



Europäisches
Patentamt

European
Patent Office

Office européen
des brevets

Recent developments at the European Patent Office

AIPPI World Congress, Sydney, 16 October 2017

EPO President Benoît Battistelli

Presented by Mr Niclas Morey
Principal Director User Support & Quality Management
European Patent Office

The European patent system

European Patent Organisation founded in 1973

Independent international organisation, dedicated to patents

Annual budget: USD 2.6 billion (self-financed)

Some 700 million inhabitants

38 member states

2 extension states

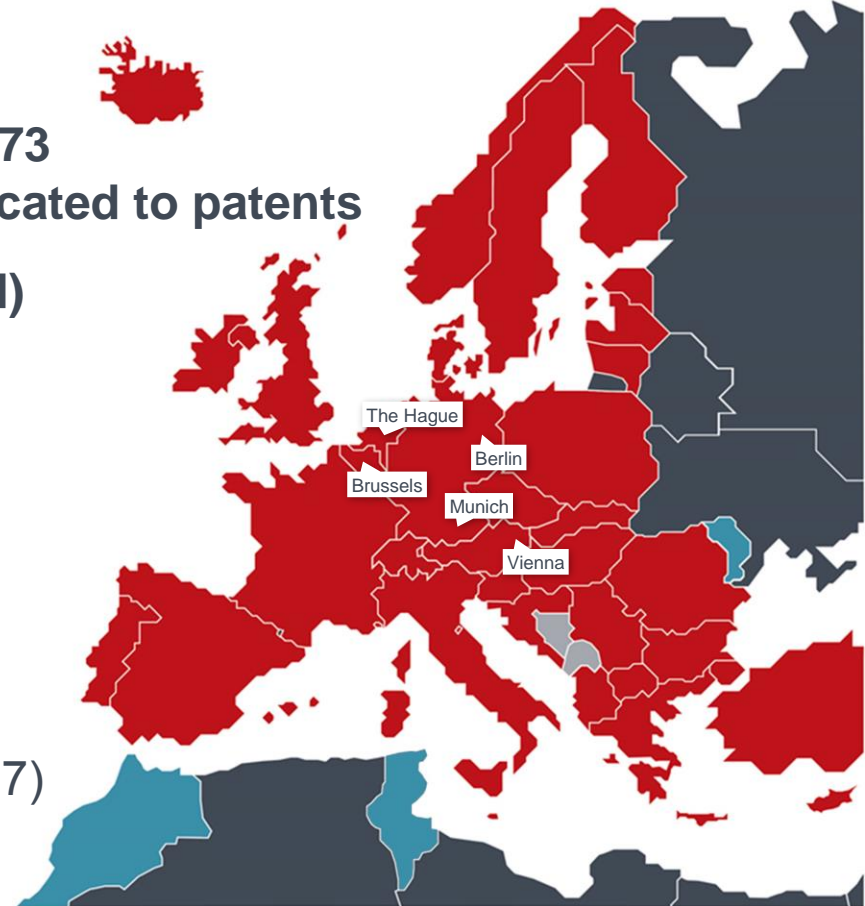
Bosnia-Herzegovina • Montenegro

3 validation states

Morocco • Republic of Moldova • Tunisia (1/12/17)

Other candidates to validation:

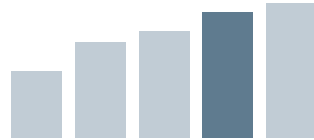
Cambodia, Laos, Brunei, OAPI, Malaysia, Jordan



The EPO at a glance

2nd largest

intergovernmental institution in Europe



Global player

and voice of Europe in patents



✓ Will be in charge of
**delivering and
administering the
Unitary Patent**

ISO 9001 certification:

High-quality European patents are drivers of innovation, securing the competitiveness of the European economy



