

## CEIPI – Example solution Paper B2026

To:  
European Patent Office  
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Germany

1. It is requested to grant a European patent on the basis of annexed claims 1 to 7.

### 2. Disclosure - Article 123 (2) EPC

New independent claim 1 has been based on original claim 1, wherein the feature is added that the front wall (5) has a height (A) and comprises a recess (6) forming an outlet, said recess (6) reaching down to a height (C) that is smaller than the height (A) of the front wall (5). This feature is based on paragraph [012] of the description. The height (A) is not restricted to 10-20 mm (first sentence of paragraph [012] and paragraph [022]).

Claim 2 is directed to the preferred embodiment of the height (A) of the front wall (5), as disclosed in original claim 2 and paragraphs [012] and [022].

Claim 3 is now dependent on claim 1 or claim 2. The recess (6) of original claim 3 is now present in amended claim 1. According to paragraph [018] the recess (6) can have any shape. Support for the preferred V-shape can be found in paragraph [018] and original claim 3.

Claim 4 is directed to a drip tray (1) made of a polyolefin comprising triclosan. Support for this feature can be found in paragraphs [019] and [020], and in original claim 4, making clear that these additional features are applicable to all embodiments of the invention.

Claim 5 is directed to a preferred polyolefin. Support can be found in paragraph [019].

Claim 6 is based on original claim 7 and paragraph [015]. Although originally claimed in combination with a skirting board (10), it will be clear from paragraph [015] that the adhesive strip (8) may be provided independently of the presence of a skirting board (10).

Claim 7 is essentially based on original claim 6, original claim 5 and paragraphs [016] and [017].

### 3. Clarity - Article 84 EPC

Under item 4 of the Communication, a clarity objection has been raised against original claim 5 for attempting to define subject-matter in relation to a separate entity (a skirting board (10)) not forming part of the claim.

Claim 5 is no longer pending. Its subject-matter was included in new claim 7 which is directed to the combination of a drip tray (1) and a skirting board (10).

#### **4. Novelty - Article 54 EPC**

- 4.1 According to amended independent claim 1 the front wall (5) of the drip tray's base (2) comprises a recess (6) forming an outlet, said recess (6) reaching down to a height (C) that is smaller than the height (A) of the front wall (5).

Document D1 describes a drip tray (1). It does not disclose a recess as defined in the characterizing portion of amended claim 1.

Document D2 describes a water retainer (1). It does not disclose a recess as defined in the characterizing portion of amended claim 1.

Document D3 also describes a drip tray (1). It does not disclose a recess as defined in the characterizing portion of amended claim 1.

- 4.2 The conclusion is that none of the prior art disclosures D1, D2 or D3 discloses the combination of all the features set out in new independent claim 1. Thus, the subject-matter of claim 1 is novel within the meaning of Article 54 EPC.

#### **5. Inventive Step - Article 56 EPC**

- 5.1 For drip trays it is essential to reliably differentiate between a leakage that must be detected and condensation on the drip tray that can be left to dry without requiring action from the homeowner (see paragraphs [007] and [013]).

Document D3 is considered to be the closest prior art for the subject-matter of independent claim 1. It discloses a drip tray (1) for detecting a leakage underneath a kitchen appliance according to the preamble of amended claim 1. The drip tray (1) is equipped with an alarm (5) that is activated when water fills the base (2) of the drip tray (1). D3 also teaches the combination of a drip tray (1) and a skirting board.

Document D1 also discloses a drip tray (1) for preventing water damage to the floor underneath kitchen appliances. The document focuses on avoiding damage to the front wall of the drip tray (1) by the wheels of a kitchen appliance when rolled over the front wall (4) due to the weight of the appliance.

Document D2 is further away from the invention. It teaches a retainer (1) with higher walls than normally used for drip trays. A hose is used to empty the retainer (1) when filled with leaked water. To allow for insertion of the hose, the wall (3) of the retainer (1) is lower on the front side.

