Towards a
new normal

Flexibility, collaboration,
and community at the EPO

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Foreword

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Over the last year and a half, scientists and researchers around the world have applied themselves to developing solutions to one of the greatest challenges of our time – and quite possibly of recent generations. Indeed, the scale of the COVID 19 pandemic has brought changes to the lives of nearly all of us, regardless of where we are, or what we do.

At the European Patent Office (EPO) our role is to support those scientists and researchers – and all others seeking robust patents – with the highest-quality products and services. By doing so, we are helping to encourage investment in innovation and research and disseminate extensive patent information that supports a continually advancing line of technological breakthroughs. Those breakthroughs ultimately help to create a safer, smarter and more sustainable world – a goal we have all striven towards with renewed purpose in the face of the pandemic.

I am immensely proud of the EPO's staff for their efforts throughout a tremendously demanding time. Similarly, everyone here at the EPO is grateful to our stakeholders for their support and flexibility. Thanks to this joint effort, I believe we have continued to fulfil our mission and maintained our support for the innovation community. That was not always easy. Over the course of the last 18 months, the pandemic has ushered in sweeping changes that have not only transformed the way we interact socially, but also the way we organise ourselves, how we travel and how we work.

These changes have also revealed opportunities for positive change. New digital workflows, for example, led to a reduction in paper consumption of some 58.6 million sheets in 2020 versus 2019, as well as more efficient ways of working for our staff. As witnessed in many other organisations, our CO2 emissions from business travel also tumbled by 91% in 2020 compared to 2019. Online meetings have allowed colleagues at separate sites to collaborate more often, and I myself have met with just over 2 000 staff online since the pandemic began. Colleagues throughout the EPO have explored the possible benefits of a more flexible approach to the traditional concept of a workplace and working hours. Our Office's transparency and accessibility have increased, attracting a rising number of attendees to online conferences and online public oral proceedings at the opposition and appeal stages. Such developments have also been especially timely, helping the patent system to become more transparent at a time when it has come under intense scrutiny. Switching to online training has also allowed us to offer IP education regardless of an individual's location. As such, it has helped fulfil our commitment to support a strong and sustainable patent system right across the European Patent Organisation's member states. These are just a few of the benefits that we're seeing.

As we look to the future, we now want to embed these benefits in our planning, and move from a period of managing the pandemic to capitalising on new, long-term opportunities. How exactly we do that is a complex challenge and its solution can only be found by working closely with all our stakeholders. This is why we have invited the views of our stakeholders to help us understand the ramifications of the pandemic and what the future might look like. A good deal of insight, and the identification of areas where we need to progress, have come from our own staff. Colleagues in the EPO have been "in the thick of it" on a daily basis, facing rapid change and all the issues that brings. Their feedback gathered in two surveys last year has been a knowledge-rich resource for taking our organisation forward. Similarly, ongoing
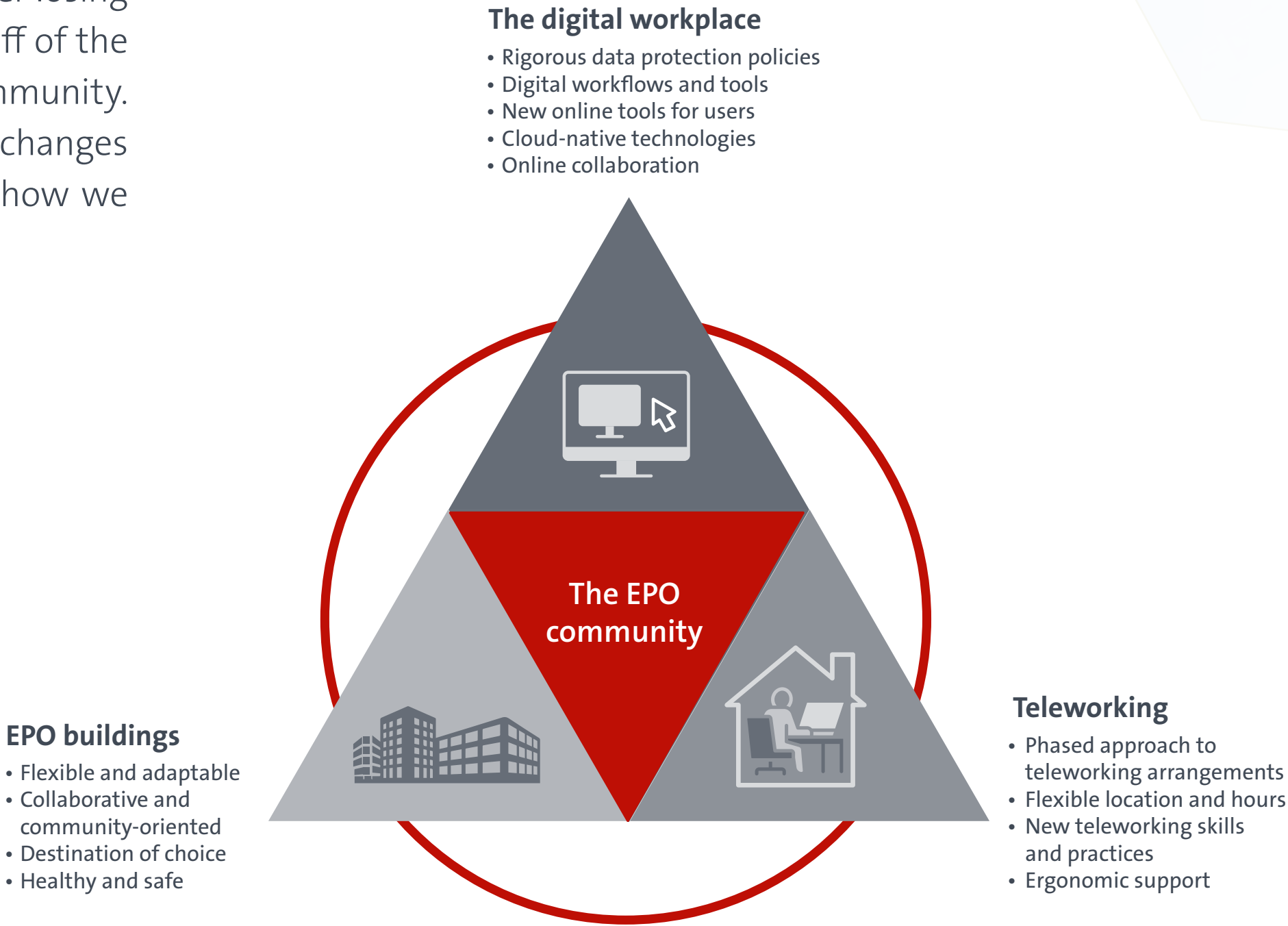
feedback gathered in continual dialogue with our users in the course of the last 18 months was used to compile a first draft of this document. And a consultation held for four weeks from March to April 2021, open to all users, has helped us to refine the draft further.

One of the points we have learnt in the course of the pandemic is that we cannot predict with absolute certainty what the new normal *will* look like – only what it *might* look like. We have all been reminded recently that, while planning and preparation are necessary, it is adaptability and agility that allow an organisation to navigate unchartered waters successfully.

In this document we therefore present our general orientations for adjusting the EPO's course as we head towards a new normal, uncertain of its exact nature but aware of its general implications after discussion with our stakeholders. That future, it seems, is one in

which we will seek to profit from an increasingly digital environment, to create more flexibility and to foster collaboration – while never losing sight of the fact that, wherever the staff of the EPO are working or residing, we are a community. Key aspects of this process will involve changes in our teleworking arrangements and how we use our buildings.

The digital workplace
• Rigorous data protection policies
• Digital workflows and tools
• New online tools for users
• Cloud-native technologies
• Online collaboration

The EPO community

EPO buildings
• Flexible and adaptable
• Collaborative and community-oriented
• Destination of choice
• Healthy and safe

Teleworking
• Phased approach to teleworking arrangements
• Flexible location and hours
• New teleworking skills and practices
• Ergonomic support

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As much as we would like to have included them, complete and ready-made solutions for complex challenges such as teleworking and how we use our buildings will not be found in this document. It would be foolhardy to try and produce a detailed blueprint for success in a landscape that is still emerging. Rather, what we can do now is agree on the principles of what we would like to see in the future, and the areas where we need to apply our efforts to complement the goals of the Strategic Plan 2023 (SP2023).

This document is also a commitment from the EPO to make sure that the journey we started with the adoption of SP2023 continues to be a shared journey. Because the kind of changes that we hope to make can only be done step by step, in co-operation with our stakeholders. The way to a new normal can only be found based on continuing feedback and dialogue if we are to truly deliver the benefits.

I have no doubt that, in fleshing out the details we will face some more tough questions, beyond those we have tried to answer in this document. Especially given the scale of some changes, and the complexities that arise from our status as an international organisation with around 6 600 staff drawn from 38 member states, and from being located in four countries.