 **7 000** employees,
of which around **4 400** highly qualified examiners



Self-financing:
budget of **USD 2.6bn**
without any public funding

Our Mission

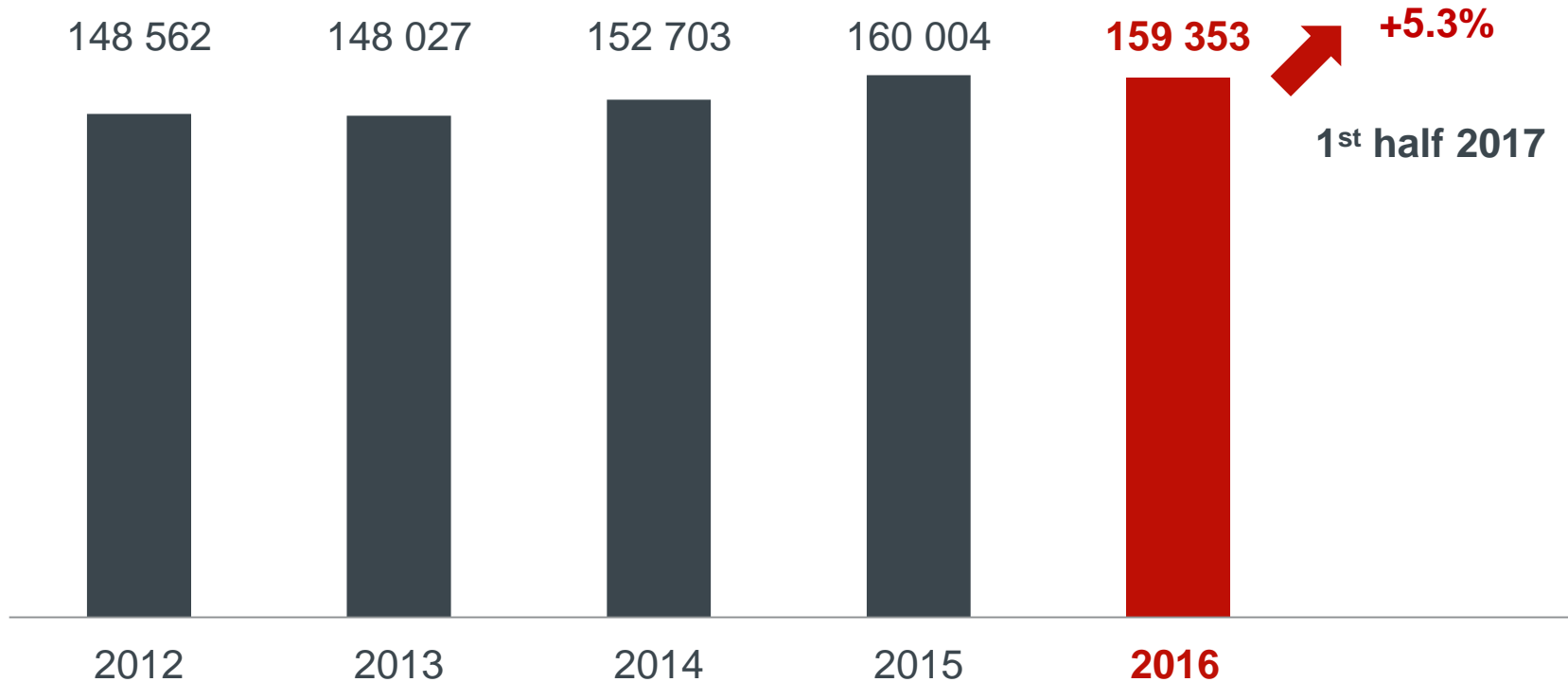
‘To Support innovation, competitiveness and economic growth in Europe’

- Provide access to patent protection on a large geographical scale
- Grant high quality patents in Europe and beyond
- Promote access to patent information

As any international organisation, we face multiple demands from multiple stakeholders

- From Member States (the ‘board’) – to be cost effective and a leading patent office
- From users (‘customers’) – to be efficient, cost effective, responsive and to supply high-quality, reliable products and services
- From staff – to provide a modern, engaging and attractive employer
- From international partners – to contribute to international cooperation initiatives

European patent applications*: stability at a high level



* **Applications** are the files for which applicants have decided to request a European patent from the EPO. They are a direct measure of the explicit interest of innovating firms to assert their patent rights on the European technology market. Applications refer to direct European patent applications filed at the EPO under the European Patent Convention, plus international Patent Cooperation Treaty (PCT) filings which entered the European regional phase (becoming a European application) in the year under review.

