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**Datasheet for the decision
of 3 July 2025**

Case Number: T 0775/22 - 3.4.01

Application Number: 14192578.4

Publication Number: 3018977

IPC: H05B37/02

Language of the proceedings: EN

Title of invention:

Network of lights

Patent Proprietor:

Schreder

Opponent:

Zumtobel Lighting GmbH

Headword:

Light network / Schreder

Relevant legal provisions:

EPC Art. 100(c)

Keyword:

Grounds for opposition - added subject-matter (yes)



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Boards of Appeal
Chambres de recours

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Case Number: T 0775/22 - 3.4.01

D E C I S I O N
of Technical Board of Appeal 3.4.01
of 3 July 2025

Appellant: Zumtobel Lighting GmbH
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Decision under appeal: **Decision of the Opposition Division of the
European Patent Office posted on 5 January 2022
rejecting the opposition filed against European
patent No. 3018977 pursuant to Article 101(2)
EPC.**

Composition of the Board:

Chair P. Scriven
Members: B. Noll
R. Winkelhofer

Summary of Facts and Submissions

- I. Opposition to the patent was filed on the grounds of lack of inventive step (Article 100(a) EPC), insufficiently clear and complete disclosure of the invention (Article 100(b) EPC), and extension of subject-matter beyond the content of the application as filed (Article 100(c) EPC).
- II. The Opposition Division rejected the opposition.
- III. The opponent appealed that decision. They request that the decision under appeal be set aside and amended such that the patent be revoked.
- IV. The proprietor requests that the appeal be dismissed, (main request) or that the patent be maintained on the basis of one of auxiliary requests 1, 1bis, or 2-5, all submitted with the reply to the appeal.
- V. Claim 1 of the main request reads (reference signs omitted):

A network comprising a server and a multitude of lights, wherein each light is equipped with a control module, each control module comprising:

- a long-distance communication module designed to reach the server;

- a short-distance communication module; and
- a controller; and
- a control output designed to control a driver of its respective light;

wherein each control module is designed to transmit to the server at least one of environmental, light and control module information;

wherein the network contains at least one group of lights, each group of lights having a control module specified as its group controller, the group controller being designed to communicate with the server via its respective long-distance communication module;

and wherein in each group of lights the control modules other than the group controller are designed to indirectly communicate with the server via their respective group controller and to communicate with one another and with their respective group controller via their respective short-distance communication module;

wherein the network is characterised in that:

- each control module further comprises a near-field communication module and a geocoordinate module; and in that

- the server is equipped with an interface with a long-distance network provider,

wherein the interface is designed to activate, suspend or deactivate communication with individual long-distance communication modules of the control modules.

VI. Claim 1 of auxiliary request 1 further defines that the network comprises a plurality of groups of lights.

VII. Claim 1 of auxiliary request 1bis further defines the server in that it

is equipped with an interface adapted for connection with the plurality of groups and with an application programming interface with a long-distance network provider, wherein the application programming interface is designed to activate, suspend or deactivate communication with individual long-distance communication modules of the control modules.

VIII. Claim 1 of auxiliary request 2 differs from claim 1 of auxiliary request 1 in that the geocoordinate module is

configured to transmit geocoordinates such as to enable a creation of a detailed image of the control modules and a division of the control modules into groups on the basis of

control strategies to be determined or predetermined on the server.

IX. Claim 1 of auxiliary request 3 differs from claim 1 of auxiliary request 1 in that the interface

is further designed to transfer information regarding the control modules active with their respective long distance communication module in order to suspend and/or deactivate long distance communication of control modules in the plurality of groups other than the group controllers.

X. Claim 1 of auxiliary request 4 is a combination of the features of claim 1 of auxiliary requests 2 and 3.

XI. Claim 1 of auxiliary request 5 adds to claim 1 of the main request that the server

is configured to determine another group controller to take over communication with the server if the group controller fails and to inform the control modules of the other group controller in advance or to re-allocate the other group controller to the control modules in case of a failure.

XII. The parties' submissions, insofar as they are relevant for this decision, are set out and discussed in the Reasons for the Decision, below.

Reasons for the Decision

Claim 1, interpretation

1. The patent relates to a street light network with a server and a multitude of lights. Each light is equipped with a control module and with communication modules for short and long-distance communication, with long-distance communication to be understood such that the server can be reached by the module. A typical example is a GSM-based module (patent specification, paragraph [0003]). Short-distance communication is to reach short-distance modules of other lights at a relatively close distance. Typically, short-distance communication is designed for distances of up to several dozens of metres. ZigBee is an example for short-distance communication (paragraph [0017]).
2. Each light further comprises a "geocoordinate module" and a "near-field module". Their purposes and their interactions with other modules are not specified in the claims. As explained in the description (paragraphs [0011] and [0031]), the first is for obtaining information on the location of the light; the second is for reading light-specific information from an RFID transponder (paragraphs [0015] and [0023]).
3. Each light also has a controller and a control output (paragraph [0010]). During normal network operation, only the group controller communicates with the central server via its long-distance communication module. The peers within the group communicate indirectly with the server, by connecting to the group controller via a short-distance communication link and from there to the

central server via the long-distance communication connection. Therefore, in normal operation, only a single long-distance communication connection to the server is active for each group.

4. Since, in normal operation, only one long-distance communication module is active, the remaining modules in a group are set to be inactive. "Suspension" means that the long-distance communication module can be activated for a short time, for instance if the group controller fails (paragraph [0037]). Paragraph [0041] describes a further mode in which a module is activated for transferring firmware, bypassing the group controller.

Claim 1, added subject-matter

5. Claim 1 defines that the interface with the long-distance communication is *designed* to activate, suspend, or deactivate communication with individual long-distance communication modules of the control modules. The description as (originally) filed defines that this interface *be used to transfer information regarding the control modules active within their long distance communication, to be suspended and/or to be made inactive* (paragraph [0033]). Similar wording is used in claim 15 as filed, which defines that the interface *is used to activate, suspend or deactivate communication with individual long-distance communication modules*. These passages describe the original function of an interface as an intermediary between two units, to enable the exchange of information. In the present case, the transmitted information serves to communicate the desired activity status of control modules to the long-distance provider

so that the provider can set up the activity status accordingly.

6. However, the wording "designed to", in claim 1 of the patent assigns a more active function to the interface, namely that it, itself, is involved in the (de-)activation process.
7. The proprietor argued in this context that "used to" and "designed to" were synonymous, with the latter merely emphasising that the interface was implemented as an application programming interface. Therefore, no additional technical function beyond the original function of the interface as an adaptation between two units had been added to the interface.
8. This is not persuasive. The wording "designed to activate ... " implies that the interface should be assigned more functionality than just that of transmitting information. There is, therefore, added subject-matter.
9. As a consequence, the ground under Article 100(c) EPC prejudices the maintenance of the patent.
10. The above ground also prejudices the maintenance of the patent in the versions according to all the auxiliary requests, since the definition of the interface as being designed to activate, suspend, or deactivate communication with individual long-distance communication modules of the control modules is present in claim 1 of each of them. In particular, as regards claim 1 of auxiliary request 3, the additional wording that the interface is further designed to transmit information does not remedy the deficiency under Article 100(c) EPC, since this wording does not render

ineffective the basic design of the interface for (de-)activating and suspending the long-distance communication modules.

Conclusion

11. Since there is no allowable request on file, the patent must be revoked.

Order

For these reasons it is decided that:

1. The decision under appeal is set aside.
2. The patent is revoked.

The Registrar:

The Chair:



D. Meyfarth

P. Scriven

Decision electronically authenticated