However, on the basis of everything we've seen this year, and the positive changes we have already begun to make, I am confident that we will continue to pull together in pursuit of common goals. And, furthermore, that we will be able to achieve those common goals, confirming our status as an ever more adaptable organisation, and as an Office that is better equipped to navigate the realities of a new normal.

António Campinos

President of the European Patent Office

Introduction

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2.1 The COVID-19 outbreak

At the beginning of 2019 the European Patent Office (EPO) embarked on a path to become a more adaptable and sustainable organisation. Based on extensive stakeholder feedback, five goals were developed to achieve this vision, and set out in its Strategic Plan 2023 (SP2023). After the Administrative Council adopted the plan in June 2019, the Office began creating the structures and tools that would support its smooth implementation.

By the end of 2019, the Office had laid the foundations to start making solid progress on the plan. A Corporate Governance Service (CGS) was put in place to support the programmes and projects rolled out under each of SP2023's
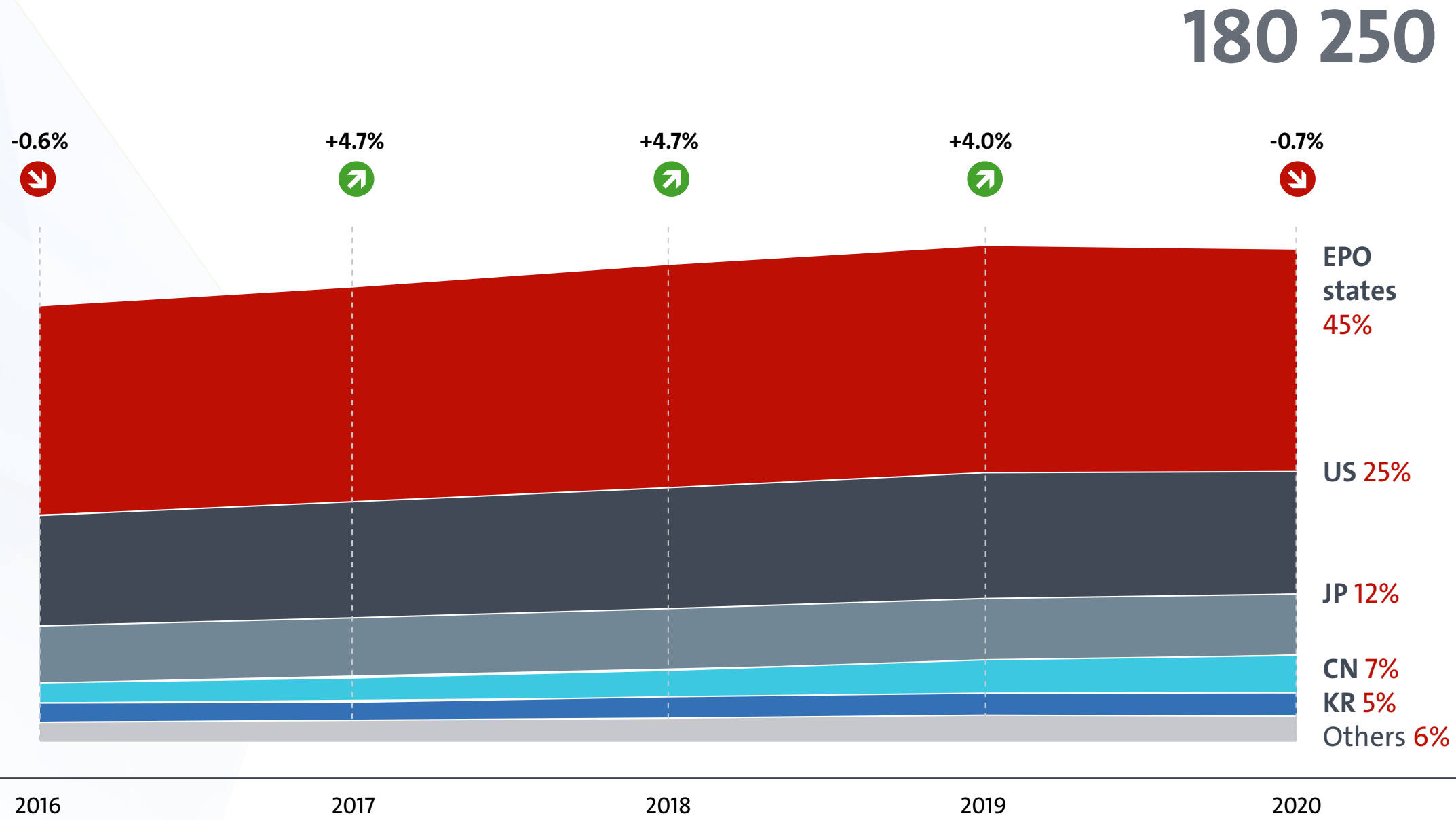
five goals. The Office underwent an extensive reorganisation to create flatter structures and facilitate faster and better decision-making. After an IT audit revealed a pressing need to forge ahead with digital transformation, staff working in the Office's newly created Business Information Technology (BIT) service underwent a rapid transformation. This included the upskilling of staff and the introduction of modern methodologies for the development and deployment of IT tools.

The Office was also increasingly on target in its core business by the end of 2019. Thanks to high productivity levels, staff successfully managed to handle a record number of around

180 000 patent applications. Timeliness was also improving, particularly in search, where it took the Office just 4.4 months on average to deliver a search with a written opinion. The EPO's classification backlog also hit almost zero. The quality of the Office's patents continued to be ranked number one among the IP5 and there was an upward trend in the Office's audit compliance, with classification and search audits achieving all-time highs at 96% and 97.6% respectively.

Total number of applications received by the EPO

180 250

	-0.6%	+4.7%	+4.7%	+4.0%	-0.7%

EPO states 45%

US 25%

JP 12%

CN 7%
KR 5%
Others 6%

2016   2017   2018   2019   2020

However, just six months into SP2023, at the beginning of 2020, the COVID 19 outbreak began to spread and the Office put together a crisis team to respond to the evolving situation at the end of January. By the time the crisis was declared a global pandemic by the World Health Organization in March 2020, the Office's crisis response group had already been established for nearly two months. The team included senior management figures, such as members of the EPO's Management Advisory Committee, as well as those with operational responsibility for areas particularly relevant to managing the crisis, such as Health and Safety. At crisis team meetings, sometimes held on a daily basis, strategic decisions were taken to adapt the Office's operations to a rapidly changing environment that was largely defined by the need to socially distance.

