**Internal distribution code:**

(A) [ - ] Publication in OJ
(B) [ - ] To Chairmen and Members
(C) [ - ] To Chairmen
(D) [ X ] No distribution

# Datasheet for the decision of 3 November 2025

**Case Number:** T 0077/24 - 3.2.02

**Application Number:** 20184195.4

**Publication Number:** 3756633

**IPC:** A61G7/05, A47C20/04, A61G7/018, A61G7/012, A61G7/015

**Language of the proceedings:** EN

**Title of invention:**
BED DEVICE

**Applicant:**
Paramount Bed Co., Ltd.

**Relevant legal provisions:**
EPC Art. 76(1), 84, 111(1), 123(2)
RPBA 2020 Art. 11, 12(2), 13(2)

**Keyword:**
Amendment after summons - taken into account (yes)
Divisional application - added subject-matter (no)
Amendments - extension beyond the content of the application as filed (no)
Claims - clarity (yes)
Remittal - special reasons for remittal (yes)

Europäisches Patentamt
European Patent Office
Office européen des brevets

**Beschwerdekammern**

**Boards of Appeal**

**Chambres de recours**

Boards of Appeal of the
European Patent Office
Richard-Reitzner-Allee 8
85540 Haar
GERMANY
Tel. +49 (0)89 2399-0

**Case Number: T 0077/24 - 3.2.02**

# D E C I S I O N
# of Technical Board of Appeal 3.2.02
# of 3 November 2025

| | |
|---|---|
| **Appellant:** (Applicant) | Paramount Bed Co., Ltd.<br>14-5, Higashisuna 2-chome<br>Koto-ku<br>Tokyo 136-8670 (JP) |
| **Representative:** | Müller Hoffmann & Partner<br>Patentanwälte mbB<br>St.-Martin-Straße 58<br>81541 München (DE) |
| **Decision under appeal:** | **Decision of the Examining Division of the European Patent Office posted on 7 August 2023 refusing European patent application No. 20184195.4 pursuant to Article 97(2) EPC.** |

**Composition of the Board:**

| | |
|---|---|
| **Chairman** | M. Alvazzi Delfrate |
| **Members:** | S. Dennler |
| | Y. Podbielski |

## Summary of Facts and Submissions

I. The applicant ("the appellant") filed an appeal against the examining division's decision to refuse its patent application no. 20184195.4 on the ground that the claims then on file did not comply with Article 76(1) EPC.

II. The application in question is a divisional application of parent application no. 18206732.2, which in turn is a divisional application of grandparent application no. 12850916.3. The grandparent application is derived from an international patent application originally filed in Japanese and was published in English as EP 2 783 669 A1 in accordance with Article 153(4) EPC.

III. In the statement of grounds of appeal, the appellant requested that the decision under appeal be set aside and that a patent be granted on the basis of the claims of one of the main request and auxiliary requests 1 and 2 filed with the statement.

IV. The Board issued a communication under Rule 100(2) EPC, expressing the view that the claims of the main request did not comply with Article 76(1) EPC. The Board further indicated that, if the objections raised in that communication were overcome, the Board would be inclined to remit the case to the examining division for further prosecution, as the remaining requirements of the EPC had not been assessed in the decision under appeal. A two-month time limit for reply was set.

V. Within that period, by submission dated 31 July 2025, the appellant filed amended claims as a new main request and agreed to remittal.

VI. Subsequently, the Board summoned the appellant to oral proceedings and, in a communication under Article 15(1) RPBA, expressed the view that the claims of the new main request were still not allowable. The Board added that, if the outstanding objections were overcome, the oral proceedings could be cancelled and the case be remitted to the examining division for further prosecution as previously envisaged.

