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**Datasheet for the decision
of 26 February 2026**

Case Number: T 1150/24 - 3.2.01

Application Number: 19155587.9

Publication Number: 3498588

IPC: B63C9/04, B63B23/00

Language of the proceedings: EN

Title of invention:
BOWSING ARRANGEMENT

Patent Proprietor:
Survitec Group Limited

Opponent:
VIKING LIFE-SAVING EQUIPMENT A/S

Headword:

Relevant legal provisions:
EPC Art. 100(c), 54, 56
RPBA 2020 Art. 12(1), 12(3)

Keyword:

Grounds for opposition - subject-matter extends beyond content of earlier application (no) - added subject-matter (no)

Novelty - main request (yes)

Inventive step - main request (yes) - non-obvious alternative

Basis of proceedings - statement of grounds of appeal

Statement of grounds of appeal - party's complete appeal case

Decisions cited:

Catchword:



Beschwerdekammern
Boards of Appeal
Chambres de recours

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Case Number: T 1150/24 - 3.2.01

D E C I S I O N
of Technical Board of Appeal 3.2.01
of 26 February 2026

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Decision under appeal: **Decision of the Opposition Division of the
European Patent Office posted on 4 July 2024
rejecting the opposition filed against European
patent No. 3498588 pursuant to Article 101(2)
EPC.**

Composition of the Board:

Chairman G. Pricolo
Members: A. Wagner
O. Loizou

Summary of Facts and Submissions

I. The appeal of the opponent lies against the decision of the opposition division to reject the opposition filed against European patent No. 3498588 pursuant to Article 101 (2) EPC.

II. In its decision, the Opposition Division held that none of the grounds of opposition raised by the opponent under Article 100(a) EPC in combination with Articles 54 and 56 EPC, under Article 100(b) and Article 100 (c) EPC was prejudicial to the maintenance of the patent as granted.

In order to come to these conclusions the opposition division considered, among others, the following documents:

D5: WO 95/35233 A1
D6: WO 94/01324 A1
D7: US2007/0119654 A1
D8: WO 2014/099983 A1
D9: WO 2014/099994 A1
D11: VENOC- Project no. 601859

III. With the statement of grounds of appeal the opponent submitted the following documents:

D12: LSA Code, resolution MSC.48(66)
D13: US 2,554,804
D14: US 4,242,977

IV. Oral proceedings by videoconference were held before the Board on 26 February 2026.

The appellant (opponent) requested that the decision under appeal be set aside and the patent be revoked as a whole.

The respondent (patent proprietor) requested that the appeal be dismissed (main request) or, in the alternative that the patent be maintained on the basis of auxiliary request 1A filed with letter dated 21 August 2025 or of one of the first to fourth auxiliary requests filed during opposition proceedings on 28 April 2023 and submitted again with the reply to the opponent's statement of grounds of appeal.

V. Claim 1 of the patent as granted (main request) reads as follows (feature numbering as outlined by the respondent, see reply, page 9).

1.1 A bousing arrangement for holding a floating body (80) in a desired position along the side of a marine structure (81), the bousing arrangement comprising

1.2 a floating body (80),

1.3 two lines (82a, 82b) designed to be attached at a first end to the marine structure (81) and fixed at a second end to a weight (86),

1.4 each line (82a, 82b) passes from the marine structure (81) through a respective running guide (85a, 85b) located at respective opposite edges of the floating body (80) to the weight (86) provided in an equilibrium position beneath the floating body (80),

1.5 the weight (86) being in the equilibrium position when the floating body (80) is in the desired position along the side of the marine structure (81),

1.6 wherein the lines (82a, 82b) are configured to move the weight (86) away from the equilibrium position as the floating body (80) moves from the desired position and

1.7 wherein when the weight (86) moves away from the equilibrium position the weight (86) is configured to apply a restoring force to the lines (82a, 82b) tending to return the floating body (80) to the desired position.