Top 2016 applicants

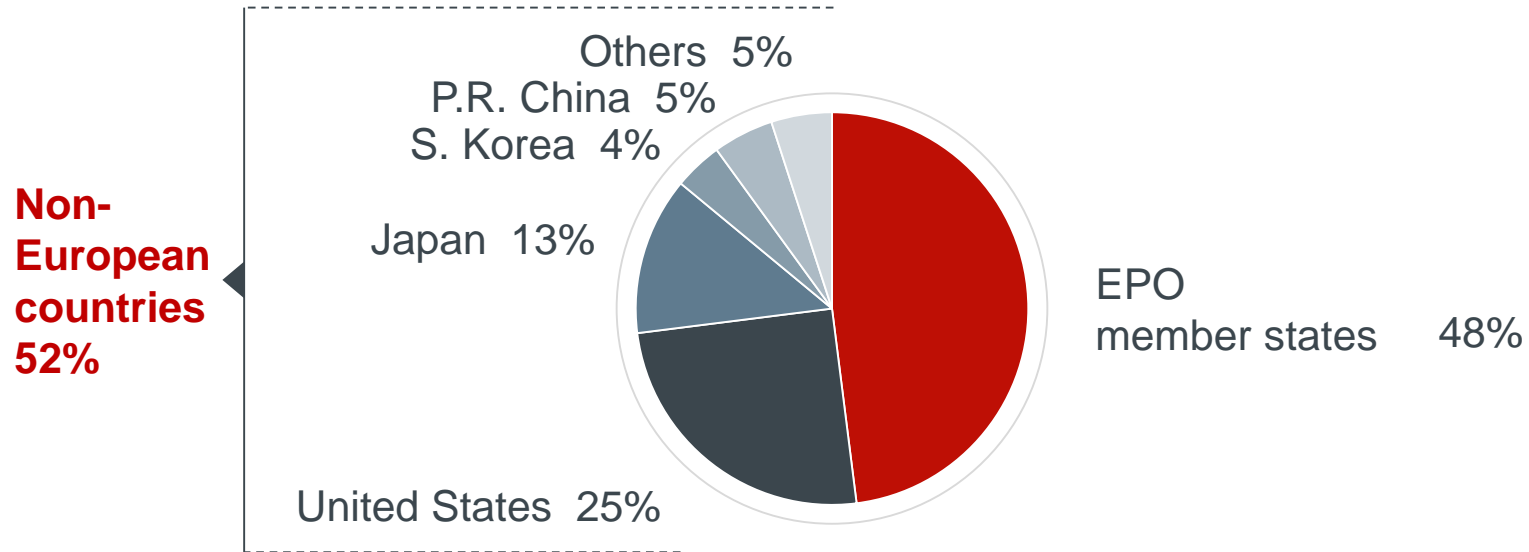
TOP 10

		2016	Change	
1	Philips	2 568	6.9%	↗
2	Huawei	2 390	22.4%	↗
3	Samsung	2 316	-2.1%	↘
4	LG	2 313	10.6%	↗
5	United Technologies	2 067	10.6%	↗
6	Siemens	1 871	-1.2%	↘
7	Qualcomm	1 704	-0.1%	↘
8	General Electric	1 628	21.5%	↗
9	BASF	1 410	1.9%	↗
10	Robert Bosch	1 327	-11.1%	↘

● EPO member states
 ● United States
 ● S. Korea
 ● P.R. China

Note: this analysis is based on direct European patent applications filed at the EPO under the European Patent Convention, plus international Patent Cooperation Treaty (PCT) filings which entered the European regional phase (becoming a European application) in the year under review. Statistics are based on the first-named applicant.

