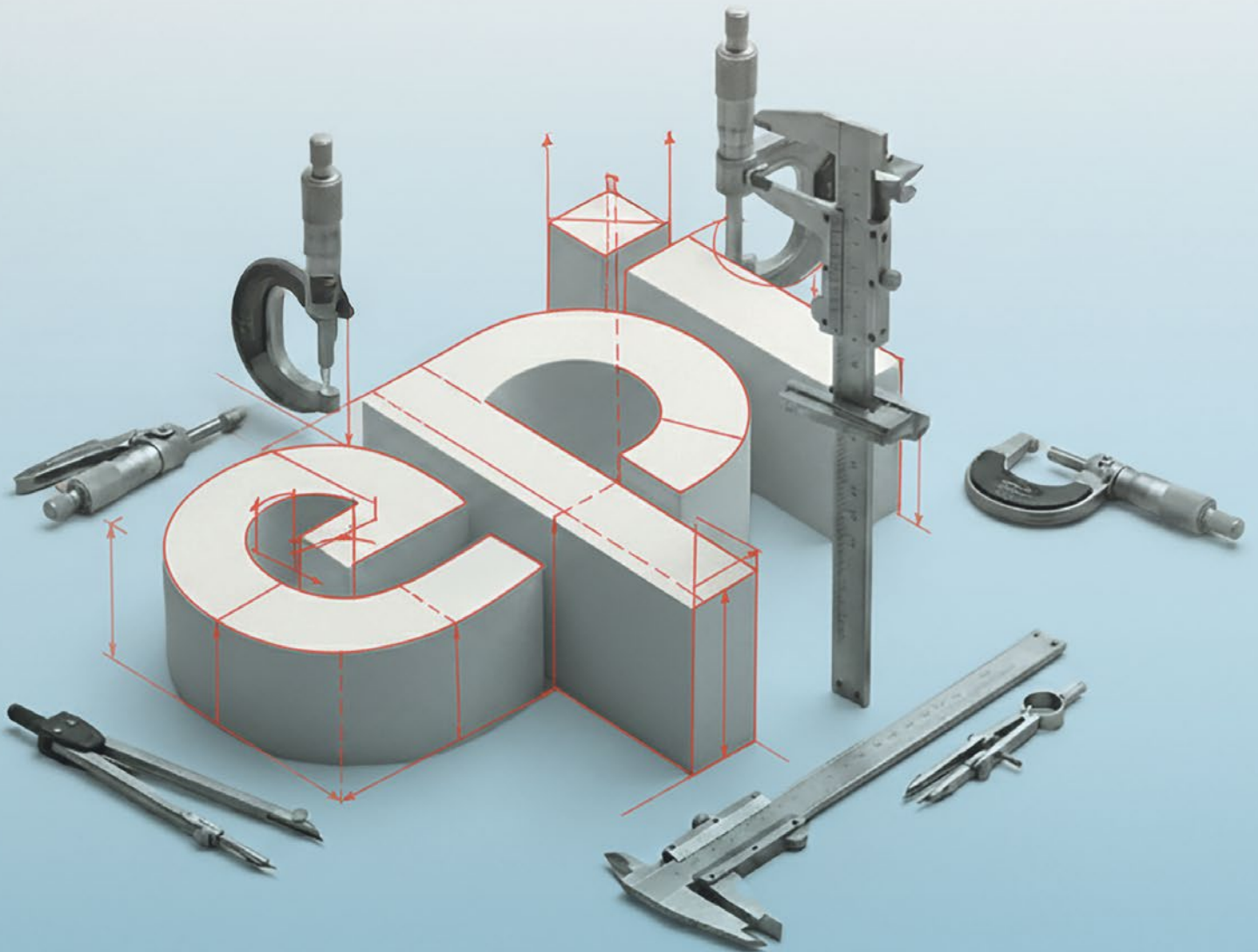




Institut der beim Europäischen Patentamt zugelassenen Vertreter  
Institute of Professional Representatives before the European Patent Office  
Institut des mandataires agréés près l'Office européen des brevets

# ANNUAL REPORT



# 2025

The Year in Facts & Figures



Peter R. Thomsen

## President's notes for the epi Annual Report 2025

This past year 2025 was characterized for **epi** by both, consolidation and forward momentum, one in which the European patent system continued to mature, and in which **epi** reaffirmed its role as a responsible, constructive and independent voice for the profession.

Across institutions, stakeholders and policy arenas, 2025 demonstrated that meaningful progress requires not only innovation, but also dialogue, clarity and trust. **epi** has worked tirelessly to uphold these values, always with the objective of serving our members, the patent system and European society as a whole.

Whereas the individual reports from our Committees included in this Annual Report will provide more details on last year's activities, I would like to highlight a few topics:

### **EQE and Professional Education: Preparing the Next Generation**

Education and qualification are central to the future of our profession. In 2025, the **F-paper was examined for the first time**, marking an important milestone in the ongoing reform of the EQE. At the same time, work continued on a **second basket of EQE reforms**, reflecting our shared commitment to a modern and practice-oriented qualification framework.

**epi** also played an active role in the **new EPO Candidate Support Programme (CSP) for the EQE**, including the organisation of a **physical kick-start event** that brought together the new candidates selected by the national patent offices with their coaches provided by **epi**. We supported the EPO also in extending the successful CSP concept to the **new CSP-EPAC**, which is designed to support candidates to pass the European Patent Administrator Certificate exam and has just started in 2026.

### **Boards of Appeal: Safeguarding Legal Certainty**

The **Boards of Appeal** had a busy year in 2025 and handed down decisions with fundamental importance where **epi** had made to each of them corresponding submissions: **G 1/23** clarifies that a product made publicly available before the filing date is prior art, even if its composition or internal structure cannot be reproduced by a skilled person, **G 1/24** sets out fundamental principles regarding the relevance of the description when interpreting the claims and ensures that the standards are not different during patent examination before the patent office and later before the Courts, **G 2/24** states that proceedings cannot continue with a third party who intervened during appeal proceedings if the appeals from the original parties are subsequently all withdrawn. **epi** can also be pleased on the outcome of the decision **R 16/23**, wherein the Enlarged Board followed **epi's** submission in clarifying that the fundamental right for oral proceedings may not be restricted by a decision body in the European Patent system.





Peter R. Thomsen

# Report of the President

## ◀ Report of the President

### The Unified Patent Court and Unitary Patent system: Emerging Jurisprudence and smoother implementation

The Unified Patent Court has now firmly entered its jurisprudential phase. **epi** could welcome the for instance the **first substantial decisions of the Court of Appeal on inventive step** in November 2025 which provide essential guidance to users and practitioners alike and contribute to the development of a coherent body of UPC case law.

Of particular importance to our profession were decisions by the UPC in the case *Suinno Mobile vs. Microsoft* wherein the Court of Appeal confirmed that duly qualified **in-house European Patent Attorneys can generally represent parties before the UPC**, whereas a legal person could not be represented by anyone holding extensive administrative and financial powers within the legal person. These decisions are in line with submissions made by **epi** earlier and strengthen legal certainty while underlining the fundamental importance of professional independence.

For all of you who deal directly with the UPC, the introduction of a **new Content Management System** in fall of 2025 marked a highly welcome occasion. **epi**, particularly members of the Litigation Committee and the Online Communication Committee have been instrumental assisting the UPC in giving hints for a practically oriented development and testing the new system.

### Developments in the Patent Granting Process at EPO: Digital Transformation and Quality

The **European Patent Office** continued its ambitious path towards full digitalisation, with the stated objective of becoming **paperless in 2027**. **epi** broadly supports this transition, provided that it enhances efficiency without compromising procedural safeguards.

In this context, we consistently emphasised the need for **clear and fair solutions for latefiled documents in exceptional circumstances**, in particular where delays are caused by **IT system outages** beyond the control of users. A digital system must be resilient – and when it fails, the rules must offer proportionate remedies.

**Quality** remains a cornerstone of trust in the European patent system. I therefore welcome the **first steps to include refusals within the SQAP procedure**, a development that reflects the full reality of examination practice and responds to long-standing concerns raised by **epi**.



# Report of the President



Peter R. Thomsen

## ◀ Report of the President

### EU Patent Reform package: a Dynamic and Challenging Environment

The EU patent policy landscape remained highly active although with limited concrete progress. **Supplementary Protection Certificates** continued to provoke debate, highlighting the delicate balance between innovation incentives and public interest. The **withdrawal of the SEP proposal by the European Commission**, followed by **legal action initiated by the European Parliament**, demonstrated the institutional and political sensitivity of this area. While positions may differ, it is clear that the subject of SEPs remains very much alive, and **epi** will continue to contribute its technical expertise and practitioner perspective, particularly by its IP Commercialization Committee.

### Governance and Integrity: Reforming the Disciplinary System

A significant internal milestone was reached with progress on the **reform of the epi disciplinary system**. Following extensive work by the **epi internal Working Group on the Disciplinary System**, an opinion by an external expert in professional-disciplinary matters and the EPO/Board of Appeal/**epi Joint Working Group**, a reform proposal was finalised and **supported by epi Council at the beginning of 2026**. This biggest reform since the disciplinary system exists reflects our commitment to transparency, fairness and public trust in the profession of European Patent Attorneys. Following the necessary legislative steps in 2026, it is expected that the new system, including the newly created single first instance **epi** Disciplinary Board will become operational at the beginning of 2027.

### Strengthening epi's internal Organisation

The year also brought important organisational developments. The Secretariat implemented the **new three-teams structure**, supported by the **recruitment of two external team leaders** at the end of 2025. This restructuring enhances our operational resilience and supports the growing scope of **epi's** activities.

In parallel, the **extension of our rental contract for a further ten years** provides long-term stability and efficient administration.

