EPO's Quality Management System

EPO: global quality leader in patent products and services
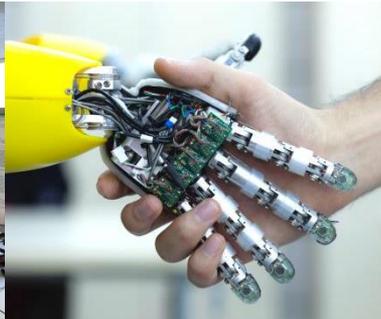
Our principles of quality and excellence

Commitment
Active involvement of the
EPO top management

Legal certainty
Granting patents with the highest
presumption of legal validity

Openness
Engaging with users

The EPO quality policy

Service
Reliable, efficient and effective
services for the benefit of users
and society

Informed decision making
Basing decisions on facts

Involvement
Empowering staff
and management

Continual improvement
Continually improving trainings,
tools, procedures and processes

Users' satisfaction with our core services increased

Legend: Search — Examination — Formalities

89%
83%
76%
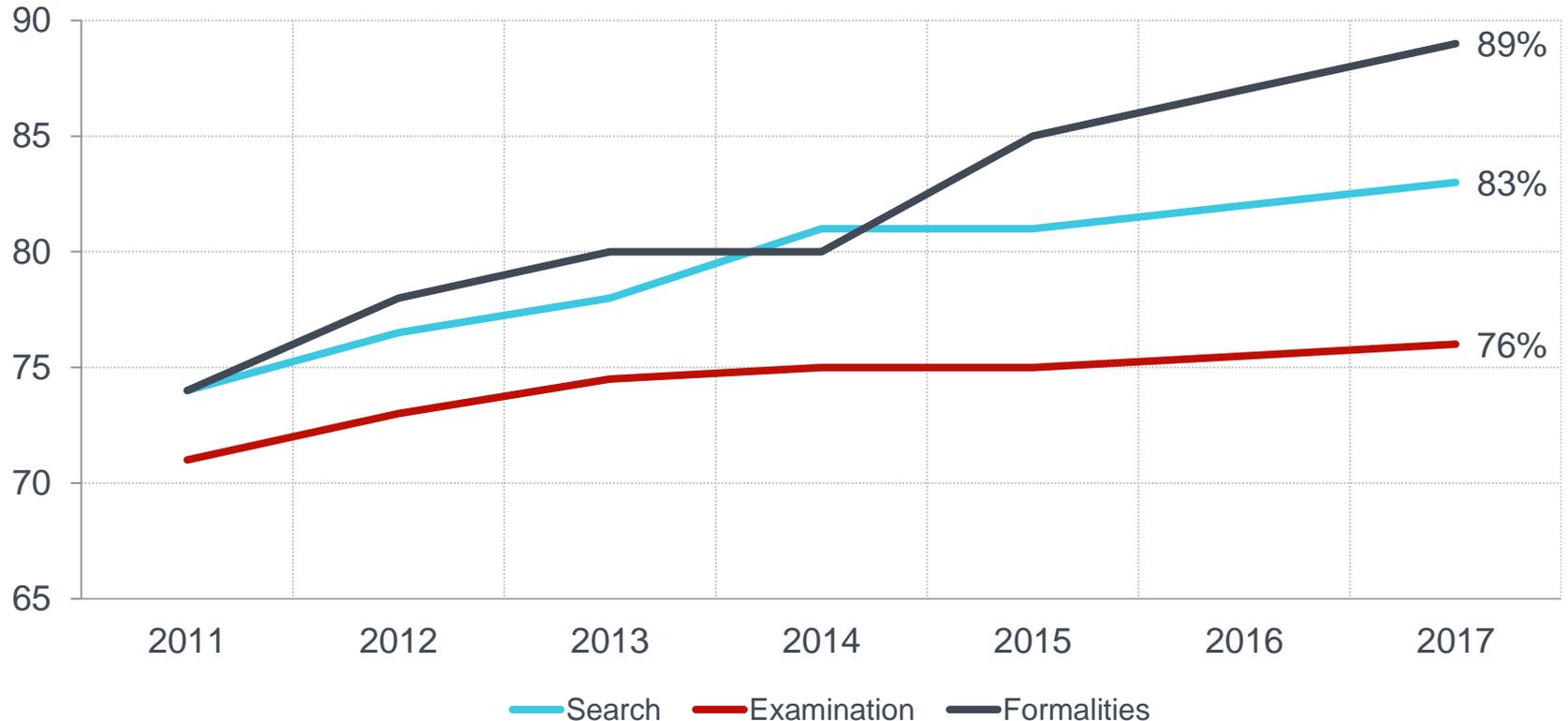
EPO's position as global leader in quality confirmed by 2018 survey of IAM Magazine

