

features of the press and, as they were not bound to secrecy, they would be free to communicate this information to others.

### 6.2.5 Example of the inaccessibility of a process

The subject of the patent concerns a process for the manufacture of a product. As proof that this process had been made available to the public by use, a similar already known product was asserted to have been produced by the process claimed. However, it could not be clearly ascertained, even after an exhaustive examination, by which process it had been produced.

### 6.3 Prior art made available by means of oral description

If the prior art was made available to the public by an oral description before the relevant date (i.e. the date of filing of the application or, if applicable, the date of the earliest validly claimed priority) but a document which reproduces the oral description was only published on or after that relevant date, the ISR and the IPER draw attention to this non-written disclosure in the manner provided for in Rule 70.9 (Rules 33.1(b) and 64.2).

Rule 33.1(b),  
Rule 64.2, Rule 70.9  
GL/ISPE 11.22

### 6.4 Internet disclosures

As a matter of principle, disclosures on the internet form part of the prior art. Information disclosed on the internet or in online databases is considered to be publicly available as of the date the information was publicly posted. Internet websites often contain highly relevant technical information. Certain information may even be available only on the internet from such websites. This includes, for example, online manuals and tutorials for software products (such as video games) or other products with a short life cycle.

GL/ISPE 11.13-11.20

As regards establishing the publication date and the standard and burden of proof, in particular with technical journals or "print equivalent" publications, the principles as laid down in the Guidelines for Examination in the EPO (GL/EPO G-IV, 7.5.1-7.5.6) apply *mutatis mutandis*.

### 6.5 Standards and standard preparatory documents

The principles as laid down in the Guidelines for Examination in the EPO (GL/EPO G-IV, 7.6) apply *mutatis mutandis*.

## 7. Cross-references between prior-art documents

If a document (the "primary" document) refers explicitly to another document (the "secondary" document) as providing more detailed information on certain features, the teaching of the latter is to be regarded as incorporated into the primary document if the document was available to the public on the publication date of the primary document. The relevant date for novelty purposes, however, is always the date of the primary document.

## 8. Errors in prior-art documents

Errors may exist in prior-art documents.