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**Datasheet for the decision
of 4 June 2026**

Case Number: T 0771/24 - 3.2.02

Application Number: 19749424.8

Publication Number: 3823709

IPC: A61M21/00, A61B5/00, G06F3/01

Language of the proceedings: EN

Title of invention:

METHOD OF DEVELOPMENT OF CONCENTRATIONS AND DEVICE PRK-1U FOR
ITS IMPLEMENTATION

Applicant:

Grabovoi, Grigorii Petrovich

Headword:

Relevant legal provisions:

EPC Art. 83

RPBA 2020 Art. 13(2)

Keyword:

Sufficiency of disclosure - (no)
Amendment after summons - exceptional circumstances (no)
- taken into account (no)

Decisions cited:

Catchword:



Beschwerdekammern

Boards of Appeal

Chambres de recours

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Case Number: T 0771/24 - 3.2.02

D E C I S I O N
of Technical Board of Appeal 3.2.02
of 4 June 2026

Appellant:
(Applicant)

Grabovoi, Grigorii Petrovich
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Representative:

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Decision under appeal:

**Decision of the Examining Division of the
European Patent Office posted/electronically
transmitted on 4 April 2024 refusing European
patent application No. 19749424.8 pursuant to
Article 97(2) EPC.**

Composition of the Board:

Chairman M. Alvazzi Delfrate
Members: D. Ceccarelli
C. Heath

Summary of Facts and Submissions

- I. The applicant appealed against the examining division's decision to refuse European patent application No. 19 749 424.8. The application was refused because it did not comply with Article 83 EPC (sufficiency of disclosure).
- II. The board summoned the appellant to oral proceedings and sent a communication pursuant to Article 15(1) RPBA, with a preliminary opinion. The board stated that it provisionally shared the examining division's view on the lack of sufficiency of disclosure.
- III. By letter dated 5 March 2026 the appellant withdrew his request for oral proceedings. The board then cancelled the oral proceedings.
- IV. The appellant requested that the decision under appeal be set aside and that a patent be granted on the basis of a main request comprising claims 1 to 14 filed on 12 March 2024 or an auxiliary request comprising claims 1 to 14 filed on 5 March 2026.
- V. **Claim 1 of the main request** reads as follows:

"A device (100) for development of concentration, the device (100) having a housing and a cover and comprising:
one or more lenses (120, 130) is/are disposed on the cover of the device (100);
an optical sensing unit (210), the optical sensing unit (210) comprising a plurality of sensitive elements, wherein the plurality of sensitive elements are configured to:

sense an electromagnetic biological signal (310) provided by a user (305) being a concentration beam directed to the one or more lenses (120, 230) associated with the optical sensing unit (210); the signal being associated with a plurality of electromagnetic fields; and based on the signal, impose the plurality of electromagnetic fields onto each other to obtain an outgoing signal; an optical emitting unit (220) characterized by comprising concentration enhancement elements and for being configured to emit the outgoing signal; and one or more figures, e.g. 0-9, adapted to further develop concentration of the user, the one or more figures being placed in proximity of one or more lenses, wherein a first set of figures are placed near a smaller lens of the one or more lenses and a second set of figures are placed near a larger lens of the one or more lenses."

Claim 1 of the auxiliary request reads as follows:

"A device (100), having a housing and a cover and comprising:
one or more optical lenses (120, 130) disposed on the cover of the device (100);
an optical sensing unit (210), the optical sensing unit (210) comprising a plurality of photodetectors, configured to:
detect electromagnetic radiation received one or more lenses (120, 230) and generate corresponding electrical detection signals; a signal processing circuit configured to receive the electrical detection signals from the plurality of photodetectors and combine the electrical detection signals to generate an outgoing signal; and
an optical emitting unit (220) characterized by

comprising at least one light emitting element configured to emit electromagnetic radiation based on the outgoing signal."

VI. The appellant's arguments may be summarised as follows:

The application mentioned theories which proved that a user may irradiate an optical beam representing concentration. According to the theory of wave synthesis, it was known that a thought generated by thought radiation could simultaneously have two quantum states. One of these states was located on the sensing element of the signal transmitter, and the other state was on the signal receiver. This made it possible to create devices for ensuring eternal life that interacted with the action of thinking. By superimposing fields from the generation of a biosignal of electromagnetic fields, control for the purpose of concentration was performed according to the law of action of universal connections. Therefore the device according to claim 1 of the main request developed creative control of concentration.