- EPO once more ranked n°1 for quality (consistent since 2010)

- Quality of patents granted by the EPO assessed as excellent/very good/good[1]:

  - 91% of the corporate respondents
  - 93% of the private practitioners

Methodology of IAM survey 2018

- **Frequency**: yearly

- **Sample size**: 900 respondents among IAM readers

- **Targeted groups**: IP professionals in senior positions:
  - Corporate professionals working in IP-owning businesses
  - Private practitioners

- **Geographic repartition of respondents**: Europe (38%), North America (31%), Asia (19%), Rest of the world (12%)

- **IP offices included in the survey**: JPO, KIPO, USPTO, SIPO and EPO

Our strategy to deliver consistent high quality

Recruiting experts and investing in them

Divisions of three examiners and consistent work methods

Largest prior-art databases in the world

Timely delivery of services

A transparent review mechanism of our decisions
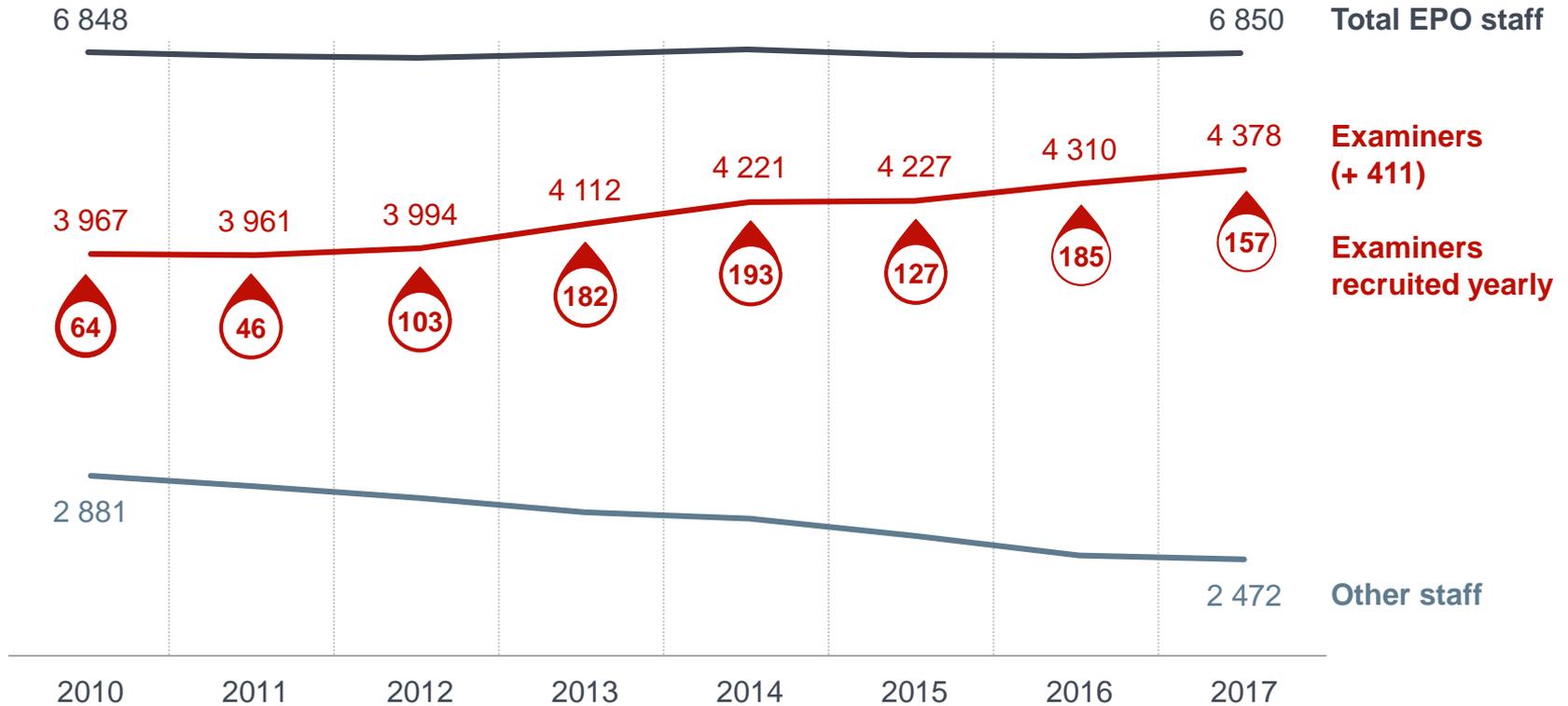
Certified Quality Management System