VI. The appellant's (opponent's) arguments relevant to the present decision may be summarized as follows:

Basis of appeal proceedings

By generally referring back to all objections presented during opposition proceedings, all arguments were kept on the table.

Added subject-matter

The subject-matter of claim 1 as granted constituted an unallowable intermediate generalisation. Some terms of original claim 1 (and of the identical claim 33 of the originally filed parent application) were replaced by broader terms and features added from the description were taken out of the context.

Novelty

The conclusion of the opposition division that D6 did not disclose feature 1.4 was wrong. The expression "at opposite edges" was so broad and unclear that the subject-matter of claim 1 could be read on the

arrangement of D6 in several ways.
The same applied mutatis mutandis to D7 to D9.

Inventive step

Should feature 1.4 be seen as a distinguishing feature, then the underlying technical problem was simply to find an alternative position of the running guides. Running guides on the edges of a floating body were generally known from the prior art and merely an obvious choice of the skilled person. Alternatively, it was argued that feature 1.4 did not provide any technical effect over D6. The alternative arrangement was merely an arbitrarily selected modification.

- VII. The respondent's (patent proprietor's) arguments relevant to the present decision may be summarised as follows:

Basis of appeal proceedings

Objections which were only maintained by a simple reference to the submission in opposition proceedings were not substantiated and should not be considered in appeal proceedings.

Added subject-matter

Claim 1 found basis in originally filed claim 1 (and claim 33 of the parent application), on page 10, lines 9 to 16, page 11, lines 5 to 9 and figures 16 and 17 of the parent application.

Novelty

Claim 1 was new over D6. In the context of the claimed arrangement, the expression "*located at respective opposite edges of the floating body*" in feature 1.4 was clear and could not be read in any of the appellant's interpretations of the disclosure of D6.

Inventive step

In D6 the reception craft was not intended to be decoupled from the chute - contrary to the arrangement of the patent in suit. Therefore D6 disclosed a more or less straight wire routing from the ship through wire guides 6b in the chute (stocking 7) down to the weight under water with wire guides 6a in the bottom of the reception craft. The skilled person had no motivation to modify the location of any of the wire guides 6a or 6b in the sense of claim 1.

Reasons for the Decision

1. Basis of appeal proceedings - Article 12 RPBA

1.1 Article 12(1) RPBA defines the documents on which the appeal proceedings shall be based. Article 12(3) RPBA then further requires, *inter alia*, that the statement of grounds of appeal - mentioned under Article 12(1) RPBA - shall contain a party's complete appeal case and should specify expressly all the objections and arguments relied on.

The objections raised by the appellant in the statement of grounds of appeal only by a general reference to submissions in the opposition proceedings do not meet these requirements.

- 1.2 The appellant stated on page 2, fifth paragraph of the statement of grounds of appeal that "*all objections presented by the Appellant during the opposition proceedings are maintained.*".
- 1.3 However, because in Article 12(1) RPBA the party's submission put forward during opposition proceedings are not listed and - contrary to the requirements of Article 12(3) RPBA - not "*all objections*" were substantiated in the statement of grounds of appeal the following objections are not taken into account in the appeal proceedings.
 - 1.3.1 In opposition proceedings objections were raised under Articles 100(a), (b) and (c) EPC. The statement of grounds of appeal only refers to Articles 100 (a) and (c) EPC. The objection under Article 100(b) EPC is thus not in the appeal proceedings.
 - 1.3.2 Furthermore also the novelty objections in view of D7, D8, D9 and D11 (impugned decision, points 3.3.2 to 3.3.5) as well as the inventive step objection starting from D5 (impugned decision, point 3.4.4) or the combination D6 with D5 (impugned decision, point 3.4.3) are either not substantiated or not even mentioned in the statement of grounds of appeal.
- 1.4 Under Article 54 EPC, only the attack with D6 is substantiated (statement of grounds of appeal, point 3.3). On page 14, last two paragraphs, the appellant states that the argumentation applied *mutatis mutandis* for D7 to D9, however any kind of substantiation e.g. a reference to a figure or a passage in D7 to D9 is missing.