### International Cooperation and Institutional Dialogue

International engagement remained a priority. At the **IP5 Heads meeting**, some small progress on **Global Dossier developments**, particularly the **Global Assignment procedure** was discussed in 2025. However, a lot of intensified activities will be necessary during 2026/2027 to finally offer a global central procedure for initiating transfer of patent rights or name changes in several registries. At least a further milestone was achieved when the EPO started to allow filing colour drawings in patent applications from 1. October 2025. Additional efforts will be necessary to convince more patent offices to follow the EPO and also achieve a similar opportunity at WIPO level for PCT-applications.

I also welcome the **first institutional meeting between epi and EUIPO** in January 2025 in Alicante, which opens a new chapter in inter-institutional dialogue and cooperation and resulted in a first joint event held in Vilnius targeting to raise awareness for the relevance of patents particularly for SMEs and universities.





Peter R. Thomsen

# Report of the President

## ◀ Report of the President

### Outreach, IP Awareness and Engagement

Raising awareness of intellectual property remains close to my heart. In 2025, we continued our **podcast series**, introduced our **first Advent Calendar**, and expanded our communication efforts to reach both professionals and the wider public.

A particular highlight was the **first seminar aimed at local businesses and potential patent system users**, held in Vilnius around **epi's** C99 Council meeting. By focusing on **patent valuation as a financial asset**, we demonstrated that **epi's** expertise can extend beyond legal procedures to the real economic value of innovation.

### Celebrating the Profession and Looking Ahead

A different highlight of 2025 was the celebration of our 100<sup>th</sup> Council meeting in Nice. The event allowed us to reflect on 48 years of **epi** Council life, walking with former **epi** Presidents through history and speculating, with some optimism and a sense of humour, how the 200<sup>th</sup> **epi** Council may look like.

The creation of a **new Diversity, Equity and Inclusion Committee** further underlines **epi's** determination to ensure that our profession is open, inclusive and representative of the society it serves.

#### As President of epi, I am proud of what we have achieved together in 2025.

None of this would have been possible without the dedication of my colleagues in the Board, Council, Committee- and Working Group members and our employees in the Secretariat. In a time of profound technological and legal change, **epi** will continue to stand for quality, integrity and dialogue – ensuring that the European patent profession remains strong, respected and futureproof. I wish you an interesting reading of reports from our **epi** Committees which provide more detailed insights into the activities, challenges and achievements of the last year.

# Facts and Figures



## 512

### New Professional Representatives

entered the list in 2025

## 14.643

### Professional Representatives

at the end of 2025

## 546

### epi Students

546 epi Students were counted at the end of 2025

## 2

### Council meetings

2 in person meetings in Vilnius and Nice

## 100<sup>th</sup>

### Council meeting

on 8 November 2025

## 13

### Presidiums meetings

4 in person, 5 hybrid,  
4 online – thereof 4 secret sessions

## 5

### Board meetings

1 in person, 2 hybrid, 2 online

### Meetings with the EPO

9 SACEPO / SACEPO Working Group meetings  
2 EPPC and Biotech Meetings with DG1  
1 OCC-EPO meeting  
1 Meeting with the EPO President

For further information please visit our website <https://patentepi.org/en>  
epi papers are also available online <https://patentepi.org/en/epi-papers>  
An overview of the 2026 activities can be found in epi Information <https://patentepi.org/rl/epi-information>



## Biotechnology Committee

### 1. Life of the Institute:

Throughout 2025, the Biotechnology Committee (BC) focused extensively on the European Patent Office (EPO) guidelines regarding the patentability of antibodies, the implementation of the new WIPO ST.26 sequence listing standard, and the evolving legislative landscape of plant patentability.

### 2. Stakeholder engagement:

Regarding antibody inventions, the Committee firmly opposed the restrictive framework outlined in Section G-II, 6.2 of the EPO Guidelines for Examination. The BC cautioned against the systematic presumption of a lack of inventive step, which creates an artificial barrier for antibody patents compared to other chemical inventions. In a series of bilateral meetings with the EPO and DG1 organised throughout 2025, the Committee presented and discussed a comprehensive analysis demonstrating that the rigid examination approach is legally unsupported and paradoxically requires structural data while dismissing its relevance in inventiveness assessments, while the EPO shared 14 fundamental decisions that according to the EPO currently shape its practices. While the EPO conceded that further discussions and structural amendments to the Guidelines are necessary, it remained resistant to completely deleting the antibody-specific section. Furthermore, a workshop meeting is planned for May 2026 to thoroughly discuss with EPO representatives the EPO's practice regarding the patenting of antibodies vis a vis the current case law, the comprehensive summary of which was presented by the BC to the EPO in December 2025.

Concerning sequence listings, the Committee actively addressed operational challenges users face with the WIPO ST.26 software. The BC highlighted the insufficient technical support from the EPO and raised concerns over differential treatment issues, such as the requirement for special declarations and late furnishing fees for sequence corrections compared to other application parts. Prompted by WIPO, the **epi** also participated in a broader survey assessing the impact of minimum length requirements for short sequences. Additionally, the Committee reviewed the new Decision of the President of the EPO on sequence listings, scheduled to enter into force on January 1, 2026. The expressed its willingness to participate in further discussion and stressed EPO should involve **epi/BC** in implementation and decision-making.

In reference to plant patentability issues the Committee actively collaborated with key stakeholders, including the EPO, European regulatory bodies, and industry associations, to foster constructive dialogue. A major priority in 2025 was addressing the EU regulatory framework regarding New Genomic Techniques (NGT) for plants. The BC finalized and published an official position paper advocating for balanced legislative alternatives and engaged with national government contacts during the Polish EU Presidency. Additionally, during discussions with the EPO the BC highlighted the high rate of refusals/withdrawals and low grant rate in the field, potentially due to the rigorous EPO approach, as well as expressed concerns that the EU NGT plant regulation proposal with a patent ban, combined with the EPO's rigorous approach, might negatively affect innovation. During related consultations on plant patentability, the BC proactively proposed the strategic use of disclaimers as a compromise to prevent broad patent bans while mitigating accidental infringement concerns for breeders.



## ◀ Biotechnology Committee

These efforts culminated in a milestone provisional political agreement reached on December 4, 2025, between the European Parliament and the Council of the EU. The agreed measures, designed to enable more innovative and climate-resilient plant breeding, will establish two distinct pathways: Category 1 NGT plants (which could occur naturally or by conventional breeding) will be treated like conventional plants and exempted from GMO legislation, while Category 2 NGT plants will remain subject to current GMO requirements, including risk assessment and traceability. Crucially for the intellectual property landscape, the European Commission will oversee transparency and licensing practices related to patents, explicitly assessing their impact on breeders' and farmers' access to genetic material.

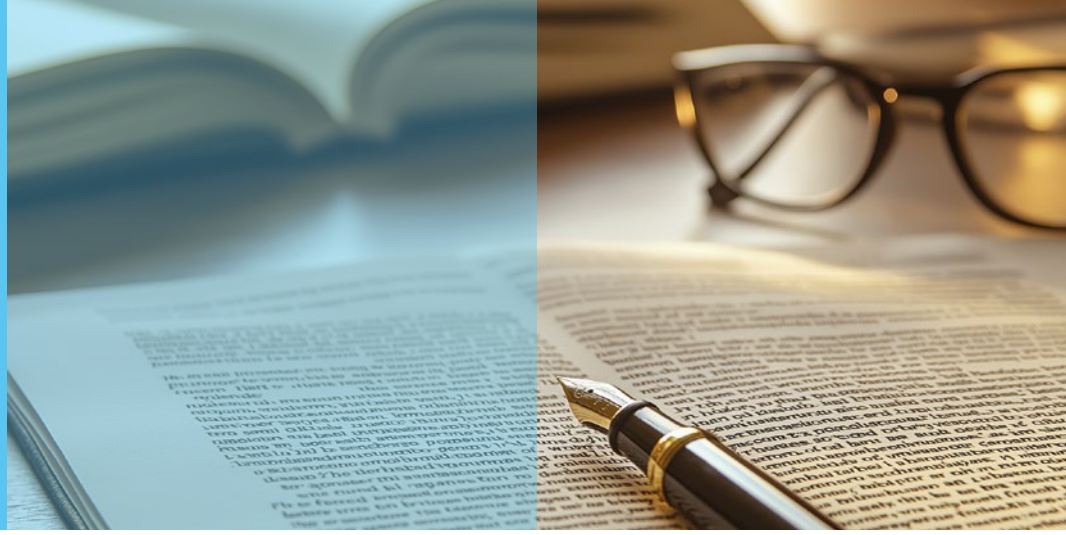
Furthermore, in autumn 2025 the BC together with EPPC hold a new in-person joint meeting with the EPO to address several key topics including handling of divisional applications, recent Enlarged Board of Appeal decisions (G1/24 on claim interpretation and G1/25), and the overall quality of EPO examinations. The Committee contributed to ongoing EPO initiatives, including the strategic transition to a fully digital "Paperless EPO" expected by 2027 and the integration of Artificial Intelligence in examination processes, advocating for the maintenance of procedural safeguards. Another joint EPPC and BC meeting is already planned for April 2026.

### 3. Educational and Training Initiatives:

The BC is dedicated to organizing educational events to enhance the understanding of complex biotechnology patent law among **epi** members and other interested parties. On May 28, 2025, the BC hosted a highly attended webinar featuring leading experts Simon Wright, Niklas Mattsson, and Hans-Rainer Jaenichen. The session provided an in-depth analysis of the EPO's practice, case law, and challenges related to assessing novelty and inventive step for antibodies. Additionally, a comprehensive three-part analytical series was published in the **epi Information** journal, critically examining the barriers imposed by the current EPO Guidelines.