New agile structure mirroring latest technology trends

More service and lower costs for applicants

Continuous recruitment of examiners

6 848   6 850   **Total EPO staff**

                                                       4 378   **Examiners (+ 411)**

                   4 112   4 221   4 227   4 310

3 967   3 961   3 994   **Examiners recruited yearly**

   64   **46**   **103**   **182**   **193**   **127**   **185**   **157**

2 881   2 472   **Other staff**

| 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 |

No outsourcing of the core tasks of examiners

Applicants' files are not processed by third parties

Classification

Examination

Grant

Search

Core tasks of EPO examiners

Opposition

Highly qualified and continually trained examiners

Minimum requirements

- Master's degree in physics, chemistry, engineering or natural sciences
- Excellent knowledge of one official language (DE, EN, FR) and the ability to understand the other two
- In 2017 we received 15 000 job applications and hired only the best 1%

Continuous, career-long training on legal and procedural matters

- 45.5 days initial instructor-led, interactive, classroom training
- First two years: on the job coaching by experienced examiners supervising all activities
- In 2017, 94% of all DG1 staff received training
- Over 800 technical missions per year to stay in touch with applicants
- Low staff turnover of 3.4%

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Consistent methods involving three examiners per file (1)

One legal framework

- The European Patent Convention complemented by extensive, regularly updated guidelines for examinations

A division of three technically qualified examiners to search and examine a file

- One examiner carries out search and examination
- Agreement from other two examiners required before grant

Consistent methods involving three examiners per file (2)

Another division of three technically qualified examiners to conduct oppositions

- At least two of them must have not been involved in the grant proceedings for the patent

Mixed divisions for files related to several technical fields

- Ad-hoc examination divisions composed of examiners across several technical fields
- In 2017, about 10% of all decisions were taken by mixed divisions

An independent second instance for appeals

- The Boards of Appeal unit

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World's largest collection of documents

- Over 1.3 billion technical records of patent and non-patent literature
- Over 50 million patent documents of Asian origin
- Over 3 million standards-related documents