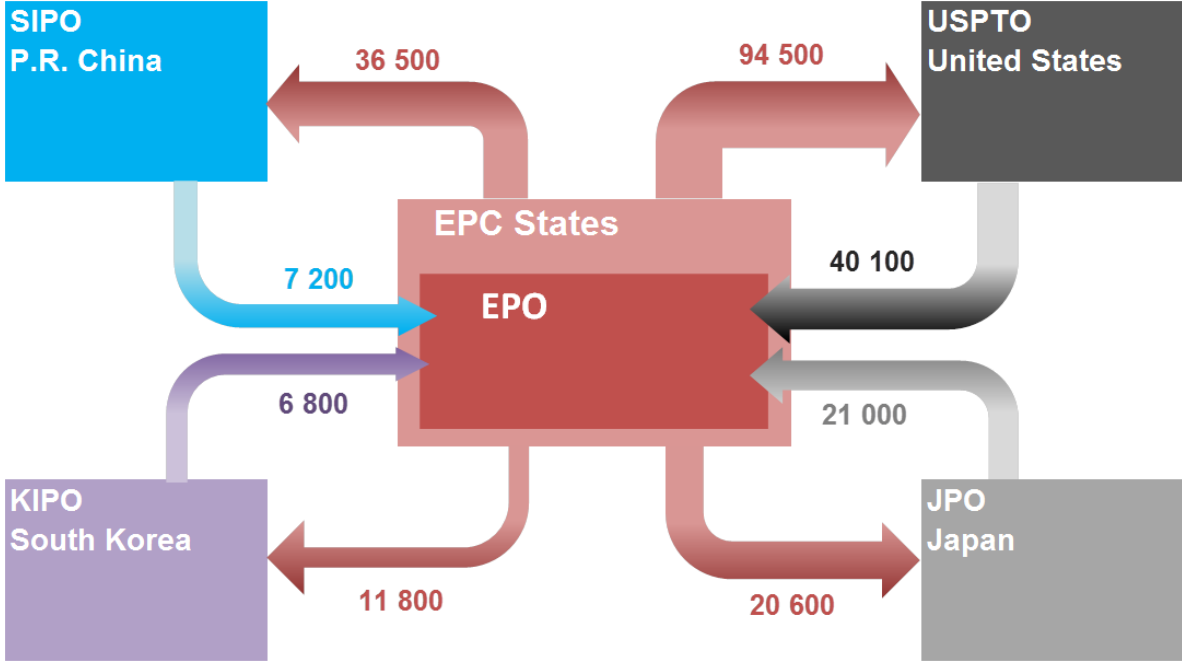
Origin of European patent applications



Notes:

- Analysis based on European patent applications (direct European patent applications filed at the EPO under the European Patent Convention, plus international Patent Cooperation Treaty (PCT) filings which entered the European regional phase (becoming a European application) in the year under review)
- Applications are allocated to the country of residence of the first-name applicant
- EPO: the 38 member states of the European Patent Organisation, including EU28

Flow of patent applications between EPO and IP5 countries



- Notes:**
- Analysis based on applications received by the five largest patent offices (IP5 offices) in 2016.
 - Source of the data: IP5 Statistics Report 2016

Leading fields of technology

TOP 10

		2016	Change	
1	Medical technology	12 263	- 2.1%	⬇️
2	Digital communication	10 915	- 1.2%	⬇️
3	Computer technology	10 657	2.9%	⬆️
4	Electrical machinery, apparatus, energy	10 293	5.1%	⬆️
5	Transport	8 402	3.6%	⬆️
6	Measurement	7 442	- 3.8%	⬇️
7	Engines, pumps, turbines	6 301	- 0.5%	⬇️
8	Organic fine chemistry	6 189	- 4.0%	⬇️
9	Pharmaceuticals	5 754	- 5.0%	⬇️
10	Biotechnology	5 744	0.3%	⬆️

Note: Based on European patent applications filed with the EPO (direct European patent applications filed at the EPO under the European Patent Convention, plus international Patent Cooperation Treaty (PCT) filings which entered the European regional phase (becoming a European application) in the year under review).