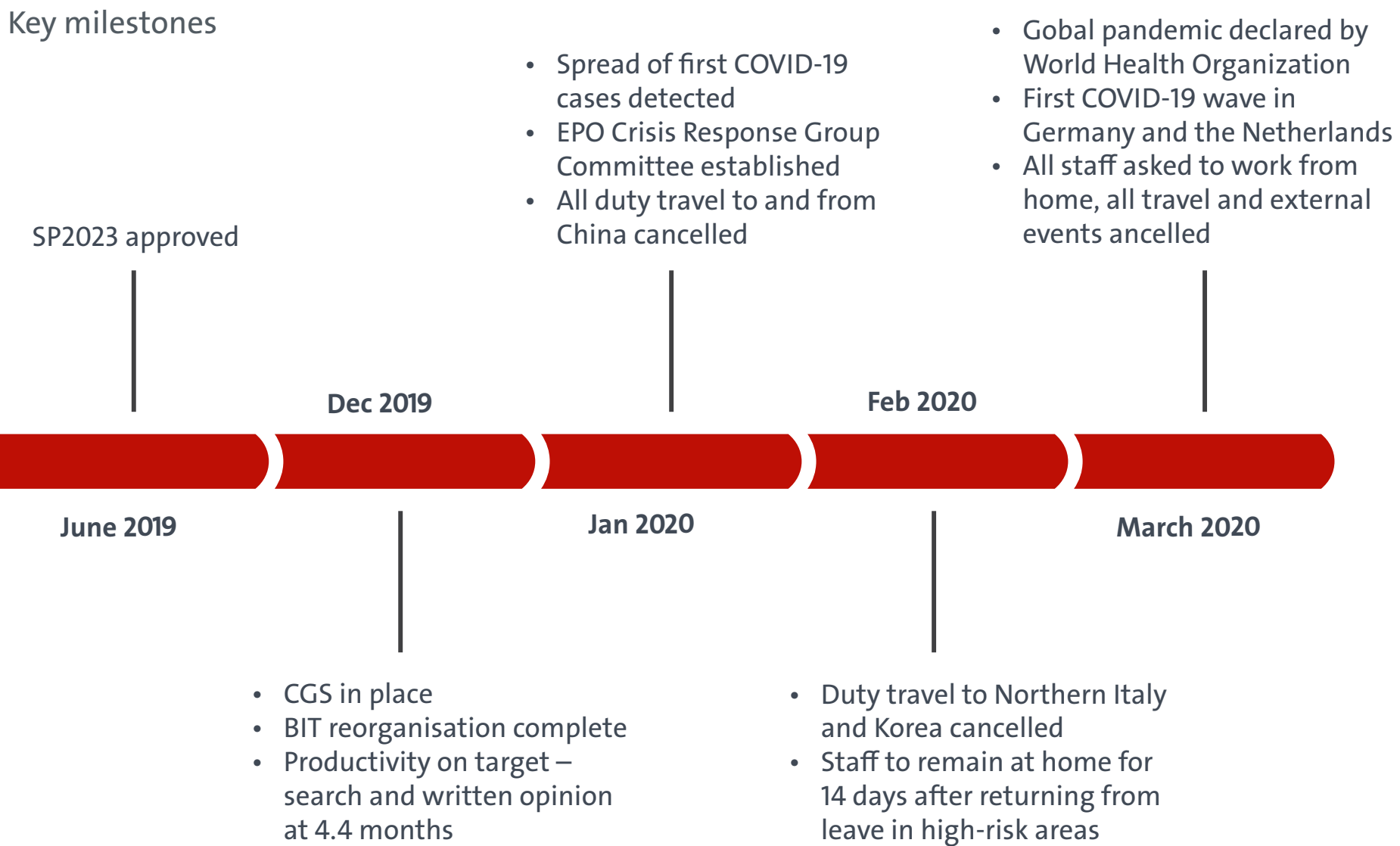# 2.2 Adapting the Office's operations

The Office quickly established its priorities: to protect the health and safety of its staff and visitors, thereby ensuring it played its part in society's efforts to mitigate the spread of the virus, and to provide business continuity for EPO users. A range of measures were put in place to achieve these goals and to support staff, users and other stakeholders.

Social distancing implemented at the EPO

Key milestones

SP2023 approved

- Spread of first COVID-19 cases detected
- EPO Crisis Response Group Committee established
- All duty travel to and from China cancelled

- Gobal pandemic declared by World Health Organization
- First COVID-19 wave in Germany and the Netherlands
- All staff asked to work from home, all travel and external events ancelled

Dec 2019   **Feb 2020**

June 2019   **Jan 2020**   **March 2020**

- CGS in place
- BIT reorganisation complete
- Productivity on target – search and written opinion at 4.4 months

- Duty travel to Northern Italy and Korea cancelled
- Staff to remain at home for 14 days after returning from leave in high-risk areas

Greater flexibility and support for staff

From the beginning of March 2020, staff were given greater flexibility in choosing where, when and how they worked. All staff were encouraged to work remotely where possible, although the Office remained open for those unable to work from home. To help staff achieve a healthy work-life balance, core hours were lifted, the availability of IT systems was extended and staff were allowed to work from any European Patent Organisation member state.

The EPO's IT services accelerated the rollout of some 5 800 laptops to support teleworking in 2020. Staff could order further equipment for working from home, including desks, chairs, widescreen monitors and other equipment. Over 2 100 chairs were delivered before the close of the year, as well as almost 690 desks and 4 650 ultra-widescreen monitors.

Staff were also permitted to take any other existing equipment from their EPO offices to their homes. New digital workflows for search and examination were also rolled out and the launch of our new Patent Workbench covering all key interactions between examiners and formalities officers was accelerated.

Home equipment rolled out in 2020

2 100 chairs

5 800 laptops
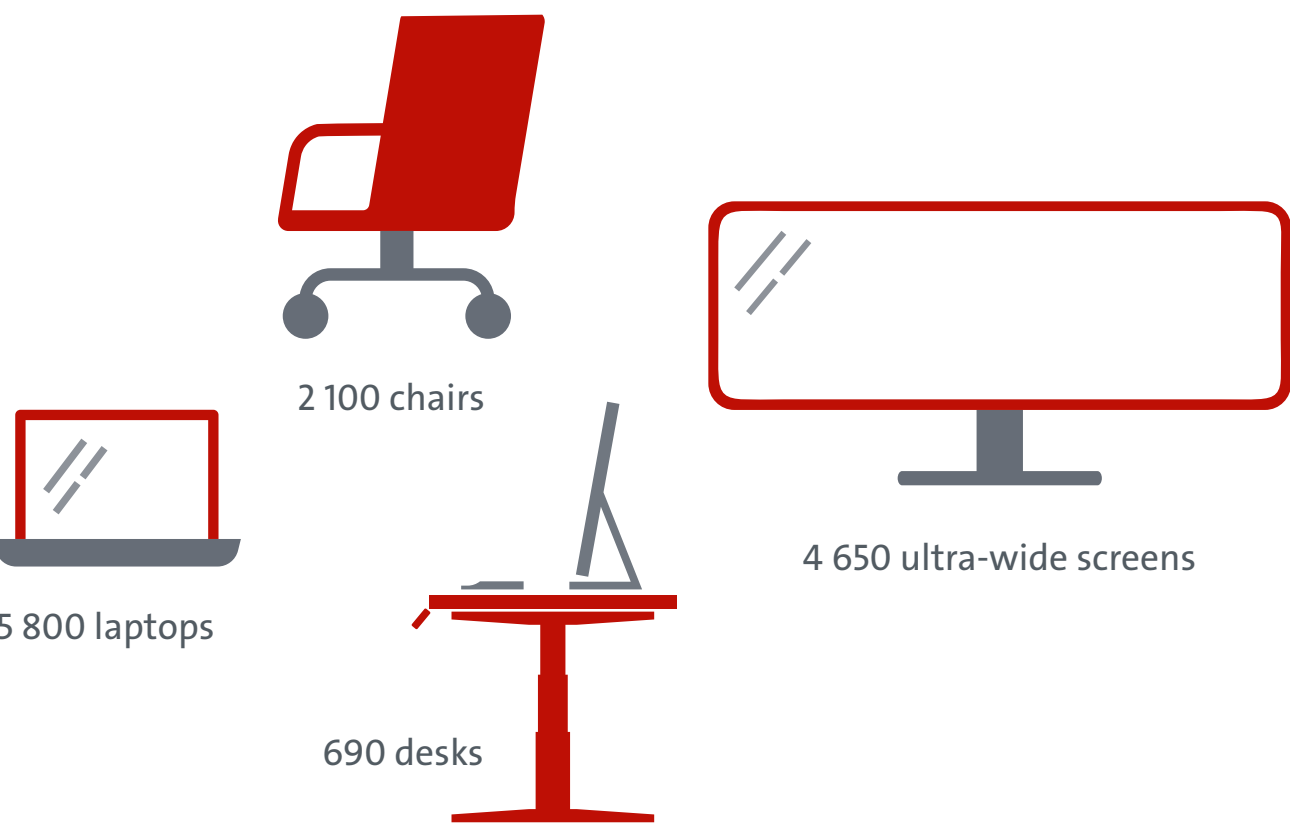
690 desks

4 650 ultra-wide screens

Supporting users

Given the pressure exerted on users by the pandemic, the Office took a number of measures to offer them additional support. The Office published notices drawing attention to the legal remedies available under the European Patent Convention (EPC) and the Patent Cooperation Treaty (PCT) in cases of non-observance of time limits. In addition, it announced a general extension of periods for all parties and their representatives until 2 June 2020, in view of the general dislocation in services and public life. Moreover, the Office allowed users to delay their payment of renewal fees for up to three months (ending on 31 August 2020) at no extra cost. This helped to ease the financial burden on applicants when

the COVID-19 crisis intensified in the first half of the year.

The Office quickly switched to oral proceedings in examination via videoconferencing by default, to protect the health of all those involved while ensuring business continuity and adhering to travel restrictions. A pilot on conducting oral proceedings in opposition via videoconferencing was subsequently launched in May 2020. In November the Office decided to expand and extend this pilot to make it the default option for users as of 11 January 2021, in order to safeguard access to justice.

