



Institut der beim Europäischen Patentamt zugelassenen Vertreter
Institute of Professional Representatives before the European Patent Office
Institut des mandataires agréés près l'Office européen des brevets

Ausschuss für EPA Finanzen
Committee on EPO Finances
Commission des Finances de l'OEB

Key information

for

EPO-Finances Committee

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EPO Finances Committee

We look at whether the EPO is providing value for money.

This document provides guidance to the [Terms of Reference](#), the structure and the roles and functions within the EPO Finances Committee.

The document also reflects some relevant articles of the **epi** By-Laws relating to the other committees.

The work of the EPO Finances Committee is supported by the **epi** Secretariat with its legal advisors.

I Terms of Reference of the EPO Finances Committee

The Committee's Terms of Reference are to keep under review the information available, from the EPO or otherwise, concerning all aspects of the financial affairs and forward planning of the EPO having relevance for the levels of official fees charged to the applicant.

The concern of the Committee is not just the absolute level of fees: but also whether the users of the EPO get value for money. This involves looking to the Annual Report and other documents relating to the EPO's costs, staffing, financial obligations, performance, and levels of demand.

In practice, the committee also considers matters such as means of payment of fees (overlap with EPPC/OCC) and on rare occasions the effect of PCT fees and practice on EPO performance.

Assessment of performance may also overlap with the Quality subcommittee of EPPC.

The committee's primary role is to advise the Presidium, Board, and Council with information

II Roles and Functions within the EPO Finances Committee

II.A Members

An interest in value for money is the minimum requirement. A familiarity with financial documents is helpful.

Committee Members - full members, substitutes members (if appropriate) and associate members (if appointed) - are expected to actively and constructively engage in the work of the Committee.

Full members of Committee shall:



- actively contribute to the work of the Committee and in particular take part in Committee meetings and have the full right to file motions concerning subject matter relevant to the Committee;
- inform the(ir) substitute(s) and arrange for substitution in case they are unable to actively participate;
- take part in votes and elections in the Committee;
- be eligible for election as Chair or as other officer in the Committee.

(By-Laws, Art. 18B.4)

Substitute members of Committee shall:

- actively participate in the work of the Committee and in particular substitute the full Committee members unable to take part in a Committee meeting;
- receive the same documents as the full members;
- have the right to submit relevant proposals and remarks to the Committee;
- have the right to attend the meetings of the Committee at their own costs and to make observations;
- have all the rights of a full member when substituting that full member according to Article 18B.4b), except that of being elected as Chair, Secretary or their deputies.

(By-Laws, Art.18B.5)

Associate members of Committee shall:

- receive the same documents as the full members;
- have the right to submit relevant proposals and remarks to the Committee. However, they shall not have the right to attend the Committee meetings even at their own cost, except if invited according to Art. 18B.3b).

(By-Laws, Art.18B.6)

The work of the committee is driven mostly by preparing for meetings of the Budget and Finance Committee of the EPO which ordinarily has two meetings a year in May and October. Most documents come out during the month preceding each meeting. Some of the documents are large and so the work can be intense.

Occasionally consultations or proposed policy changes require discussion in committee. This can require rapid analysis for the Board and (if requested by the President) sending representatives to any consultation meetings.



II.B Committee Officers

The outgoing Committee Chair of Committee shall organize an online meeting of their Committee to elect the officers of the Committee, said meeting shall take place as soon as possible after the validation of the election of the Committee by the Council during the Autumn Council meeting of the election year.

At least two weeks before said meeting the Secretariat shall issue to the elected Committee members a call for candidates for the officers of the Committee.

At said meeting, each Committee shall elect its Chair and may elect or appoint additional officers, such as a Secretary and deputies, from among its members.

Committee shall inform the Secretary General of the names of the members elected or appointed as officers.

No member of the Institute shall be the Chair of the same Committee for more than a total of three consecutive terms, unless at said meeting there is no candidate to become the Chair. If this is the case the outgoing Chair continues as Chair of the Committee until the next meeting of Council. The outgoing Chair shall inform the Secretary General of this fact. At the next meeting of Council, the Board shall present a proposal for electing a Chair of the Committee, which may be to allow the outgoing Chair to be the Chair of the Committee for the remainder of the term of the Committee.

(By-Laws Art. 18.3 and Art. 18.4)

The latest report and presentation templates, **epi** background for Videoconference meetings and PowerPoint template for presentations (**to be used while representing the Committee**), are available on the **epi** website within the [Officers Area](#).