CPC[1] becoming the world standard for refined classification

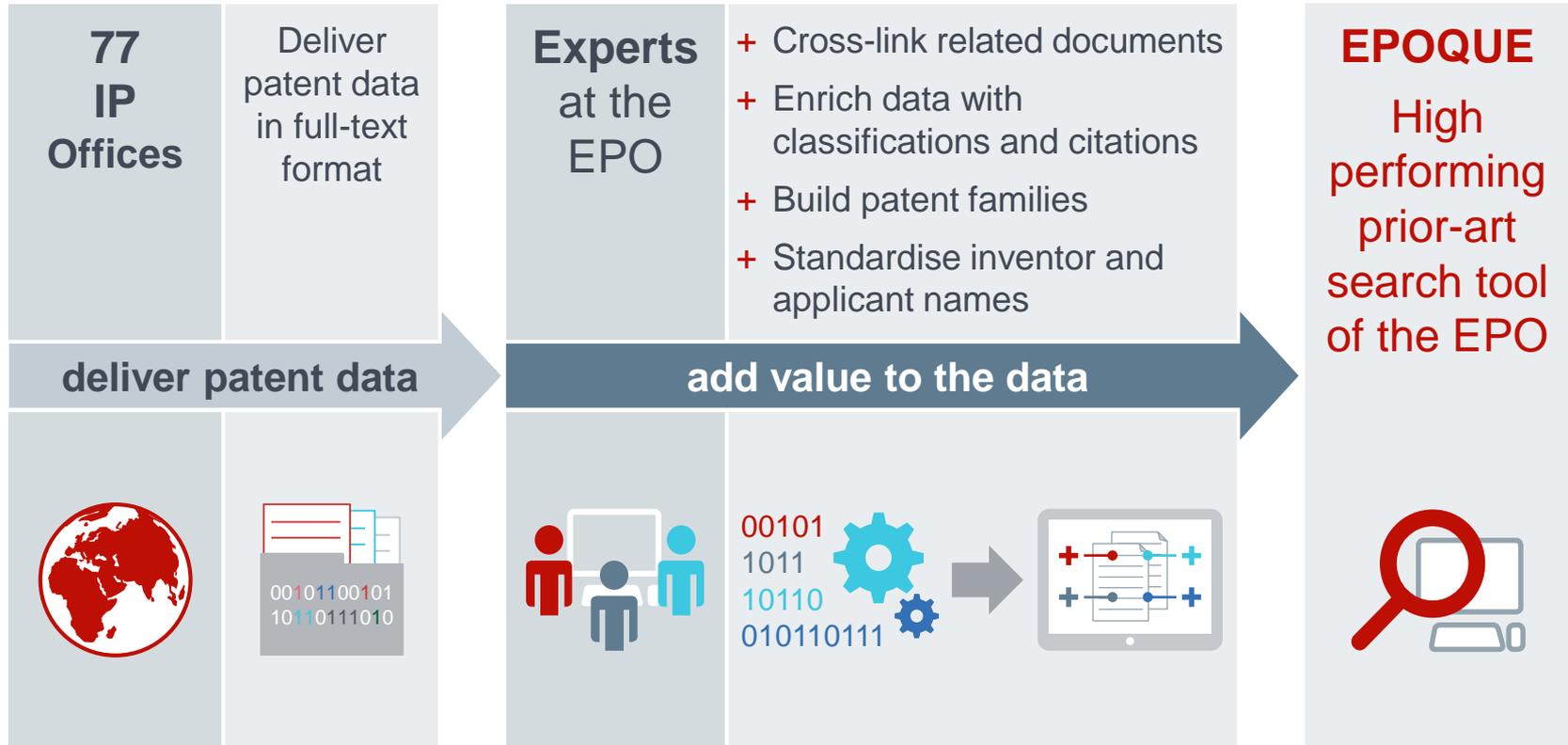EPOQUE search tool: a benchmark used by examiners worldwide

- In 48 patent offices, including Australia, Brazil and China

Machine translation from 31 languages into English

[1] Cooperative Patent Classification: classification system for patent documents jointly developed by the EPO and the US Patent and Trademark Office.

Optimisation and enrichment of EPO databases

77 IP Offices

Deliver patent data in full-text format

deliver patent data

Experts at the EPO

+ Cross-link related documents
+ Enrich data with classifications and citations
+ Build patent families
+ Standardise inventor and applicant names

add value to the data

EPOQUE

High performing prior-art search tool of the EPO

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High quality search and opinion as early as possible

Deliverables

- Search reports and thorough written opinions assessing the patentability of the invention
- Top-up searches at the start of substantive examination to source documents published after the initial search

Objectives

- Identify as early as possible the documents most relevant for subsequent prosecution
- Enable the applicant to assess the merits of the invention early on
- Get it right the first time!

