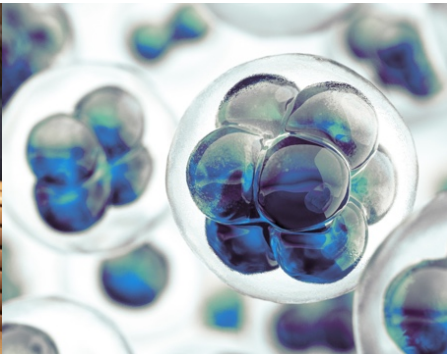




Europäisches
Patentamt
European
Patent Office
Office européen
des brevets

IP rights quality, from filing to enforcement

The EPO perspective



07.03.2022

Current reach of EPO products

» European member states (38)

» European extension states (2)

Bosnia and Herzegovina
Montenegro

» Validation states (4)

Agreement in force
Cambodia
Republic of Moldova
Morocco
Tunisia

» Future validation states (1)

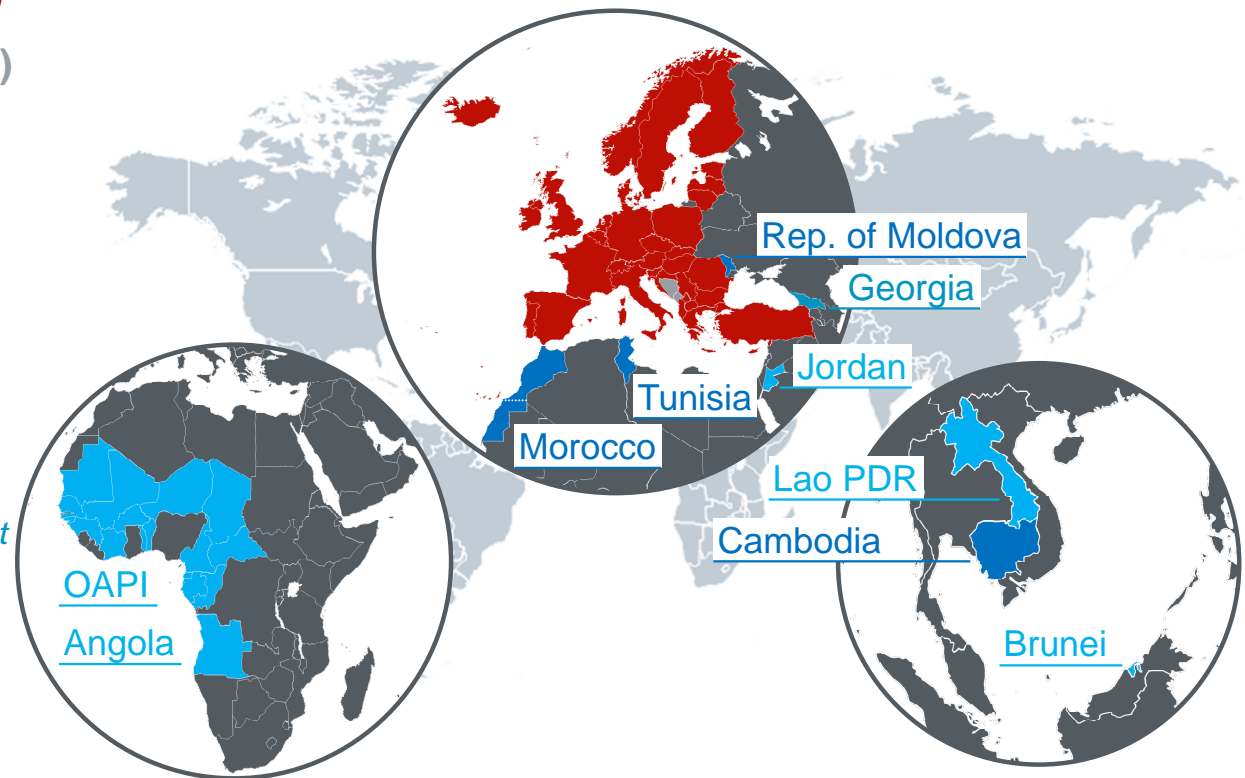
Agreement signed but not in force yet
Georgia

