

oral disclosure had to be higher as per T.1212/97. The board in T.421/14 found this argument unconvincing, at least for the poster (printed and therefore fixed content), since T.1212/97 dealt with the alleged information content of an orally delivered lecture without a written complement in the form of a script, handout or later publication. The respondent's own statement left little room for doubt that C30 had been disclosed to the public; it was therefore down to it to show that this was not the case. The respondent did not provide any first-hand evidence, and its argument was speculative and not persuasive. On the overall balance of probability, the poster C30 was considered to form part of the prior art. The situation was different for the slide presentation C31; there was no evidence on file from which it could be inferred that C31 had been handed out in printed form at the conference, or that all of the slides had been shown to an audience (no evidence regarding the manner or speed of the oral presentation). Irrespective of the standard of proof applied, the content of C31 could not be considered to be prior art.

The board in T.843/15 held that a copy of a PowerPoint presentation could establish a presumption as to the presentation's content but was not enough on its own to guarantee that the content had been presented in full and, if so, comprehensibly. It was therefore generally necessary to submit further evidence such as affidavits or written notes from attendees or a handout distributed to the audience.

In decision T.335/15, it was concluded that the content of document E10.2 (PowerPoint presentation) had been made available to the public. The board held that, while T.843/15 dealt with issues similar to those in the case in hand, the circumstances had been different. The presenter here had confirmed that they had shown every page, which had not been the case in T.843/15. Moreover, the PowerPoint presentation at issue here related to rather simple technical subject-matter, and the content of the photographs presented was immediately clear. As to the likewise cited decision T.1553/06, the board found it was irrelevant because it related to online publications (whether a document with a specific URL had remained accessible for enough time) and not to a presentation to a professional audience. On the issue of evidence, the patent proprietor had raised various doubts about how the presentation had been given, but the board, noting that it could have filed additional evidence to support its assertions, held it was not enough merely to dispute the evidence already on file

In T.1625/17, having reviewed all the facts and evidence, the board was convinced that it had been proven beyond reasonable doubt that handouts of the presentation slides had been made available to the audience and thus to the public, as supported by the declaration (affidavit) of the presenter. The case was different from T.1212/97 and T.667/01, referred to by the parties, since those cases concerned the issue of ascertaining the contents of an oral presentation in the absence of a handout distributed to the audience.