



Europäisches
Patentamt

European
Patent Office

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des brevets

The EPO: Recent developments and future challenges

FICPI World Congress in Toronto, 08 June 2018

Raimund Lutz, Vice-President, European Patent Office

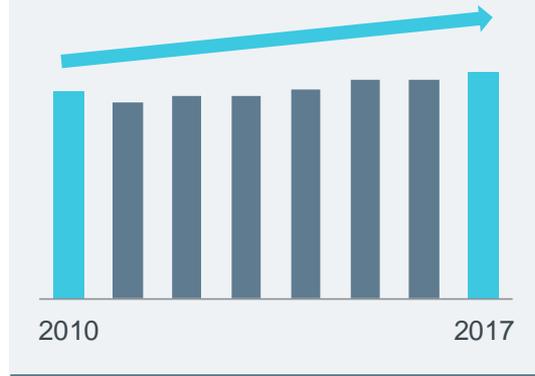
EPO in 2017- I

165 590

+ 10%

DEMAND

Applications

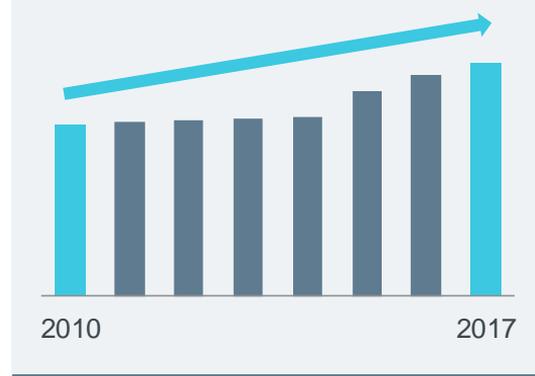


414 269

+ 36%

PRODUCTION

Search, examination, opposition

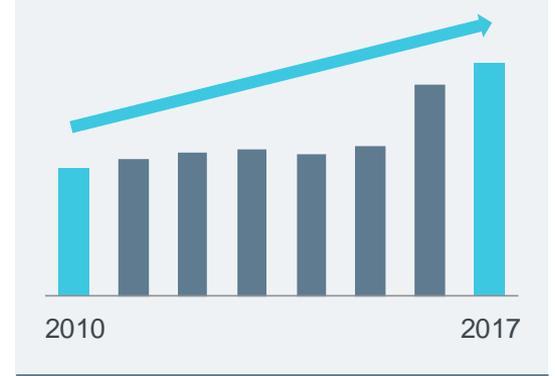


105 635

+ 82%

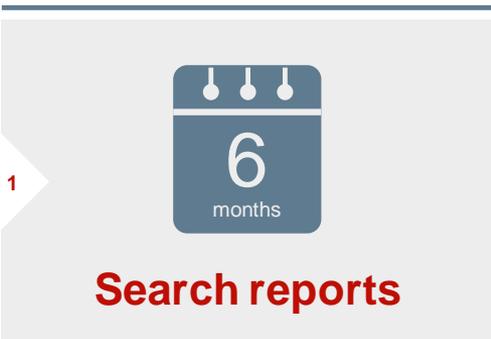
GRANTED PATENTS

Published patents



Improving pendency times

Know what's ahead



We deliver search reports within 6 months of receipt.



Actual search timeliness*
4.7 months

Reliable rights on time



We are reducing examination times to 12 months by 2020.



Actual examination timeliness*
22.8 months

Challenges resolved faster



We aim to conclude oppositions within 15 months on average.



Actual duration of oppositions*
20.7 months

* as of April 2018

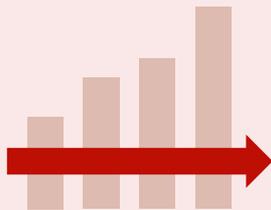
User Driven Early Certainty

- **Reasons for the proposal:**

- Early Certainty well received, but **some users** request more flexibility which is needed for their innovation cycle
- Alignment with other IP5 offices
- More efficient use of examiner resources