### 4. Summary:

The Biotechnology Committee continues to play a pivotal role in shaping the biotechnology patent landscape across Europe. Through its targeted activities, the Committee actively contributes to the development of balanced and effective patent policies, ensuring the steadfast protection and promotion of innovation within the life sciences sector. The Committee's ongoing efforts in monitoring legal developments, providing strategic guidance, engaging with key stakeholders, and organizing comprehensive educational initiatives remain instrumental in fostering a robust and equitable biotechnology patent system.



## By-Laws Committee

In 2025, the BLC worked on many different topics, in particular:

- the revision of the disciplinary System of the **epi**/EPO;
- the limitation of the number of terms of the Chairs of committees;
- the implementation of a double signature system; this topic is still pending; several stakeholders are concerned, including bank institutes, making progress difficult on this topic;
- amendments of the Code of Conduct;
- the application of the Rules for Election;
- the amendments to the Rules governing **epi** studentship;
- the opinion about a proposal from M.Kley to delete Article 13 of the Founding Regulation (“General Meetings”) and corresponding adaptations of the By-Laws;
- the revision of the proposal to amend the Recommendation of the Council concerning the title (professional designation) (see Section 4.2.2.2 of the Collection of Decisions) in connection with the UPC

The chair of BLC also participated to several meetings with various committees and/or Presidium or Board members and/or legal advisor(s), in particular to prepare meetings or documents.



## Committees Election Committee

**W**e, the newly elected Committees Election Committee (CEC), are pleased to introduce ourselves at the beginning of our mandate. As a committee, we are committed to ensuring that all elections within the **epi**'s committee structure are conducted with fairness, transparency, and adherence to the governing rules of the Institute.

### Our Role and Responsibilities

As the CEC, we oversee and coordinate the election procedures for all **epi** committees. Our responsibilities include:

- ensuring that elections are carried out in accordance with the Rules for Committees and relevant decisions of Council;
- safeguarding procedural correctness and consistency throughout the election cycle;
- assisting in the interpretation of rules and clarifying procedural questions when they arise;
- guiding and supporting the Secretariat and other bodies involved in operational steps of the election process;
- upholding transparency, reliability, and confidence in the **epi**'s democratic processes.
- We view these tasks not merely as administrative steps, but as essential contributions to the governance of our Institute.

### Who We Are

Our Committee is composed of three members, elected by Council:

- Christian A. Mohr – Chair
- Adriaan van Kooij – Member
- Zeljka Brkic – Member

Together, we form a balanced and committed team dedicated to serving the **epi** community with integrity and diligence.

### Looking Ahead

As we begin our mandate, we are committed to building on this strong foundation and guiding the upcoming cycle of committee elections with clarity, fairness, and respect for both the rules and the values of the Institute.



## Diversity and Inclusion Working Group

**A**part from holding regular meetings, the Diversity and Inclusion Working Group (WG) focused in 2025 on working on a motion to request Council to set up a Diversity, Equity and Inclusion Committee. Proposed Terms of Reference (ToR) were also drafted and reviewed by the By-Laws Committee. The endeavour was successful as Council did decide to establish a DEI Committee at the May 2025 Council meeting in Vilnius.

The WG also promoted the election of members to the DEI Committee (that were held at the November 2025 Council meeting in Nice) by publishing an article in **epi** Information 3/25 ("From D&I Working Group to DEI Committee – To Inclusivity and Beyond"). The WG's efforts resulted in 22 candidates from 12 countries applying to be elected to the DEI Committee.

The WG also continued working in collaboration with the Professional Education Committee and with the **epi** 2<sup>nd</sup> basket Working Group in charge of the reform of the IPREE (Implementing Provisions to the Regulation on the European qualifying examination), to propose amendments to the wording of Rule 17 IPREE (which was set up back in 2009).

Regrettably, the D&I Working Group was not contacted in 2025 (by the EQE Secretariat) to discuss D&I-related questions included in the post-EQE survey sent to all EQE candidates.



## Editorial Committee

The Editorial Committee held meetings throughout 2025, including one in-person meeting on 2 July 2025, to oversee the publication of **epi** Information and the website and expand the Institute's communication activities. The committee successfully adapted to evolving communication needs while maintaining high editorial standards and managed to ensure a smooth handover of the position of chairperson from Marc Névant to Michael Thesen.

### Core Publications

The committee successfully completed its primary responsibility of editing and publishing the four yearly issues of **epi** Information. Each issue maintained the publication's established standards for professional content and timely delivery. The committee extends its gratitude to all authors who contributed high-quality articles throughout 2025, ensuring that **epi** Information continues to serve as a valuable resource for the European patent attorney community.

The 2025 issues maintained a strong focus on contemporary developments affecting the profession, including artificial intelligence tools in patent practice, regulatory updates, and emerging case law. The committee worked closely with contributors to ensure articles met both technical accuracy requirements and accessibility standards for the broader membership.

The email-newsletter announcing the publication has been improved in design by adding "teaser"-abstracts drawing interest to the articles.



### Podcast

The EC shares the responsibility for the content of the INSIGHT **epi** podcast with the Professional Education Committee (PEC) and has contributed to the production of successful episodes, including on AI related topics.

### LinkedIn Communication Strategy

The maintenance and development of the **epi** LinkedIn profile became an increasingly important communication channel during 2025. The number of followers grew from 5000 to 6500 throughout 2025, mostly comprised of members and other IP experts and the platform serves as a crucial interface between the institute and the broader IP community.

Considering the growing importance of this channel, the EC invited experts from the IP Business Academy (IPBA) for training purposes to its in-person meeting on 2 July 2025. The presentation was open to other committees and the Secretariat. Work continued on developing a harmonized corporate design to strengthen brand recognition and professional presentation across all digital communications.





## ◀ Editorial Committee (EC)

### LinkedIn Advent Calendar Initiative

One of the year's notable projects was the creation and implementation of a LinkedIn Advent Calendar, which was a project of the IP Awareness Working Group with contributions from our committee. This initiative successfully outlined key topics and initiatives relevant to the working group's mission while providing engaging daily content throughout the holiday period.

The advent calendar format proved effective in maintaining consistent engagement with the LinkedIn audience while delivering educational content about intellectual property awareness and the role of European patent attorneys in the innovation ecosystem. The lasting effect of the project is a collection of topics, a group of passionate volunteers and improved technical skills for the realization of future projects.

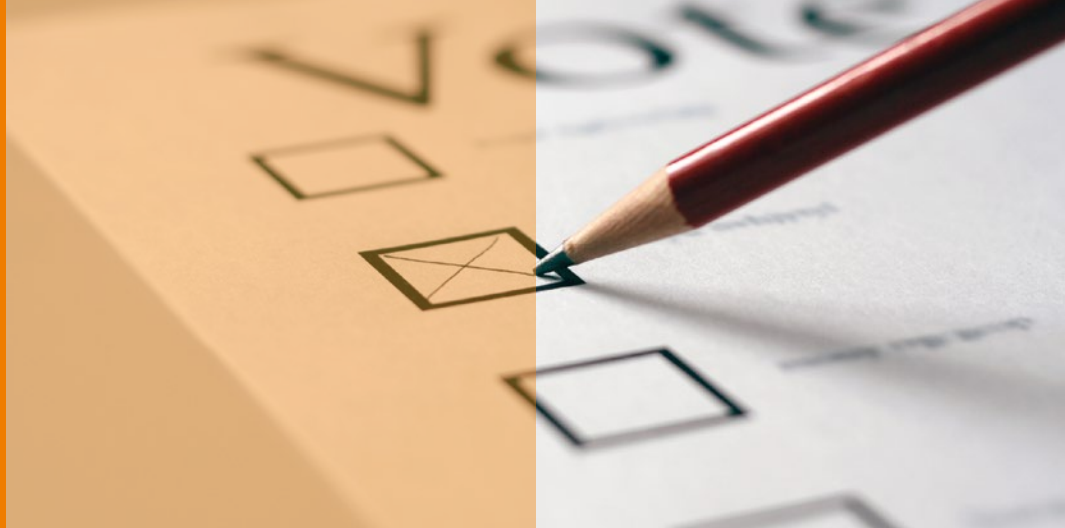
### External Collaboration and Future Development

The committee explored collaboration opportunities with the IP Business Academy. A framework agreement was negotiated by the Presidium to formalize this partnership. Initial collaborative efforts focused on developing training programs for social media contributors and exploring the concept of "IP influencers" within the professional community.

### Outlook

The Editorial Committee continues to evolve its approach to professional communication, recognizing the increasing importance of digital channels while maintaining traditional publication excellence.

Future priorities include providing input for the re-launch of the **epi** website, further development of the LinkedIn presence, continued collaboration with external partners, and expansion of targeted content creation for different stakeholder groups. The committee remains committed to supporting both traditional publication channels and innovative communication approaches to serve the evolving needs of the European patent attorney community.



## Electoral Committee

The Electoral Committee oversaw the 2026 election (voting January-February) following a period of preparation beginning in June 2025. We thank the **epi** Secretariat for proactively preparing all necessary materials.

### Nomination Phase

Nominations were received primarily via the **epi** website, with 14 paper submissions (including one request for a postal ballot). Following the November 2, 2025 deadline, the nomination was re-opened in several constituencies with insufficient candidates. Late nominations were received from CZ, CY, DK, FI, FR (other), LU (private practice), SM, and CH (private), alongside some corrections. The Committee clarified rules regarding candidates standing in multiple constituencies to encourage broader representation and confirmed priority for timely nominations.

The final nomination and voter lists were provided to Civica Election Services (responsible for the internet vote since 2014). Voting codes were printed and posted by Gast ([postdienst.de](https://postdienst.de)), a change from Royal Mail that saved approximately EUR 4500, though requiring increased coordination. Website functionality and multi-language display were thoroughly tested.

