In **T 398/92** the patent claims as amended contained features that had not been mentioned *expressis verbis* in the written part of the original application but had been derived from the figures for the application as filed. The drawings in question illustrated the curves in a system of Cartesian co-ordinates with a precise, defined scale. The curves therefore could not be compared to the schematised representation of an invention given by a graph. The board recognised that the points of these curves were not purely intellectual graphic constructions but, on the contrary, corresponded to real experimental values, representing the percentages of a particular drug released in solution. Although these percentages were not mentioned expressis verbis in the original document, the board was of the opinion that for a skilled person they would have been clearly and unambiguously derivable from the scale given on the Y-axis, since the figures were sufficiently precise for the ordinate values to be read exactly and thus for the same numerical features as introduced in the claims to be derived from them. The incorporation into the text of the claims of the numerical features derived from the curves therefore did not contravene Art. 123(2) EPC 1973 (as far as a graph representing a mathematical equation is concerned, see **T 145/87**).

In **T 1544/08** the board observed that, if drawings were originally filed **in colour** at the date of filing of an application, then the technical content of these original colour drawings should be determined when establishing the content of the application as filed, for the purpose of examining compliance of amendments with Art. 123(2) EPC.

1.13.2 Schematic drawings

In **T 748/91** the board, agreeing with the appellant, held that schematic drawings depicted all the essential features. The board reached the conclusion that size ratios could be inferred even from a schematic drawing as long as the delineation provided the relevant skilled person with discernible and reproducible technical teaching (with reference to **T 451/88**). In the case at issue the description provided the skilled person a sufficient teaching for an unambiguous interpretation of the drawing.

In **T 497/97** the board noted that, since drawings were often approximate and therefore unreliable, they could only be used in interpreting amended claims if the description did not contain a more precise indication of what was meant.

Likewise, in **T 906/97** the board held that the parent application as filed failed to disclose unambiguously the position of a door. The only indication of this position could be found in some figures, and in the board's view there was no suggestion whatsoever in the description itself that this detail of the schematic representation was actually meant to correspond to a technical feature of the apparatus shown in the figures, rather than being merely an expression of the draughtsman's artistic freedom.

In **T 1148/12** the board distinguished the case at hand from the one in **T 748/91**. In the case at issue in **T 1148/12**, the schematic nature of the figures did not allow the skilled person to clearly and unmistakably derive the feature in question (parallel arrangement of electrodes), nor did the description of the original application allow him to clearly and unmistakably derive anything related to the function of the purported parallel arrangement.