

Report of the Committee on EPO Finances

J. Boff (GB), Chair

Since the 89th Council Meeting the Committee has been considering the paper CA/F27/20 (mentioned briefly in the Report to the 89th Council Meeting).

CA/F27/20 mentions the possibility of structural reforms to fees and is concerned about:

- Sustainability of the EPO
- Increasing revenue for the EPO (which is not the same as increasing fees)
- Efficiency of the EPO

Some principles/aims of CA/F27/20 are:

- Simplification of the fee structure
- Steering applicant behaviour through fee incentives/disincentives
- Aligning the structure of Euro-direct and (Euro-)PCT fees
- Improving the cost coverage of certain products and services
- Support for certain categories of applicants

While without any proposal from the Office as yet, the Committee have prepared a non-paper for discussion with the Office, with a view to ascertaining which, if any, align with the aims of the Office and offer potential improvements in practice (which can be found on the **epi** website <https://patentepi.org/r/info-2102-01>).



Jim Boff

Report of the Online Communications Committee

J. Gray (GB), Chair

Alert

At the time of writing, the EPO has just informed **epi** that the online filing system **CMS will be decommissioned at the end of 2021**. Users of CMS have just 8 months to complete their switch to the new Online Filing 2.0. (www.epo.org/applying/online-services/online-filing-20.html)

The other established online filing system e-OLF is not affected.

Members with concerns should please contact their EPO account managers, and copy **epi** Online Communications Committee at OCC@patentepi.org.

1. Introduction

OCC in its new composition continues the work detailed in my report to C89. Almost all of the existing OCC members stood and were re-elected to OCC for 2020-2023. I am pleased to have support of the Vice-chair David Brophy and Secretary Yannick Biron for the new session. Also I was pleased to invite the candidates who were not elected to the committee to serve as associate members, and they have made good contributions already.

OCC members and associates remain active in a number of collaborations with the EPO and other bodies in **epi**: I and other members participate in TOSC working groups on "Front Office" and "Search"; **epi** Board meetings; **epi** meetings with EPO President & Boards of Appeal;

e-EQE development; SACEPO working groups on Electronic Patent Process (eSACEPO) and Patent Documentation and Information (PDI); liaison with WIPO (ePCT, WIPO Proof); “New User Area” focus groups, etc., etc..

Links with non-**epi** user groups also prove beneficial, for example preparing to make the most of the eSACEPO.

The report of the eSACEPO meeting includes updates on most of the live topics and I will not repeat them in this report.

2. eSACEPO – SACEPO Working Group on the Electronic Patent Process

An online meeting of eSACEPO was held on 10 March 2021, with several members of OCC among the **epi** members appointed for the term 2021-2023 (Yannick Biron (OCC) and Marjut Honkasalo (EPPC) are nominated by **epi**; John Gray, David Brophy and Catherine Ménès among others are appointed by EPO “*ad personam*”). The membership of SACEPO and working groups has been radically altered and now includes participants from industry and private practice in China, Japan, Korea and USA, as well as representatives from **epi** and European business organisations.

The agenda covered the following topics, most of which had slide presentations which are available for anyone interested:

- EPO Strategic Plan – Update
- Oral proceedings in examination and opposition by VICO
- New Online User Engagement programme
- Online filing 2.0
- IT cooperation projects
- E-business Patent Grant Process
- Central service for fee payments – Update and further steps
- Outages & legal certainty under Rule 134 EPC
- Patent Information systems (Register, Espacenet) (see slides TOP 10)
- User Enquiries & Intelligence (see slides TOP 11)

It may be noted that those overseas professionals are sometimes direct users of EPO services in the international phase of PCT applications, so their participation is not completely illogical. However the “demotion” of representatives from the major national professional bodies in Europe was notable in contrast. For example, several persons from Japan could attend, while I personally am the only member in the new session who is based in the UK. In the end, the participation by the Asian colleagues was limited but constructive, but the timing of the event has to be extended to accommodate the different time zones, with an extension for the US colleagues to join for a recap.

The new format rather assumes that attendance will be by video, but members spoke for a return to in-person meetings.

3. Video conference for oral proceedings - Survey

The chair and other OCC members worked on the survey which was reported in **epi** Information 1/21, with additional information available on the website. Thanks to all involved.

4. “Online Filing 2.0” launched – CMS users try it now

“Online Filing 2.0” has moved from pilot to an official launch on 1 April 2021. User who are already familiar with CMS should find it rewarding to migrate to OLF 2.0 system and benefit from an improved user interface and better reliability. We are urging the EPO to continue adapting the “marketing” of the different systems on the website. It is too easy for people to be confused into thinking that CMS (coincidentally in “version 2.00” at the same time) is the new system they should be trying.



John Gray

ALERT– At the time of writing, the EPO has just informed **epi** that **CMS will be decommissioned at the end of 2021**.

While the decommissioning was well expected, such a short notice as 8 months seems rather hasty and risky. OCC believes in general 2 years is a reasonable “sunset period” for any key online filing system. Members with concerns should please contact their EPO account managers, and copy me at OCC@patentepi.org.

5. DOCX filing

Filing of application documents in DOCX format is possible as a pilot only, within the OLF 2.0 system. Specific meetings with the EPO will be organized in the coming months to address numerous issues around this.

6. Interacting with the OCC

Thanks also to the **epi** members who report to us the random issues they face with EPO IT systems. You can submit improvement suggestions, and comments directly to the OCC Chair at OCC@patentepi.org.

Annexes – Minute of eSACEPO 10/3/2021 (**epi** internal use only) & slide presentations