Speeding up our work processes

Search reports	**Examination time**	**Opposition time**
Delivering search reports within **6 months** of receipt	Reducing examination times to just **12 months** on average by 2020	Completing oppositions in **15 months** on average, while ensuring the parties are heard

Actual Search timeliness: **4.8 months**

Objective	6.0
Actual	**4.8**

Actual Examination timeliness: **22.1 months**

Objective	12.0
Actual	**22.1**

Actual duration of oppositions: **22.4 months**
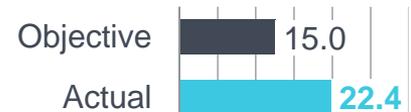
Objective	15.0
Actual	**22.4**

Source: EPO data – Quarter 4 2017.

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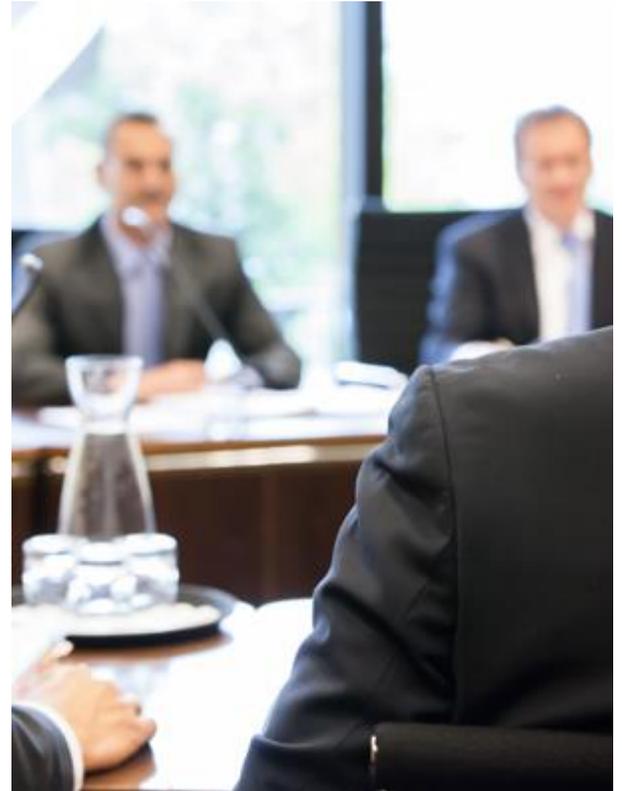
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A transparent review mechanism of our decisions

- Applicants have the right to be heard in oral proceedings (Article 116 EPC)

- Any third-party has the possibility to make observations (Article 115 EPC)

- Any person may file an opposition to an EPO's decision to grant or refuse a patent

- Applicants have the right to appeal an EPO decision (Article 106 EPC)

- The Boards of Appeal unit carries out an independent review at second instance

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Quality Management System certification

