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1. Introduction

According to Art. 116(1) EPC, oral proceedings shall take place either at the instance of the EPO if it considers this to be expedient or at the request of any party to the proceedings. In other words, oral proceedings are not held automatically in each case. The purpose of oral proceedings is to safeguard a party's right to be heard as well as to settle as far as possible all outstanding questions relevant to the decision and to speed up the procedure.

Besides Art. 116 EPC, there are also other provisions relevant for the preparation and conduct of oral proceedings: R. 115 EPC – summons to oral proceedings (see in this chapter III.C.6.2.), R. 116 EPC – preparation of oral proceedings (see in this chapter III.C.6.3.), R. 124 EPC – minutes of oral proceedings (see in this chapter III.C.7.10.), as well as various notices concerning the practice for fixing the date of oral proceedings (see in this chapter III.C.6.1.1.). For the boards of appeal, see also Art. 15 and 15a RPBA 2020.