### Voting & Results

Voting codes were dispatched by January 14, 2026. Mail delivery issues in Denmark and Portugal necessitated extending the voting deadline and sending codes via email to affected members. A total of 405 members requested codes by email, and 180 letters were returned undeliverable.

Following the extended deadline (February 19, 2026), the Committee combined internet and paper votes to determine the final results, considering nomination status, candidate preference, and drawing of lots.

Of 14647 voters, 3905 members participated, yielding a 26.7% turnout – slightly lower than in 2023, continuing recent declines. 24 voters abstained. Approximately 23% used mobile devices, likely aided by the QR code on the voting letter.

### Key Issue & Future Plans

Postal delivery of voting details again proved unreliable. Given the declining dependability of postal services and changing work patterns, we plan to investigate alternative options, including email delivery of voting details (potentially coordinated with other **epi** operations), while maintaining security and ease of use.



## epi-Finances Committee

In 2025 the **epi**-Finances Committee held their annual spring meeting and autumn meeting. The spring meeting was held by video conference, whereas the autumn meeting was held in Lisbon. In Lisbon the Committee members had the opportunity to visit the premises of the Lisbon local UPC Division and discuss with the Judge of that local Division and her staff.

2025 was the year where the good cooperation between the Treasurer, the Deputy Treasurer, the Auditors and the **epi**-Finances Committee has issued to an adaptation by Council of the principle of having a signature by two different persons for what concerns financial transactions of **epi**.

As usual at the spring meeting the 2024 figures were discussed. In particular the surplus obtained in 2024 was discussed in depth and the Committee noted that the surplus was mainly caused by the particular circumstances happening in 2024. Also, at the spring meeting a delegation of PEC members was invited to present a

topic related to the access to **epi** webinars for Committee members. Their intervention and the discussion following their intervention, triggered a series of meetings with a tax expert. Those meetings were attended by the Treasurer, the Deputy Treasurer, the **epi** Head of Finances and the Chair of the **epi**-Finances Committee. The results of those meetings were presented to the members of the **epi**-Finances Committee at their autumn meeting. The tax expert draws our attention to the fact that **epi** had to remain within tiny margins in order not to be in a situation where taxes could be due on activities organized by **epi**.

At the autumn meeting the 2026 budget proposal was discussed. The investment policy was also discussed in view of the actual money market. Following the advice of the tax expert, the Committee was of the opinion that **epi** had to remain within the terms of the By Laws and provide education only to their members, their staff and students.



## EPO Finances Committee

This year, in addition to less interesting matters, the EPO Finances Committee had to consider the biennial fee adjustment.

As ever, **epi** pleaded that some of the benefits of moving towards a paperless office, and the increasing use of AI, be reflected in lower fees (or at least a lower increase in fees). The increase this year has been moderate and not spread across all fees.

The EPO's finances are improving, and it is not too much to hope that some stability in fees will follow – one day.



## European Patent Practice Committee

The European Patent Practice Committee (EPPC) is one of the largest committees of the **epi**, but also the one with the broadest remit: it has to consider and discuss all questions pertaining to, or connected with, practice under (1) the EPC, (2) the PCT and (3) the EU Patent Regulation, including any revision thereof, except all questions reserved for the Biotech committee.

The EPPC is presently organised with six permanent working groups (EPC, Guidelines, MSBA, PCT, Quality, Unitary Patent and Patent Documentation and Information). Additionally, *ad hoc* working groups are set up when the need arises. Four technological groups have also been set up (ICT, Mechanics, Chemistry and Pharma). Members of EPPC are also delegates to various meetings organised by the EPO, including meetings under the SACEPO banner.

### Highlights

In 2025 EPPC drafted:

- an *amicus curiae* brief for G1/25<sup>1</sup>;
- a position paper in relation to the EPO's divisional practice in view of TEVA; and
- third party observations for R16/23 (arising from J6/22)<sup>2</sup>.

### Working Group on G1/25

With decision T 697/22 of 29 July 2025, a Technical Board of Appeal made referral G 1/25 ("Hydroponics") to the Enlarged Board of Appeal seeking to clarify whether the EPC requires the adaptation of the description to the claims.

<sup>1</sup> <https://patentepi.org/r/ar-25-01>

<sup>2</sup> <https://patentepi.org/r/ar-25-02>

EPPC co-ordinated the preparation of an *amicus curiae* brief to be filed on behalf of **epi**. For this purpose, a Working Group was set up, consisting of nine members of the EPPC, Biotech, LitCom and Council. The WG met in the middle of September for discussing further steps. A questionnaire was sent to all Council, Biotech, EPPC and LitCom members for gathering feedback from national delegations. This questionnaire had 49 respondents from 27 different member states. The Working Group met 27 October 2025 to discuss the results of the questionnaire and continue their work in preparing an *amicus curiae* brief. A draft was presented to Council, following which a further questionnaire was sent out to add further input. Following receipt responses, the Working Group met to produce a final version of the draft, which was submitted to the Enlarged Board in 2026. We await the outcome of the referral in 2026.

### Divisional Applications

The question of divisional applications is being considered at various levels and the position paper is being held in abeyance in case specific proposals for amending the rules regarding divisionals are made. The position paper considers that no rule changes are required but that some changes in practice within the EPO and the Boards of Appeal could be useful to effectively prevent situations of potential mis-uses. The EU Commission case which gave rise to the discussion is under appeal at the first instance of the EU Courts but it is unlikely that a decision will be issued this year.



## ◀ European Patent Practice Committee

### Oral Proceedings

R16/23 was a petition for review relating to a case in which oral proceedings had been requested but not held. This was an important point which many seemed to have not noticed. EPPC therefore decided that it would be essential to argue that oral proceedings could not be dispensed with if requested by a party to the proceedings. The Enlarged Board agreed with EPPC and underlined the fundamental nature of the parties' right to oral proceedings.

### Joint meeting Biotech, EPPC and DG1 (hybrid, Munich)

Experts from **epi**, representing the EPPC and the Biotechnology Committee, met with the European Patent Office's Directorate General 1 (responsible for the patent granting process) for a hybrid meeting hosted at the EPO's Isar building in Munich.

Opening remarks were delivered by Chris Mercer, Chair of the EPPC, Angel Aledo Lopez, EPO Chief Operating Officer & Chief Technology Officer and Stephen Rowan (EPO Vice-President for Patent Granting Process). They all highlighted the importance of maintaining a close and constructive dialogue between **epi** and the EPO.

The plenary session focused on the topics of: the "Paperless EPO", the use of artificial intelligence in the process of inventing and its use within the Office (especially in search and examination as well as in the preparation of the minutes of oral proceedings) and the recent Enlarged Board of Appeal referrals G 1/24 and G 1/25. Following the plenary session, two breakout meetings took place: one on biotechnology matters (with a focus on patentability of

antibodies) and another on legal and procedural matters, addressing topics such as the use of outdated Guidelines by examiners, Opposition Divisions and current EPO practices to set up the composition of the divisions, the length of the proceedings (mainly opposition proceedings) and PACE requests for which the EPO reported filings statistics, and committed to providing more detailed information.

Both **epi** and EPO agreed to continue the exchange of feedback through the established channels, SACEPO and its Working Parties and additional meetings devoted to having further discussions on concrete raised topics.

### Convergence of practice

The EPO is starting a new round of its Convergence of Practice scheme. This aims to produce a common practice in all the member states on a particular area of practice. Details of the areas previously covered can be found on the EPO's website<sup>3</sup>. The new topics which will be covered in pairs are, for 2026/2027, Divisional Applications and Internet Disclosures, for 2027/2028, File Inspection and Structure and entries in the patent register, and for 2028/2029, Use of Prior Search Results and Structuring a Search and Defining a Search Strategy.

The format is that there are a number of meetings (mainly virtual) at which representatives from interested member states discuss the topic. The EPO then produces a paper setting out the (hopefully) agreed practice. Once the paper is finalised, it is approved by the Administrative Council. **epi** attends the meetings. ▶

<sup>3</sup> <https://patentepi.org/r/ar-25-03>



## ◀ European Patent Practice Committee

### EPPC Guidelines Working Group

A meeting of the EPPC WG Guidelines took place on 4-5<sup>th</sup> September 2025 in Copenhagen (hybrid). The main topic was the EPO revised Guidelines for entering into force 1<sup>st</sup> April 2026. These were then discussed at the SACEPO Working Party on Guidelines in October.

### MSBA – 21/10/2025

Historically, “MSBA” stood for “Meeting of members of SACEPO with the Boards of Appeal” but now it just signifies a meeting of the President of the Boards of Appeal, a number of senior Chairs of Boards and some of the President’s staff with 4-person delegations from Business Europe and **epi**. The **epi** delegation consisted of Peter Thomsen, Michael Fleuchaus, Jim Boff and Chris Mercer.

The President gave a presentation on the state of play of the Boards of Appeal. A number of interesting statistics were given, including the reduction in the number of cases pending for more than 24 months from 20% to 10%, the static number of Appeal Board members and the low numbers of petition for review cases where a 5-membered Board was required. The President also referred to initiatives to improve the electronic case management system and other electronic systems used by the Boards to improve the speed and quality of Board decisions.

The Boards are also carrying out a number of initiatives to improve quality, including many educational events regarding all aspects of the Boards’ activities. There was a good discussion on these events and other measures which could contribute to an increase in the quality of decisions. One point which may help **epi** members in improving quality is that the Case Law Book, at least in its HTML version, will be updated annually. (The pdf version will only be updated triennially.)