Challenges for the EPO and the patent system

Consistent growth in demand for patents

Multidisciplinary and **technically complex** applications

Competitive and heterogeneous international environment

Users' expectations in terms of **costs and timeliness**



Our strategic priorities

- + Improve quality
- + Increase efficiency
- + Improve timeliness
- + Control costs
- + Increase international influence

Continuously improving quality – Our first priority

ISO 9001 CERTIFICATION



to safeguard the quality of our processes

CONSULTING WITH USERS



around the globe:
“Partnership for Quality”
meetings with users in
Europe, US, Japan, China
and Korea

SACEPO SUB- GROUP ON QUALITY



recently created with the
objective to set a permanent
and high-level forum to
discuss quality related
matters with users

RELIABLE MONITORING



96% of respondents
are “very satisfied, satisfied,
average satisfied” (EPO User
Satisfaction Survey)

**Global
benchmark
for quality**

**EPO ranked
best patent
office in every
IAM survey
since 2010**

Quality in search and examination

4 400
examiners

High specialisation and intensive training of EPO examiners – 4 400 examiners working in **divisions of 3**.

Recruitment

977 examiners recruited since 2010
→ **of which 418 new posts**

2 year
training
programme

Two year training programme for newly recruited examiners

EPO **does not outsource** any of its core tasks – **unique amongst IP5 Offices**

no
outsource of
core tasks

World's largest database for patent searches (1 bn records)

1 bn
records

Access to **50 million** original patent **documents from Asia**

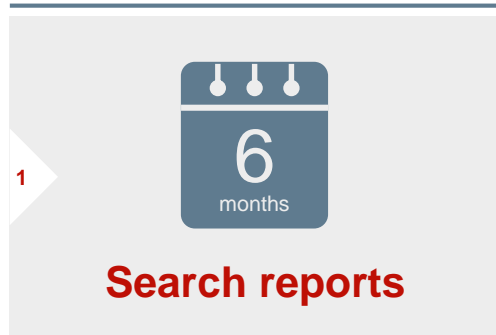
50
million
documents

State-of-the-art tools allowing **efficient access** by examiners (e.g. new Epoque)

efficient
access

Early Certainty: Speeding up our work processes

Know what's ahead



We deliver search reports within 6 months of receipt.

Actual Search timeliness
4.9 months

Reliable rights on time



We are reducing examination times to just 12 months on average by 2020.

