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Comment:

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- Secretariat -

PROPOSAL BY THE FRENCH DELEGATION

for the text of Article 58, paragraph 2

Article 58

(2) A Board of Appeal shall consist of :

- three technically qualified members and two legally qualified members :
 - (a) when required to give a decision on appeal from a decision of an Examining Division consisting of four members as provided for in Article 56, paragraph 2, or
 - (b) when it considers that the nature of the decision so necessitates ;
- two technically qualified members and one legally qualified member, assisted by a technically qualified member who shall act as rapporteur but shall not take part in the decision, when the appeal is from a decision of an Examining Division consisting of three members, concerning :
 - (a) the refusal of a European patent application,
 - (b) the division of such an application,
 - (c) the grant of a European patent;
- three legally qualified members in all other cases.