Quality matters

Automotive & Mobility Seminar
Chicago, 26-27 September 2018
Our strategy to deliver consistent high quality

Quality at the EPO

Our staff: ensuring quality services

High quality search reports

Timely delivery of services

More service and lower costs for applicants
Quality is enshrined in the European Patent Convention

Three-member examining divisions (Article 18 EPC)

Third-party observations (Article 115 EPC)

Applicants' right to be heard (Article 113 EPC)
  e.g. oral proceedings (Article 116 EPC)

Oppositions
  Three-member opposition divisions (Article 19 EPC)

The right to appeal EPO decisions (Article 106 EPC)
  The Boards of Appeal is an independent body
Quality and excellence - our seven Quality Principles:

**Commitment**
Active involvement of the EPO top management

**Legal certainty**
Granting patents with the highest presumption of legal validity

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

**Informed decision making**
Basing decisions on facts

**Openness**
Engaging with users

**Involvement**
Empowering staff and management

**Continual improvement**
Continually improving trainings, tools, procedures and processes
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

Publication of the
application and
search report

Publication of the
patent specification
# User feedback: a core element of our QMS

## Metrics-based feedback

<table>
<thead>
<tr>
<th>Customer services</th>
<th>Satisfaction surveys</th>
<th>Complaints</th>
<th>Applicant filing patterns</th>
<th>Market Research</th>
</tr>
</thead>
</table>

## Actionable, high value and timely insights

## Non-metrics-based feedback

<table>
<thead>
<tr>
<th>Other patent offices</th>
<th>Statutory bodies (e.g. SACEPO)</th>
<th>Meetings with applicants / user groups</th>
<th>Partnership for quality</th>
<th>EPO staff</th>
</tr>
</thead>
</table>

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European Patent Office
Users’ satisfaction with our core services increased

Source: EPO User satisfaction survey carried out every year
Sector MM – Results of the 2018 user satisfaction survey

Main indicators

### Satisfaction with search services - Comparison over time

<table>
<thead>
<tr>
<th>Year</th>
<th>Very Satisfied</th>
<th>Satisfied</th>
<th>Average</th>
<th>Dissatisfied</th>
<th>Very Dissatisfied</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>29</td>
<td>56</td>
<td>13</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>2015</td>
<td>27</td>
<td>55</td>
<td>14</td>
<td>3</td>
<td>1</td>
</tr>
</tbody>
</table>

### Satisfaction with examination services - Comparison over time

<table>
<thead>
<tr>
<th>Year</th>
<th>Very Satisfied</th>
<th>Satisfied</th>
<th>Average</th>
<th>Dissatisfied</th>
<th>Very Dissatisfied</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>20</td>
<td>59</td>
<td>16</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>2015</td>
<td>14</td>
<td>63</td>
<td>19</td>
<td>3</td>
<td>1</td>
</tr>
</tbody>
</table>
Sector MM – Results of the 2018 user satisfaction survey

Success stories

### Satisfaction with Asian documentation coverage - Comparison over time

<table>
<thead>
<tr>
<th>Year</th>
<th>Very Satisfied</th>
<th>Satisfied</th>
<th>Average</th>
<th>Dissatisfied</th>
<th>Very Dissatisfied</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>14</td>
<td>46</td>
<td>32</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>2015</td>
<td>8</td>
<td>39</td>
<td>42</td>
<td>10</td>
<td>1</td>
</tr>
</tbody>
</table>

### Satisfaction with accelerated examination under PACE - Comparison over time

<table>
<thead>
<tr>
<th>Year</th>
<th>Very Satisfied</th>
<th>Satisfied</th>
<th>Average</th>
<th>Dissatisfied</th>
<th>Very Dissatisfied</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>31</td>
<td>46</td>
<td>14</td>
<td>7</td>
<td>2</td>
</tr>
<tr>
<td>2015</td>
<td>17</td>
<td>30</td>
<td>20</td>
<td>20</td>
<td>12</td>
</tr>
</tbody>
</table>
QMS certification in line with ISO 9001 developments

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 process¹

Recertification of the patent process
The scope of the QMS is the end-to-end patent process

2014 | 2015 | 2016 | 2017

¹ Ratification pending. Integration in the QMS after a period of operative implementation.
Our strategy to deliver consistent high quality

- Quality at the EPO
- Our staff: ensuring quality services
- High quality search reports
- Timely delivery of services
- More service and lower costs for applicants
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 some sort of training
- Over 800 technical missions per year to stay in touch with applicants
- Very low staff turnover of 3.4%
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
No outsourcing of the core tasks of examiners

Applicants files are not processed by third parties

Core tasks of EPO examiners
"Get it right first time"

- EPO searches are as complete and thorough as possible and subsequent examination is based on findings. This means that applicants can rely on EPO searches as decision-making tools.
- In the examination phase, the same examiner who carried out the search will perform the substantive examination. This guarantees consistency of approach.
"Get it right first time" and PCT