Changes to PCT-related fees as of **1 April 2018**

No inflation-based biennial fee adjustment for 2018-2020



PCT fee reduction measures as of 01.04.2018

PCT search

- 5% / - 100 €



1 875 € 1 775 €

current
fee

new
fee

PCT preliminary examination

- 5% / - 100 €



1 930 € 1 830 €

current
fee

new
fee

Examination European phase

- 456.25 €



current
fee
reduction

new
fee
reduction

- 50%

- 75%

EPO as ISA: New services

- April 2017 Provisional opinion on patentability
- December 2017 Credit card payments
- January 2018 Information sheet on search strategies
- March 2018 PCT file inspection in European Register
- July 2018 Launch -operational phase of CS&E Pilot Project

IP5 Global Dossier "Alerting"



EPO and SIPO have developed "RSS feeds" for each File Wrapper



EPO delivers first RSS for IP5 patent family



Provides "alert" function for IP5 patent family (EPO+SIPO)

European Patent Register

Deutsch English Français Contact

About European Patent Register Other EPO online services Register Alert login

Smart search Advanced search Help

EP Patent family: EP2677420 RSS family dossiers

Refine search Espacenet Submit observations Report error Print

Type	Equivalent	Publication No.	Date	Type
		WO2013189269	27.12.2013	A1
		Priority number	Date	
		CN201210200091	18.06.2012	
Type	Equivalent	Publication No.	Date	Type
		US2013337868	19.12.2013	A1
		Priority number	Date	
		CN201210200091	18.06.2012	
Type	Equivalent	Publication No.	Date	Type
		KR20130142073	27.12.2013	A
		Priority number	Date	
		CN201210200091	18.06.2012	
Type	Equivalent	Publication No.	Date	Type
		CN102779053	14.11.2012	A
		Priority number	Date	
		CN201210200091	18.06.2012	
Type	Equivalent	Publication No.	Date	Type
		EP2677420	25.12.2013	A1
		Priority number	Date	
		CN201210200091	18.06.2012	

PCT Collaborative Search and Examination (CS&E)

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European Patent Office // Japan Patent Office // Korean Intellectual Property Office // State Intellectual Property Office of the People's Republic of China // United States Patent and Trademark Office

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- Quality management

Patent harmonisation

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Consultation with industry

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Collaborative Search and Examination (CS&E)

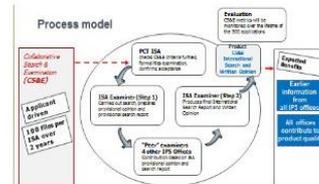
On 1 July 2018, the IP5 Offices will launch a pilot project to test a collaborative approach to international searches under the PCT, in particular with a view to assessing the users' interest for such a new PCT product and the expected efficiency gains for the participating offices.

The main features of this Collaborative Search and Examination (CS&E) pilot project are:

- an applicant-driven approach: the applications processed during the pilot will be selected by applicants
- a balanced workload distribution: all collaborating International Authorities will contribute to the establishment of each CS&E work product, each office will process approximately 100 international applications in its role as "main ISA" and approximately 400 international applications in its role as "peer ISA" over two years
- a common set of quality and operational standards will be applied by all collaborating International Authorities when processing the PCT applications

The IP5 Offices agreed that at a later point in the pilot, they may also accept applications filed in languages other than English.

CS&E process model:



(click to enlarge)

Search

The IP5 offices will launch a pilot project to test a collaborative approach to international searches under the PCT

<http://www.fiveipoffices.org/activities/ws/pct/csepilot.html>

EPO and the impact of Artificial Intelligence (AI)

▪ Impact on the patent office's business

- development/use of advanced IT (automated searching, pre-classification, machine learning techniques to support examiners, etc)
- risk of increased flows of patent applications

▪ Impact on the patentability of inventions

- ownership of patent applications generated by robots
- build on the stable and well established EPO Computer Implemented Inventions practice
- updated Guidelines for examination in relation with AI technologies

▪ EPO fosters public debates and greater predictability

- Study on patents and the 4th industrial revolution (December 2017)
- EPO conference on patenting Artificial Intelligence : 30 May 2018

Transparency surrounding Standard Essential Patents

- Topic of SEP transparency is continuously gaining importance
- In Nov 2017, the European Commission Communication suggested potential scrutiny of “essentiality” of declared SEPs, possibly by patent offices
- Since April 2018, the JPO has been offering, upon request, a non-legally binding opinion on essentiality by its Advisory Board for Trials and Appeals
- EPO addressed the topic at the meeting of Trilateral Heads of Office and has proposed the topic for discussion at the IP5 Heads meeting.

Thank you for your attention