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**Datasheet for the decision  
of 11 December 2025**

**Case Number:** T 0933/25 - 3.5.05

**Application Number:** 19948074.0

**Publication Number:** 3961936

**IPC:** H04B7/06, H04B7/0404

**Language of the proceedings:** EN

**Title of invention:**

Method and apparatus for determining spatial domain  
transmission filter

**Applicant:**

GUANGDONG OPPO MOBILE TELECOMMUNICATIONS  
CORP., LTD.

**Headword:**

Spatial domain transmission filters/GUANGDONG

**Relevant legal provisions:**

EPC Art. 84, 111(1)  
RPBA 2020 Art. 11, 12(4)

**Keyword:**

Admittance - main request (yes): amendment is of low complexity and overcomes the ground for refusal

Clarity - main request (yes)

Remittal to the examining division for further prosecution - main request (yes): novelty and inventive step not yet examined



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Case Number: T 0933/25 - 3.5.05

**D E C I S I O N**  
**of Technical Board of Appeal 3.5.05**  
**of 11 December 2025**

**Appellant:**  
(Applicant)

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**Decision under appeal:**

**Decision of the Examining Division of the  
European Patent Office posted on 30 January 2025  
refusing European patent application  
No. 19948074.0 pursuant to Article 97(2) EPC.**

**Composition of the Board:**

**Chair** K. Bengi-Akyürek  
**Members:** K. Schenkel  
F. Bostedt

## Summary of Facts and Submissions

- I. The appeal is against the decision of the examining division to refuse the present European patent application. The refusal was based on the ground that the then main request did not comply with Article 84 EPC.
- II. In its statement setting out the grounds of appeal, the appellant requested that the appealed decision be set aside and that a patent be granted on the basis of a sole **main request** filed for the first time with the statement of grounds of appeal. The appellant also requested that the appeal fee be reimbursed on the ground of an alleged substantial procedural violation resulting from a lack of reasoning.
- III. In a communication under Article 15(1) RPBA, the board expressed its preliminary view that the main request overcame the objections raised under Article 84 EPC and that the board was minded to remit the case to the examining division for further prosecution (Article 111(1) EPC and Article 11 RPBA). The board further expressed its view that the request for reimbursement of the appeal fee was unfounded and indicated that, if the appellant withdrew this request, a decision could be issued in written proceedings without holding oral proceedings.
- IV. Thereafter, the appellant withdrew its request for reimbursement of the appeal fee and its request for oral proceedings.

V. Oral proceedings arranged before the board were then cancelled.

VI. Claim 1 of the **main request** reads as follows (board's labelling and underlining):

- (a) "A method for determining a spatial domain transmission filter, which is applied to a terminal device, comprising:
- (b) determining (110), by the terminal device, a spatial domain transmission filter for a resource according to a Transmission Configuration Indication-State, TCI-State, configured by a network device in case of spatial relationship information corresponding to the resource not being configured by the network device, wherein the spatial domain transmission filter is used for describing a beam at the terminal device;
- (c) wherein the resource comprises: a Sounding Reference Signal, SRS, resource, which is not configured with corresponding spatial relation information; or, the resource comprises: a Physical Uplink Control Channel, PUCCH, resource, which is not configured with corresponding spatial relation information;
- (d) characterized in that determining the spatial domain transmission filter for the resource according to the TCI-State configured by the network device comprises:
  - determining (111) the spatial domain transmission filter for the SRS or PUCCH resource according to a reference signal corresponding to Quasi Co-Location, QCL, type D of QCL information included in the TCI-State corresponding to a control resource set, CORESET, with a smallest identifier configured for a bandwidth part; wherein

the CORESET is a CORESET in a New Radio, NR, system; wherein the reference signal comprises a channel state information reference signal, CSI-RS."

## **Reasons for the Decision**

### 1. Background of the invention

The present invention relates to the field of wireless communication and in particular to determining a "spatial domain transmission filter" that describes a beam used for upstream transmission from a terminal device, in cases where the upstream transmission is not configured with the corresponding "spatial relationship information" from a network device.

### 2. Admittance (Article 12(4) RPBA)

2.1 Claim 1 of the main request on file differs from claim 1 of the main request underlying the appealed decision only in that the wording "*wherein the CORESET is a CORESET in a New Radio, NR, system;*" has been added in feature (d) of claim 1 (cf. point VI above).

2.2 Since the appealed decision was not based on the present main request, the admittance of this "amendment" into the proceedings is at the board's discretion under Article 12(4) and (6) RPBA.

2.3 The amendment addressed the objection raised in the decision under appeal under Article 84 EPC (cf. Reasons 17 to 21). Although the appellant did not provide reasons for submitting it only in the appeal proceedings, contrary to the requirements of

Article 12(4), third sentence, RPBA, the board decided to admit the main request into the appeal proceedings because of the low complexity associated with the amendment and because it was suited to address the issue which led to the decision under appeal (see point 3 below).

3. Clarity (Article 84 EPC)

3.1 The examining division concluded that the wording "*Quasi Co-Location, QCL, type D*" was unclear since it had no well-recognised meaning in the art.

3.2 The appellant, in response to that conclusion, added the wording "*wherein the CORESET is a CORESET in a New Radio, NR, system*" (see point 2.1 above) which now defines clearly the technical field to which claim 1 is supposed to be directed, namely to standardised 3GPP 5G new radio (NR) systems. This is confirmed by the following further terms which are typically used in such standard "5G NR systems":

- Transmission Configuration Indication (TCI) State
- Quasi Co-Location (QCL).

3.3 Furthermore, the appellant filed the 3GPP document TS 38.214 V 15.2.0, published in July of 2018, which is dated more than a year before the priority date of the present application. The document relates in particular to "5G-NR" communication (see page 6, section 1). It uses repeatedly the wordings "Quasi Co-Location", "QCL" and "QCL-Type D" (see in particular pages 24 and 25) which palpably shows that the term "Quasi Co-Location, QCL, type D", at the priority date of the application at hand, had a well-recognised meaning for the skilled

person in the field of 5G-NR wireless cellular communication systems (i.e. the subject-matter of claim 1).

3.4 The claimed subject-matter according to the present auxiliary request therefore complies with Article 84 EPC.

4. Remittal (Article 111(1) EPC; Article 11 RPBA)

4.1 Given that the claimed subject-matter according to the present independent claim 1 now complies with Article 84 EPC, the ground for refusal is overcome and the appeal is thus allowable. However, for whatever reason, the examining division did not grant interlocutory revision under Article 109(1) EPC in the present case.

4.2 At any rate, the new claim request has still to be examined for compliance with the other requirements of the EPC, in particular novelty and inventive step (Articles 54 and 56 EPC).

4.3 Under the present circumstances, it would therefore not be prudent to take a final decision on e.g. novelty and inventive step for the first time in these appeal proceedings. The above considerations thus represent "special reasons" within the meaning of Article 11 RPBA for a remittal of the case.

4.4 In view of the above, the board has decided to remit the case to the examining division for further prosecution under Article 111(1) EPC, on the basis of the claims of the **main request** on file.

## 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 Chair:



B. Brückner

K. Bengi-Akyürek

Decision electronically authenticated