

in T. 728/98 ("substantially pure"), T. 174/02 ("[in] quick [succession]"), T. 1640/11 ("value"), T. 842/14 ("accurate"), T. 1963/17 ("substantially simultaneously") and T. 362/17 ("brief [history of spoken words]"), the boards ruled that the relative terms at issue were unclear.

In the application at issue in T. 1888/12, claim 1 referred to undated ISO standards. The board pointed out that such standards were typically revised over time, and the possibility of substantial changes could not be ruled out (see T. 783/05). The appellant's argument that the date to be taken into account was the application's priority date did not convince the board because there was no such indication in the description. In the board's view, the definition of technical features by general reference to ISO standards was not sufficiently clear. However, in T. 2187/09, the board decided that the UNISIG standard mentioned in the claim merely provided context for the invention. Details of the standard were not needed to define the scope of the invention and to enable the skilled person to know if he was working within or outside the claimed scope.

According to T. 3003/18, the clarity of a claim specifying a norm or standard depended on the case, and in particular the claimed subject-matter. The MTRJ connector specified in claim 1 designated a well-known standardised family of connectors having, on the one hand, specific features that could differ among the connectors of the family and could change over time according to different specific versions of the corresponding standard or norm and, on the other hand, a series of common features that ensured a predetermined degree of compatibility and interchangeability between the different connectors of the same family. These connectors were commonly and generally designated "MTRJ connectors" in textbooks, reference books and the like, without reference to any particular version of the corresponding standard or norm. The features of the MTRJ connector relevant in the technical context of claim 1 were the common features, and so the skilled person would understand what was meant in the claimed context by the optic connector being an "MTRJ connector".

3.7. Principles in connection with categories of claim

In T. 688/91 the board found that the fact that claims of different categories were deemed to be independent claims did not preclude reference to other independent claims. In the board's view, however, any such reference had to make perfectly clear whether or not the reference was intended to replace features. In the former case, it had for reasons of clarity to replace all the features, and in the latter case none.

In case T. 410/96 concerning a data processing system the question arose whether it was permissible for a claim to a system to refer back to a claim to a method. The board held that, although R. 29(4) EPC 1973 mentioned a reference only in the context of a claim including all the features of the claim it referred to, this did not imply a contrario that a reference which did not fulfil this condition was necessarily impermissible. The board found that there was no a priori objection under Art. 84 EPC 1973 to an independent claim which partially drew its features from preceding claims of a different category. The essential features were thus incorporated in the disputed claim by reference, the claim thus complying with R. 29(3) EPC 1973 (R. 43(3) EPC).