At least the HTML version will be able to refer to the recent spurt of Enlarged Board decisions, on which a presentation was made. There was a discussion as to whether the decisions had actually answered the questions posed and whether the questions were posed in the right way. The main message seemed to be that there was no need to change the current practice unless there had been legislative change.

There was then a presentation and discussion on whether the most recent changes in the Rules of Procedure of the Boards of Appeal, in particular in relation to a change of case during the proceedings, had had any effect. It was indicated that next year there would be a consultation on the effect of these Rules. The presentation showed that there was still some variance as to how the Rules were applied but that the variances were mainly related to particular cases.

The meeting was very helpful in improving understanding between the Boards and the invited participants and was followed by a delightful lunch at which the understanding was further deepened.

### Committee on Patent Law – 24/10/2025

A meeting of the Administrative Council’s Committee on Patent Law (CPL) was attended by Peter Thomsen and Chris Mercer. The CPL has the task of reviewing matters relating to the patent granting process and the relationship with users of the system (except for matters relating to fees). It is attended by delegates from each Contracting State, various observer organisations, such as **epi**, Business Europe and the EU Commission, and representatives of the staff union. The meeting is supported by a large number of EPO staff, in this case headed by the Vice-President of DG5. It is a good opportunity to talk off-line to many interesting people.



## ◀ European Patent Practice Committee

The first main topic on the agenda was the Convergence of Practice topic (see above) which engendered a lot of discussion between those who consider that divisional applications are being abused and those who consider that there is no such abuse.

The next topic was the proposals from the EPO to make the patent granting process completely paperless. The EPO had presented a series of proposals for amending various of the Implementing Regulations to the EPC to enable this to be put into effect. The paper presented by the EPO had been forwarded to **epi** and EPPC, Biotech, LitCom and OCC had been invited to comment on the proposals. These comments were forwarded to the EPO, as acknowledged by the EPO. The proposals were generally welcomed by all delegations and observers but there were various objections, in particular to the way in which the EPO proposed to deal with paper filings which was considered might lead to unfair losses of rights. **epi** also raised objections to the proposals for dealing with situations where a party or representative was unable to meet a deadline due to outages in electronic services. **epi** argued that these were too much based on the paper world and needed to be radically revised to bring them into the electronic world. The EPO indicated that it had taken all the concerns into account and that a revised version would be presented to the next meeting of the CPL in February.

There was then one of the weird but usual parts of the meeting where participation was restricted to only the delegations and limited numbers of members of the EPO. This discussed Substantive Patent Law Harmonisation (SPLH) with the intention of producing a common European position. Those who were not in the meeting were eventually told that the discussion had been interesting without giving any details.

The EPO then gave a report on divisional applications. This was intended to provide statistics on the topic for the delegations to consider. However, it gave rise to discussions as to whether the correct statistics were provided and as to whether there was a requirement for changes in the rules. These discussions followed the lines referred to above. It was agreed that the topic should remain with the CPL as well as being dealt with in the Convergence of Practice context.

The EPO then gave a presentation concerning the decided and pending referrals to the Enlarged Board of Appeal. The main point of interest is the pending referral G 1/25 (see above).

There was then a presentation on the patentability of plants and animals in the light of G 3/19. This was mainly an update on the statistics. However, it gave rise to some discussion as to whether further measures were needed. The EU Commission made a statement from which it is clear that there is ongoing discussion within the Commission as to whether there may need to be amendments to Regulations or Directives in this area. Biotech is aware of the issues and is ready to take action as needed.

Finally, the EPO gave a summary of the cycle involved in updating the Guidelines and indicated a number of areas in which the Guidelines have been updated and on which there is still discussion.

The discussions on all the topics were well-informed and interesting. At present, there are no changes to any rules which are ready to be approved by the Administrative Council. However, it is likely that there will be a proposal for changes to the rules relating to the paperless patent grant process at the next meeting of the CPL, which will take place in February next year.



## Harmonisation Committee

The **epi** Harmonisation Committee (“HC”) had a quiet start to the year but in September 2025 we were asked to answer a European Patent Office questionnaire on Prior User Rights (“PURs”). Unfortunately, this happened when John Brown, the Chair of the committee was not available for personal reasons. However, the Secretary of HC, Filippo Santi (IT) lead the preparation of the response to the questionnaire. After a lot of thought and two virtual meetings of HC, a response was finalised and filed at the European Patent Office in a timely manner at the end of November 2026.

In December 2025, HC was advised that there would be serious activity on Substantive Patent Law (“SPLH”) in 2026, starting in January. In fact, the coming year will be very busy for HC: all members will be kept busy. In this regard, a new HC will be elected in 2026 and will be installed at the autumn meeting of **epi** Council. Until this occurs, the present members of HC will continue with their work.



## IP Commercialization Committee

PCC organised together with PEC and the Local Lithuanian Attorneys a new seminar in the morning of the first Council Day. Invited have been IP and Government officials as well as institutions from the **Baltic States** and **epi** members. It was **epi**'s intention to address interested parties in small states in the periphery. This approach shall be continued in the future.

The Pre-Council Seminar **From Lab to Market and Beyond: Turning Research into Revenue** in the afternoon highlighted the connection of University Research and practical application by example of Cambridge and Kaunas Universities. It showed further the successful work of Inngot as an independent IP evaluator in UK. Despite UK, no other country developed a bank system that is able to support cash-generative, high-growth companies and give loans on IP.

The Commission initiative to establish a Regulation on Standard Essential Patents (**SEP**) was finally not adopted by the Council and the Commission withdraw the Regulation.

Thereafter the European Parliament filed a suit versus the Commission which appears to have a principal character. The Commission is currently not pursuing the draft law. IPCC is observing the developments. The EPO is establishing a new database collecting SEP that are mentioned during prosecution<sup>1</sup>.

A unitary European Compulsory License for Crisis Management was adopted by all EU instances and the Regulation 2025/2645 was published in the Official Journal on 30.12.2025 with entering into force in January 2026. IPCC has doubts whether the Regulation would in practice have the intended acceleration affect and whether it would mitigate a complex crisis like Covid19.

In 2026 IPCC is planning further webinars to help members in acquiring knowledge about patenting strategy and making use of and monetise patents.

<sup>1</sup> <https://patentepi.org/r/ar-25-04>



## Litigation Committee

The Litigation Committee was extremely active throughout 2025. The first and second Committee meetings were held virtually on the 3 April and 10 June respectively. The third Committee meeting was an in-person meeting held in Dublin on 27 and 28 November.

The first online Committee meeting focussed on the ongoing work of the Sub-Committees and on the developments at the UPC. This included an update on UPC in-house representatives under Art 48(2) UPC and on long arm jurisdiction in view of the CJEU decision in BSH Hausgeräte GmbH v Aktiebolaget Electrolux (Case C-339/22).

The second online Committee meeting provided an opportunity for the committee to review and discuss the ongoing questionnaire relating to privilege (under the purview of the Executive Group) and separately judicial training (under the purview of the National Litigation Matters Sub-Committee). The UPC Registrar, Mr. **Alexander Ramsay** joined the meeting virtually to provide an update on the activities of the UPC and to share a video demonstration of the new UPC CMS, which was extremely well received.

The third Committee meeting focussed on ongoing developments at the UPC, in particular ongoing case law developments and the Patent Mediation and Arbitration Centre (PMAC). We had the pleasure of hosting the PMAC Director **Aleš Zalar** during our meeting, who gave

an extremely interesting talk about his work and developments at the PMAC. Mr. **James Kelly**, Controller of the Intellectual Property Office of Ireland and Ms. **Hazel Tunney**, President of the Association of Patent and Trademark Attorneys of Ireland also joined us to welcome Director Zalar. Additionally, the committee discussed the new UPC CMS, Long Arm Jurisdiction and Doctrine of Equivalents at the UPC and certain member states. We also had the opportunity to discuss a decision from the Supreme Court of Norway in relation to an SPC granted for a combination product in light of the decision from the CJEU in relation to combination products.

The UPC has also remained extremely active in 2025, with the case load growing beyond expectations. The Litigation Committee is very pleased to join the President and continue representing **epi** at the UPC AC meetings as a member of the cooperative user-organisation observer group (**epi**, BusinessEurope, EPLAW and EPLIT). After the successful launch of the new UPC CMS system, the development sand-box sessions restarted towards the end of 2025. **epi** and the other observer group members have rejoined this work.

The Litigation Committee is also part of the Inter-Committee Working Group lead by the PEC. Our input has been on podcasts and webinars on UPC case law.

We are looking forward to another equally busy and successful year in 2026.



## Nominations Committee

The Nominations Committee (NC) had distributed a questionnaire to all Presidium members and subsequently, has held individual interviews with each of them, either in person or online. The purpose of this exercise was twofold: first, to get a well-founded impression of the time investment required for fulfilling the Presidium tasks in the current Presidium; and second, to collect information on whether or not the individual Presidium members were inclined to stand for re-election, provided they are elected to Council. After the interviews, the NC felt ready in case any outgoing Presidium member would either not be re-elected or not wish to stand for another term.

In the course of discussing amendments to the Regulation on Discipline (RDR) and the corresponding Rules for elections and appointment to the new Disciplinary Committee (which will be called Disciplinary Board if and when the amendments to the RDR are adopted by the Administrative Council), the NC was informed that they possibly will be entrusted with reviewing and evaluating the applications for the new Disciplinary gremium. Accordingly, the NC met to discuss and prepare draft amended Terms of Reference (ToR), which are required if the Rules for elections and appointment to the new Disciplinary Board are adopted by Council. The draft amended ToR will be presented to Council at C102.



