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Comment:

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The documents produced before 1969 cannot be provided in English as this was not an official language in the period before that date. These documents therefore are provided in French and German.

- Secretariat -

Article 112a (new)

Decision of the Enlarged Board of Appeal
on certain points of law

(1) In order to ensure uniform application of the law,
or if an important point of law arises :

(a) the Board of Appeal shall, during proceedings on a case,
refer any question to the Enlarged Board of Appeal when
a decision is required for the above purposes ;

(b) 1st variant :

the President of the European Patent Office may at any
time ask the Enlarged Board of Appeal for an opinion on
any question, except where such question arises in
proceedings on a case.7

2nd variant :

the President of the European Patent Office may refer a
point of law to the Enlarged Board of Appeal where two
Boards of Appeal have given different decisions on that
question.7

(2) The decision of the Enlarged Board of Appeal referred to in paragraph 1 (a) shall be binding on the Board of Appeal in respect of the appeal in question.

Note :

The Working Party has still to decide on this provision, the text of which has been drawn up by the Drafting Committee.