VII. With the submission dated 15 September 2025, the appellant filed further amended claims as a new main request and requested that the case be remitted to the examining division for further prosecution on the basis of the following application documents ("the final request"):

- Claims: claims 1 to 4 of the main request as filed with the submission dated 15 September 2025
- Description: pages 1 to 17 as originally filed
- Drawings: sheets 1/9 to 9/9 as originally filed

VIII. The Board cancelled the oral proceedings.

IX. Claims 1 to 4 of the final request ("claims 1 to 4") read as follows:

"*1. A bed device (1) comprising:*

*an operation section (130) capable of receiving an operation input;*

*a bed controller (150) configured to control movement of the bed in accordance with the operation input;*

*a detector (120) configured to detect a position of a user on the bed;*

*a storage that stores a limitation table in which areas defined in the bed device, bed control content*

*indicating a movement of the bed, and limitation content are recorded in association with each other;*

*a notification unit (140) configured to notify an alert; and*

*a controller (100) connected to the operation section (130), the bed controller (150), the detector (120), the notification unit (140), and the storage, the controller (100) being configured to control the bed device (1) as a whole; wherein*

*when the operation input is received for controlling a movement of the bed according to control content recorded in the limitation table, if the detected position of the user is on a first area that is recorded in the limitation table in association with the control content related to the received operation input, and if the limitation content recorded in the limitation table in association with said control content and said first area indicates a suspension of the movement controlled according to said control content, the controller (100) temporarily suspends said movement of the bed, and in addition an alert that asks for confirmation of said movement is notified by the notification unit (140), and*

*upon receipt of a confirmation of the alert notification, the controller (100) either removes the temporary suspension and moves the bed in correspondence with the operation input, or cancels the bed movement, in accordance with the content of the confirmation.*"

"*2. A bed device (1) comprising:*

*an operation section (130) capable of receiving an operation input;*

*a bed controller (150) configured to control a movement of the bed in accordance with the operation input and capable of controlling a form of the bed*

*based on bed modes that indicate the movement mode when the bed moves;*

*a status detector (110) for detecting a bed mode;*

*a storage that stores a limitation table in which bed modes, bed control content indicating a movement of the bed, and limitation content are recorded in association with each other;*

*a notification unit (140) configured to notify an alert; and*

*a controller (100) connected to the operation section (130), the status detector (110), the bed controller (150), the notification unit (140), and the storage, the controller (100) being configured to control the bed device (1) as a whole; wherein*

*when the operation input is received for controlling a movement of the bed according to control content recorded in the limitation table, if the bed mode detected by the status detector (110) corresponds to a first bed mode that is recorded in the limitation table in association with the control content related to the received operation input, and if the limitation content recorded in the limitation table in association with said control content and said first bed mode indicates a suspension of the movement controlled according to said control content, the controller (100) temporarily suspends said movement of the bed, and in addition an alert that asks for confirmation of said movement is notified by the notification unit (140), and*

*upon receipt of a confirmation of the alert notification, the controller (100) either removes the temporary suspension and moves the bed in correspondence with the operation input, or cancels the bed movement, in accordance with the content of the confirmation.*"

"*3. An alerting method in a bed device (1) comprising the steps of:*

*storing a limitation table in a storage, in which limitation table areas defined in the bed device, bed control content indicating a movement of the bed, and limitation content are recorded in association with each other;*

*receiving, by an operation section (130), an operation input;*

*controlling, by a bed controller (150), movements of the bed in accordance with the operation input; and*

*detecting, by a detector (120), a position of a user on the bed;*

*wherein*

*a controller (100) is configured such that when an operation input is received for controlling a movement of the bed according to control content recorded in the limitation table, if the detected position of the user is on a first area that is recorded in the limitation table in association with the control content related to the received operation input, and if the limitation content recorded in the limitation table in association with said control content and said first area indicates a suspension of the movement controlled according to said control content, the controller (100) temporarily suspends said movement of the bed, and in addition an alert that asks for confirmation of said movement is notified by a notification unit (140),*

*upon receipt of a confirmation of the alert notification, the controller (100) either removes the temporary suspension and moves the bed in correspondence with the operation input, or cancels the bed movement, in accordance with the content of the confirmation; and*

*the controller (100) is connected to the operation section (130), the bed controller (150), the detector*

*(120), the notification unit (140), and the storage, the controller (100) being configured to control the bed device (1) as a whole."*