» Pending agreements

Agreement under negotiation
Angola, Brunei Darussalam,
Jordan, Lao PDR, OAPI*

» PPH agreements (16)

» Reinforced partnerships (9)

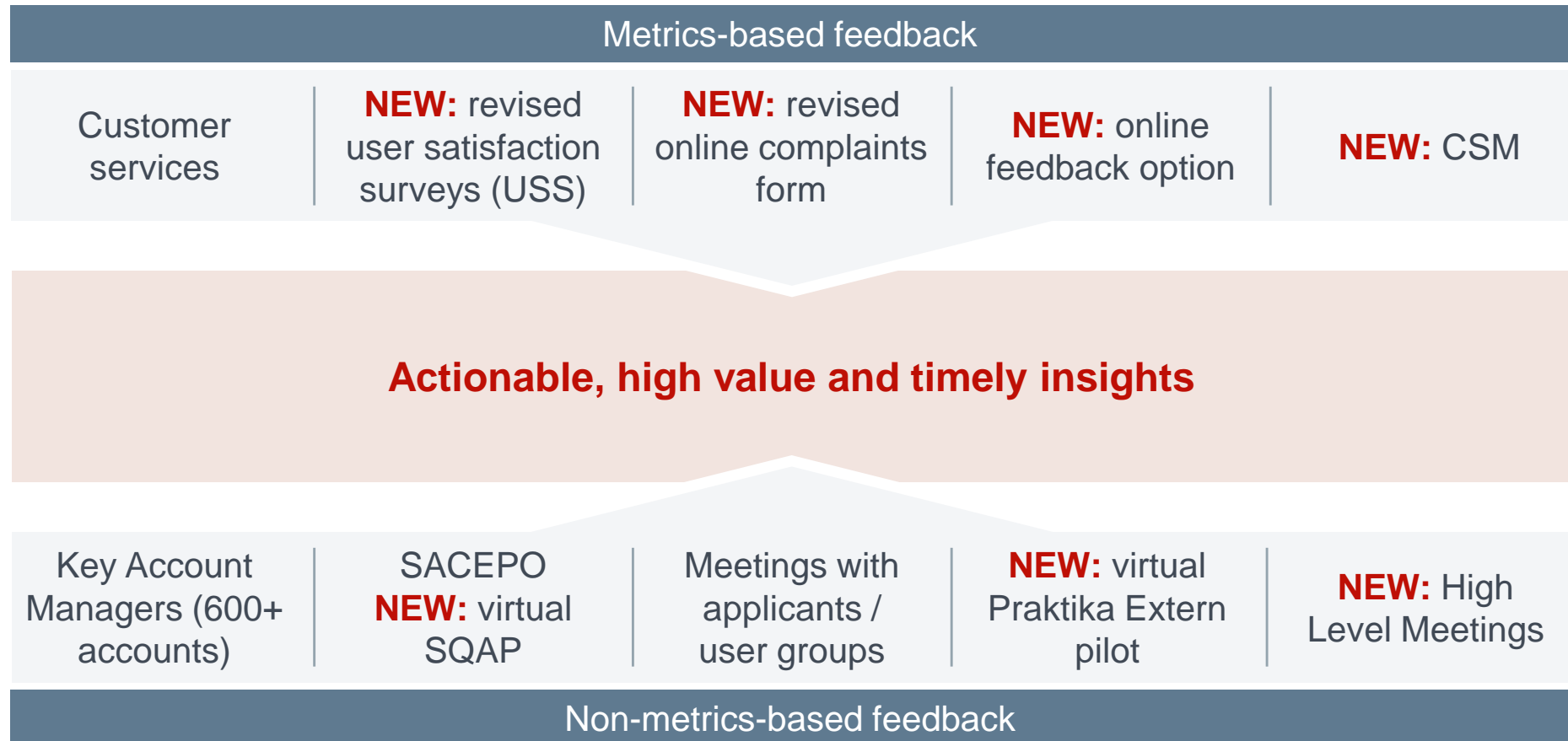


What is Quality for the EPO