Therefore only the novelty attack with D6 is part of

the appeal proceedings and considered in the present decision.

- 1.5 With regard to inventive step, the statement of grounds of appeal only includes the attack with D6 as closest prior art combined with common general knowledge, which is taken into account in the present decision.

2. Article 100(c) EPC - added subject-matter

- 2.1 The patent in suit is a divisional of EP 3 094 551 B1, originally filed as WO 2015/107019 A1 (parent application).

The originally filed claims 1 to 5 of the patent application correspond to claims 33 to 37 of the parent application.

The description of the originally filed patent application EP 3 498 588 A1 and of the parent application is identical, with the claims 1 to 32 of the parent application added as clauses in paragraph [0047] of the patent application.

Therefore, although the following considerations relate only to the parent application (Article 76(1) EPC), they also apply to the originally filed patent application (Article 123(2) EPC).

- 2.2 The Board confirms the findings of the opposition division that the ground for opposition under Article 100(c) EPC does not prejudice the maintenance of the patent as granted (impugned decision, point 3.2).
- 2.3 The impugned decision deals with five different objections:

- a) Feature 1.3 "*designed to be attached*" and feature 1.4 "*running guides located at respective opposite edges of the floating body*" versus original claim wording "*connected between the structure, the floating body and a weight*" (decision, point 3.2.1)
- b) Omission of the features on page 10, lines 9 to 16 of the parent application disclosed in combination with the "*running guides*" (decision, point 3.2.2)
- c) Omission of the term "dimension" in feature 1.4 (decision, point 3.2.3)
- d) Expression "*restoring force to the lines 82a, 82b*" in feature 1.7 (decision, point 3.2.4)
- d) Replacing "*relative to*" with "*along the side of*" in feature 1.5 (decision, point 3.2.5).

2.4 ad a)

- 2.4.1 Claim 33 of the parent application (originally filed claim 1) defines "*two lines connected between the structure, the floating body and a weight*".

Claim 1 as granted defines in feature 1.3 and 1.4 that two lines are "*designed to be attached at a first end to the marine structure (81) and fixed at a second end to a weight (86), each line (82a, 82b) passes from the marine structure (81) through a respective running guide (85a, 85b) located at respective opposite edges of the floating body (80) to the weight (86)*".

- 2.4.2 In the appellant's view the opposition division erred in assuming that the originally claimed connection of the lines was still within the claim. The appellant

argued that the granted wording was broader as it introduced the concept of detachability and did no longer require a force transmitting connection at the floating body. The originally defined technical role of the floating body in a 3-point-system of load sharing was shifted to a passive guide in a 2-point-system.

2.4.3 The appellant's objection is based on the assumption that the original claim wording implied a direct and fixed connection of the lines to the floating body.

2.4.4 The Board however agrees with the respondent that a wording like "directly connected" or "fixedly connected to the floating body" was never used. The original wording in claim 33 of the parent application is more general and includes the claimed guiding from the marine structure via the floating body to the weight.

It can be agreed that the original wording necessarily requires a kind of connection means at the floating body for routing the lines between the marine structure, the floating body and the weight. However claim 33 leaves it open how these connection means are designed. The granted wording specifies these connection means by running guides at opposite edge of the floating body as explicitly disclosed in the parent application, page 10, lines 9 to 16.

2.4.5 Thus, the skilled person does not retrieve any new technical information from features 1.3 and 1.4 as granted compared to what was originally meant and described in the parent application.

2.5 ad b)

2.5.1 The appellant argued that the claimed running guides in feature 1.4 were taken out of the context and only disclosed in combination with all the features of the first embodiment shown in figure 16 and described on page 10, lines 9 to 16. Therefore, the features that the lines "*cross above the craft*" and "*meet at the weight*" needed to be added as well as that the opposite edges were "*edges of a dimension of the craft along the marine structure*".