## Online Communications Committee

**O**CC exists to cooperate with EPO and other bodies on digital systems. OCC members are active in a number of collaborations with the EPO and other **epi** bodies; **epi** Board meetings; SACEPO Working Party on Electronic Patent Process (eSACEPO), on Quality (WP/Q) and Patent Documentation and Information (PDI). OCC members participated with EPO and national office experts in IT Cooperation workshops and the Admin Council's Technical and Operational Support Committee (TOSC).

In 2025, OCC member Benjamin Grau again accompanied **epi** President Peter Thomsen as a member of the new Business Europe/**epi** joint delegation at the **IP5 Heads/ IP5 Industry meeting** in Tianjin, China at the end of May 2025. The attendance was useful, though notable for the absence of US representatives. OCC members are well placed to participate in IP5 industry working groups on IT and standardisation.

During 2025, the long-anticipated decommissioning of **eOLF** was finalised at 31 December 2025. OCC actively supported communication of the necessary transition for all users to **Online Filing 2.0**. With respect to Online Filing 2.0, OCC in particular engaged with the EPO on security mechanisms and hash verification for **Online Filing 2.0** submission packages.

In collaboration with LitCom, we monitored the rollout of the new **UPC Case Management System (CMS)**. The transition proceeded, though with a temporary loss of API functionality. However, the API for opt-out filings is now operational.

**MyEPO** continues to develop. New features – including shared area and association management tools – were piloted with a large group of OCC members, attorneys, paralegals and managers from firms and industry. Work also began on ethical walls and granular access management in **MyEPO**.

An OCC **APIs** working group actively identified and raised issues with the EPO on API documentation and scope for EPO online services **Mailbox** and **Online Filing 2.0**.

A significant new development in 2025 was EPO's acceptance of **colour drawings** from 1 October 2025 (OJ EPO 2025, A49). The **DOCX filing** option remains in pilot until 1 April 2026 (OJ EPO 2025, A50 & A51). OCC has advocated for acceptance of other open formats (ODT, structured XML) alongside DOCX, and for a back-up PDF option with legal effect. We welcome the acceptance of drawings in PDF separately from the DOCX text. The **Legal Interactive Platform (LIP)** received positive feedback from OCC. However, concerns were raised about accuracy and guardrails, particularly for non-expert users. The new **Third Party Observations (TPO)** platform was launched for general release in November 2025, with more flexible file format acceptance.

A central concern for OCC in 2025 has been the proposed revision of **Rule 134 EPC** (extension of time limits in exceptional circumstances). OCC and **epi** have consistently advocated for clearer safeguards explicitly covering IT disruptions on the last day of a deadline, whatever the cause.

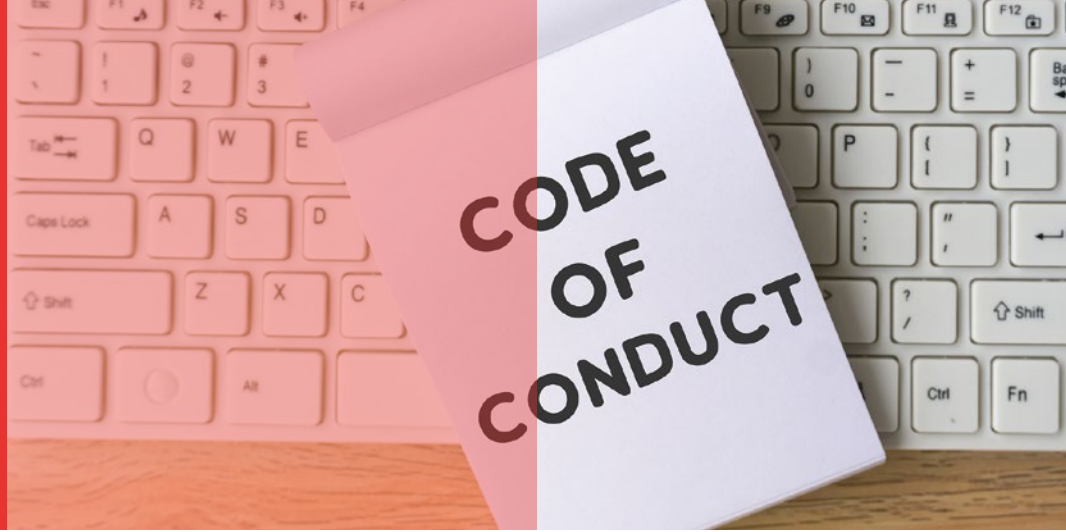


## ◀ Online Communications Committee

A major focus of attention remained 'what to do when things go wrong' on the last day of deadlines. A particular concern is how to pay fees in the case of an IT breakdown, and users with deposit accounts remain uniquely disadvantaged. OCC asked whether the **Contingency Upload Service (CUS)** could be made more flexible in accepted file formats, if it had a legal status akin to paper filing. A significant test of resilience came with the **Cloudflare outage**. Lessons learned include the need for better user communication on outages and a static landing page as a fallback.

In March 2025, OCC members met online, and in October 2025 our annual **OCC-meeting took place** in hybrid format at **epi** in Munich.

OCC established a **Communications Officer** role and a dedicated sub-group for social media content (LinkedIn) in the future, collaborating in particular with Education, PEC and EPPC, but also with other committees like the Biotech committee and the newly established DEI committee. OCC took stock of its internal collaboration processes and discussed the organisation of webinars and seminars on OCC topics for 2026.



## Professional Conduct Committee

A key achievement of the Professional Conduct Committee (PCC) during the year was the adoption of provisions on file keeping and file transfer in the **epi** Code of Conduct (CoC). A further focus of PCC was issuing opinions on the permissibility of certain actions under the CoC, in response to enquiries from **epi** members. In addition, discussions on a proposal to reform the disciplinary system significantly shaped the Committee's work in 2025.

### Amendments of the Code of Conduct

In 2025, PCC has concluded its work on file-keeping and file-transfer provisions in the CoC, a project that had been ongoing for a couple of years. Language inconsistencies were also addressed. A proposal for an amended version of the CoC was approved by the **epi** Council in May 2025. A core feature of the new file-keeping provision in Art. 4(h) is that files must be retained for at least five years after responsibility for a case has ended. With respect to file transfer under Art. 5(d), information and documents that are freely and publicly available in an official or judicial electronic register do not need to be transferred.

### UPC Representative

Some years ago, the title "European Patent Litigator" was recommended for **epi** members authorized to represent parties before the UPC. However, this title has not gained widespread use and seems not self-explanatory. An amended recommendation regarding the title used by **epi** members authorized to represent clients before the UPC was prepared by PCC and adopted by **epi** Council in November 2025. The recommendation is to use the

title "UPC representative" alongside the title "European Patent Attorney". This amended recommendation reflects the widespread use of the designation "UPC representative" across the profession and even by the UPC itself. The previously recommended title "European Patent Litigator" may still be used.

### Training Events

PCC continued its collaboration with the Professional Education Committee (PEC) to provide training in the area of professional conduct. The following three webinars were held in 2025:

- *Terms of Engagement*
- *Basics of Conduct Provisions for European Patent Attorneys*
- *Professional Ethics in the Work of European Patent Attorneys*

### Opinions on Enquiries from **epi** Members

In 2025, PCC received six enquiries from **epi** members and provided opinions on the permissibility of certain actions, as foreseen in Art. 7(c) CoC. The enquiries covered a range of topics, including the payment of commissions, obtaining client consent for the use of AI tools, reporting obligations in cases of potential misconduct, conflicts of interest when working in related technical fields, and issues concerning file transfer.



## CODE OF CONDUCT

### ◀ Professional Conduct Committee

In parallel, work on anonymising and cataloguing enquiries was continued. An internal PCC database of opinions now contains about 90 anonymised cases from 2010 until 2025.

#### Use of AI

The **epi** Guidelines on the Use of AI, adopted and published at the end of 2024, have generated significant interest and largely positive feedback. Two enquiries relating to the Guidelines were received in 2025, and opinions were issued in response. The first enquiry concerned the development of an appropriate internal AI Code of Conduct for IP firms. The second addressed the obligation to inform clients about the use of AI tools and to respect their wishes, particularly when AI is used to summarize prior art. In addition, a roundtable discussion with AI providers was held to exchange views on confidentiality, transparency, and best practices for the use of AI tools in the patent profession.

#### Reform of the Disciplinary System

The reform proposal for the disciplinary system was a major topic of discussion within PCC in 2025. After a working group launched by the **epi** Council in 2023 explored options for reforming the disciplinary system, the initiative gained momentum in 2025 once an expert opinion on disciplinary law had been obtained and a joint working group of **epi**, the EPO, and the Boards of Appeal was established to develop a proposal for adjusting the regulatory framework.

The central element of the proposal is abolishing the Disciplinary Board of the EPO and expanding the powers and responsibilities of the Disciplinary Committee of **epi**. Legally qualified individuals – such as EPO lawyers, dual-qualified **epi** members, or other suitably qualified persons – would join the Disciplinary Committee, which would remain under **epi** governance and maintain a majority of **epi** members.

PCC generally supported the proposal in its discussions and welcomed its key objectives of shortening proceedings, improving the quality of decisions, and increasing transparency and the visibility of the disciplinary system.

#### Activities in connection with the EPO and the UPC

Discussions were held with the EPO regarding its plans to integrate a list of legal practitioners and associations into the register of professional representatives. PCC raised concerns about this approach, noting that the qualifications and oversight mechanisms for legal practitioners differ significantly from those applicable to European patent attorneys. In addition, the absence of effective removal mechanisms for legal practitioners is expected to result in outdated entries in the register.

Concerning representation before the Unified Patent Court (UPC) by in-house European Patent Attorneys, a position paper was prepared by **epi** with contributions from PCC and submitted to the UPC. The UPC decided in February 2025 that in-house EPAs may in principle represent, except those holding substantial administrative or financial powers.