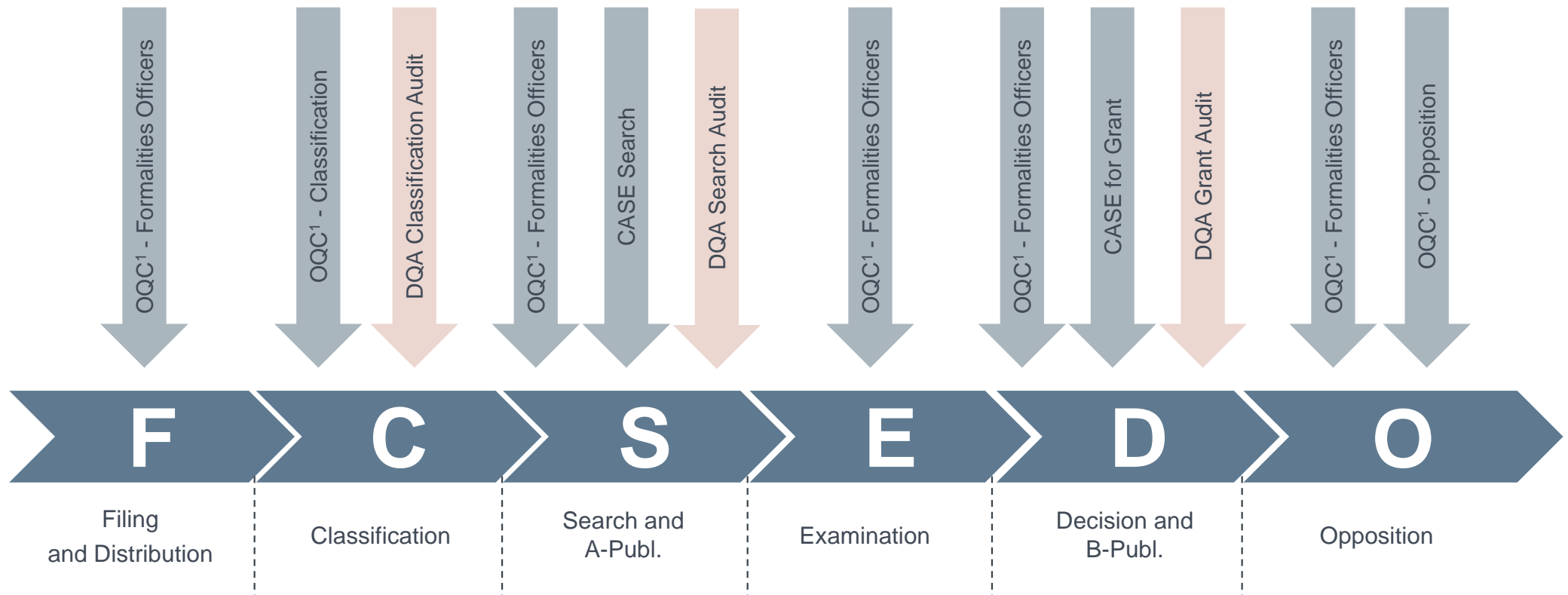
§ Fulfilling the stakeholders expectations (within the boundaries of the EPC, of course).

- How do we know the expectations?
- How do we ensure we can fulfil them?
- How do we know we have done it?