Supporting society: the value of continuity

These measures ensured that the EPO could still support its staff and users while pursuing its mission to deliver high-quality patents and efficient services. During the pandemic, that mission has become more critical than ever. At the beginning of July 2020, the Office launched a new Fighting coronavirus platfo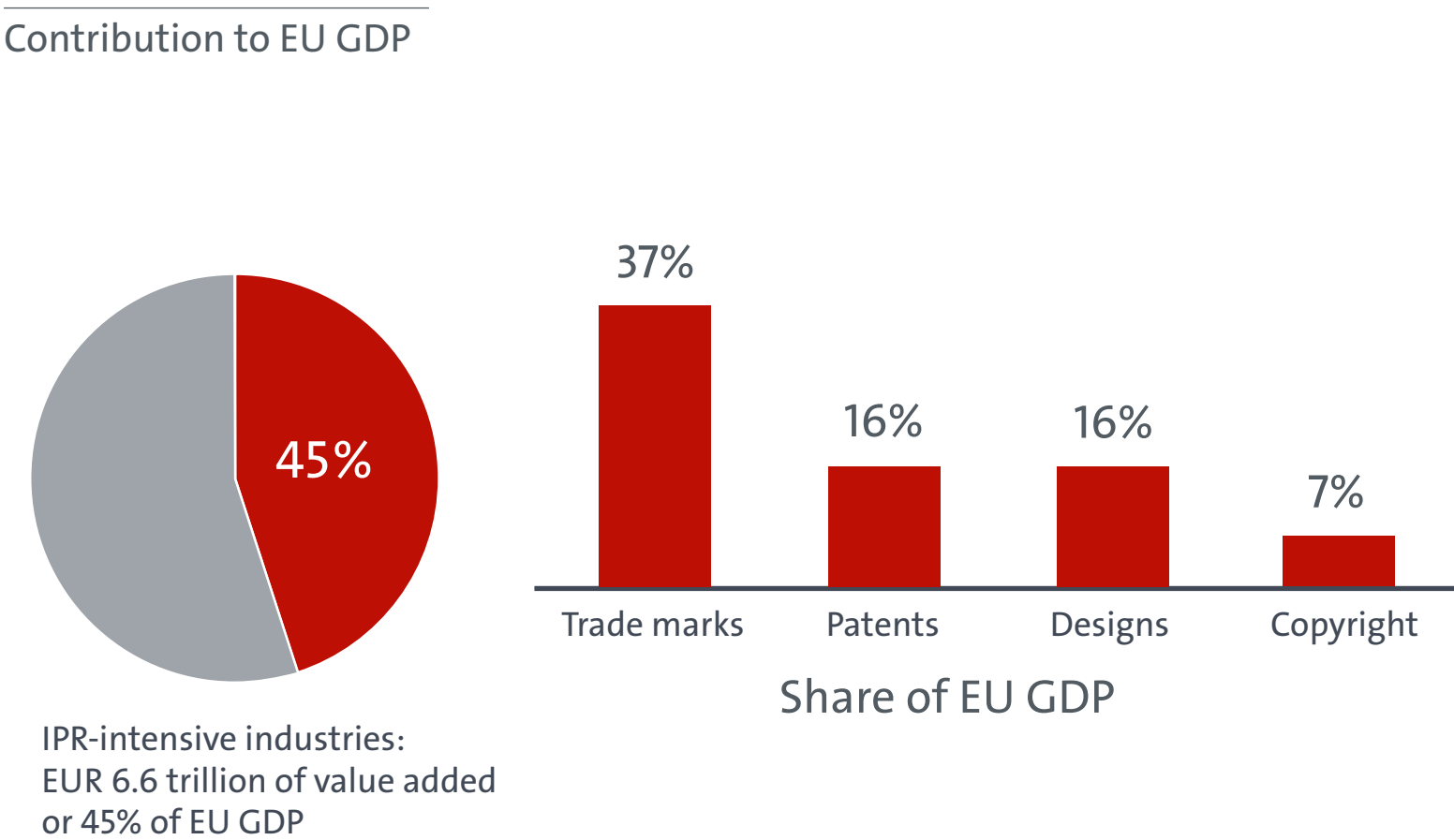rm. It offers scientists and decision-makers support in their search for solutions to combat the virus by helping them to identify the most relevant documents and innovations in these technical fields. Datasets compiled by EPO patent examiners and data analysts covered: vaccines and therapeutics; diagnostics and analytics; informatics; and technologies for the new normal. The platform reflects the patent system's broader role of promoting investment in research and development, which brings about medical breakthroughs and related technologies to fight infections such as COVID 19. By the end of 2020, some 30 000 users had visited the platform. In light of the ongoing demand, the Fighting coronavirus platform will be updated in the course of 2021 with new sets of data.
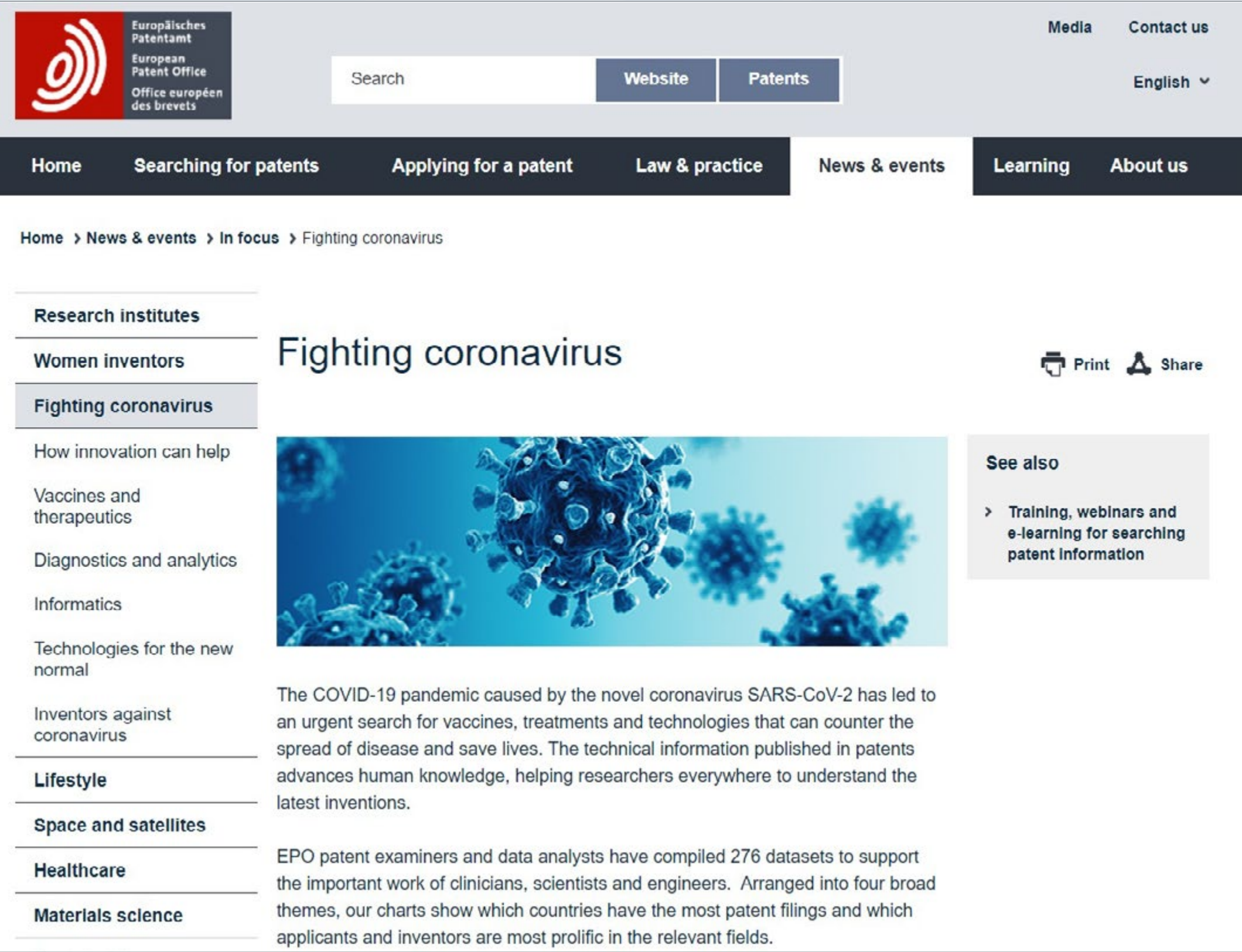
Over the course of the pandemic, European economies and others around the world started to weaken. Innovation, supported by the EPO and patent offices worldwide, may well help national economies to pull out of recession. Studies show that intellectual property rights-intensive industries contribute significantly to economic growth. Industries that make intensive use of intellectual property rights such as patents, trade marks, industrial designs and copyright generate 45% of GDP – or EUR 6.6 trillion – in the EU annually and account for 63 million jobs, or 29% of all jobs[1].

Contribution to EU GDP

45%

IPR-intensive industries:
EUR 6.6 trillion of value added
or 45% of EU GDP

37%

16%   16%

7%

Trade marks   Patents   Designs   Copyright

Share of EU GDP

[1] IPR-intensive industries and economic performance in the European Union, EPO – EUIPO, 3rd Edition, September 2019, retrieved
www.epo.org

They also drive economic recovery by proving to be more resilient to economic shocks. Statistics from 2011-2013 show that, even during a severe financial crisis and recession in much of Europe, the intellectual property rights-intensive sectors coped better with the difficult conditions than the rest of the economy. Despite experiencing serious challenges, these industries will remain the engine of European growth in the years to come. So, ensuring business continuity at the EPO, and supporting these industries, plays a central role in driving economic recovery and supporting medical innovation to fight COVID 19.

