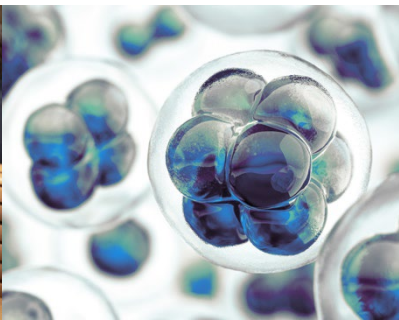




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# Mock trial for oral proceedings by videoconference in opposition

The case underlying the oral proceedings



# Oral proceedings by videoconference in opposition

- **European patent 2005941 B1** (application number 08 009 757.9) relates to a beauty and medical patch. It was granted in the name of **Norma Corp.**
- **Margarete SA** timely filed a notice of **opposition** against this patent arguing on the grounds of **Art. 100(a) EPC** lack of novelty and inventive step against **claim 1** on the basis of **document D1.**

# Oral proceedings by videoconference in opposition

- In reply to the notice of opposition the patent proprietor requests the **rejection of the opposition**
- **All parties** requested oral proceedings and **agreed** to conduct them by videoconference.

# Oral proceedings by videoconference in opposition

- In the annex to the summons the opposition division is of **preliminary opinion** that **D1 is novelty destroying for claim 1**.
- If necessary inventive step in view of D1 will be discussed during the oral proceedings.

# Oral proceedings by videoconference in opposition

- The division **summons** to oral proceedings by videoconference and invites the parties to submit their arguments and their data sheets for videoconferences. It also informs that **the division will be distributed** and that members of the **public may participate remotely** after giving prior notice of their attendance to the EPO.

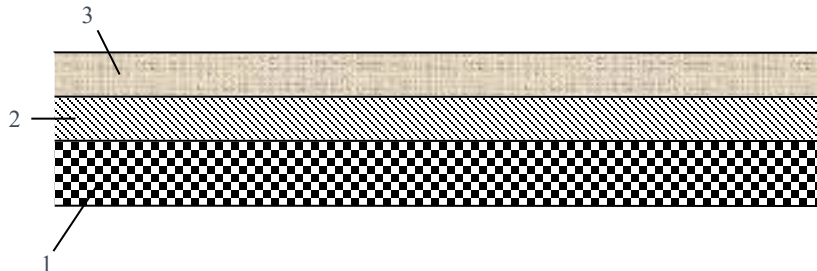
# Claims of the opposed patent

1. A multi-layered patch comprising
  - a storage-layer comprising an active ingredient to be delivered to skin,
  - an adhesive layer, and
  - a fabric layer.
2. A multi-layered patch according to claim 1 which further comprises a hydrogel layer.

# Claim 1 of the opposed patent

A multi-layered patch comprising

- a storage-layer (1) comprising an active ingredient to be delivered to skin,
- an adhesive layer (2), and
- a fabric layer (3).



# Disclosure of D1

D1 discloses a cosmetic patch having 3 layers and comprising a depot layer, an adhesive layer and a textile carrier.

In the depot layer, which is a polymeric matrix layer, an anti-wrinkle active compound is stored.

D1 does not disclose a further hydrogel layer.