2.5.2 The Board is not convinced.

(a) With regard to the guiding of the lines, the opposition division pointed to the two embodiments of the bowing arrangement shown in figures 16 and 17 of the patent in suit. While both embodiments show the running guides 85a and 85b at opposite edges of the floating body 80, they differ in the guiding of the lines above the craft and at the weight. Figure 16 shows a crossing of lines above the craft and a meeting at the weight. In figure 17 the lines do not cross above the craft and do not meet at but above the weight. The features omitted from page 10, lines 9 to 16 are thus not presented as being inextricably linked to the running guides 85a and 85b.

(b) With regard to "*edges of a dimension*" see point 2.6 below.

2.5.3 The appellant emphasised with regard to the feature "*meet at the weight*" that the granted claim did not require the lines to meet at all - for which no support could be found. Also in figure 17 the line met "*at the weight*" - even if brought together above the weight.

2.5.4 However, as defined in feature 1.3, the structural and functional link is that both lines are fixed to the

weight - as shown in both embodiments. The skilled person understands in the context of features 1.6 and 1.7 how the lines must be fixed to achieve the defined function. The understanding that "*meet at the weight*" can be omitted is supported by the last paragraph of the description - referred to by the respondent - reciting that "*other arrangements of the lines 82a, 82b could provide the same effect by holding a weight beneath floating body in an equilibrium...*".

2.6 ad c)

2.6.1 The objection is directed to the amendment in feature 1.4 wherein the formulation "*opposite edges of the floating body*" is used. The formulation is compared to page 10, line 15, that recites "*opposite edges of the dimension of the craft 80*".

2.6.2 In the appellant's view, the opposition division erred when stating that both formulations - with or without the term "dimension" - had the same meaning.

(a) In writing it was argued that the term "dimension" was a limitation that narrowed the scope to edges of a dimension, e.g. the length, the width or the depth. Therefore, omitting the term "dimension" when introducing the running guides in feature 1.3 constituted an unallowable intermediate generalisation.

Even if it was not clear which dimension was meant, it was at least clear that the edge was an edge defining a dimension and not an edge of any other structure e.g. an edge of the centrally located spacer tube 44 of the floating body shown in figure 2 of the patent in suit.

(b) During oral proceedings it was submitted for the first time that from page 10, lines 12 and 13, wherein a "*dimension of the craft 80 along the structure 81*" was mentioned, it was clear that in the following lines 15, 16 the term "dimension of the craft" referred back to this specific dimension. Omitting the definition that the edges were "*opposite edges of the dimension of the craft along the structure*" contravened Article 123(2) EPC.

2.6.3 The Board is not convinced.

(a) Regarding the arguments provided in writing, it is noted that the claim requires "*opposite edges of the floating body*", not an edge of an arbitrarily selected part of the floating body. Even if the spacer tube 44 referred to by the appellant might be seen as an upper edge of the floating body- in general terms - then the opposite edge would be the bottom of the floating body. These edges are defined by the height, i.e. a dimension. Consequently, in the context given in the patent in suit, "*opposite edges of the floating body*" are normally opposite edges of a dimension of the floating body.

(b) Also the argument that the claim failed to define the location of the running guides at opposite edged of a specific dimension of the craft can not convince. The Board notes that the skilled person reads the claim with a mind willing to understand and puts all features of the claim in context. When doing so, the claim implies - in addition to the fact that the opposite edges are anyway understood as edges of a dimension (see precedent subpoint

(a)) - that the opposite edges are opposite in the direction "*along the side*".

Claim 1 is directed to a bowing arrangement for holding a floating body in a desired position "*along the side of the marine structure*" (feature 1.1). Feature 1.5 then defines that the weight is in an equilibrium position when the floating body is in the desired position "*along the side of the marine structure*". In features 1.6 and 1.7 it is defined what happens when the floating body moves from the desired position. The skilled person understands that this movement can only be a movement "*along the side of the structure*". According to the claim, the lines are configured to then move the weight away from the equilibrium position and - as a counteraction - the weight applies a force to the lines to return the floating body to the desired position, i.e the desired position "*along the side of the marine structure*". The lines thus force a counter movement in the direction "*along the side of the marine structure*". To achieve this, the edges must be opposite in a direction "*along the side of the marine structure*". An arrangement with running guides at opposite edges e.g. perpendicular to the marine structure or purely in a vertical direction do not fulfil features 1.6 and 1.7.