✓ **No nonconformities**

●———— **Patent process** ————●

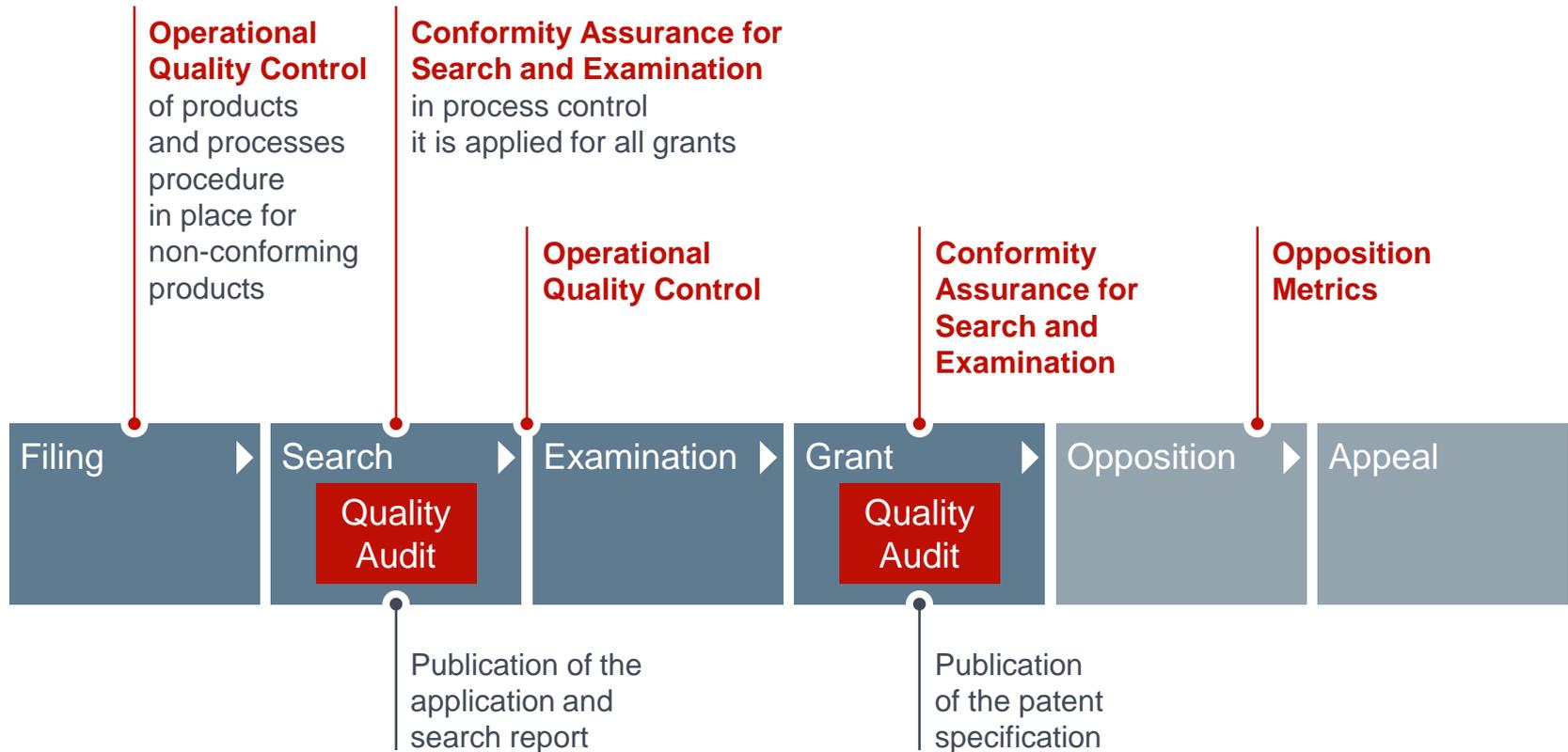| ISO 9001:2008 certification	➕ Scope expanded to include		ISO 9001:2015	
Patent granting process ▪ Search ▪ Examination ▪ Limitation/revocation ▪ Opposition ▪ Classification ▪ Supporting processes	**Patent information and post-grant activities** ▪ EP Publication ▪ EP Register and Bulletin ▪ Post-grant fee handling	Audit on preparatory work for UPP to integrate into the patent process[1]	**Recertification of the patent process** The scope of the QMS is the end-to-end patent process	**Surveillance audit of the patent process** Yearly audit to assess the continual improvement and maintenance of the QMS

