvious errors (Rule 140 EPC).
 - b) Petition for review to the Enlarged Board of Appeal (Article 112a EPC).
 - c) A European patent can be challenged separately before national courts on grounds of validity in each Contracting State where it has effect.

2. Process of appealing if dissatisfied with Decision