2.7 ad d)

2.7.1 The objection refers to feature 1.7, defining that "*the weight is configured to apply a restoring force to the lines (82a, 82b) tending to return the floating body (80) to the desired position*". The expression "*to the*

lines" (in plural) was added to the original claim wording.

- 2.7.2 In the appellant's view, submitted in writing, the claim wording required a restoring force in both lines 82a, 82b simultaneously. However, the application as filed only disclosed a restoring force applied via one of the lines (e.g. page 11, lines 16, 17).
- 2.7.3 However, the Board agrees with the respondent that the claim wording does not require a simultaneous application of force to both lines. Instead, the skilled person understands that depending on the moving direction of the floating body (left or right along the side of the marine structure), the restoring force can only be applied to one or the other line, as described on page 10, lines 18 to 26 of the parent application.

The skilled person knows that a simultaneous application of restoring forces is not what is meant by the claim as this is physically not possible. Indeed, as brought forward by the appellant themselves, while on one line a displacement force is induced by the sea - which force moves the floating body away from the desired position - on the other line the restoring force is induced by the weight.

- 2.7.4 During oral proceedings the appellant provided a further line of argumentation according to which the original disclosure only provided a basis for a restoring force applied to the craft, not to the lines. Reference was made to e.g. page 10, lines 25, 26 or page 11, lines 16, 17 ("*restoring force to the craft*"). The claim now encompassed embodiments in which no restoring forces at all were applied to the floating

body. Such embodiments were originally not disclosed.

2.7.5 The Board does not agree. The appellant only considers the words in isolation but not in the context of the claim features. With the structural features 1.2 to 1.4 and the requirement of feature 1.7 that the restoring force in the lines must be such to return the floating body to the desired position, it is not apparent how an embodiment could provide this function when the restoring force does not also act via the lines on the floating body.

2.8 ad e)

2.8.1 Feature 1.5 includes the wording "*when the floating body (80) is in the desired position along the side of the marine structure*". Claim 33 of the parent application includes the formulation "*when the body is in a desired position relative to the marine structure*".

2.8.2 The appellant argued that the scope had been delimited in an unsupported way, since "*along the side*" only delimited lateral movement, while "*relative to*" also delimited longitudinal movement. Thus, while the desired position in original claim 33 was a position in lateral and longitudinal direction, in claim 1 as granted the desired position was a position only in view of the lateral position.

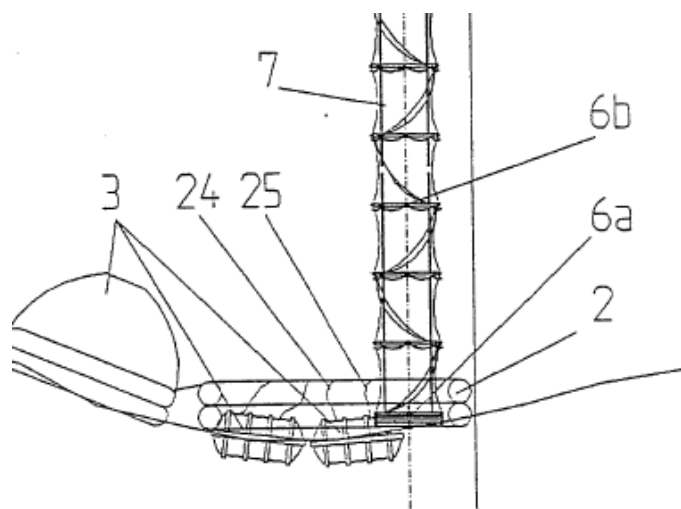
2.8.3 The Board is not convinced. From the application as a whole, in particular from the way of how the bowing arrangement functions, it is unambiguously derivable that the position relative to the marine structure was always meant as being the position along the side of the marine structure. This also becomes apparent from

feature 1.1 reciting (underlining added by the Board)
"a bousing arrangement for holding a floating body in a
desired position along the side of a marine structure".
This feature was already present in claim 33 of the
parent application.