If the EPO performed a search during the PCT phase (international search report or supplementary international search report):

- There will be no European search performed ...
- and no European search fee (saving approx. EUR 1 300).
- On entering the European regional phase, the application will proceed immediately to the EPO's examination phase (saving time).
- The same examiner who performed the PCT search will be responsible for the examination at the EPO.
Our strategy to deliver consistent high quality

- Quality at the EPO
- Our staff: ensuring quality services
- **High quality search reports**
- Timely delivery of services
- More service and lower costs for applicants
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!
Largest prior-art databases in the world

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 ICT 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

\(^1\) Classification system for patent documents jointly developed by the EPO and the US Patent and Trademark Office.
## EPO Asian prior art citations

<table>
<thead>
<tr>
<th>Asian origin</th>
<th>Asian only</th>
</tr>
</thead>
<tbody>
<tr>
<td>48% of EPO search reports contain at least one citation of Asian origin (in an Asian or EPO</td>
<td>23% of EPO search reports contain at least one Asian citation which has no other family member:</td>
</tr>
<tr>
<td>language):</td>
<td></td>
</tr>
<tr>
<td>➔ 25% of EPO search report citations are of Asian origin.</td>
<td>➔ 10% of all EPO patent citations are Asian, with no other family member.</td>
</tr>
</tbody>
</table>
Asian prior art in EPO search reports

Number of Asian-origin patent citations

- 2012: 140,000
- 2013: 150,000
- 2014: 160,000
- 2015: 180,000
- 2016: 200,000
- 2017: 210,000
Standards documentation at the EPO

Number of documents in EPO SDO databases 2013-2017

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Documents</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>3.2 million</td>
</tr>
<tr>
<td>2016</td>
<td>2.9 million</td>
</tr>
<tr>
<td>2015</td>
<td>2.6 million</td>
</tr>
<tr>
<td>2014</td>
<td>2.2 million</td>
</tr>
<tr>
<td>2013</td>
<td>1.9 million</td>
</tr>
</tbody>
</table>

- **Largest collection** of any patent office **worldwide**.
- The EPO is the only patent office which cites **draft versions** of standards documents.

Citation of standards documents

Number of SDO citations in EPO search reports 2013-2017

<table>
<thead>
<tr>
<th>Year</th>
<th>Citations</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>22 256</td>
</tr>
<tr>
<td>2016</td>
<td>19 853</td>
</tr>
<tr>
<td>2015</td>
<td>19 160</td>
</tr>
<tr>
<td>2014</td>
<td>15 066</td>
</tr>
<tr>
<td>2013</td>
<td>14 197</td>
</tr>
</tbody>
</table>

- In key technology fields, such as video coding and compression (H04N19), up to 73% of EPO search reports contain standards documents citations.

European Patent Office
Our strategy to deliver consistent high quality

- Quality at the EPO
- Our staff: ensuring quality services
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- More service and lower costs for applicants
Timeliness, an integral part of quality

Search reports
Delivering search reports within **6 months** of receipt

Examination time
Reducing examination times to just **12 months** on average by 2020

Opposition time
Completing oppositions in **15 months** on average by 2020

2018 Goal for Search timeliness: **6.0 months**

<table>
<thead>
<tr>
<th>Year</th>
<th>2018 Aug</th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Search time</td>
<td>4.5</td>
<td>4.8</td>
<td>5.1</td>
</tr>
</tbody>
</table>

2018 Goal for Examination timeliness: **20.0 months**

<table>
<thead>
<tr>
<th>Year</th>
<th>2018 Aug</th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Examination time</td>
<td>22.4</td>
<td>22.1</td>
<td>23.3</td>
</tr>
</tbody>
</table>

2018 Goal for duration of Oppositions: **20.0 months**

<table>
<thead>
<tr>
<th>Year</th>
<th>2018 Aug</th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opposition time</td>
<td>19.6</td>
<td>22.4</td>
<td>24.8</td>
</tr>
</tbody>
</table>

Source: EPO data – Quarter 1 2018.
PACE: No fee, no justification, no publication

- The EPO will do its utmost to deliver an action within three months of request.
- Accelerated examination can only be requested once. An application permanently loses PACE if the applicant:
  - withdraws the acceleration request
  - requests an extension of time limits

PACE timeliness for sending a communication in examination or a patent grant in months

<table>
<thead>
<tr>
<th>Year</th>
<th>Timeliness</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
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<tr>
<td>2016</td>
<td>3.1</td>
</tr>
<tr>
<td>2015</td>
<td>3.4</td>
</tr>
</tbody>
</table>

Our strategy to deliver consistent high quality

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- More service and lower costs for applicants
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
- 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)
- As of April 2018: PCT fees reduced by 5%

Estimated saving for applicants
25 million Euro in 2018
Read more on our quality deliverables

Quality Report
2017

Quality indicators are integrated in the
Annual Report

epo.org/quality

epo.org/annual-report2017
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