2.3 Input for the new normal

Shaping the new normal survey

40 000 comments

Two surveys

5 554 staff participated (86%)

At a strategic level, and after the first year of implementing SP2023, the Office undertook a "lessons learnt" exercise. The plan is ambitious in scope, and a large number of initiatives were launched simultaneously. The review provided an opportunity to scrutinise the feasibility of continuing to roll out multiple programmes and projects in the face of the COVID 19 crisis, leading to some consolidation among the 150 projects previously defined. As a result, the Office adopted a pipeline approach. This approach uses forward planning based on a clear timeline to help the Office manage and prioritise the delivery of its most urgent and strategically important goals in a transparent manner, showing exactly what to expect and

when. A patent grant process (PGP) pipeline and IT corporate pipeline were published in October 2020, and the EPO is also defining pipelines in other areas such as human resources policies and activities.

Staff feedback also constitutes an invaluable source of input for transitioning to a new normal. Since March 2020, approximately 85% of staff have been teleworking and experiencing the challenges and opportunities of working remotely in a more digital environment on a daily basis. To gauge their views, two comprehensive staff surveys were carried out in the course of 2020, in March (Strong together – working during COVID 19 survey; see Annex 1)
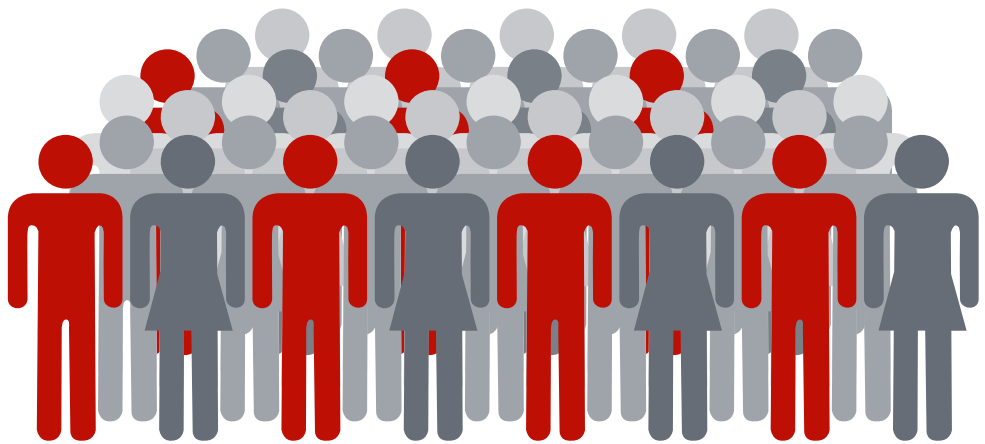
and September (Shaping the new normal survey; see Annex 2) respectively. The survey results represent an extensive source of insight into the experiences of individual colleagues and the organisation as a whole.

While the first survey focused primarily on staff wellbeing, the second survey sought to build a more comprehensive picture of the concerns and hopes of staff, as well as their aspirations for the future. It invited staff to share their

views on topics such as future teleworking (e.g. different schemes, locations and durations, the relationship between long-term teleworking and expatriation benefits and the impact of extended teleworking and flexibility on the performance of daily tasks). They were also invited to give their views on working at the Office's different sites and the future use of its buildings and premises. A total of 5 554 staff members participated in the second survey – or 86% of all staff – and provided over 40 000 comments, indicating a high level of engagement in the future of work at the Office. The comments received in the survey were grouped by topic and shared with the departments responsible for evaluating them (HR, DG 1, BIT, etc). In each case, the departments grouped the comments by subject, and assessed the proposed actions. The result of their analyses formed the basis of this document.

Within the various views expressed, there were two recurring themes. Firstly, staff expressed the desire for greater flexibility in their working arrangements, in terms of where and when they work. Secondly, they expressed concerns over their ability to maintain close collaboration in a remote working environment and with colleagues working from different locations. Linked to this, the survey highlighted staff's desire to maintain cohesion and a shared sense of belonging. So, the survey results indicate that any vision of the new normal should envisage measures that make the EPO a more flexible and collaborative organisation, while encouraging a strong sense of community. A central aspect of the EPO's efforts to create greater flexibility would be an extensive teleworking framework that offers more options to staff and builds upon previous teleworking schemes at the EPO.

For all stakeholders, a consultation was held to invite further input and comments on a first draft of a document on the new normal. It started on 18 March 2021, running for four weeks until 16 April. An invitation to provide comments and a copy of the document were also sent directly to all heads of European Patent Organisation member states' Administrative Council delegations.

Internal staff and Boards of Appeal members submitted a total of 195 responses representing 887 people. The responses were made up of 184 individual emails and 11 responses on behalf of 692 people in teams. The key request from internal staff was for more details on the proposed teleworking arrangements, the number of days it might be possible to work from an EPC contracting state and the possibilities for reserving a private office.

There were also 29 external responses: 15 from European Patent Organisation member states; 4 from user associations; and 11 from individuals. In general, these responses were supportive of the draft document, but also called for further discussion on issues affecting teleworking in member states and plans for the buildings as well as underlining the value of both face-to-face and hybrid meetings. The four user associations also highlighted the need for a careful review of conducting oral proceedings via videoconferencing online. A more detailed overview of consultation responses can be found in Annex 3.

Teleworking

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The ability to telework has emerged as the backbone of the Office's efforts to manage the pandemic. It has contributed to staff health and safety by enabling social distancing and helping EPO staff to minimise their movements and the associated risk of spreading infection in society. Furthermore, the ability to telework has allowed services for users to continue, even though staff were not located on Office premises.

While this ability to telework has depended largely on the agility, resilience and adaptability of staff, and the rapid rollout of IT equipment, it has also been facilitated by the EPO's experience with its previous teleworking schemes. The EPO originally introduced part-time home working (PTHW) in 2012. After seven years of operation, and with over 36% of staff participating in the scheme, the successful PTHW scheme was complemented by a pilot ad hoc teleworking (AHTW) scheme that allowed staff to work away from

their normal residence and in other EPC contracting states for a limited number of days per year. The lessons learnt from the two schemes ensured that the Office was able to quickly develop and release a new set of emergency teleworking guidelines in March 2020, which provided a clear framework for all staff to be able to telework during the pandemic.
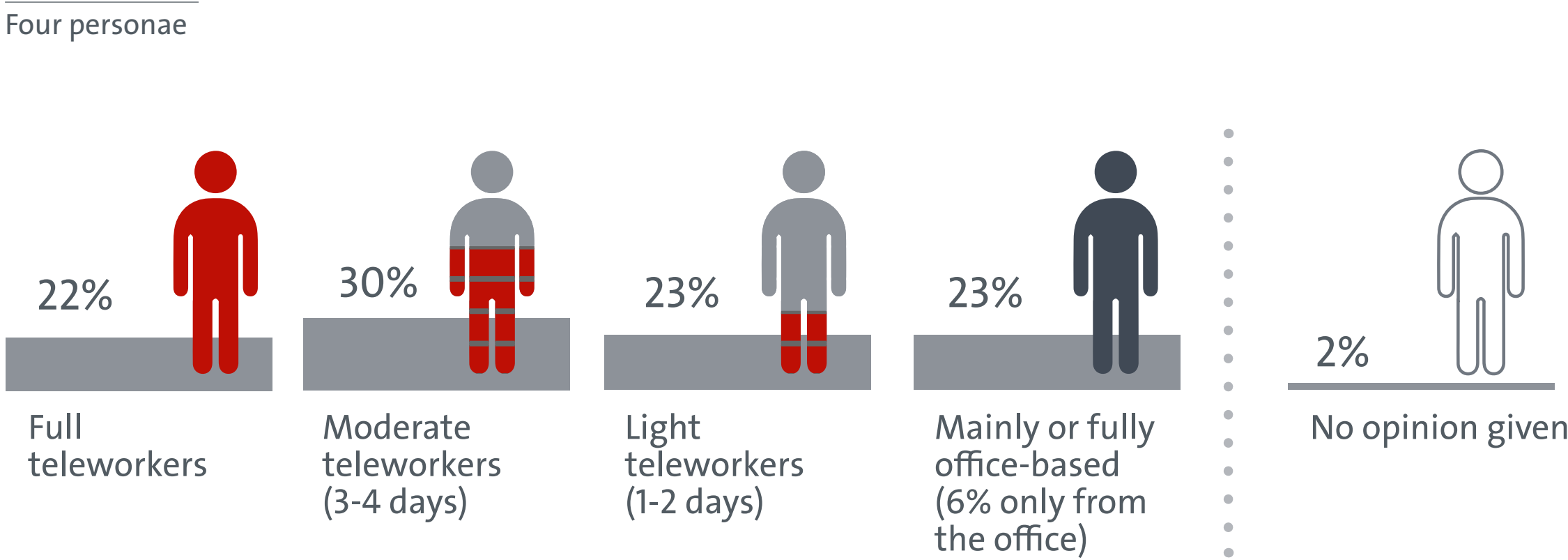
Based on their experience of teleworking, EPO staff provided feedback in the Shaping the new normal survey. Four "work preference personae" in the Office emerged, showing a roughly four-way split in the extent to which EPO staff want to telework in the future. Specifically, 22% of staff want to telework on a full-time basis; 30% of staff wish to telework three to four days per week; 23% wish to telework one to two days per week; and 23% wish to be mainly or fully office-based (2% made no choice). Overall, the majority

of staff wish to spend at least part of their working week teleworking. In addition, only 6% of staff expressly stated that they have no interest whatsoever in teleworking.