2014　　**2015**　　**2016**　　**2017**　　**2018** ➤

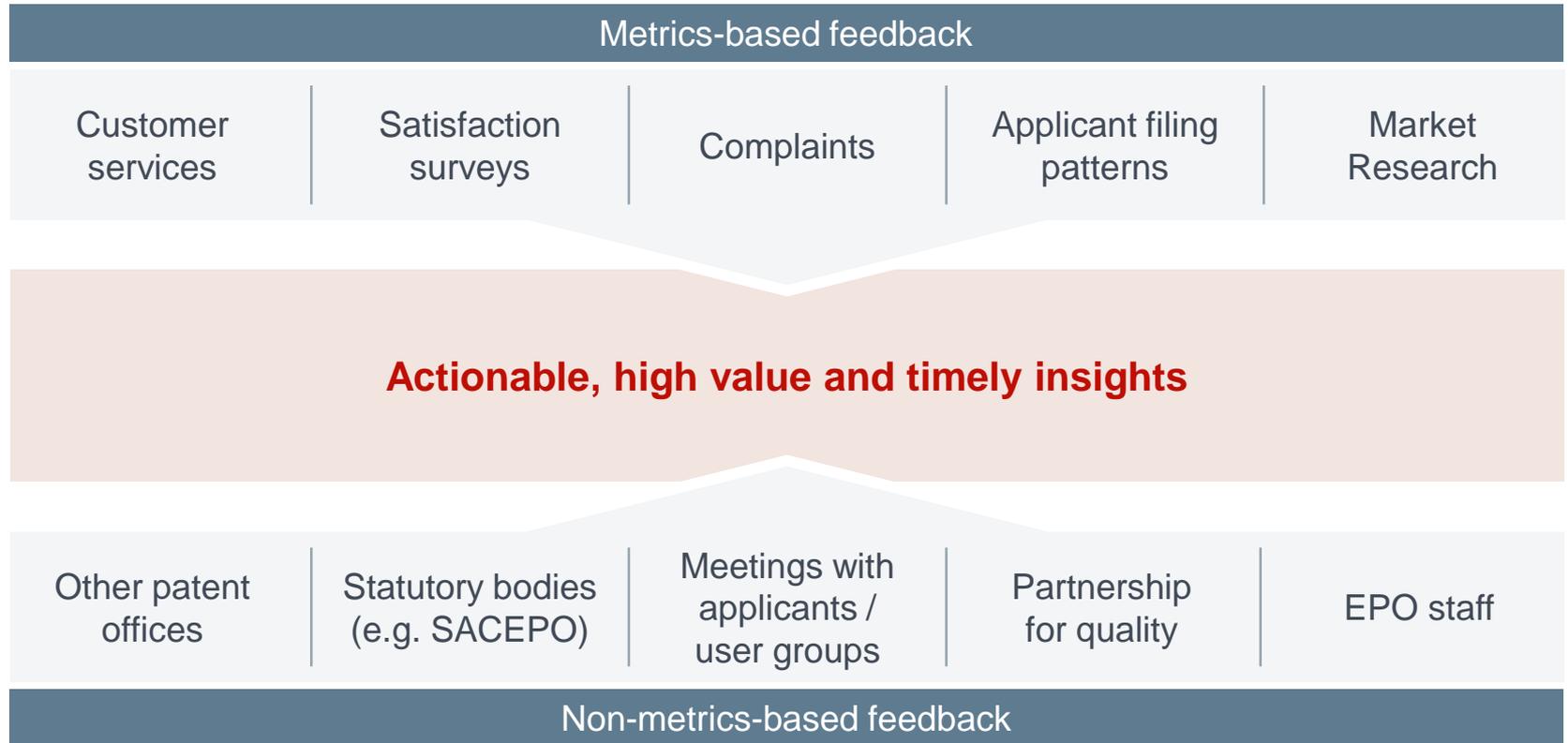[1] Ratification pending. Integration in the QMS after a period of operative implementation.

Quality assurance throughout the patent process

Operational Quality Control of products and processes procedure in place for non-conforming products

Conformity Assurance for Search and Examination in process control it is applied for all grants

Operational Quality Control

Conformity Assurance for Search and Examination

Opposition Metrics

Filing ▶	Search ▶	Examination ▶	Grant ▶	Opposition ▶	Appeal
	Quality Audit		Quality Audit		

Publication of the application and search report

Publication of the patent specification

User feedback: a core element of our QMS

Metrics-based feedback				
Customer services	Satisfaction surveys	Complaints	Applicant filing patterns	Market Research

Actionable, high value and timely insights

Other patent offices	Statutory bodies (e.g. SACEPO)	Meetings with applicants / user groups	Partnership for quality	EPO staff
Non-metrics-based feedback				

EPO user surveys: solid methodology

Ca. 5000 in-depth interviews annually to assess user satisfaction with our services

- Search and examination: ca.3 000 interviews
- Formalities: ca.1 500 interviews
- Opposition: about 400 interviews
- Interviews in six languages: EN, DE, FR, JP, CN, KR

Complementary specific satisfaction surveys

- i.e. dedicated surveys targeting Asian users

Implementation by a market research specialist: BERENT[1]

[1] BERENT is a member of ESOMAR (European Society for Opinion and Marketing Research) and BVM (Berufsverband Deutscher Marktforscher).