Actual Examination timeliness
22.6 months

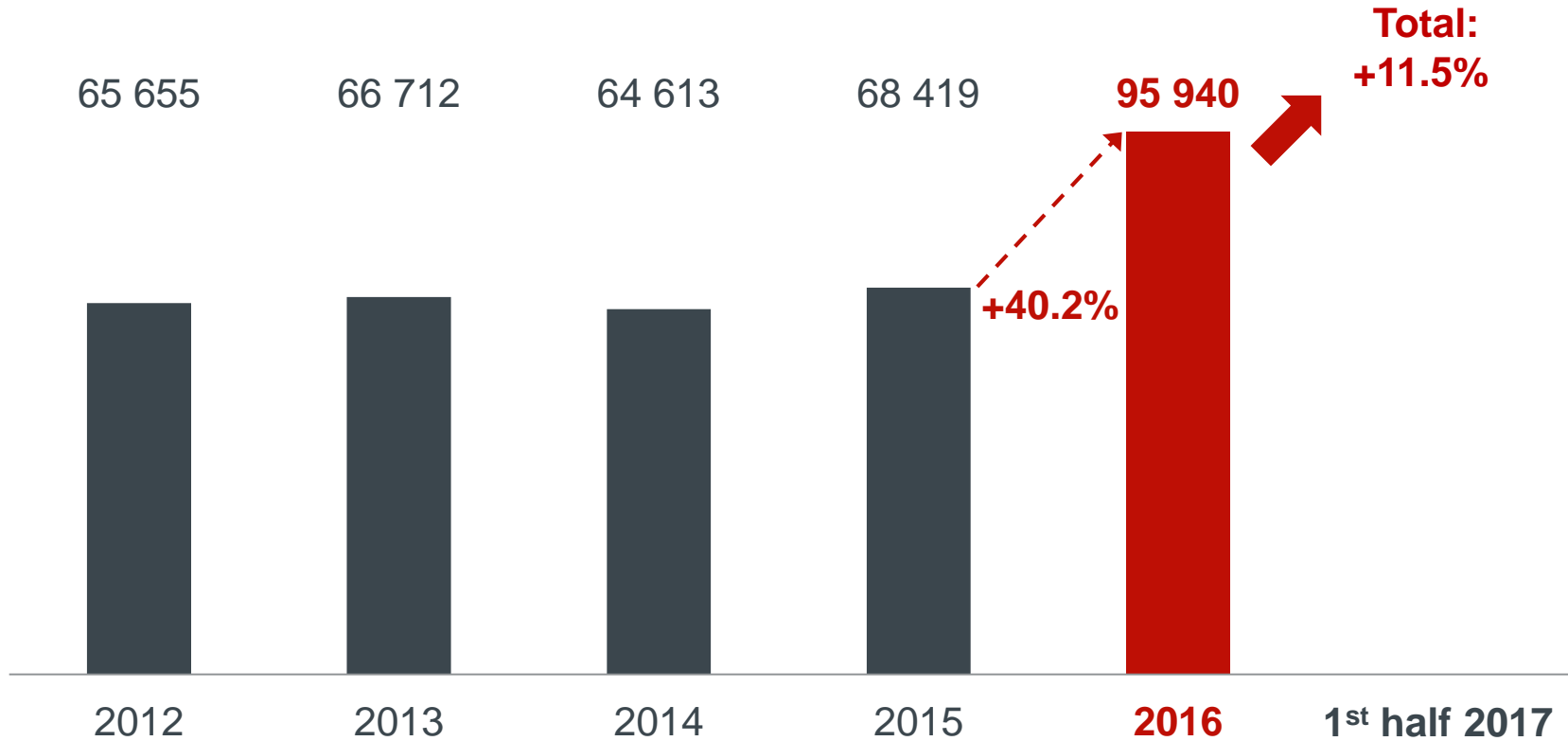
Challenges resolved faster



We aim to conclude oppositions to newly granted patents in just 15 months on average.

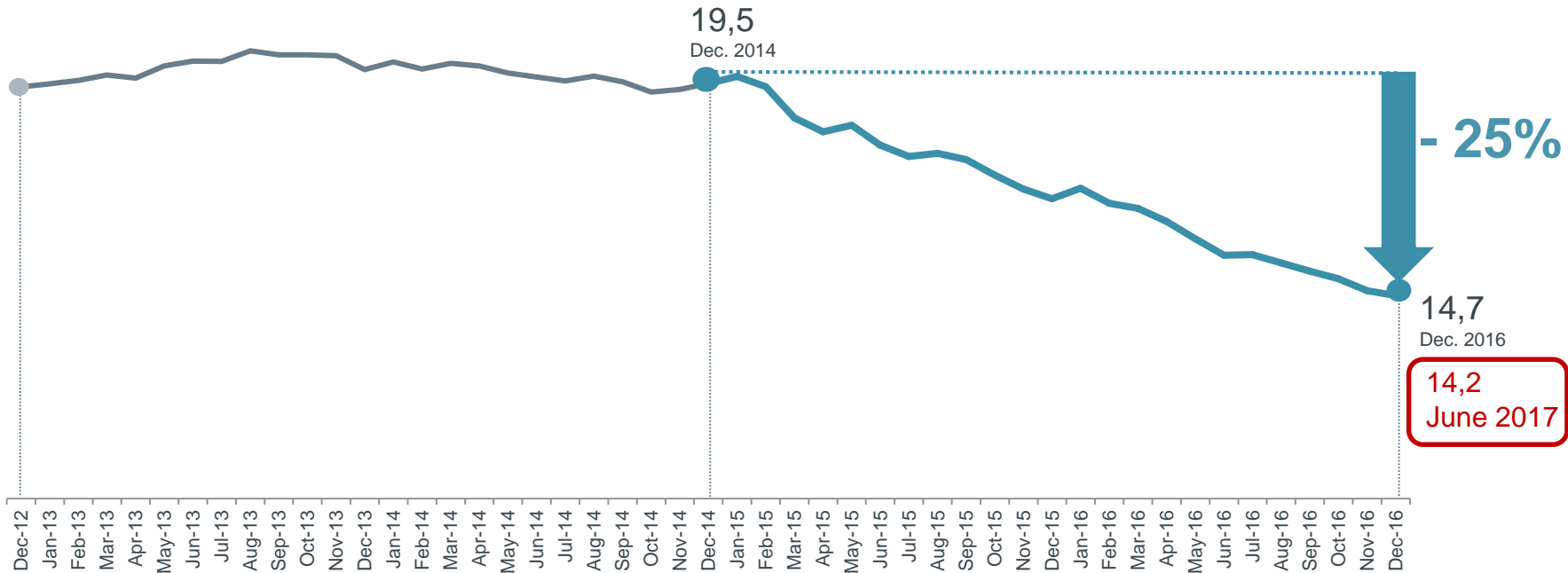
Actual duration of oppositions
23.7 months