The Office also faces an additional dimension when considering any new future teleworking framework. At its very heart, the EPO is an international organisation that can draw talented staff from 38 contracting states to the EPC. Currently, 74% of its workforce are classed as expatriates. So, a more extensive teleworking scheme that specifically allows staff to work from their country of origin periodically may be attractive to many existing colleagues and render the organisation more attractive as an employer.

This is supported by findings in the results of the second staff survey, in which two distinct clusters of staff appear. The bulk of EPO respondents (77%) are essentially satisfied by a combination of the PTHW and ad hoc teleworking schemes and would choose to live near their place of employment, or at least in the country of their duty station. However,

Four personae

22% **Full teleworkers**

30% **Moderate teleworkers (3-4 days)**

23% **Light teleworkers (1-2 days)**

23% **Mainly or fully office-based (6% only from the office)**

2% No opinion given

12% of staff wish to break at least partially with life at the place of employment, and another 9% would wish to break away fully from a life in the country of employment and telework as much as possible instead.

Regardless of the course of the pandemic, teleworking is set to remain a central tool in the Office's efforts to provide flexibility for existing staff, to attract new talent and to manage any other emergency scenario requiring staff to socially distance or work away from the Office's premises.

3.1 Aims of a new teleworking framework

The Office has had temporary guidelines in place for all staff since March 2020 to provide guidance and rules for colleagues finding themselves in a new situation. However, those guidelines were developed to manage a short-term situation. They are not suitable for providing adequate guidance, clarity and certainty for either individual staff members or the Office in the long term. A new, more extensive teleworking scheme is required. It should satisfy several criteria to realise the full potential benefits identified by staff in the recent survey.

The scheme should be inclusive and allow all staff to participate, notwithstanding any limits The scheme should be inclusive and allow all staff to participate, notwithstanding any limits arising from the nature of a staff member's duties. The scheme will need to be flexible and allow staff to change their teleworking arrangements as their professional and private circumstances evolve. It should take account of collaboration, for example by defining times for virtual and in-person activities. With geographic location no longer a barrier, the scheme should also support mobility and open up new career opportunities within the Office by removing location constraints.

Over the last 18 months, the Office and its staff have also witnessed a blurring of boundaries between the professional and private sphere, as the workplace has moved into the homes of staff. An effective teleworking framework should help staff to strike the best possible work-life balance and this may include more

In applying these principles of inclusiveness, flexibility, collaboration, mobility and work-life balance, the Office and its staff would reap a number of benefits. These include ensuring business continuity in times of crisis, support for staff in achieving a better work-life balance, efficient use of office space and a reduction in the Office's associated environmental footprint. In addition to these tangible benefits, there are other – but less obvious – opportunities such as the potential for a more open and trust-based relationship between managers and staff, greater openness to mobility and flexibility, more meaningful interactions with colleagues at other sites of employment, higher staff engagement and satisfaction and the enhanced attractiveness of the EPO as an employer.

3.2 Considerations of a new teleworking framework

A new teleworking scheme needs to be flexible. However, given that many staff may choose to work for much of their time in a country other than the current sites and host states of EPO offices, the scheme must also be built on a solid legal framework that offers clarity to individual staff members, the Office, host countries and all EPC contracting states. It must therefore also be legally sound, consistent and aligned with the Office's employment framework. In particular, it should provide a robust legal framework to allow teleworking from locations other than the place of employment, and specifically from other EPC countries. Given the European Patent Organisation's status as an international organisation, other specific factors also need to be considered. They include

the impact upon staff benefits of working from another EPC state, the notion of a place of residence, the seat agreements and the Protocol on Privileges and Immunities. Some of these aspects need to be carefully assessed in close co-operation with the EPO's host countries and other EPC contracting states. The Office will therefore work closely with its host states and all European Patent Organisation member states, to ensure that a new teleworking scheme is compatible with the requirements of the EPC, the seat agreements and the Protocol on Privileges and Immunities. The Office will work closely with member states to determine next steps before submitting any new, more extensive teleworking proposal for approval by the Administrative Council.

To provide clarity, the Office aims to put in place a single teleworking scheme, with a simple, lean structure. The teleworking scheme will also need clearly defined parameters and limits with respect to factors such as maximum teleworking time and teleworking time from an EPC country outside the place of employment. In addition, the Office will develop guidance on other matters related to teleworking. These might, for example, include best practice on arranging meetings between staff in different time zones, or etiquette and codes of conduct for hybrid and online meetings. .

The flexibility generated by a new teleworking policy will also allow staff to work from different sites and help to forge a sense of belonging to

the organisation that is ultimately independent of geographic location. As a result, the EPO's different sites will become less associated with particular responsibilities, and instead accommodate staff from any department. To the greatest extent possible, the site and the function of the staff working there would be dissociated from one another, supporting the overall ethos of "one EPO community". Given the potential of a more dispersed workforce, the "one EPO community" will be a key consideration and will be supported by advances in areas such as staff engagement, collaboration between colleagues and a digitalised PGP with collaborative tools, as well as training for remote teams and managing remote teams to ensure regular contact and positive team dynamics, and effective communications.

The health and safety of staff, both mental and physical, is a priority and represents a special challenge when staff are teleworking. So, the Office's health and safety approach will be specially tailored to ensure the wellbeing of all staff, whether on site or working remotely. Particular attention needs to be paid to the risks

and obligations that come with longer-term teleworking, both at the place of employment and further away. Other elements of staff support, such as creche and education facilities and career development programmes, need to be maintained and adapted to teleworking too.

An anticipated rise in teleworking also presents a timely opportunity to re-evaluate elements of the Office's travel policy in light of potential environmental benefits. The EPO is already committed to continuously assessing the environmental impact of its operations and is releasing a revised environment policy focusing on areas ranging from green procurement and IT (e.g. responsible purchasing) to the sustainability of its buildings (e.g. technical infrastructure and waste and water management). The EPO also aims to reduce its CO_2 emissions and will re-evaluate its business travel policy to explore how further rationalisation can contribute to CO_2 reduction in an era of increased teleworking.

3.3 The road to new teleworking arrangements

In seeking to implement greater flexibility for its staff, the Office faces a challenge. On the one hand, staff of the EPO need to have clarity as soon as possible on the potential for more extensive teleworking. On the other hand, the Office needs to ensure a full dialogue with European Patent Organisation member states in developing long-term teleworking, and develop solutions that also take into account the requirements of the Boards of Appeal (see Annex 4) and the authority delegated to their President. In addition, a host of other considerations linked to teleworking need to be assessed, from IT support for remote workers to the effect of remote working on building occupancy, and more fiscal matters such as taxation in member states and the expatriation allowance and other benefits.

The Office may therefore consider a multi-step approach that can allow for comprehensive planning and consideration of the full consequences of long-term teleworking while offering new possibilities to staff as soon as possible. A possible rollout could involve the following three stages:

Short term: Current emergency teleworking guidelines — Current emergency teleworking guidelines will remain in force for the duration of the pandemic.

Mid-term: Baseline policy implemented – Once the pandemic is declared over, the Office needs to be ready to promptly implement a new and solid teleworking framework. The aim is therefore to have a baseline policy ready for implementation as of the beginning of 2022.

The scheme could allow all staff (employees and managers) to telework in the country of their duty station (including other Office sites) for up to 80% of their working time, of which a maximum of 60 working days could be spent teleworking from EPC contracting states other than the site of employment, subject to further feasibility assessments and stakeholder discussions. The scheme would be optional and precise details developed in a separate teleworking policy.

Long term: Further adaptation — The teleworking policy could be adapted over the course of subsequent years as necessary, for example in response to progressive adaptations in staff behaviour, and possibly to offer further possibilities beyond the mid-term baseline policy, following close discussion with member states of the European Patent Organisation and other stakeholders such as staff and staff representatives.

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The digital workspace

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With the transition to more frequent teleworking, the "workspace" of EPO staff members will increasingly be found in the digital environment, as it evolves further into a centre of operations for the Office, its staff and its users. The goal of an enhanced digital workspace is, at its heart, to ensure that the staff of the EPO can work effectively from anywhere. It will give them the choice between teleworking and office-based working and provide full flexibility. However, while the Office may have completed the rollout of over 5 800 laptops to staff in 2020, creating a digital environment relies on far more than IT hardware. Other elements are needed to ensure that the organisation can undergo a digital transformation that is suited to a new normal.

