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**Datasheet for the decision  
of 2 January 2023**

**Case Number:** T 2001/21 - 3.2.01

**Application Number:** 16726427.4

**Publication Number:** 3294615

**IPC:** B62J6/00, B62K21/12

**Language of the proceedings:** EN

**Title of invention:**

A COMPACT LAMP

**Applicant:**

Vilnius University

**Headword:**

**Relevant legal provisions:**

EPC Art. 84, 123(2), 54, 56

**Keyword:**

Claims - clarity - (yes)  
Amendments - added subject-matter (no)  
Novelty - (yes)  
Inventive step - (yes)

**Decisions cited:**

**Catchword:**



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Case Number: T 2001/21 - 3.2.01

**D E C I S I O N**  
**of Technical Board of Appeal 3.2.01**  
**of 2 January 2023**

**Appellant:** Vilnius University  
(Applicant) Universiteto g. 3  
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**Representative:** Petniunaite, Jurga  
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**Decision under appeal:** **Decision of the Examining Division of the  
European Patent Office posted on 8 July 2021  
refusing European patent application No.  
16726427.4 pursuant to Article 97(2) EPC.**

**Composition of the Board:**

**Chairman** V. Vinci  
**Members:** S. Mangin  
P. Guntz

## **Summary of Facts and Submissions**

- I. The appeal was filed by the appellant (applicant) against the decision of the examining division to refuse the patent application in suit (hereinafter "the application").
- II. The examining division considered that the only set of claims on file was unclear for the following reasons:
- The expression "compact flat lamp" in claim 1 was in contradiction with the description since none of the embodiments was a "flat" lamp.
  - The expression "convex-concave output surface" of claims 6 and 13 was not clear.
- III. With their statement of grounds of appeal, the appellant (applicant) requested the appealed decision to be set aside and a patent to be granted on the basis of auxiliary request 1.
- IV. Following telephone calls with the rapporteur, the appellant (applicant) filed on 5 December 2022 a new main request.
- V. Independent product claim 1 of the main request reads as follows:
1. A lamp (1) having a compact flat optical layout comprising at least two light emitting diodes (2), a lamp housing (5) for mounting on an end of a bicycle handlebar tube (13), a power supply (7) and a lighting control device (9), being an electrical circuit, placed inside the hollow of the handlebar tube (13) and connected via a magnetic contact (10) to a button (11) which is located on the outside of the handlebar tube

and is used for control of the lamp (1) LEDs (2), characterized in that the at least two LEDs (2) are placed in the lamp housing (5) behind a focusing lens (3) and behind a narrow lens (4) where the narrow lens (4) additionally deflecting light from the LEDs (2) has at least two different planar input surfaces (4'', 4'''), wherein the lamp (1) extends the handlebar tip only by 8-12 mm.

VI. Independent method claim 8 of the main request reads as follows:

8. Method for obtaining a sharply limited in a vertical plane dispersion pattern of light using the lamp (1) according to any one of claims 1-7.

VII. In the present decision, reference is made to the following documents:

D1: US 2004/170014 A1

D2: US 2 603 701 A

D3: US 2003/215766 A1

### **Reasons for the Decision**

1. Clarity - Article 84 EPC

The set of claims is clear according to Article 84 EPC.

1.1 The expression "compact flat lamp" in claim 1 which was considered unclear by the examining division has been replaced by "A lamp (1) having a compact flat optical layout (...) wherein the lamp (1) extends the handlebar tip only by 8-12 mm". The amendments made, based on the paragraph under "Brief description of the invention" on page 2 of the description and on page 3, lines 12 and

13, clarifies that it is the part outside the handlebar, extending only by 8-12 mm, which is to be considered flat.

- 1.2 The expression "convex-concave shaped output surface" considered unclear by the opposition division has been replaced by "saddle shaped output surface" in claim 4 and 11. The amendments made, using the expression "saddle-shaped" based on page 2, line 12 and page 3, line 25, clarifies the meaning of "convex-concave".
- 1.3 The alternative "for a turn indicator" in claim 7 has been deleted as it was not supported by the description.
- 1.4 The method claim 8 has been amended to refer to the use of the lamp according to any one of claims 1-7 for consistency reasons.
2. Added subject-matter - Article 123(2) EPC

The set of claims complies with article 123(2) EPC.

- 2.1 Claim 1 is a combination of original claims 1, 2, 4 and 9, with
  - the above-mentioned change under point 1.1 for clarity reasons,
  - specifying that the lamp housing (5) is to be mounted on an end of a bicycle handlebar tube (13) and
  - deleting the term "special" in front of the expression "narrow lens" and deleting the last part of original claim 1 *"to achieve desirable light dissipation pattern, where the lamp body is properly mounted on the handlebar tube (13) end"*.

- 2.1.1 As stated above under clarity, "A lamp (1) having a compact flat optical layout (...) wherein the lamp (1) extends the handlebar tip only by 8-12 mm" finds basis in paragraph under "Brief description of the invention" on page 2 of the description and on page 3, lines 12 and 13.
- 2.1.2 Furthermore "a lamp housing (5) for mounting on an end of a bicycle handlebar tube (13)" can be found on page 3, lines 8-12.
- 2.1.3 Finally, the term "special" in front of the expression "narrow lens" and the last part of original claim 1 "*to achieve desirable light dissipation pattern, where the lamp body is properly mounted on the handlebar tube (13) end*" were deleted. These deletions do not contravene article 123(2) EPC as the deleted features defined by relative terms do not limit the claim further.
- 2.2 The dependent claims 2-7 correspond to original claims 3 and 5-9, whereby claims 4-6 refer to the "at least two LEDs" instead of "at least one LED" as original claim 4 defining "at least two LED's" has been introduced into claim 1. These amendments were made for consistency reasons and do not introduce added subject-matter.
- The deletion of the alternative "a light source for turn indicator" in claim 7 which was not supported by the description does not introduce added subject-matter.
- 2.3 The method claim 8, was amended to refer to claim 1 rendering the method claim and the product claim consistent and the dependent method claims were

deleted. The amendments do not introduce added subject-matter either.

3. Novelty and inventive step

None of the documents D1-D3 cited in the search report disclose a compact lamp comprising at least two LEDs behind a focusing lens and behind a narrow lens where the narrow lens has at least two different planar input surfaces (4", 4"). The subject-matter of claim 1 is therefore novel.

Each of at least two planar areas (4 ", 4'') on the lens (4) input surface will deflect the light beam from a corresponding adjacent light source in different directions in front of the lamp (1).

The problem to be solved may be defined as to provide a more versatile compact lamp.

Providing a narrow lens with at least two different planar input surfaces is neither obvious nor disclosed in documents D1-D3. The subject-matter of claim 1 is therefore not rendered obvious by documents D1-D3 in combination with common general knowledge.

4. Adaptation of the description

The description was adapted to the new set of claims.

**Order**

**For these reasons it is decided that:**

The decision under appeal is set aside.



The case is remitted to the examining division with the order to grant a patent in the following version:

Description:

Pages 1-4 filed with the letter of 5 December 2022.

Claims:

Numbers 1-8 filed with the letter of 5 December 2022.

Drawings:

Sheets 1/5 and 2/5 filed with the letter of 10 December 2020.

Sheets 3/5-5/5 filed with letter of 15 June 2018.

The Registrar:

The Chairman:



A. Voyé

V. Vinci

Decision electronically authenticated