

deferring, until the date proceedings are resumed, the payment date for renewal fees which had fallen due during the period of the representative's or applicant's incapacity.

The board in T. 854/12 held that, if a board was satisfied that the proceedings had been interrupted, this meant not only that any periods running at the time were suspended (R. 142(4) EPC) but also that the board could not hold oral proceedings or issue a decision in written proceedings.

In T. 1389/18 the board came to the conclusion that any oral proceedings taking place during an interruption and any decision announced at them by the opposition division had to be retrospectively deemed non-existent. The appeals before the board were therefore also devoid of purpose, such that the appeal proceedings had to be ended without a decision on the merits of the case.

Any EPO communications and decisions issued in the period between the date of interruption and the date of resumption are devoid of purpose and must be reissued once the proceedings have been resumed (T. 54/17).