Reliable and secure IT foundations are needed to power the EPO's operations, such as modern hardware platforms and the increasing use of cloud computing, in accordance with rigorous cybersecurity measures and the highest standard of data protection policies. The Office will also continue to accelerate its rollout of communications tools and tools for digital workflows that help staff to work efficiently in a paperless environment and more collaboratively. Similarly, greater digitalisation and simplification of procedures can help to manage the workloads at the Office, ensuring that progress can continue to be made on timeliness and quality and achieving better results with less effort. Modern communications are also needed to support teamwork and the EPO's professional community, helping them to stay in touch, to network and to work together. Users and other stakeholders will also profit from enhanced online services, while staff will be encouraged to excel further by acquiring new skills specifically suited to the new normal.

4.1 Digital foundations

Before server technology became as performant and cost-effective as it is today, the EPO developed software applications that relied heavily on mainframe technology. However, the mainframe, which is effectively an extremely large, single server, has become a costly and unreliable way to deliver the performance and availability needed. The future now lies in modern hardware platforms and cloud services together with the highest standards of data protection to take best advantage of the numerous benefits this technology offers.

Firstly, cloud services are significantly cheaper than in-house services. They are also available 24/7, which is now expected by EPO users as

standard. Cloud-based services offer almost 100% availability with full "out-of-the-box" disaster recovery, and help the Office to ensure fewer outages in its applicant services. In view of these advantages, the Office will continue to develop services that are based totally or partially on the cloud. These include HR systems, facilities management software, external payment platforms and modern videoconferencing solutions.

As the use of cloud-based services increases, the remaining legacy mainframe components will be decommissioned. Parts of the PGP and corporate procedures will be rebuilt and deployed in the cloud, or on high-availability servers installed in the new data centre in Luxembourg, to which applications have already started to be migrated. It is anticipated that, by the end of 2021, there will no longer be a mainframe in any EPO data centre and
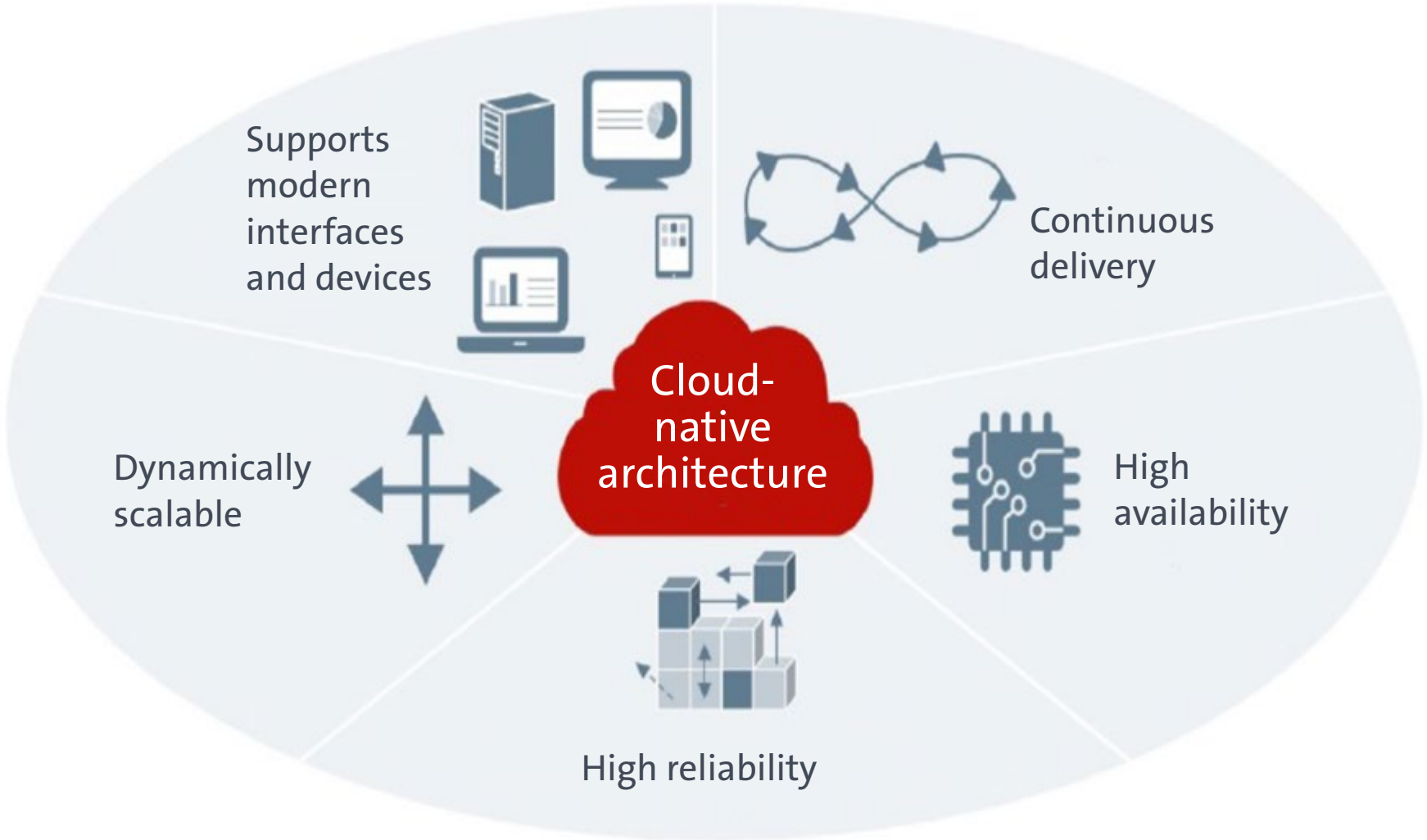
the migration of the primary data centre to Luxembourg will be complete. The move within the anticipated timeframe will help to avoid vendor lock-in.

The re-platforming is a substantial undertaking by the Office that continues to offer a number of challenges. However, it is a necessary endeavour because leaving any existing problems to subsequent generations of stakeholders is not an option. The current combination of old and new resource-intensive technologies and their interfaces is taking a toll on the stability of the EPO's systems, and does not offer the standards that will be expected by all stakeholders in a more digital future. Despite the challenges, the re-platforming of tools and IT services has therefore been chosen as a commitment to operational efficiency, high-quality services and, above all, the EPO's future.

In moving to cloud-based platforms, the Office will also continue to ensure the security of its data in accordance with the highest standards of data protection (see section 4.5). Against this background, the EPO's policies are currently being upgraded, and more rigorous cybersecurity measures are being implemented. In 2020, the EPO invested in upgrading its identity and access management solutions, and workstations have now been equipped with enhanced cyber-defence capabilities. The Office will build on these cybersecurity measures further by achieving ISO 27001 certification and implementing a centralised authentication solution for access to EPO applications, thereby increasing security and flexibility for users. Together, these data protection policies and cybersecurity measures will enhance the security of the EPO's digital environment.

Overall, by improving its digital foundations, the EPO will achieve greater reliability, availability and security of its IT systems. In turn, both staff and external users will have greater access to more secure tools, accessible from any place and at any time to support their teleworking choices.
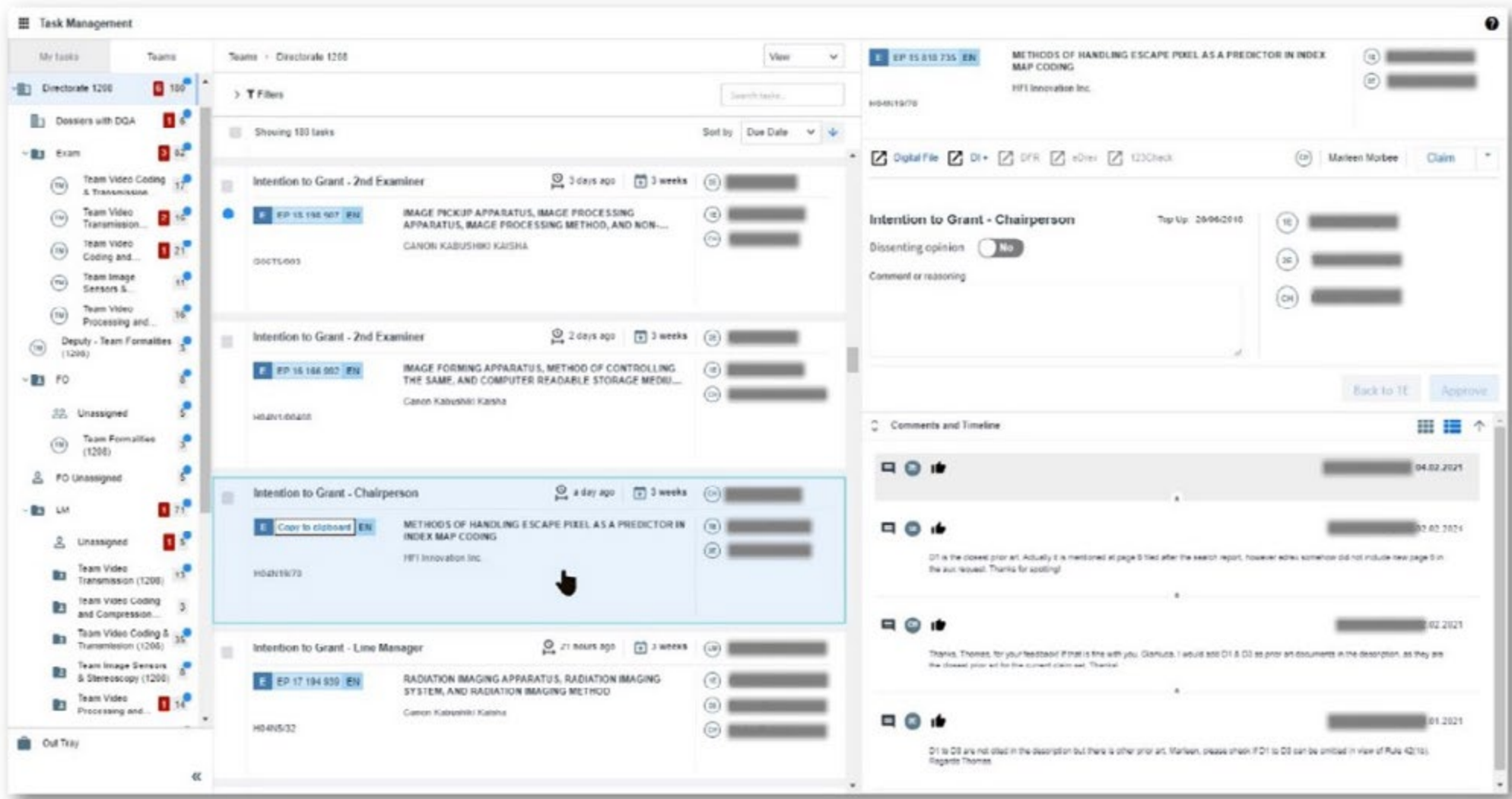
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4.2 Digital workflows and solutions