The applicant had provided material which proved the theory of wave synthesis, including mathematical equations, applications for receiving grants, charitable contributions, loans for industrial production of devices protected by two patents, witness statements and publications of scientific articles.

Moreover, the claimed device had received protection in several countries in the form of patents and industrial designs. Denying patent protection before the EPO would create an unprecedented legal conflict with the international patent community.

The auxiliary request was to be accepted, as it limited the claims exclusively to technical features.

Reasons for the Decision

1. Subject-matter of the application

The application relates to a device and to a method of using it for development of concentration. The device according to claim 1 of the main request has a housing and a cover and comprises one or more lenses disposed on the cover of the device, an optical sensing unit comprising a plurality of sensitive elements, an optical emitting unit comprising concentration enhancement elements and one or more figures placed in proximity of the one or more lenses.

The plurality of sensitive elements are claimed to be configured to sense a concentration beam associated with a plurality of electromagnetic fields, provided by a user and directed to the one or more lenses, and, based on the signal, to impose the plurality of electromagnetic fields onto each other to obtain an outgoing signal.

The optical emitting unit is claimed to be configured to emit the outgoing signal.

The one or more figures are claimed to be adapted to further develop the concentration of the user.

2. Main request - sufficiency of disclosure

2.1 The examining division decided to refuse the patent application for insufficient disclosure. As also put forward in the preliminary opinion, the board shares the examining division's view on the matter.

2.2 The device according to claim 1 of the main request is specified as being suitable for "development of concentration"; however, the description does not explain how concentration can be objectively developed or even measured.

2.3 According to claim 1, a plurality of sensitive elements of an optical sensing unit should be capable of sensing a concentration beam; however, it has not been demonstrated that a user may irradiate an optical beam representing concentration or even that an optical beam may represent concentration at all. The theories of "wave synthesis" and "unified reality" mentioned in the application are not universally recognised and the application does not provide any evidence of them, either. Contrary to the appellant's arguments, such evidence cannot be provided by physical and mathematical equations, the subjective impressions of some witnesses and even the presence of some scientific articles and some patents alone instead of experimental evidence in the form of one or more scientific studies.

As regards the appellant's reference to patents and industrial designs registered in some countries, the board notes that patent rights are territorial and the EPO must apply the provisions of the EPC.

2.4 Claim 1 also specifies concentration enhancement elements configured to emit an outgoing signal and figures adapted to further develop the concentration of the user. Since the description does not explain how concentration can be objectively measured, it cannot explain how these elements may provide enhancement of concentration.

2.5 For these reasons, the application does not disclose the invention as specified in claim 1 of the main request in a manner sufficiently clear and complete for it to be carried out by a person skilled in the art.

Hence, the main request does not meet the requirements of Article 83 EPC and cannot be allowed.

3. Auxiliary request - admittance

The auxiliary request was filed after the communication under Article 15(1) RPBA.

In accordance with Article 13(2) RPBA, and as pointed out to the appellant in the communication under Article 15(1) RPBA, any amendment to a party's appeal case made after notification of a communication under Article 15(1) RPBA must, in principle, not be taken into account unless there are exceptional circumstances, which have been justified with cogent reasons by the party concerned.

The appellant did not point to exceptional circumstances or provide any cogent reasons which may justify the admittance of the auxiliary request, either. In fact, the appellant only stated that the claims were limited to technical features. The board

cannot identify any exceptional circumstances on its own, either, as sufficiency of disclosure has been the issue at stake since the beginning of the appeal proceedings.

Under these circumstances, the board decides not to admit the auxiliary request into the appeal proceedings pursuant to Article 13(2) RPBA.

4. It follows that there is no basis on which a patent can be granted.

Order

For these reasons it is decided that:

The appeal is dismissed.

The Registrar:

The Chairman:



G. Magouliotis

M. Alvazzi Delfrate

Decision electronically authenticated