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Our Ref.: 210 658 m6
Opposition against EP 3 071 596

In preparation of oral proceedings

1. Requests

Opponent's earlier requests are maintained.

2. Extension of Subject Matter Beyond the Scope as Granted, Article 123(3) EPC

Auxiliary Requests

Auxiliary Request 1 has been amended to replace the term "*precipitate*" by the term "*supernatant*" in claim 3. Opponent respectfully submits that this amendment clearly contravenes Article 123(3) EPC, which does not allow that the subject-matter of amended claims extends beyond the scope of the claims as granted. The claims as granted did not comprise in their scope a liquid fraction which was a modified Kistler & Nitschmann supernatant B or B+I.

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