User feedback: a core element of our QMS



Patent grant process quality control and assurance

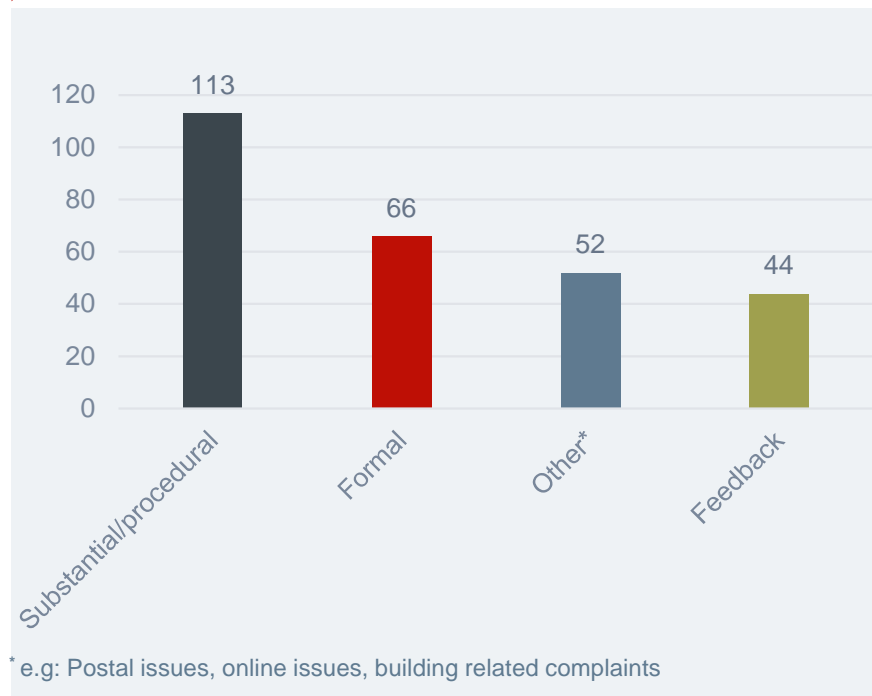


¹QQC: Operational Quality Control

Checks carried out by directorate Quality Audit are highlighted in red, those conducted by DG1 are grey

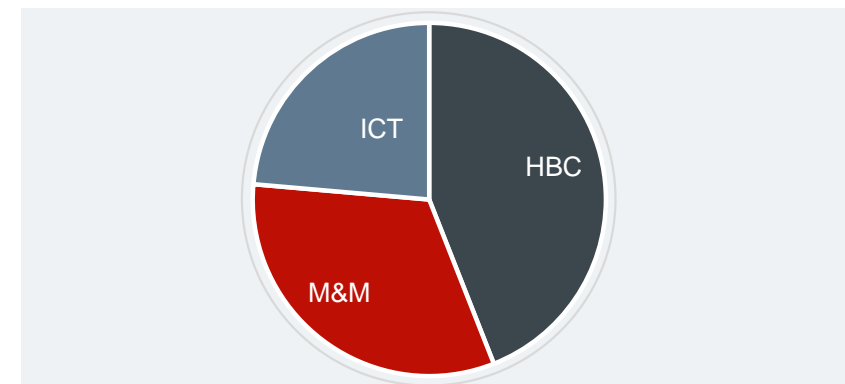
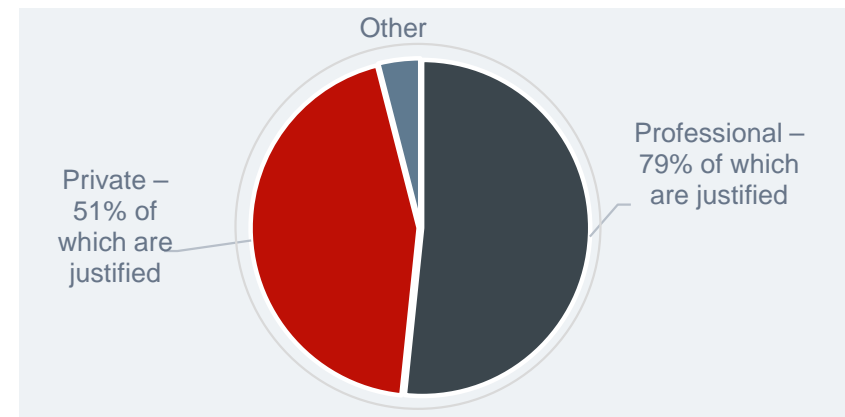
Complaints

► 275 complaints in 2021 • 44 of which considered feedback



Total complaints registered in previous years:

334 in 2017, 384 in 2018, 342 in 2019 and 374 in 2020



New online complaints and feedback channel

Formal complaint / feedback


Use the below form to submit either an official complaint or feedback relating to any of our products or services. If you send us an official complaint, you will receive a detailed reply and as a rule, a copy of the complaint form and our reply will be included in the public part of the file. If you provide us with feedback, you will not get a reply and it will not be included in the public part of the file. [Read more](#)

This contact form has no legal force in proceedings under the EPC or PCT. [Read more](#)

Topic •

Your reference

Application number ?