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Re-organisation of our patent process end-to-end (1)

Less fragmentation, leaner structure, higher agility

Three broad technical sectors to mirror latest technological trends:

- Mobility and Mechatronics
- Healthcare, Biotechnology and Chemistry
- Information and Communications Technology

One end-to-end process handled by integrated teams

- Formalities officers embedded in examiner teams, under one management

Re-organisation of our patent process end-to-end (2)

Higher efficiency in handling oppositions

- Opposition work concentrated amongst fewer expert examiners and formalities officers under a dedicated director

Strengthened management oversight and involvement

- Executive Operations Committee chaired by the President

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Additional services at lower costs for applicants

More service

- **Patent protection in up to 44 countries**
  38 member states, 2 extension states,
  4 validation states (Cambodia, R. of
  Moldova, Morocco, Tunisia)
- **Improved timeliness**
- **Accelerated examination**
  - at EPO via PACE and PPH
  - at 15 other offices via PPH agreements
- **Efficient processing:** PCT-Direct
- **Machine translation of patent documents:**
  Patent Translate
- **Free online access to over 100 million
  documents:** Espacenet

Reduced fees

- **EP fees** stable since **2010**
  (only slight inflation adjustment)
- **PCT fees** not increased since **2012**
  (not even for inflation)
- From 1.4.2018: **PCT fees reduced** by **5%**

Estimated saving for applicants
25 million Euro in 2018

Interacting with users, training and supporting them

Strengthening our user's understanding with internships

- ca. 100 EPO examiners on internships with patent attorneys in 2018 in Europe, the US, Japan, China and R. Korea

Sharing our expertise with users on events and training

- Patent drafting training to improve the quality of incoming applications
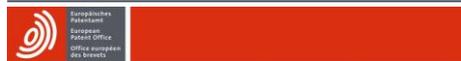- Informing on our patenting practices in key technology fields such as Artificial intelligence, Life sciences, Computer Implemented Inventions

Delivering direct support for our products and services

- EPO Account Managers dedicated to supporting our top 600 users

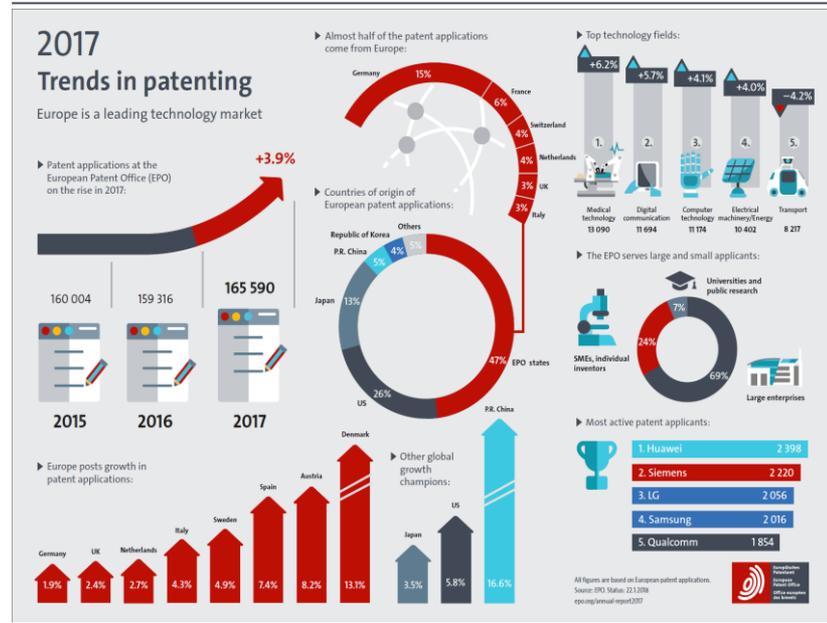# Read more on our quality deliverables

Quality Report
2017

epo.org/quality

Quality indicators are integrated in the
Annual Report

epo.org/annual-report2017

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