II.B.1 Chair

The Chair has the overall responsibility of the Committee and its work. Furthermore, the Chair:

- represent the Committee in the Institute;
- Chair the Committee's meetings; attend any Council meeting when invited;
- call meetings of the Committee and Sub-Committees or Working Groups constituted inside the Committee;
- draw up the provisional agenda for each meeting and ensure that the necessary documents are made available to all members of the Committee;
- ensure that reports of the activity of the Committee are submitted regularly to Council (at least twice a year) and to all members of the Institute (via the website and in particular epi Information and the annual report);



- propose delegates from among the members of the Committee for nomination by the President to represent the Institute at meetings where questions related to the Committee terms of reference are expected to be discussed;
- may delegate their competences in the interest of the Institute and the Committee to a member of the Committee, and shall ensure that such a delegation is in place in the event of being unable to carry out their duties.

(By-Laws, Art.18.6)

Further the Chair shall

- decide on the number of associate members within the Committee. They shall inform the Secretary General of their decision;
- invite substitutes, associates or third parties to meetings of the Committee and Sub-Committees constituted inside the Committee, without the invitee having a vote. In this case, the Chair shall contact the Treasurer and seek reimbursement of expenses when they deem it necessary to ensure the attendance of substitutes, associates or third parties which he believes useful for the work of the Committee;
- ensure that the proposals and re-marks submitted by the substitutes and associate Committee members are taken into account by the Committee;

(By-Laws, Art.18B.3)

Additionally, the Chair provides the Treasurer with the following information:

- the estimated number of meetings in the next accounting year;
- the date, duration and place of intended meetings;
- the names of the meeting attendees and the duration of their attendance at the meetings.

(By-Laws, Art.18.1)

II.B.2 Vice-Chair

The Vice-Chair supports the Chair in their tasks and steps in for the Chair when needed or when the latter is unavailable.

II.B.3 Secretary

The Secretary supports the Chair and the Vice-Chair. Further, the Secretary prepares meeting agendas in cooperation with the Chair and Vice-Chair. The Secretary is also responsible for

- taking minutes, recording action and decision items of meetings, and



- managing Committee internal communications and scheduling.

II.B.5 Communication Coordinator

The Communication Coordinator is the Committee's contact person for communication purposes with the **epi** Secretariat. Responsibilities include (but are not limited to) receiving reminders from **epi** Secretariat and coordinating Committee's contribution to the Newsflash and the biweekly **epi** Newsletter especially when significant topics related to the Committee's work need to be promptly and efficiently communicated to **epi** members.

Additionally, the Coordinator oversees the preparation and delivery to the **epi** Secretariat of reports for the quarterly **epi** Information and annual contribution to the **epi** Annual Report, which provides a yearly overview of the Committee's activities.

While content creation is not the direct responsibility of the Communication Coordinator, they are required to coordinate submissions and ensure that all contributions are approved by the Committee Chair.

Furthermore, the Communication Coordinator is tasked to actively raise the awareness of the Committee's work via channels available on the various platforms, via e.g. the biweekly **epi** Podcast or **epi** Newsletter, and **epi** Information. The publication of content provided by the Communication Coordinators is managed by the members of the **epi** Secretariat.

II.B.6. Annual overview of the Committee's communication activities

An up-to-date overview of Committee-relevant deadlines for communication and information purposes is available on the [epi website](#).

II.D Meetings

Committee meetings are normally remote to allow full participation by substitutes and associates, however, the Committee may have one in-person meeting per year (as foreseen in the budget).

Full members have the right to participate at in-person Committee meetings with costs reimbursed as outlined in **epi** Guidelines for Reimbursement.

As mentioned above, substitute members have the right to attend in-person Committee meetings at their own costs. However, if a substitute member substitutes a full member during the in-person Committee meeting, they have all rights of a full member including the right to be reimbursed, except right of being elected as a Committee Officer.



As mentioned above, associate members do not have the right to attend meetings, even at their own costs, except if invited by the Chair.

Further detailed information on reimbursement may be found in **epi** Guidelines for Reimbursement available in the Council Decisions (CoD) 5.4.1 and 5.4.3. In case of questions or doubts please contact **epi** Secretariat prior incurring the expenses.

Committees are encouraged to hold in-person meetings in the **epi** Secretariat premise, considering the room's capacity of approximately 30 people.

II.E Legal advisors

The Legal Advisors at the **epi** Secretariat (legaladvisor@patentepi.org) provide legal advice to the Committee, conduct legal research on matters related to the Committee's remit, and inform the Committee of relevant developments in patent law and related regulations as appropriate. In addition, Legal Advisors support the Committee by ensuring legal consistency and coherence of draft documents, reports and proposals, and by identifying potential legal implications arising from the Committee's activities.

