



Europäisches
Patentamt
European
Patent Office
Office européen
des brevets

Update from the EPO



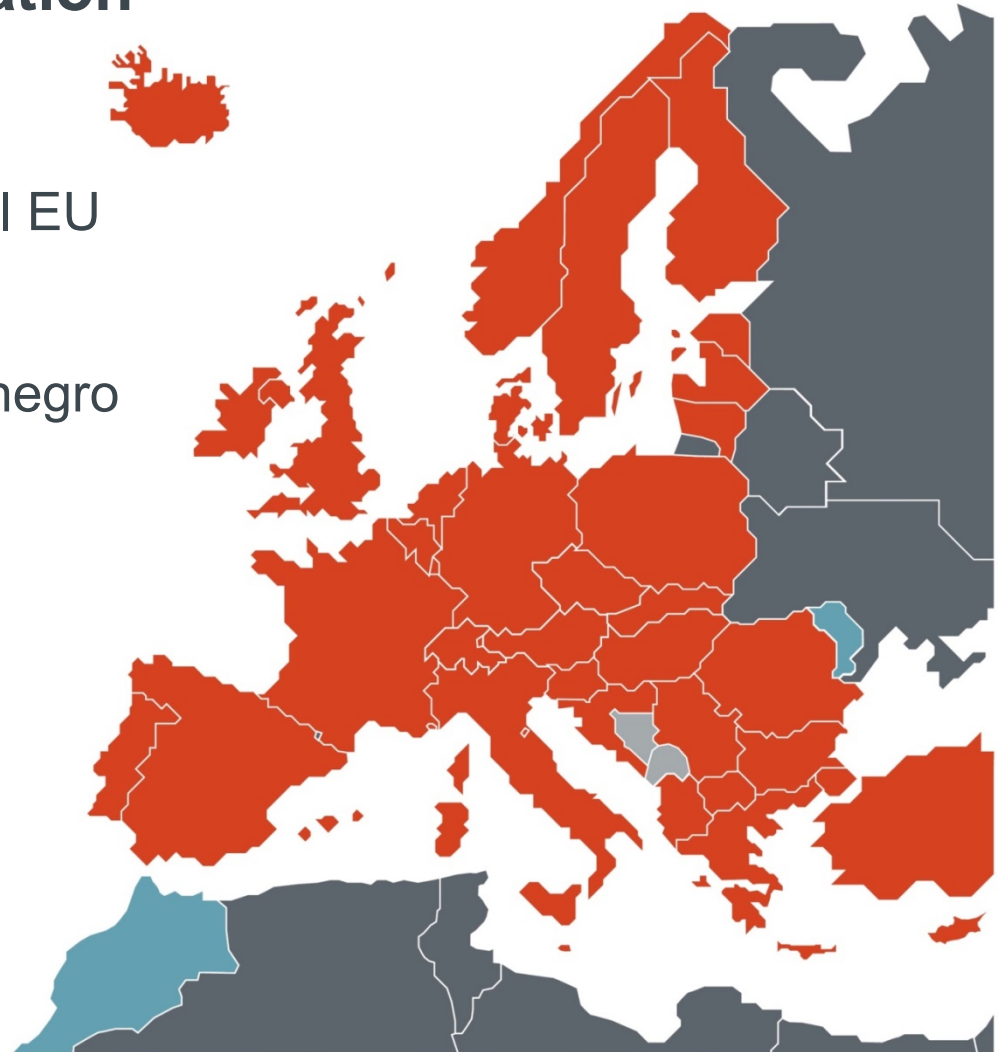
Raimund Lutz

Vice President, EPO

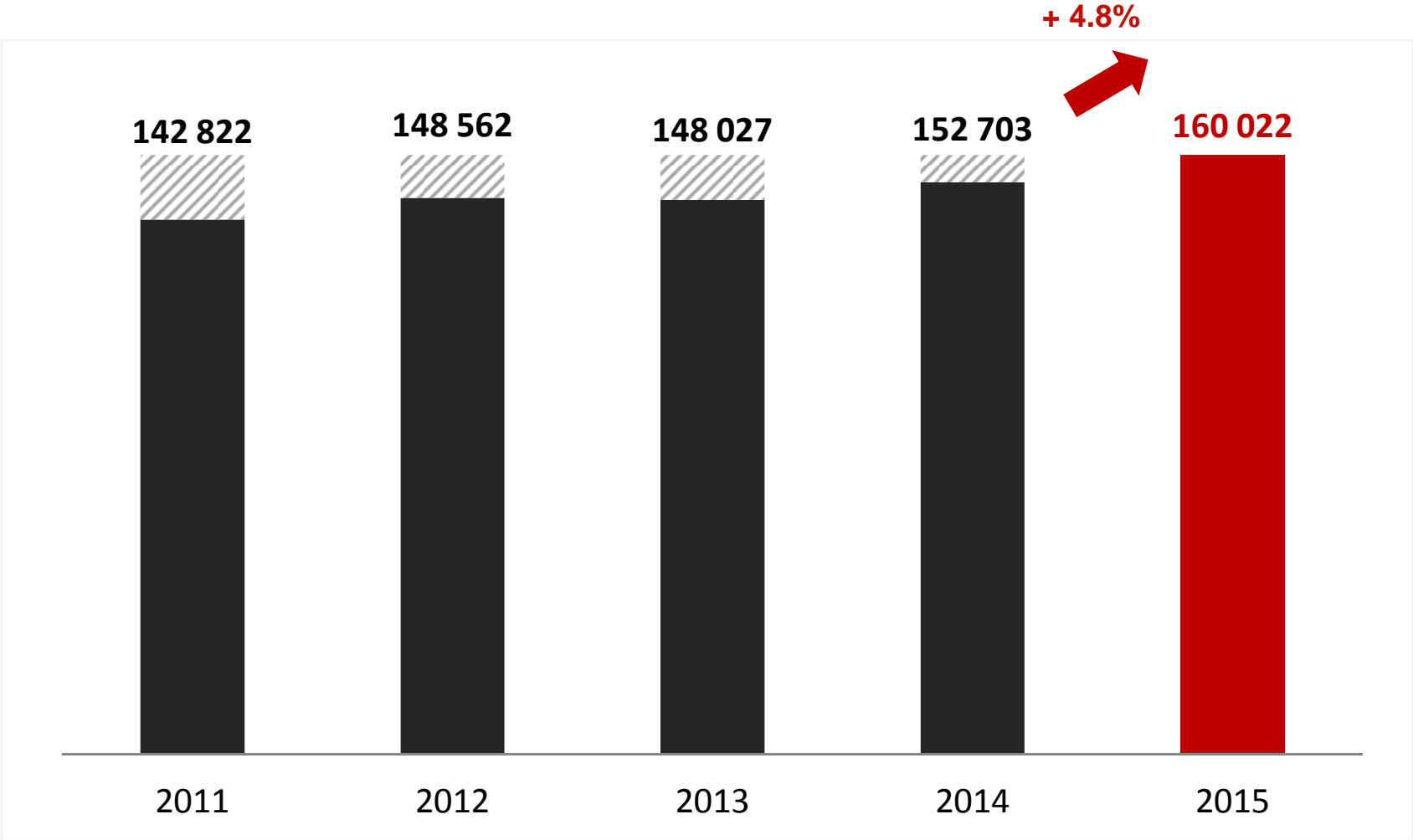
23 February 2016

European Patent Organisation

- Created in 1973
- 38 member states, including all EU
- Two extension states:
Bosnia & Herzegovina, Montenegro
- Two validation states:
Morocco, Moldova
- **645 million inhabitants**
- **= 2nd largest European public service organisation**
- Self financed budget via fees
= € 2.1 billion in 2016



Total European patent applications*



* Direct European applications filed under the EPC and PCT applications entering the European regional phase

Strategy

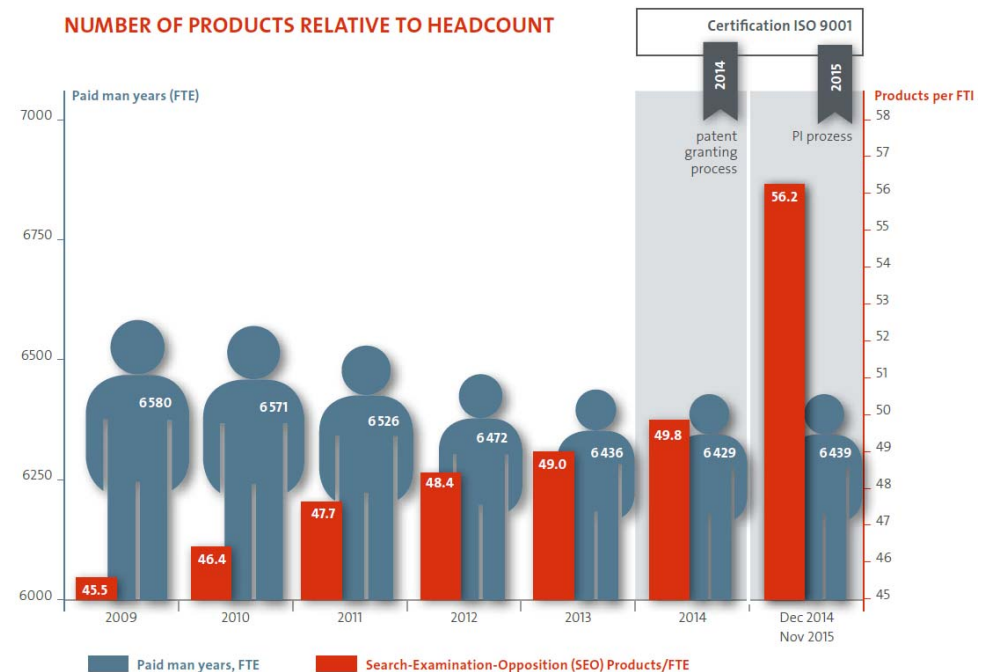
The EPO's **strategic priorities**:

- Maintaining a strong focus on **quality**
- Improving **efficiency**
- **Harmonising** the global patent system
- Providing **transparency** for stakeholders and **improving access to patent information**

Quality and efficiency strategy

- To face the growing workload, the EPO is **modernising**, maximising **quality**, controlling **costs**, improving **timeliness**.
- The EPO is implementing a wide range of reforms in five key areas (IT, HR, Buildings, Quality, Co-operation)
- Result: **a constant increase in productivity, decreasing unit costs.**

Unit Cost	
2006	100
June 2014	91,9 (12 month rolling)
June 2015	89.7 (12 month rolling)



Quality in search and examination

- **High specialisation** and **intensive training** of EPO examiners (4300 examiners working in divisions of 3)
- **State-of-the-art tools** allowing efficient access by examiners (e.g. new Epoque)
- **Cooperative Patent Classification (CPC)**: Implemented on 1 January 2013 at EPO and USPTO. KIPO, SIPO, INPI Brazil, ROSPATENT and 13 EPO Member States also classifying into the CPC
- Very comprehensive prior art coverage: over **90 million patent documents** available to examiners
- A **standards documentation** standing at 2.6 million documents
- Regular **“Partnership for Quality”** meetings with users in Europe, US, Japan, China and Korea
- EPO is the first office to be **ISO 9001** certified for the entire patent process.

Enhancing quality by improving certainty and timeliness (1)

Global prior art search for higher certainty

- Enhance coverage of our patent databases including Asian data:
 - ca. 40 million patent documents from China, Japan and Korea
 - 22% of cited prior art in EPO search reports come from Asia

“Early Certainty from Search” to improve timeliness

- Search reports and opinions on patentability within six months of filing.

PACE – accelerated examination

For accelerated processing, our recommendation is:

combine PACE with a request to waive statutory delays

Enhancing quality by improving certainty and timeliness (2)

- By 2020 the EPO aims at finishing **examination within about one year from a valid request for examination**
- **A streamlined opposition procedure** will enable opposition decisions within 15 months for most cases

B – Shortening the grant procedure

The Intergovernmental Conference,

considering that the conditions of international competition require patents to be granted within a period that is in keeping with the interests of users,

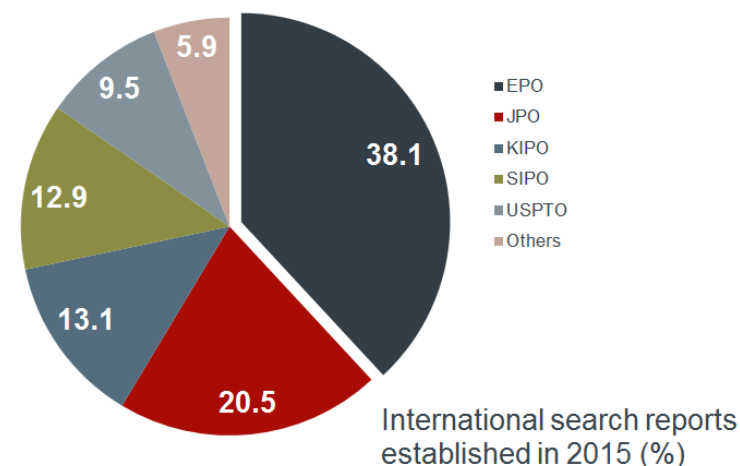
invites the Organisation to undertake every possible effort to shorten procedures, so as to bring the average time it takes to grant a European patent down to three years, whilst maintaining the level of quality.