 File upload ?

Have you raised this particular issue with the Office before? •

☐ Yes ☐ No

Enquiry/reference number of previous contact ?

Your preferred language for reply •

☐ English ☐ French ☐ German

Launched: November 2021
www.epo.org/complaints

Complaints: GL E-VI, 4. Any that have a substantive and/or procedural bearing and replies thereto will only exceptionally be excluded from file inspection.

Feedback: Non-public, no reply provided, can be kept confidential if requested, taken into account when reviewing products/services, may lead to internal investigations/studies

What do users say?

Complete **search reports**: cite **all** relevant documents, cover all claims

Core of the invention should be searched as well as the claims

Be specific about claims which are (not) new and/or inventive

Communications should be complete; address all claims and objections

Objections should be clear and substantiated

More suggestions for overcoming objections, e.g. Art. 84 & 123(2).
(Not all applicants want suggestions!)

More **interviews & phone calls**

Indicate the **status of objections** – overcome or are they still relevant?

Avoid **over-formalistic** approaches to Art. 82, 84 & 123(2)

Consistency between examining and opposition divisions (mainly Art. 123(2))

Essential to deliver **high quality** summonses, decisions and minutes

Resources that support examiners



What are we doing to improve?

Classification

- Ø Classifying prior art at 4 months after publication (down from 6 months)
- Ø Use CLASS-OQC data to improve classification quality

Search

- Ø Performing searches at the right time, avoiding searching too early
- Ø Getting the right files to the right examiners at the right time
- Ø Expanding collaboration between examiners.

Examination

- Ø New Audit Dialogue and implementation of DQA recommendations
- Ø Focus on complete communications, clear objections with suggestions, etc.
- Ø Promoting collaboration and best practices among sectors