## Professional Education Committee

**P**EC held an in-person meeting in June and an online meeting in October 2025. During the in-person meeting we had two separate break-out sessions: one for professional training matters and one for EQE matters. The smaller groups enabled more detailed discussions. In addition, the various sub-committees and working groups have had as many meetings as needed to progress the work summarised below.

### Professional training

In 2025, the CPE sub-committee organized 4 seminars (of which 3 were also livestreamed) and 18 webinars (5 of which were UPC related). We noted that the attendance for in-person seminars is declining, but it is believed that we should at least retain several seminars to enable more intensive discussions and networking. More information on CPE trainings is available on the **epi** training website **epi-learning**<sup>1</sup>.

The series of podcasts that was launched in 2024 was continued with biweekly episodes which were produced together with the editorial committee. This resulted in 3 podcasts on EQE topics, 4 podcasts on **epi** organisational information and 14 episodes under professional training. All these podcasts, both of 2024 and 2025 are accessible on INSIGHT **epi** – The podcast for European patent professionals<sup>2</sup>. There is good engagement with between 400 to over 1000 downloads for each episode depending on the topic.

<sup>1</sup> <https://www.epi-learning.org>

<sup>2</sup> <https://insightepi.buzzsprout.com>

The Reporting of CPE working group was given permission by council to prepare guidelines on how to meet the requirement to keep our professional knowledge up to date as set out in Article 1(c) of the **epi** Code of Conduct. The working group has a diverse membership and includes representatives from countries having a framework for meeting national CPE obligations as well as those countries who oppose any mandatory reporting of CPE. No guidelines will be adopted without approval from Council.

The EPAC examination was held on 09 October 2025. The second iteration of the course on behalf of **epi** to support candidates taking the EPAC was attended by 50 candidates of which 20 were from Germany. Late in 2025, the European Patent Office announced significant changes to the EPAC examination for 2026 which will necessitate a reconsideration of the EPAC course that was offered by **epi**. Further, it was announced that EPAC candidates will be able to apply to the new EPAC Candidate Support Program.

### EQE work

2026 will be the last year of the old-style papers. As expected, a record number of candidates enrolled. Turning to the new EQE, 523 of the 607 candidates who sat the first paper F in 2025 were successful and can choose to progress to the first papers M1 and M2. There are mock papers available for all of M1 to M4 on the EQE website.



## ◀ Professional Education Committee

**epi** continues to provide extensive support for candidates sitting the EQE and details can be found on the **epi** students section of the main website. There are three examples of Paper F prepared by **epi** tutors available on **epi** learning. The first example paper is available free of charge to all EQE candidates. The second and third papers, together with a live Q&A session with two tutors, are available for a fee. There are two example papers M1 and one example paper M2 prepared by **epi** tutors on **epi** learning both behind a pay wall.

The tutor consultation hour with 27 sessions of one hour on specific (EPC, PCT and EQE) topics which was held for the second year was successful with an average participation of 20 candidates. The second in-person **epi** Student summit was held in Munich on 27 June 2025.

The Candidate Support Program (CSP) for EQE candidates was relaunched in 2025 and all 39 member states are eligible to take part. So far, 30 member states have signed up and 38 candidates for the new EQE are being supported as well as 7 candidates for paper C. A very successful in-person meeting was held on 31 October 2025 in Munich to launch the new program.

In the newly started EQE mentoring program, 26 candidates were matched with mentors and most of them have had several one-to-one meetings through late 2025. The program will be evaluated in March 2026, after the EQE. Finally, the working group to revise Rules 11 to 13 of the IPREE to provide for a calculation in ECTS credits and enable stacking met again in December after a long gap. Some progress was made, but further discussion is needed.



## Studentship Admissions Committee

The Studentship Admissions Committee (SAC) is tasked with reviewing applications to join the **epi** Students programme. As of 31 December 2025, there were 546 active **epi** Students. In 2025, the SAC received 163 applications, while 109 **epi** Students passed the EQE and joined the ranks of **epi** members. No applications were refused.

In 2025, the **epi** Council adopted an amended set of rules governing **epi** studentship. These amendments were long underway and aimed at allowing candidates who are not currently under supervision or employed by a patent firm to join the **epi** Students programme, provided that they have completed at least two years of professional training or employment and declare their intention to sit the EQE.

Most candidates sitting the EQE are either training under a European Patent Attorney or working as in-house patent attorneys for their employers. However, some candidates may have completed their training period but have not yet passed the EQE. These individuals might be:

- Completing a mandatory national training requirement (such as the Amtsjahr in Germany);
- On parental leave;
- Fulfilling caregiving responsibilities; or
- Facing other circumstances that prevent them from being regularly employed as trainee patent attorneys.

The change in **epi** Student rules brought them in line with the REE requirements and provided those candidates with access to training resources, a supportive community, and the assistance needed to qualify as European Patent Attorneys as soon as possible.

Upon request from the PCC, the **epi** Student rules were also amended to include a reference to the **epi** Code of Conduct and to remind **epi** Students to avoid the use of misleading titles.



## Working Group Disciplinary System

This working group was set up by the **epi** Council at its meeting C96 in November 2023, to study the current disciplinary system and consider possible proposals to improve it.

The set up of this WG was preceded by discussions within the Board and within a working group set up by the Board in the months preceding the meeting C96, where it was observed that the disciplinary system of our profession dates back from the dawn of the EPC, in late '70s; unlike most – if not all – of the legal provisions with which we have to deal with, including the EPC itself, this system has never been updated since then.

Undoubtedly, the disciplinary system has worked, however some issues have been observed.

In particular, the first instance of disciplinary proceeding involves two bodies: an **epi**-internal body, the Disciplinary Committee (in short, DC), and an EPO-**epi** body, the Disciplinary Board (in short, DB). Any disciplinary proceedings start from the DC, that receives the complaints against **epi** members and process them, considering and evaluating the possible misconduct of the **epi** member who is object of the complaint. Proceedings before DC can be concluded with a decision imposing a disciplinary measure (i.e. a sanction) against the **epi** member, but only if the sanction is of a low level, a warning or a reprimand. If DC considers that the misconduct of the **epi** member is so serious that a heavier sanction is deserved (such as a fine or deletion from the list of European Patent Attorneys for a certain period), DC has to forward the case to DB, where the possible misconduct of the **epi** member is considered and evaluated again, until a decision is issued. The result of this twofold first instance is that when the misconduct is more serious, the length of the proceedings becomes

longer, sometimes much longer, thus potentially affecting the reputation of the **epi**.

At C96, the Council also authorized the WG to address the EPO to share opinions and proposals, under the direction of the President of **epi**. Indeed, the responsibility for the disciplinary system is shared by **epi** and EPO, at least because both the DB and the appeal body, the Disciplinary Board of Appeal (in short, DBA), include members from both the **epi**, the EPO and the Boards of Appeal of the EPO. Besides, the disciplinary system is regulated by provisions adopted by the Administrative Council of the EPOrg (in short, AdC), namely the Regulation on Discipline for Professional Representatives before the EPO (in short, the RDR) and the Regulation on the establishment of an institute of professional representatives before the EPO, known as Founding Regulation (in short, FR). The AdC is also responsible for adopting any amendments of these provisions.

At the first contacts with the EPO, it was confirmed that also the EPO was interested and ready to have the disciplinary system reviewed by a dedicated team. Thus, in 2024 this WG and the EPO team independently worked to study the disciplinary system and to think about proposals for improving it. This DS WG shared comments and proposal during several online meetings and by means of a dedicated forum.

At the end of 2024, the **epi** and the EPO agreed to request an opinion from independent experts (and to share the cost for it). The expert team started its work at the beginning of 2025; they also conducted many interviews with different persons involved in the system, both within **epi** and outside, including members of this DS WG.





## ◀ Working Group Disciplinary System

While the expert team was completing its work, at the beginning of the summer of 2025, the **epi**, the EPO and the Boards of Appeal agreed to set up a joint working group, to draft the legal texts that define the disciplinary system. This joint WG included a small number of members from all the three parties, **epi**, EPO and the BoA; the **epi** members were designated by the President of the **epi** and included two members of this DS WG (Martina Stork and Bart van Wezenbeck) and a past president (Chris Mercer).

In their opinion, the independent experts included a number of recommendations and suggestions, including in particular:

- single body in the first instance
- self-governance by the **epi** in first instance, with contribution by legal members (not necessarily from **epi**)
- rules for the suitability/qualification of candidates to the disciplinary bodies, giving precedence to the suitability/qualification than to a possible representation of countries
- possible maximum number of terms in the disciplinary body
- preliminary triage of the complaints, so that simple cases can be decided by small panels than complex cases
- mediation might be appropriate in some cases, provided that is not conducted by the members of the disciplinary bodies
- no anonymous complaints, no ex officio proceedings
- publication of all decisions (in anonymous form)
- registration of sanctions in list of professional representatives
- annual report of the activity of each disciplinary body

During the summer of 2025, the joint WG worked hard and produced several consecutive drafts for a revised RDR and a revised FR, taking into account the previous work of this DS WG and the recommendations and suggestions given by the independent experts. This DS WG assisted the joint WG in reviewing the drafts.

On October 30, a semi-final version of the new RDR was presented to the Council members in a special information pre-session online before the autumn meeting of the Council C100. Then, the draft was presented and discussed at C100, where some key aspects were addressed and decided.

In particular, at C100, the Council discussed at length and decided on several motions, setting some basic principles or directions, both for the joint WG (as affecting the new RDR) and for this DS WG (as far as implementing provisions are concerned). In particular, the draft new RDR makes it clear that the **epi** Council will have to elect the members of the new disciplinary body of first instance; therefore, important implementing provisions relate to the procedure for the election of those members.