- 5.2 The subject-matter of independent claim 1 differs from the disclosure of document D3 in that the front wall (5) comprises a recess (6) forming an outlet, said recess (6) reaching down to a height (C) that is smaller than the height (A) of the front wall (5).
- 5.3 The distinguishing features set out above provide, as a technical effect, the possibility to reliably differentiate between a leakage that must be detected and condensation on the drip tray (1) that can be left to dry without requiring action from the homeowner, as set out in paragraph [013].
- 5.4 The objective technical problem underlying the invention as claimed in claim 1 can thus be defined as how to provide a drip tray which retains condensation and ensures that leakage can be detected immediately (see also paragraph [007]).
- 5.5 The solution as claimed in claim 1 is not obvious, since there is no indication in the available prior art to implement a drip tray (1) with a front wall (5) comprising a recess (6) as claimed.

Regarding document D3 taken in isolation, and considering the objective technical problem as defined above, it is to be noted that a skilled person does not find any pointer to the solution according to the invention. D3 does not refer to condensation water. Moreover, it uses an electronic warning system that is activated when water collected in the drip tray (1) allows current to flow. There is no hint to the presence of a recess in the front wall (4).

The skilled person going out from the drip tray (1) of D3, has no reason to consider D1. D1 focuses on reinforcing the front wall (4). Moreover, D1 teaches a drip tray (1) that works as an overflow, which is not combinable with the electronic system of D3. Even if the skilled person would look for an alternative warning system for D3, D1 would not suggest providing a recess in the front wall in order to differentiate between condensation water and leakage water.

The skilled person going out from the drip tray (1) of D3, has also no reason to consider D2. D2 discloses a water retainer (1) wherein water is collected, making it not workable with the electronic system of D3. Moreover, D2 cannot suggest providing a recess in the front wall in order to differentiate between condensation water and leakage water.

- 5.6 In summary, the conclusion is that the subject-matter of independent claim 1 involves an inventive step having regard to the prior art. Thus, claim 1 is in conformity with Article 56 EPC.
- 5.7 Claims 2 to 6 all define advantageous embodiments of the drip tray according to independent claim 1, whereas claim 7 claims the advantageous combination of the drip tray according to the invention and a skirting board. The subject-matter of these claims fulfils the requirements of novelty and inventive step by virtue of the novelty and inventive step of the subject-matter of claim 1.

## 6. Unity - Article 82 EPC

Under item 2 of the Communication, a lack of unity objection has been raised against original claims 1 to 5 directed to a drip tray (1) and original claims 6 and 7 directed to the combination of a skirting board (10) and a drip tray (1), since these claims are considered not linked so as to form a single general inventive concept.

The amended claims are unitary, since all claims 1 to 7 comprise the feature regarding the recess (6) in the front wall (5) of the base (2) of the drip tray (1). This feature has been demonstrated as constituting a single general inventive concept. The requirements of unity are thus fulfilled.

Annex:        New claims 1 to 7

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## New Claims 1 to 7

1. Drip tray (1) for collecting liquid underneath a kitchen appliance, the drip tray (1) comprising a rectangular base (2) delimited by sidewalls (3), a rear wall (4), and a front wall (5) having a height (A), said walls forming a continuous wall around the base (2), the front wall (5) being lower than the sidewalls (3) and the rear wall (4) characterized in that the front wall (5) comprises a recess (6) forming an outlet, said recess (6) reaching down to a height (C) that is smaller than the height (A) of the front wall (5).
2. Drip tray (1) according to claim 1, wherein the front wall (5) has a height (A) of 10-20 mm.
3. Drip tray (1) according to claim 1 or claim 2, wherein the recess (6) is V-shaped.
4. Drip tray (1) according to any one of claims 1 to 3, wherein the drip tray (1) is made of a polyolefin comprising triclosan.
5. Drip tray (1) according to claim 4, wherein the polyolefin is polypropylene.
6. Drip tray (1) according to any one of claims 1 to 5, wherein the drip tray (1) comprises an adhesive strip (8) for mounting the drip tray (1) on a floor.
7. Combination of a drip tray (1) according to any one of claims 1 to 6 and a skirting board (10), wherein the skirting board (10) comprises floor supports (11) for elevating the skirting board (10) from the floor, the floor supports (11) having a height (D) that is larger than the height (A) of the front wall (5) of the drip tray (1), and wherein the drip tray (1) is connected to the skirting board (10) by a snap connection formed by the floor supports (11) of the skirting board (10) fitting into receivers (7) extending from the base (2) of the drip tray (1).