

Decision of the Administrative Council of 29 October 2004 approving an amendment to the Rules of Procedure of the Boards of Appeal of the European Patent Office CA/D 17/04

THE ADMINISTRATIVE COUNCIL OF THE EUROPEAN PATENT ORGANISATION,

Having regard to the European Patent Convention, and in particular [Article 23](#) (4) thereof,

Having regard to the amendment to the Rules of Procedure of the Boards of Appeal adopted on 20 September 2004 under [Rule 10](#) (3) of the Implementing Regulations to the European Patent Convention,

HAS DECIDED AS FOLLOWS:

The amendment of Article 10a(2) of the Rules of Procedure of the Boards of Appeal to read as follows with effect from 1 January 2005 is hereby approved:

"(2) The statement of grounds of appeal and the reply shall contain a party's complete case. They shall set out clearly and concisely the reasons why it is requested that the decision under appeal be reversed, amended or upheld, and should specify expressly all the facts, arguments and evidence relied on. All documents referred to shall be

(a) attached as annexes insofar as they have not already been filed in the course of the grant, opposition or appeal proceedings or produced by the Office in said proceedings;

(b) filed in any event to the extent that the Board so directs in a particular case."

Done at Munich, 29 October 2004

For the Administrative Council
The Chairman

Roland GROSSENBACHER

