

T.1845/14 was found. In T.786/15 the board decided, in view of the possibility of calibrating the method of measuring the Tg parameter by reverse engineering (parameter not ambiguous), that the case law on ambiguous parameters (in particular T.1845/14) did not apply.

Other decisions concerning the measurement of essential parameters: T.83/01 (specific mean diameter), T.1250/01 (Sears number), T.808/09 (viscosity).

b) Several known methods of determining a parameter

In both T.485/00 and T.225/93, three methods were known in the art for the determination of the specific surface area of a CaCO₃ particle. In neither case did the description or common general knowledge indicate a preference for one of them. In T.485/00, the board held that reproducing an example and measuring the surface area of the resulting product by two or three well-known methods did not represent an undue burden for the skilled person. In T.225/93, however, the board found that, as there were three different measuring methods which did not always lead to the same result, this amounted to an **undue burden**.

T.473/15 observed that the conclusions of T.225/93 could not be applied since in that case the principles underlying the possible methods of measurement were completely different from each other (permeability, photometry and adsorption), contrary to the case at hand, and in that case the parties agreed that the different methods yielded different results. On the contrary, in case T.473/15 the appellants (opponents) did not provide evidence for the presence of major deviations between the different definitions for fiber diameter.

In T.147/12, the objection of the appellant (opponent) was not that no method of determination of the alkali metal content in polyethers existed. Rather, the gist of its argumentation was that D7 (scientific publication), D8 (a study) and D11 (experimental report provided by the opponent) showed that the value obtained for the alkali metal content in the polyether depended on the analytical method used for its determination. The board stated that even if the conditions of measurement lead to **variations** of the value of the alkali metal content as argued by the appellant, this **alone did not** constitute a lack of sufficiency of disclosure regarding the claimed subject-matter as a whole since it had not been shown that the uncertainty concerning the alkali metal content affected the claimed process to such an extent that the skilled person wishing to perform the process would face an undue burden. The appellant had shown that the uncertainty concerning the method of determination of the alkali metal content meant that the skilled person could not ascertain whether the value he would obtain was within or outside the claimed range. It was, however, not shown that as a result of that uncertainty, the skilled person would fundamentally be prevented from obtaining a polyether according to claim 1. The board stated that T.83/01 (skilled person not in a position to perform any measurement of the claimed parameter) and T.815/07 (test method defined in claim 1 resulting in totally arbitrary values) were not applicable to the present case.

In T.345/16 the board considered that measuring a "particle size", a conventional parameter in the technical field concerned, would merely require selecting and applying