"*4. An alerting method in a bed device (1) comprising the steps of:*

*storing a limitation table in a storage, in which limitation table bed modes that indicate a movement mode when the bed moves, bed control content indicating a movement of the bed, and limitation content are recorded in association with each other;*

*receiving, by an operation section (130), an operation input;*

*controlling, by a bed controller (150), a movement of the bed in accordance with the operation input; and*

*detecting, by a status detector (110), a bed mode;*

*wherein*

*a controller (100) is configured such that when an operation input is received for controlling a movement of the bed according to control content recorded in the limitation table, if the bed mode detected by the status detector (110) corresponds to a first bed mode that is recorded in the limitation table in association with the control content related to the received operation input, and if the limitation content recorded in the limitation table in association with said control content and said first bed mode indicates a suspension of the movement controlled according to said control content, the controller (100) temporarily suspends said movement of the bed and in addition an alert that asks for confirmation of said movement is notified by a notification unit (140),*

*upon receipt of a confirmation of the alert notification, the controller (100) either removes the temporary suspension and moves the bed in correspondence with the operation input, or cancels the*

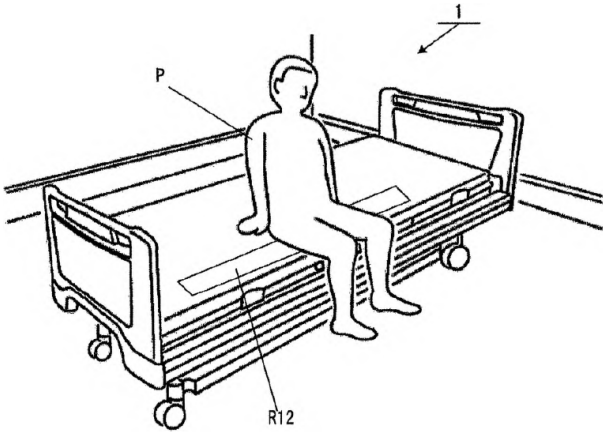
*bed movement, in accordance with the content of the confirmation; and*
*the controller (100) is connected to the operation section (130), the status detector (110), the bed controller (150), the notification unit (140), and the storage, the controller (100) being configured to control the bed device (1) as a whole.*"

X. The appellant's arguments relevant for the decision are dealt with in detail below in the reasons for the decision.

## Reasons for the Decision

### 1. Subject-matter of the application

The present application concerns an actuated bed device equipped with safety functionality that prevents a user from being exposed to risk during operation of the bed (see paragraph [0009] and Figure 6, reproduced below).




As defined in independent claims 1 and 2 and illustrated in Figures 5 and 9, the bed device comprises a controller configured to detect when a requested bed operation would create a potentially dangerous situation for the user. In claim 1, this determination is based on a detected user's position on

the bed (see Figure 5), while in claim 2 it is based on a detected bed mode (see Figure 9). When such a dangerous situation is detected, the controller:

(a) temporarily suspends the requested operation;

(b) issues an alert notification (to the user or a caregiver) indicating the dangerous situation and requesting confirmation; and

(c) upon receiving confirmation, either lifts the suspension and performs the requested operation, or cancels the operation, depending on the content of the confirmation.

Corresponding alerting methods are defined in independent claims 3 and 4.

The potentially dangerous situations are stored in the bed device in the form of a limitation table, in which bed areas or bed modes are associated with, *inter alia*, bed control data and limitation data (see Figures 3 and 8). By consulting this table, the controller is able to determine whether the requested operation - given the detected user's position or bed mode - falls within a prohibited or limited region, and to trigger the above safety measures where appropriate.

**2. Admittance of the final request**

The amendments made to the application documents in accordance with the final request *prima facie* resolve both the objections raised by the examining division in the decision under appeal and those raised, for the first time, in the Board's communications under Rule 100(2) EPC and Article 15(1) RPBA. Furthermore, the amendments do not raise any new added subject-matter or clarity issues.

In exercise of its discretion under Article 13(2) RPBA, the Board therefore decides to admit the final request.