So, at C100 the Council decided that:

- any member of the Institute may nominate themselves for election into the new Disciplinary Committee, and that the rules and requirements for such nominations shall be approved by the **epi** Council
- the new rules should not deviate from the following principle: Council Members may propose Members for the Disciplinary Committee (DC) and Council may appoint Members for the DC independent from **epi** Board or **epi** Presidium





## ◀ Working Group Disciplinary System

- the new RDR should include the following principle: The Chair and the Vice Chair shall not be elected by the members of DC any more but by Council
- the **epi** Working Group on the Disciplinary System shall, with the assistance of the **epi** members of the **epi**/EPO/BoA Working Group and the By-Laws Committee, present to the next Council meeting proposals for implementing the new RDR.
- The Council also decided to have an online meeting C101 on January 30 regarding the reform of the disciplinary system.
- This DS WG then prepared for the discussion at C101 the following proposals:
- additional rules for the elections of the members of the new disciplinary body of first instance
- amendments to the By-laws in view of the new RDR.

At C101, most of the discussion was concentrated on the new RDR, that was eventually approved as an **epi** proposal for the AdC. Inter alia, the Council decided that the name of the new disciplinary body of first instance should be “Disciplinary Board of the Institute of Professional Representatives before the European Patent Office”.

Besides, at C101 the Council discussed, amended and finally adopted the Additional Rules for Elections and Appointment to the future Disciplinary Board of **epi**. The Council also requested the By-laws committee to prepare for the next meeting a proposal for amending the by-laws in view of the new RDR.

It is expected that the new RDR will be adopted by the AdC in time to enter into force on 1 September 2026, with the new system becoming operative as from 1 January 2027; the new Disciplinary Board of the **epi** is expected to be elected at the autumn Council meeting in 2026. So, the activity of this DS WG can be considered concluded and the WG could be dissolved at the next Council meeting C102, unless the Council decides to re-define its mandate, e.g. to monitor the entry into operation of the new disciplinary system if this is considered useful.



## Working Group IP Awareness

Following extensive consultation with all 39 **epi** Council delegations during 2023-2024, the **epi** Presidium identified a critical need to enhance patent and IP awareness across European Patent Convention member states. The consultation revealed that while many jurisdictions have ongoing innovation activities, companies and institutions often lack sensitivity to the relevance of patents.

The IP Awareness Working Group was established to bridge this gap between the patent profession and business and academic communities. Chaired by Oana Boncea with Dr. Claudia Duffy as Vice-Chair, the group includes members from the Editorial Committee, Professional Education Committee, IP Commercialization Committee, and Online Communication Committee.

### Key Activities in 2025–2026

The WG refined its communication objectives by identifying key target audiences, namely university students (in particular in STEM fields) and members of the business and academic communities, and aligning its messaging accordingly.

A major outreach initiative was the **epi** Advent Calendar, which was successfully implemented in December 2025, delivering 24 structured, accessible IP awareness posts via LinkedIn. The campaign was well received by both internal and external audiences.

The WG initiated a pilot multimedia project titled *“Role of IP in Business”*, including video, visual, and written content tailored to businesses and academia. Implementation is scheduled to begin in March 2026. Further content opportunities are being explored, including the reuse of material from the Vilnius seminar on innovation commercialisation.

Building on prior initiatives, the WG is developing additional formats and activities targeting SMEs, start-ups, universities, and research institutions. Collaboration opportunities with both institutional and business stakeholders are currently being explored.

### Outlook / Ways Forward

- Further development of targeted, audience-specific communication strategies
- Launch and expansion of the *“Role of IP in Business”* multimedia project
- Creation of a centralised digital platform for IP awareness content
- Expansion of collaborations with various institutions, academia, and industry
- Development of scalable outreach formats tailored to SMEs and start-ups

The IPA WG remains committed to strengthening the visibility and understanding of the European patent system and profession across all relevant stakeholder groups.



## Working Group Small Countries

The Small Countries Working Group was formally established during Q1 of 2025 with the stated aim of safeguarding, protecting and enhancing the interests of European Patent Attorneys hailing from the Small Countries of The Institute of Professional Representatives before the European Patent Office (epi). It currently comprises practitioners from the following 14 member states of the EPC: ALBANIA, CROATIA, CYPRUS, ESTONIA, ICELAND, LATVIA, LIECHTENSTEIN, LITHUANIA, LUXEMBOURG, MALTA, SAN MARINO, NORTH MACEDONIA, MONTENEGRO and MONACO.

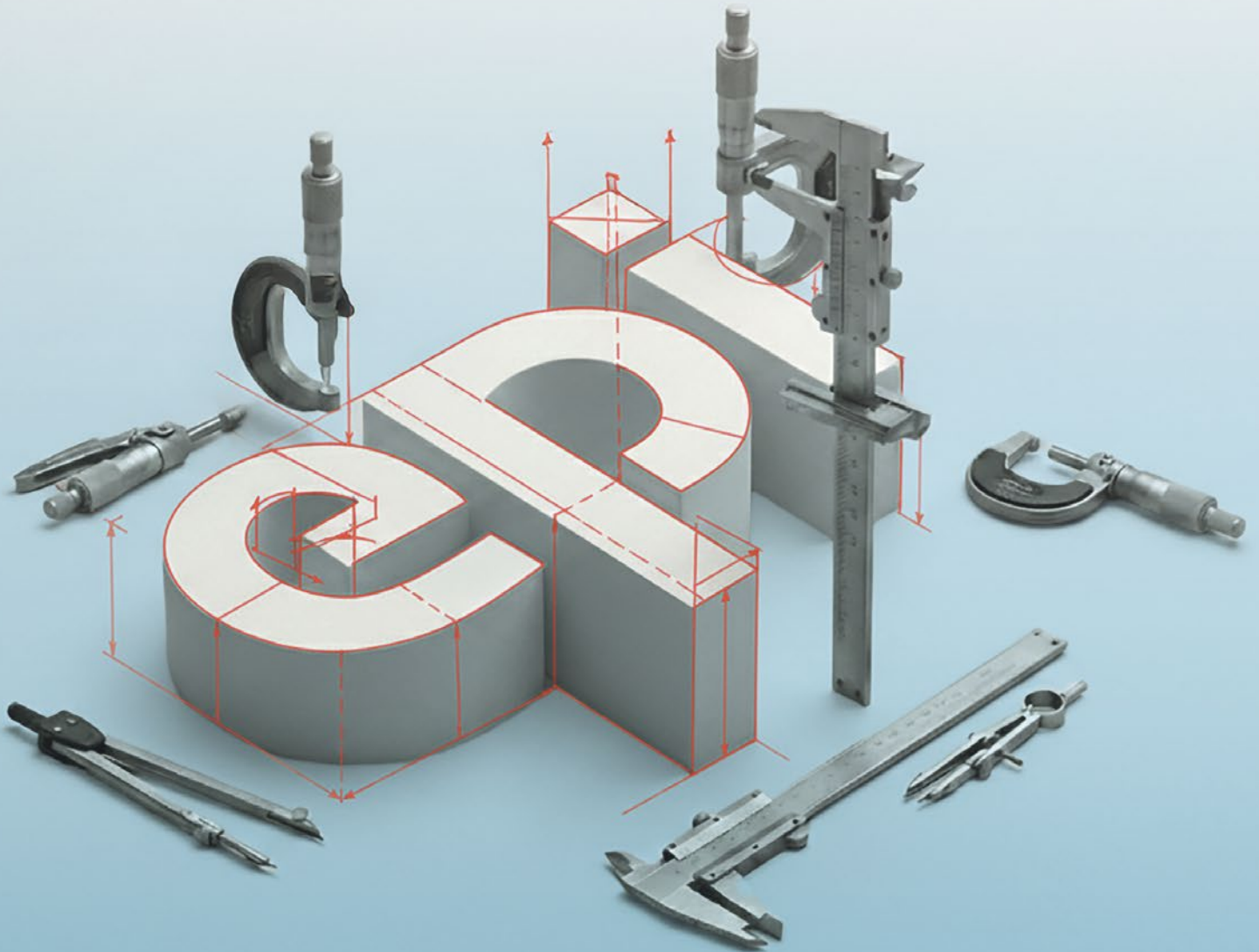
During Q2 of 2025 it was decided that a Questionnaire should be sent out to all member state representatives, with the purposes of seeking to identify both the common ground as well as the differing aspects governing practices in the respective jurisdictions. This in order to enable the Working Group to be better positioned in its quest to pursue the main goal highlighted above.

The Questionnaire focused on four main topics, as follows:

- the **First Part** consisted in a request for a summary of the scenario in each jurisdiction involving national parts of EPs: members were asked to describe what is the typical working brief that is received / performed, and what type of work is involved, with particular reference as to whether the work is exclusively administrative in nature or whether it involves / also involves professional skills of a patent attorney;

- in the **Second Part**, Members were asked whether European Patent (EP) filings are typically filed by European Patent Attorneys in their respective jurisdictions, and in this regard Members were asked to provide figures in support of their replies;
- the **Third Part** focused on the number of European Patent Attorneys in each jurisdiction, how many of these are grandfather attorneys as opposed to exam-qualified, and whether there are any national particular features relative to exam-qualified attorneys;
- in the **Fourth and final Part**, each Member State was asked to respond to the question as to what are the concerns of European Patent Attorneys from its jurisdiction and in this regard:
- Various countries (CY EE IS MK) cited profession awareness as No. 1 concern;
- Various other countries (LT LV MC MT) cited impact / prospected impact of the Unitary Patent as No. 1 concern; and
- Most countries see the training of candidates as one of the major concerns.

The responses were analysed and a plan of action was in the process of preparation in order to further discuss – and work on – the various concerns raised.



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