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24 October 2022

Our ref.: OP1107EP00

**Appeal No. T0665/22-3.3.04**  
**Opposition against EP 3 003 485 B1**  
**Proprietor: The A2 Milk Company Limited**  
**Appellant/opponent 2: Arla Foods amba**

Dear Madam/Sir,

The following is submitted in response to the Grounds of Appeal submitted by proprietor.

All previous objections, requests and arguments are maintained. None of the claims of the main request or auxiliary requests submitted by proprietor with his Grounds of Appeal overcomes the objections raised in the Appeal.

The following arguments and clarifications are presented in addition to the arguments already presented in our Grounds of Appeal.

## **1. Requests on file**

With his grounds of appeal, proprietor filed a main request as well as auxiliary requests 1-14. The requests reflect the requests from the opposition proceedings, where auxiliary request 6 was the basis on which the patent was maintained.

To be clear, we maintain all our arguments submitted during opposition proceedings against the main request and auxiliary requests, and further agree with the OD's decision to reject the claims of the main request and AR1, AR2, AR3, AR4, and AR5 (=AR11 in the new numbering in the appeal proceedings).