Legal Advisors may also provide assistance in the preparation of reports and other written outputs, such as position papers and amicus curiae briefs, including by advising on structure, legal references and alignment with existing **epi** positions, but do not influence substantive decisions or views.

II.F Committees Support

The **epi** Committees Support (committees-support@patentepi.org) provides comprehensive administrative assistance to the Committees.

The **epi** Committees Support take care of meeting organisation (e.g. doodle polls, invitations, registration, accommodation, reimbursement forms, Zoom-meetings, support during meetings, etc.).

Communications, including email distribution to external recipients, are conducted through the Committees Support in accordance with the applicable data protection policies.

epi Committees Support also set up and administrate any **epi** website Forum channels both within a committee and across committees in case the cross committees cooperation is desired.

Important information for Committee members, are available on the [welcome page](#) which summarises helpful information about features and benefits of the Institute and provides guidance how to use the tools on **epi** website.

To facilitate the work of the Committees Support, Committee members are strongly encouraged that deadlines be maintained, e.g. including registration for meetings, submission of claims for reimbursement after meetings, and follow-up on actions assigned to the members. **Cooperation and timely information are highly appreciated.**

The Committee Support team remains available to provide further assistance upon request.



III Nomination and Elections

Any **epi** member can nominate themselves to be elected for other **epi** Committees under the conditions outlined in the Rules for Committee elections (CoD 3.3.4) and respective Terms of Reference.

Elections of Committees according to Art. 18B By-Laws at the end of the term of such Committees (General Committee elections) are carried out by an internet-based election procedure and are subject to validation by the Council at the autumn Council meeting of each election year.

Nominations for General elections and By-elections are also carried out by an internet-based nomination procedure via the **epi** website.

Further information concerning the nomination and elections can be found in the Collection of Decision. (CoD 3.3.4).

The **epi** Council elects the members of Committees for a three-year term.

By-elections for vacant seats are conducted at every other Council meeting during a running term. The nomination phase is open at the latest six weeks before the Council meeting.

IV Cooperation with other epi Committees

The committee also considers matters such as:-

- means of payment of fees (overlap with EPPC/OCC)
- quantifying performance of the EPO (overlap with the Quality subcommittee of EPPC)
- rule changes relating to fees (co-operation with EPPC)

co-operation is on an ad hoc basis but whenever an overlap is identified the chairs collaborate to determine who should lead on a given issue.

V epi online appearance

The **epi** [website](#) contains a wealth of relevant information as well as useful features for collaboration and communication with the membership and the various bodies of the Institute.

As a member of our organisation – the Institute of Professional Representatives before the European Patent Office, **epi** offers you many advantages.

A summary of helpful features can be found on the [welcome guide](#) website.

The [forum](#) on the **epi** website offers the possibility to communicate in a restricted area for the **epi** members.



Individual channels for specific groups (within the Committee) can be created upon request of the Chair. Members of assigned channels get automatic notifications which guarantee smooth communication. An overview of all current subscriptions can be found under [My Account](#) after login. These notifications can be deactivated at any time.

This section shows in addition all personal information such as the member data as stored in our system, the overview of all events in which the member has taken part and all invoices for the annual subscription which have been issued to the member.

The [library](#) provides a range of documents relevant to the respective committee, which can only be accessed via the website in accordance with the assigned access rights.

In addition, members can send [private messages](#) via the **epi** website after login to contact other **epi** members directly by using the name search feature without knowing their personal contact details such as email addresses or phone numbers.

epi publishes a quarterly journal "[epi Information](#)". Its primary objective is to inform members of **epi**'s current activities. Reports of Council meetings and major reports from Committees are included. In addition, the journal encourages members to use its pages for an exchange of information and professional experience. The electronic version of the journal is available in a designated section of the website. In addition to the online version, a pdf version for download is available.

The [epi learning platform](#) provides **epi** members and **epi** students with access to online training courses, educational resources, and selected materials from **epi** events.

In case you have any questions or need support please do not hesitate to contact **epi** Secretariat via info@patentepi.org we will be happy to help you.

VII Commitment to confidentiality and data protection

In the performance of their duties during their term of office, a Committee member shall not process personal data in an unauthorised or unlawful manner, nor intentionally or unintentionally breach the security of processing in a way that results in the destruction, loss, alteration, unauthorised disclosure of, or unauthorised access to, such data.

A Committee member shall take all necessary care to protect personal data within the scope of the tasks assigned.