## 3. Added subject-matter

3.1 The description of the present application as filed is identical to that of both the parent and grandparent applications, except that the claims of the grandparent application as filed were appended as a list of "items" in the subsequent applications.

Accordingly, the content of the grandparent application as filed, published as EP 2 783 669 A1 (see point II. above), forms the relevant disclosure ("the original disclosure") for assessing compliance of the present application with both Articles 76(1) and 123(2) EPC. All paragraph and figure references below relate to that document.

It also follows that, if the present application meets the requirements of Article 76(1) EPC, it likewise meets those of Article 123(2) EPC.

3.2 As set out below, the Board is satisfied that the subject-matter of the claims of the final request does not extend beyond the content of the original disclosure.

3.3 All added subject-matter objections raised in the decision under appeal (see Reasons 11) have been resolved in the final request by appropriate amendments to claims 1 to 4.

Claims 1 to 4 have been amended to define the content of the limitation table and the manner in which this content is used to determine, on the basis of the

detected user position or bed mode and the received operation input requesting operation of the bed, whether the bed is to be operated in accordance with the operation input or whether operation is instead to be suspended. This definition is supported by paragraphs [0034] to [0036] and paragraphs [0046] to [0053], in conjunction with Figures 3, 5, 8 and 9 (see steps S106 to S112 and S204 to S112). In particular, the claims leave open how many predefined areas and bed modes are recorded in the limitation table for triggering the safety measures. This is consistent with the original disclosure. The limitation tables shown in Figures 3 and 8 are merely illustrative (see paragraphs [0030] and [0047] as well as the information left open in the tables); the person skilled in the art would thus directly and unambiguously derive from the original disclosure that the limitation table is not limited to a particular number of predefined areas and bed modes. The amendments therefore address the objections raised in Reasons 11.1 and 11.6 of the appealed decision.

Claims 1 to 4 further specify that the alert notified by the notification unit "asks for confirmation" of the requested bed movement which has been suspended, and that the suspension is lifted or maintained depending on the content of that confirmation. Support for this is found in paragraph [0038] and Figures 5 and 9 (see step S118). This overcomes the objection raised in Reasons 11.2.

In addition, claims 1 to 4 now specify that it is the controller - rather than the bed device in general - that provides for suspension of the bed movement. This is supported by paragraph [0022], read together with

Figures 5 and 9, and overcomes the objection raised in Reasons 11.3.

Furthermore, claims 1 to 4 define that the limitation table is stored in a storage of the bed device, as supported by paragraph [0030], thereby addressing the objection in Reasons 11.4.

Claims 1 and 3 also refer to "the detected position of the user" on the bed, and no longer to "at least part of the detected position of the user", as objected to by the examining division. This is supported by paragraph [0045] and resolves the objection raised in Reasons 11.5.

3.4 The Board is also satisfied that the further added subject-matter objections it raised in its communications under Rule 100(2) EPC and Article 15(1) RPBA have likewise been overcome by the amendments made in the final request.

3.5 Accordingly, the Board concludes that the final request complies with Articles 76(1) and 123(2) EPC.

**4. Clarity**

The Board is also satisfied that claims 1 to 4 are clear, as required by Article 84 EPC.

## 5. Remittal to the examining division

The decision under appeal only considered whether the present application as amended by the appellant complied with Article 76(1) EPC. As set out above, the Board finds that the application as amended in accordance with the final request complies with Articles 76(1) and 123(2) EPC and that the claims are clear.

However, the decision under appeal did not deal with the other requirements of the EPC.

In view of the primary object of the appeal proceedings, which is to review the decision under appeal in a judicial manner (Article 12(2) RPBA), the Board, in agreement with the appellant and as indicated in the Board's communications, therefore considers that there are special reasons under Article 11 RPBA for remitting the case to the examining division for further prosecution under Article 111(1) EPC.

**Order**

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

1. The decision under appeal is set aside.

2. The case is remitted to the examining division for further prosecution.

The Registrar: The Chairman:

G. Magouliotis M. Alvazzi Delfrate

Decision electronically authenticated