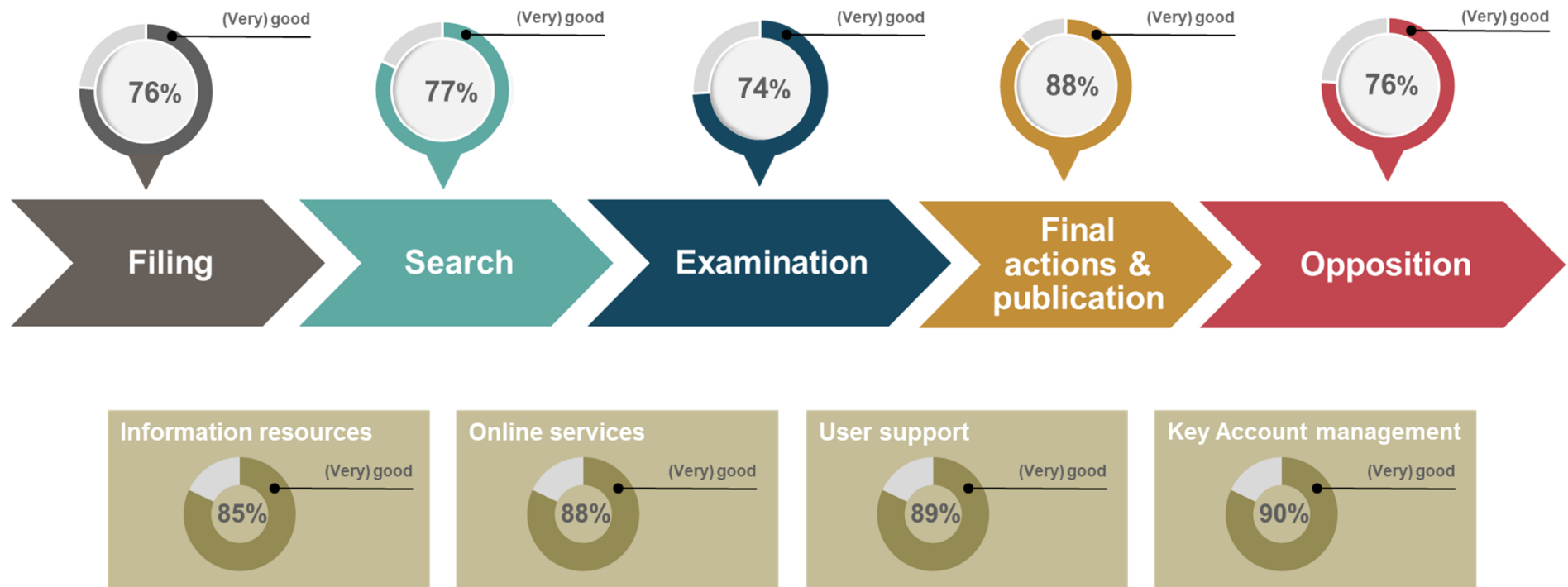
Opposition

- Ø Manage backlog
- Ø Hold oral proceedings as video conference
- Ø Ensure timeliness of minutes and decision

General

- Ø Evaluate USS data and propose actions
- Ø Maintain quality in transition to digital environment

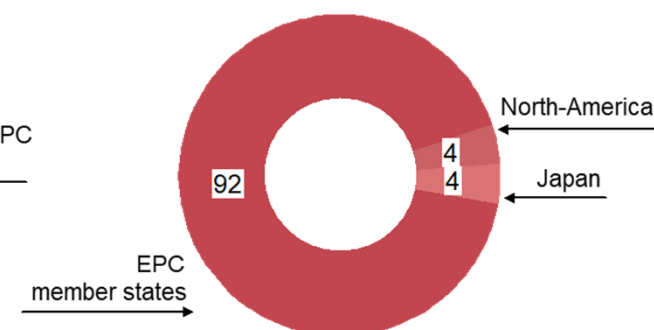
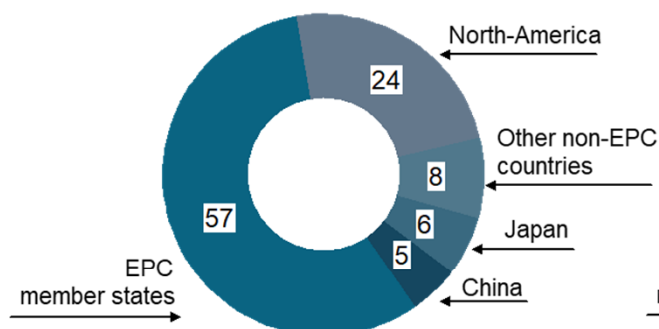
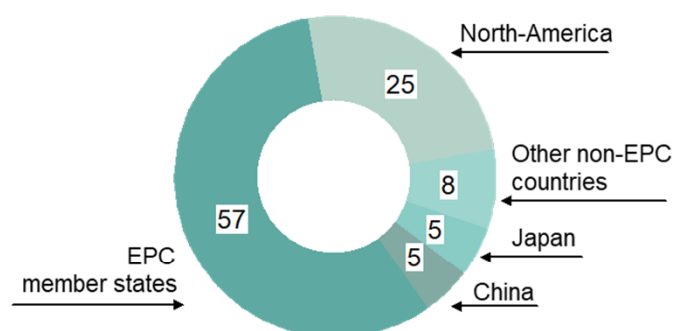
User satisfaction with EPO products and services



The satisfaction scores for each journey step are either computed averages out of several variables or „with specific file“ (e.g. Search, Examination, Opposition).

User satisfaction surveys September 2020-April 2021: 6000+ interviews

- User-centric approach covers end-to-end process
- Questionnaires revised with internal and external consultations including SACEPO Working Party on Quality
- Surveys foreseen on biennial basis



Search and Examination data weighted to represent regional proportions of the user population. Opposition follows the principle "take-them-as-they-fall", no regional weighting applied.



Source: User satisfaction surveys 2020-2021

Thank you