3. Novelty over D6

3.1 The Board confirms the opposition division's findings
that claim 1 as granted is new over D6 (impugned
decision, point 3.3.1). D6 does not disclose that each
line passes through a respective running guide located
at respective opposite edges of the floating body
(feature 1.4).

3.2 It is undisputed that D6 discloses on page 6, lines 4
to 8, that the lines ("wires 4", vertical dotted line
in figure 1) extend through wire guides 6b on the rings
in the foldable rescue stoking 7 and then through
running guides ("wire guides 6a") in the bottom of the
floating body ("receptions raft 2"), see also figure 1,
partly reproduced below.



3.3 The appellant argued in writing that the wording in
feature 1.4 "at respective opposite edges" included the

possibility of a location "near opposite edges". The US-dictionary Merriam-Webster confirmed that "at" could mean "in, on, or near". Therefore, the opposition division's understanding of feature 1.4 in the sense of "on the edge" was too narrow, in particular as the patent used the term "on" several times such that the patent would have used "on" instead of "at" should "on" be the intended meaning.

D6 clearly disclosed running guides in the bottom i.e. "near" opposite edges what fell under the meaning of claim 1.

3.4 However, the Board agrees with the respondent that the skilled person does not understand the arrangement of the running guides 6a - clearly described as being located "*in the bottom*" - as falling under the expression "*at opposite edges of the floating body*". In view of the floating body 2 shown in figure 1 of D6, the skilled person recognizes edges along the perimeter of the bottom. A skilled person would not locate the running guides somewhere "*in the bottom*" when they are asked to locate the running guides "*at opposite edges of the floating body*".

3.5 During oral proceedings, the appellant provided three further interpretations of D6. As the expression "*located at opposite edges*" were unclear and not further defined in claim 1, it could be understood in a broad sense.

3.5.1 In a first interpretation, the two wire guides 6a in the bottom each were located in an opening. These openings constituted edges and the running guides were thus located opposite to each other along a horizontal plane.

- 3.5.2 In a second interpretation the bottom itself had an upper and a lower edge. The running guides 6a had to extend through the bottom and were thus provided at opposite edges of the floating body.
- 3.5.3 In a third interpretation, the rescue stocking 7 was seen as part of the floating body, the bottom of the floating body of D6 was a lower edge and the position in figure 1 on which the upper wire guides 6b were located, constituted the opposite edge. One of the wires 4 passed through the wire guide 6b at one edge, the other wire through the wire guide 6a at the opposite edge.
- 3.6 The Board disagrees with all three interpretations.
- 3.6.1 First of all, reference is made to point 2.6.3 above wherein it is explained how the skilled person understands feature 1.4 in the context of all features of the claim. For the skilled person it is clear that the two running guides are located at two opposite edges of the floating body in a direction along the side of the marine structure.
Furthermore, as explained above in point 3.4, the skilled person sees in D6 a floating body 2 with a bottom and perimeter edges.
In view of this floating body, the claim clearly requires two running guides at opposite edges along the side of the marine structure, not somewhere in the bottom or in vertical direction.
Claim is thus new over D6.
- 3.6.2 Even if the bottom was considered to be a lower edge of the floating body - as argued by the appellant - then both wire guides 6a would be located at the same edge,

not at opposite edges.

3.6.3 With regard to the second interpretation it is noted that if in D6 were two running guides at an upper and lower edge of the bottom, it is just one and the same wire that passes through these guides. The claim however requires that one line passes through one of the running guides and that the other line passes through the other running guide. That would still not be the case.

3.6.4 Regarding the third interpretation, D6 clearly discloses that the wire guides 6b are located at the stocking 7 (page 6, lines 5, 6: "...wire guides 6b on the rings in the foldable rescue stocking 7..."). The location of the upper wire guides 6b is thus not an edge of the floating body.

