

Appeal and the Enlarged Board of Appeal shall be designated before the beginning of each working year. Any member of a Board of Appeal may be designated as a member of more than one Board of Appeal. These measures may, where necessary, be amended during the course of the working year in question.

(2) The measures referred to in paragraph 1 shall be taken by an authority consisting of the President of the European Patent Office, who shall act as Chairman, the Vice-President responsible for appeals, the Chairmen of the Boards of Appeal and three other members of the Boards of Appeal, elected by the full membership of these Boards for the working year in question. This authority may only take a decision if at least five of its members are present; these must include the President or a Vice-President of the European Patent Office and the Chairmen of two Boards of Appeal. Decisions shall be taken by a majority vote; in the event of parity of votes, the vote of the Chairman shall be decisive.

(3) The authority referred to in paragraph 2 shall decide on conflicts regarding the allocation of duties between two or more Boards of Appeal.

(4) The Administrative Council may allocate duties under Article 134, paragraph 8(c), to the Boards of Appeal.

Rule 11

Rules of Procedure of the departments of the second instance

The authority referred to in Rule 10, paragraph 2, shall adopt the Rules of Procedure of the Boards of Appeal. The Enlarged Board of Appeal shall adopt its own Rules of Procedure.

Rule 12

Administrative structure of the European Patent Office

(1) The Examining Divisions and the Opposition Divisions shall be grouped together administratively so as to form Directorates, the number of which shall be laid down by the President of the European Patent Office.

de enkelte appelkamre og det udvidede appelkammer samt deres suppleanter udpeges. Et medlem af et appelkammer kan udpeges som medlem af mere end ét appelkammer. Om nødvendigt kan disse dispositioner ændres i løbet af det pågældende arbejdsår.

2) De i stk. 1 omhandlede dispositioner træffes af et præsidium, der består af præsidenten for Den europæiske Patentmyndighed som formand, den for appelkamrene ansvarlige vicepræsident, formændene for appelkamrene og yderligere tre medlemmer af appelkamrene, som vælges af samtlige medlemmer af disse kamre for det pågældende arbejdsår. Dette præsidium er kun beslutningsdygtigt, såfremt mindst fem af dets medlemmer er til stede, herunder præsidenten eller en vicepræsident for Den europæiske Patentmyndighed samt formændene for to appelkamre. Beslutninger træffes ved stemmeflerhed; i tilfælde af stemmelighed er formandens stemme afgørende.

3) Det i stk. 2 nævnte præsidium afgør uoverensstemmelser vedrørende sagsområdernes fordeling mellem to eller flere appelkamre.

4) Administrationsrådet kan tildele appelkamrene opgaver i henhold til artikel 134, stk. 8, c).

Regel 11

Forretningsordenerne for organerne i anden instans

Det i regel 10, stk. 2, nævnte præsidium vedtager forretningsordenen for appelkamrene. Det udvidede appelkammer vedtager selv sin forretningsorden.

Regel 12

Den europæiske Patentmyndigheds administrative struktur

1) Prøvningsafdelingerne og indsigelsesafdelingerne sammenlægges i administrativ henseende i direktorater, hvis antal fastsættes af præsidenten for Den europæiske Patentmyndighed.