

Date

Reference	Application No./Patent No.
Applicant/Proprietor	

Noting of loss of rights pursuant to Rule 112(1) EPC

The above-mentioned European patent application is not being processed as a European divisional application (R. 36(1) EPC), because when it was filed

- the earlier European patent application had been withdrawn, deemed to be withdrawn or finally refused.
- the earlier European patent application was not pending before the EPO as designated or elected Office.
- the European Patent Bulletin had already mentioned the grant of a patent in respect of the earlier European patent application.
- the applicant(s) was (were) not identical to the applicant(s) on record of the parent application (R. 36(1) EPC and Guidelines for Examination in the EPO, A-IV, 1.1.3).

Means of redress

Request for a decision (R. 112(2) EPC)

If the applicant considers that the finding of the European Patent Office is inaccurate, he may, within a (non-extendable) period of **two months** after notification of this communication, apply in writing for a decision on the matter. The application can only lead to the finding being reversed if this does not actually correspond to the factual or legal situation.

The fees paid for the application will be refunded if the finding of the loss of rights becomes final.

