responsibility for any errors remaining in the text, regardless of who is responsible for the error.

In **T 2051/10**, the appellant asserted that there was an erroneous discrepancy between the wording of the granted patent and that of the *Druckexemplar* and requested its "correction". Citing **G 1/10**, the board held that such a "correction" could not be made under either R. 139 EPC or R. 140 EPC and treated the appellant's request as a "normal" request for amendment under Art. 123(1) EPC.

In **T 1003/19** the board did not deviate from **G 1/10** and held that R. 140 EPC was not available, but reiterated the right to appeal a decision to grant when the granted text was not approved by the applicant. The case at hand was an example of this. **G 1/10** based its consideration on the requirement according to R. 71(3) EPC that the applicant must be informed of the text in which the examining division intends to grant a patent and deals with the applicant's possible reactions thereto, like the implicit approval of this text. In contrast thereto, the decision at hand was based on the fact that the text intended for grant by the examining division had, based on verifiable facts, not been communicated to the appellant and, therefore, R. 71(5) EPC did not (yet) apply.

In **T 2081/16** the board affirmed **T 1003/19** and held that where the text intended for grant is not communicated to the applicant under R. 71(3) EPC, the fact that the appellant subsequently files a translation and pays the fees for grant and publishing is not decisive. The provisions of R. 71(5) EPC, in this regard, refer to R. 71(3) EPC and therefore presuppose that the applicant has not only been notified of any text but of the text intended for grant.

3. Obvious mistakes according to Rule 140 EPC

In **T 450/97** (OJ 1999, 67), the board held that there was an obvious mistake within the meaning of R. 140 EPC if the text of a decision did not reflect the decision-making department's real intention. In **T 715/14** the contested decision had referred to a communication dated 3 October 2013 although, undisputedly, the last-issued communication dated 19 April 2013 had been meant. Its correction had then introduced an additional reference to two other communications, which led the appellant to contend that it amounted to a subsequent change in the decision's content and the underlying reasons. The board, however, considered the correction permissible under R. 140 EPC because the communication dated 19 April 2013 was clearly and undisputedly meant and that communication referred to the other two.

In **T 683/06**, the board held that a correction under R. 140 EPC was not available for re-dating an application where its filing date had been deliberately chosen in a decision-making process (even if that process turned out to be mistaken).

In **T 212/88** (OJ 1992, 28) the board held that the absence of a chairman's or minute-writer's signature at the end of an opposition division's decision was a rectifiable, obvious error within the meaning of R. 89 EPC 1973. In the case in question a second examiner