EPO and PCT – facts and figures 2015

- PCT is the work-sharing vehicle of choice for the EPO
- EPO ranks **1st in the world as ISA and IPEA** (81 100 international search reports and over 9 100 international preliminary examination reports in 2015)

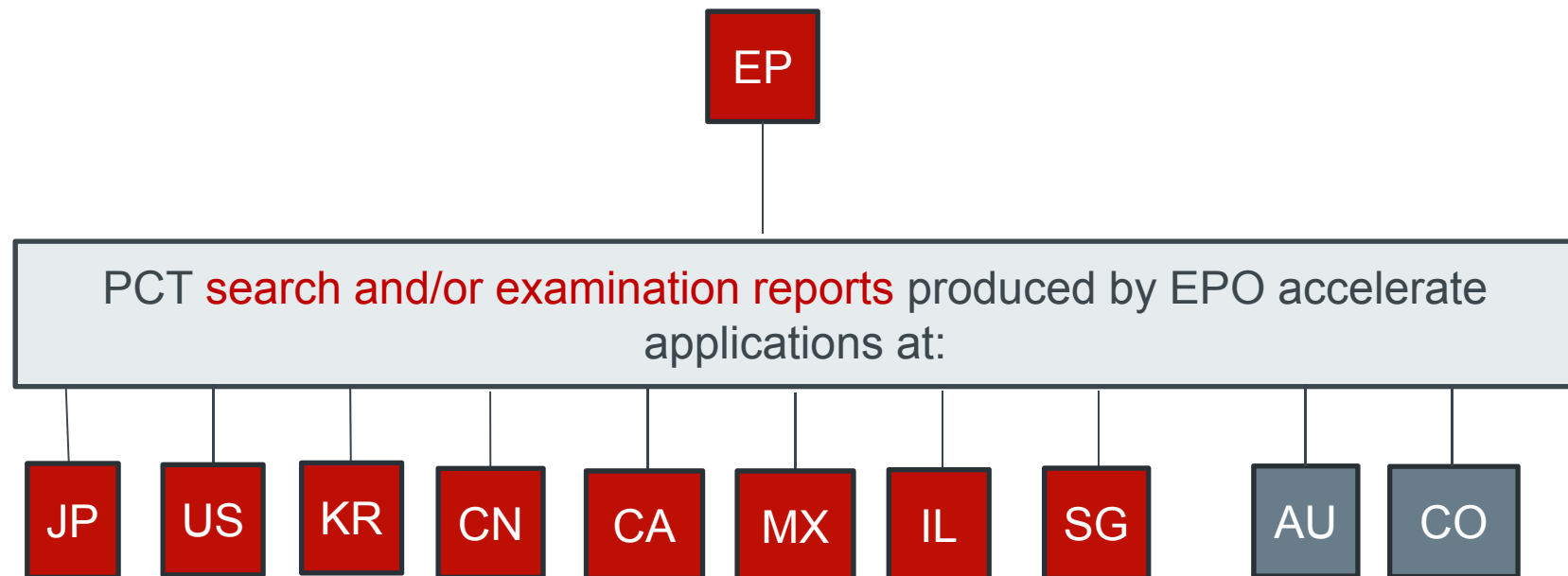
- Improving services to users:

- **PCT Direct:**
extended to all ROs in July 2015
- EPO joined **WIPO ePCT** on 1 Nov. 2014
- **Freezing of international search fee since** April 2012



PCT-PPH (Patent Prosecution Highway)

- Fast Track Examination of Applications
- EPO work products can be used at other PPH Offices (IP5 + CA, MX, SG, IL)



AU: from 06/2016

CO: from 2nd half of 2016

Rospatent and Brazil in the pipeline

The European Patent System

- **Shortcomings** in the post-grant phase
 - sub-optimal enforcement scheme implying parallel litigation with high costs, risk of diverging decisions and legal uncertainty
 - high costs for patent proprietors due to validation requirements and renewal fees in EU Member States



The European Union's patent package

- 1. Unitary patent (protection)**
- 2. Unified Patent Court**

Concrete benefits of the unitary patent

- Protection in **one single step** for the 26 member states
- **Simplified registration** procedure instead of 26 different validations
- **Centralised and cost-effective** renewal fee payment (“True Top 4” proposal)
- **No post-grant translation** required (after initial transitional period)
- **Centralised register for** unitary patent protection maintained by the EPO
- **Uniform litigation system** ensuring greater legal certainty

Conclusion

- The EPO is committed to continually enhancing the quality and efficiency of its products and services
- The EPO is dedicated to meet its users needs and to contribute to a more attractive European and global patent system



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Thank you for your attention!