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Recognition of EPO search by many designated Offices

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Every ISR is accompanied by a written opinion on the patentability of the invention, and delivered within three months of receipt of the application at the EPO as ISA. The ISR and written opinion give a clear indication as to likely success or problems long before the PCT application is examined locally. This “national phase” is where costs multiply as the application proceeds in parallel in many countries and languages handled by numerous attorneys. Before committing to this expense, an EPO ISR is a key factor in assessing the value of your investment.

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All EPO searches – international, European or national (on behalf of certain national patent offices) – are global in scope and performed to the same high standard using the same tools. The databases of the EPO contain over 1.3 billion technical records with patents from over 100 countries, including 50 million from China, Japan and Korea, as well as extensive non-patent literature. Our 4,384 examiners are highly qualified scientists and engineers with years of experience in their specialist fields. They have state-of-the-art digital tools to support them, the world’s largest citations database, the most sophisticated classification systems and instant machine-translation tools. Consequently, the EPO search is truly global in its scope, with over 24% of all citations from the EPO usable to accelerate handling of your application.

Where the EPO has already performed the search (e.g. in connection with the European phase), the EPO search is truly global in its scope, and can provide a result in weeks. By contrast, searches conducted by other offices (e.g. in connection with the national phase) are often quickly outdated, with state-of-the-art digital tools to support them, the world’s largest citations database, the most sophisticated classification systems and instant machine-translation tools. Consequently, the EPO search is truly global in its scope, with over 24% of all citations from the EPO usable to accelerate handling of your application.

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Benefits for your business

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Thanks to closer working arrangements under the PCT Patent Prosecution Highway (PCT-PPH) scheme, any ISA and IPEA work performed when entering the European phase.

**Saving you money**

Having the right information in time to make proper strategic decisions about your patents around the world is itself priceless. But as a further incentive to applicants, the EPO reduces or refunds some fees in certain circumstances.

- The EPO has already performed the national search (Belgium, Cyprus, France, Greece, Italy, Luxembourg, Malta, the Netherlands, San Marino, Turkey) or an international-type search (e.g. Denmark, Norway or Switzerland), the international search fee is usually refunded.
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**Can you use the EPO as your ISA?**

Receiving Offices in 143 countries, including all EU member states, the USA, Japan, Russia, Brazil, India, Mexico, and South Africa allow you to choose the EPO as your ISA. See overleaf.

**Can you use the EPO as your IPEA?**

The EPO can be your IPEA if any of the following offices was your ISA: EPO, Nordic Patent Institute, Austrian, Finnish, Spanish or Swedish Patent Office, Turkish Patent and Trademark Office, Visegrad Patent Institute. More information on the PCT services of the EPO epo.org/pct

Top five ISAs (share of search reports issued)

- European Patent Office 34.4%
- Japan Patent Office 19.9%
- Korean IP Office 10.9%
- State IP Office of the People’s Republic of China 19.1%
- US Patent and Trademark Office 9.1%

Source: WHO 2017

**PCT Direct**

Where the EPO has already done a search in connection with the invention (either a European or a national priority application), the international application could be eligible for our PCT Direct service, which is available at any receiving Office that has selected the EPO as ISA. Any explanations the applicant provides regarding their improvements to the specification, aimed at overcoming objections raised in the earlier search report, are considered by the examiner in the written opinion.

**Search services for all**

Those applicants who do, or cannot, use the EPO as their ISA can still request a supplementary international search (SIS) from us. This will complement the information from the international search obtained elsewhere, and dispense with the need for a search when entering the European phase.

**EPO as International Preliminary Examination Authority (IPEA)**

With a positive International Search Report (ISR) and written opinion on patentability, you will be in a strong position to proceed directly to the national patent offices for local examination and possible grant. However, if the ISR and written opinion reveal major problems, there will be time to amend your application and have a second review by requesting an International Preliminary Examination Report (IPER). This can be of crucial value in predicting likely objections at national and regional offices. Additionally, a top-up search will be performed for any relevant citations emerging since the international search, and applicants can enter into dialogue with our expert examiners.

**World-class search tools and expertise**

The databases of the EPO contain over 1.3 billion technical records with patents from over 100 countries, including 50 million from China, Japan and Korea, as well as extensive non-patent literature. Our 4,384 examiners are highly qualified scientists and engineers with years of experience in their specialist fields. They have state-of-the-art digital tools to support them, the world’s largest citations database, the most sophisticated classification systems and instant machine-translation tools. Consequently, the EPO search is truly global in its scope, with over 24% of all citations from the EPO usable to accelerate handling of your application.

Choosing the EPO as your International Searching Authority (ISA)

Under the PCT, the ISA provides an International Search Report (ISR) that will be used by all the patent offices around the world which subsequently examine your application. The quality of that search therefore has far-reaching consequences for the fate of your future patents and ultimately your success. Most applicants are free to choose from 22 ISAs and yet a majority choose the EPO.

The Patent Cooperation Treaty (PCT) helps innovators secure protection around the world. More information on the PCT services of the EPO epo.org/pct