

Notice from the European Patent Office dated 24 March 2021 concerning the conduct of oral proceedings in examination and opposition in view of referral G 1/21

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1. Referral [G 1/21](#) ("Oral proceedings by videoconference") is pending before the Enlarged Board of Appeal. The question referred seeks to clarify whether the conduct of oral proceedings in the form of a videoconference is compatible with the right to oral proceedings as enshrined in [Article 116\(1\) EPC](#) if not all of the parties to the proceedings have given their consent to the conduct of oral proceedings in the form of a videoconference. Reference is made to referring decision [T 1807/15](#).

2. The President of the EPO has decided that in order to guarantee access to justice and ensure the functioning of the EPO, oral proceedings before examining and opposition divisions will continue to be held by videoconference in accordance with the applicable decision of the President of the EPO, ^[1] i.e. without requiring the agreement of the parties.

3. The present notice applies with immediate effect until the Enlarged Board of Appeal has announced its decision.

[1] Decision of the President of the European Patent Office dated 10 November 2020 concerning the modification and extension of the pilot project for oral proceedings by videoconference before opposition divisions, [OJ EPO 2020, A121](#); Decision of the President of the EPO dated 17 December 2020 concerning oral proceedings by videoconference before examining divisions, [OJ EPO 2020, A134](#).