Granted patents: an unprecedented surge



Stock has been reduced by 25% over the last two years

Stock in months of work has decreased



Better performance to tackle our challenges



+8.5%

PRODUCTION

Search, examination, opposition



Production increase

 **60%** due to productivity gains
 **40%** due to capacity increase

2016 = 396 000 products

+40%

GRANTED PATENTS

Published patents



2016 = 96 000 patents

-25%

REDUCING OUR STOCK

Search, examination, opposition



**Stock reduction in months of work
over 2 years**

-20%

REDUCING OUR COSTS

Unit cost



3rd consecutive year of falling unit cost

2016 = 80% of the unit cost of 2006

EPO exports high quality

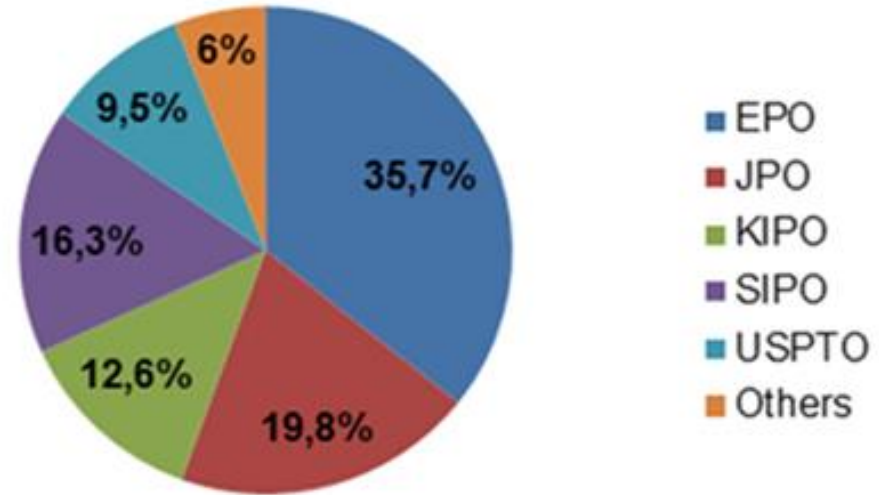
EPO ranks **1st in the world as PCT ISA and IPEA**

EPO is designated as ISA and IPEA by 143 PCT member states

≈ **80 000** International Search Reports (35,7%)