3.7 The requirements of Article 54 EPC are thus met.

4. Inventive step - D6 with common general knowledge

4.1 The Board confirms the opposition division's findings that claim 1 as granted (impugned decision, point 3.3.1) involves an inventive step when starting from D6 combined with common general knowledge.

4.2 Claim 1 differs from D6 at least in feature 1.4.

4.3 The appellant argued in writing that contrary to the impugned decision (point 3.4.1), the technical effect of feature 1.4 was not "*holding the floating body in the desired position*". It was anyway mandatory for a system according to D6 to provide lateral stability (see D12, section 6.2.).

Furthermore, in D6, this effect was already achieved by

the wires 4, as was disclosed on page 6, second paragraph, line 8 ("*The reception raft 2 is kept in position laterally by the wires 4*").

The underlying technical problem was simply to find an alternative position of the running guides.

Running guides on the edges of a floating body were generally known as shown in D13, figure 2 or D14, figure 1. Such an alternative position was merely an obvious choice of the skilled person.

- 4.4 However, as pointed out by the respondent, the main difference between the patent in suit and D6 is that in the patent the evacuation route goes directly from the chute 70 into the life crafts (see figures 13, 14). In D6 the evacuation route guides first on a reception platform 2 and from there on the life crafts 3. In D6, the reception platform 2 is not intended to be decoupled from the chute ("*rescue stocking 7*").

Therefore, D6 discloses a more or less straight wire routing from the ship along the chute 7 down to the weight under water with wire guides 6a in the bottom of the reception craft.

The problem to be solved can be seen more generally in finding an alternative bousing arrangement for providing the lateral stability. The Board is of the opinion that D6 does not prompt the skilled person to a bousing arrangement that is suitable for an evacuation system in which the reception platform also serves at the same time as decouplable life craft. Therefore, there is no motivation for the skilled person to locate the running guides 6a at the perimeter edges of the floating body 2. Such an arrangement would artificially complicate the system of D6 without any additional

benefit.

4.5 D13 and D14 were provided as evidence that running guides at an edge of a floating body are part of common general knowledge. However, both documents are patent literature that usually is not considered to represent common general knowledge. Furthermore, D13 and D14 both refer to an anchor support on a boat and have nothing to do with a bowsing arrangement for holding a floating body in a desired position along the side of a marine structure.

It is thus not apparent how these documents could reflect common general knowledge or why the skilled person should consider these documents.

4.6 The respondent requested that the documents D12 to D14 - submitted for the first time with the statement of grounds of appeal - not be admitted into the appeal proceedings. Since the relevant submissions under Article 56 EPC do not convince the Board, there is no need to address the question of their admission.

4.7 During oral proceedings before the Board, the appellant submitted a new line of argumentation. The bottom was seen as an edge of the floating body with the two running guides 6a located at the same edge. By simply lowering the upper wire guides 6b in figure 1 of D6 to a height flush with the upper end of the floating body 2, the skilled person would arrive at the claimed subject-matter. In support of this argumentation, the appellant submitted an exemplary sketch of a modified embodiment which allegedly fell under claim 1 (see annex to the minutes). In the appellant's view, there was no technical effect of this merely arbitrary modification. Claim 1 therefore did

not involve any inventive step.

4.8 The Board does not agree. Regardless of the height of the wire guides 6b, these wire guides 6b are always located at the rescue stocking 7 and not at the floating body, see D6, page 6, lines 5, 6 ("*wire guides 6b on the rings of the foldable rescue stocking 7*"). The guides 6b would still be somewhere above the bottom at a distance from the perimeter edges of the floating body 2. Hence, the skilled person would not arrive at the claimed subject-matter.

4.9 The requirements of Article 56 EPC are thus met.

Order

For these reasons it is decided that:

The appeal is dismissed.

The Registrar:

The Chairman:



N. Schneider

G. Pricolo

Decision electronically authenticated