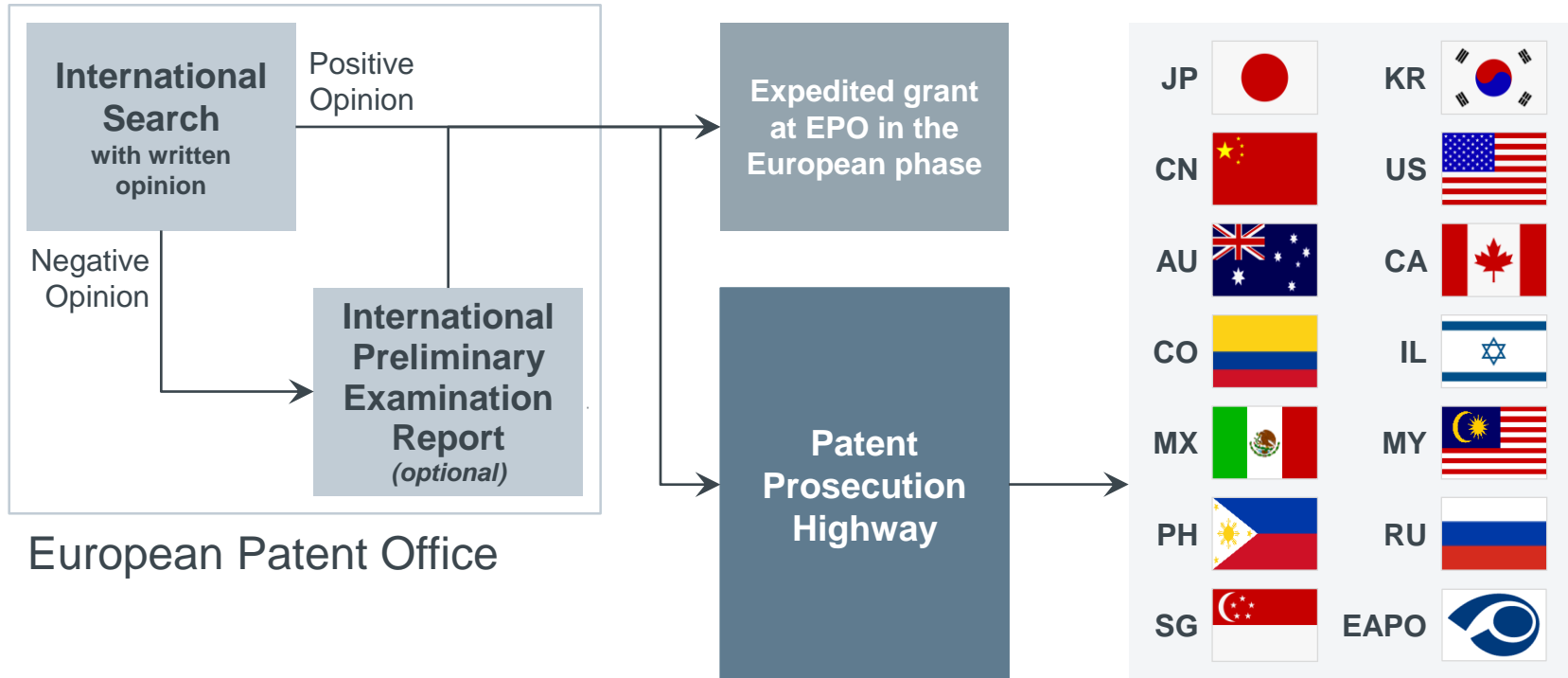
9 100 (63%) International Preliminary Examination Reports

EPO share on PCT markets



ISRs established in 2016 (%)

Patent Prosecution Highway (PPH) Exploiting EPO work products at partner Offices



The EPO's priorities & future outlook

Patent granting process:

- First priority: to continue delivering high quality / legally solid patents
- Implementation of the Quality and Efficiency Policy
- Moving towards a fully end-to-end digitalised “EPO 4.0”
- XML filing for increased efficiency

International co-operation:

- To harmonise the international patent system in close co-operation with other patent offices and the user community
- Validation agreements

Preparation for the Unitary Patent

Making XML the preferred filing route at the EPO

- The current filing systems work well: 95% online; predominantly in PDF
- But challenges and costs due to OCR conversion of the PDF and paper
- Proposal to adopt DocX format well received by users and other Offices
- Technical preparations for EP and PCT filings on track
- Fee incentives to promote XML filing
- Security assurance: “what you file, is what you get”
- Entry into force 1st April 2018

Status on progress of UP/UPC

- The EPO is ready to deliver the Unitary Patent.
- The Unified Patent Court could start operating in 2018.
- Full details from Margot Fröhlinger in Lunch Briefing 3 on 17th October

Conclusions

- ✓ EPO today: **a modern public agency** that proved capable of reforming itself while increasing efficiency and quality

- ✓ EPO is a **European success story** with a **global role**

- ✓ The European patent system will continue to expand and increase its **international influence**

- ✓ The EPO is ready for the **Unitary Patent**, a long awaited step in the natural evolution of the European Patent System



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attention!

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our booth and talk to
our experts!

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