Patent Workbench

Since the EPO opened its doors in 1977, the EPO's workflows have remained largely paper-based, despite the increasing use of IT. At present there are approximately 570 000 search and examination files in file stores, and 328 000 examination files and 82 000 search files in circulation. However, in a new normal environment, with more staff working remotely, paper-based workflows are no longer a realistic option for an efficient PGP. The Office will therefore continue to work towards a fully digital, end-to-end PGP.

While this was always a goal of SP2023, the pandemic has accelerated digitalisation efforts. In April 2020, a minimum viable product (MVP) for paperless search and examination workflows was delivered that supports examiners, formalities officers and line managers in the core processing steps for search and examination files. The MVP approach — adopted across all BIT services — has allowed the EPO to make iterative progress, step by step, in its operations and to remain agile in responding to needs. The positive effects

of that approach were seen in digitising the PGP when, by July 2020, 50 000 tasks had been carried out in the digital workflow for examination, and just two months later that figure had doubled to more than 100 000 tasks. In 2020, 97% by volume of basic workflows with a basic functionality were digitalised. This meant that examiner and formalities officer actions, as well as preparation for oral proceedings, could be carried out remotely and without paper.

These digital workflows have been progressively integrated into the Patent Workbench, which will become the main platform covering key actions and interactions between examiners and formalities officers in the PGP. The digital workflows already in place for examiner communications will be extended to cover more workflows for formalities officers and integrate the remaining examiner tasks. Quality and operability studies will also be carried out to simplify processes, building quality, simplicity and timeliness into all workflows.

Another crucial development has been the introduction of digital annotations. It is essential to capture the intellectual work of examiners and formalities officers in studying patent applications and prior-art documents, for reuse in preparing communications, reviewing the contents every time the dossier is opened and later searches or classification. In the past, this was generally done with basic handwritten notations in the margins of a document, or by hand-marking relevant features in the claims and drawings. In the digital world, this process is being progressively replaced with digital annotations.

ANSERA now offers digital highlights and sticky notes and has recently been improved to support sketches on the drawings, marking of objections and tagging of relevant claimed features. In a teleworking world, digital annotations should also function efficiently on mobile devices to support collaboration and efficiency in the PGP.

Patent data continues to be one of the Office's primary assets in delivering high-quality patents and patent information services to its users. Given that the volume of patent data – and the number of sources from which it comes – are increasing rapidly, the Office is developing a comprehensive data policy. This will support the continuing good governance of a resource that is not just an asset for the Office, but for the whole of innovation. The policy will therefore also ensure that the EPO's data dissemination policy has a positive impact on the economy and the IP ecosystem, as well as being capable of responding to emergent technologies, such as artificial intelligence (AI), machine learning and blockchain.

4.3 Digital working methods and smart workload management

As the Office transitions to a new normal, there are also several challenges that demand a flexible and transparent approach to workload management. Some staff will choose to work remotely and others on site. Fluctuations are also forecast in workloads in many technology areas and an increasing number of interdisciplinary patent applications will require more horizontal collaboration between interdisciplinary teams.
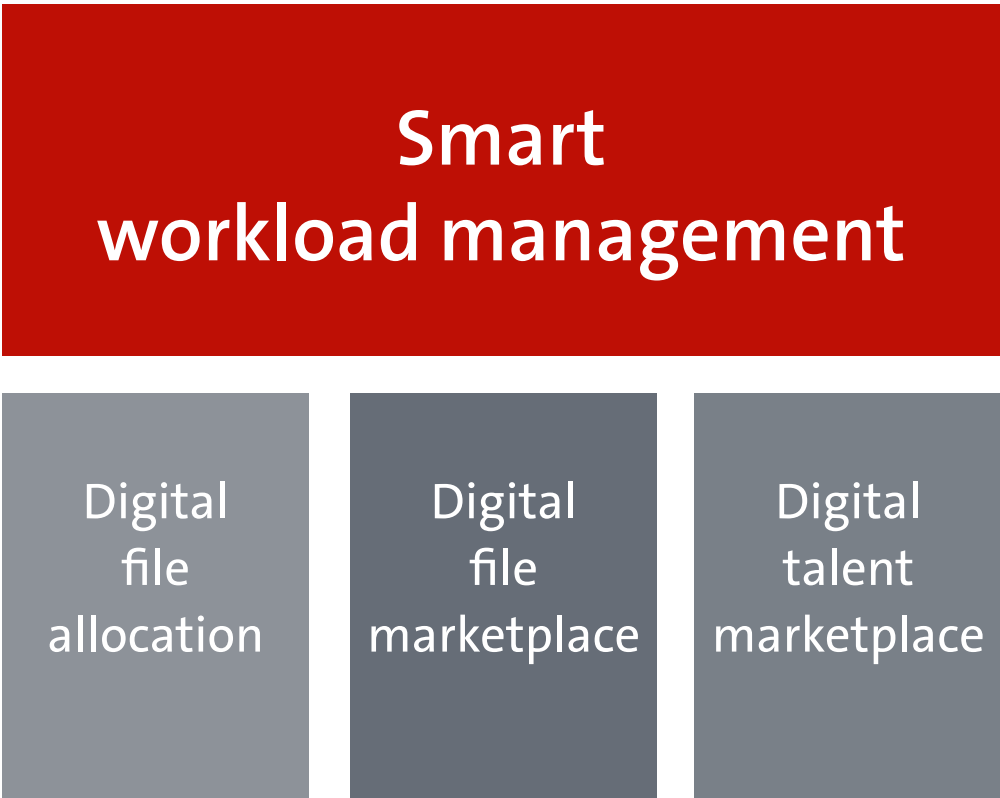
However, new digital working methods can capitalise on the advantages offered by an enhanced digital workspace to manage these challenges successfully. If deployed in the right way, these methods can help to balance workloads effectively, support job mobility, increase the Office's capacity to react quickly to trends in the patent landscape and also leave more time for collaboration. This should result in an improvement in the quality and timeliness of our products and services and greater efficiency. Quality will be carefully monitored through the Office Directorate Quality Audit audits and supported by a new Patent Quality Charter and the Office's five-pillar approach to quality: design; support; shared values; metrics and continual learning; and quality through partnerships.

Specifically, a workload management model will be adopted based on three pillars: digital file allocation, the digital file marketplace and the digital talent marketplace. Digital file allocation will use AI to automatically distribute the incoming workload to divisions or teams, based on skills and available capacity. This will also help to build examining divisions from across the Office, ensuring that each file is dealt with by its most qualified and competent staff members. In other words, it will deliver the right file to the right division at the right time.

Conversely, the digital file marketplace will provide a transparent cross-sector file redistribution platform to accommodate short-term capacity and workload fluctuations. It will constitute a DG 1-wide portal for offering workload or examiner resources openly and transparently across the whole of DG 1.

The digital talent marketplace is an Office-wide job marketplace to address medium-term changes in workload and help examiners to change technical field. This will create regular opportunities for staff to change field, while giving them stronger support. The approach will support new recruitment, reduce costs and strengthen staff engagement by fostering full and partial job mobility.

Smart workload management

Digital file allocation	Digital file marketplace	Digital talent marketplace

4.4 New online services

Mail items sent electronically

5.440.007
(May 2021)
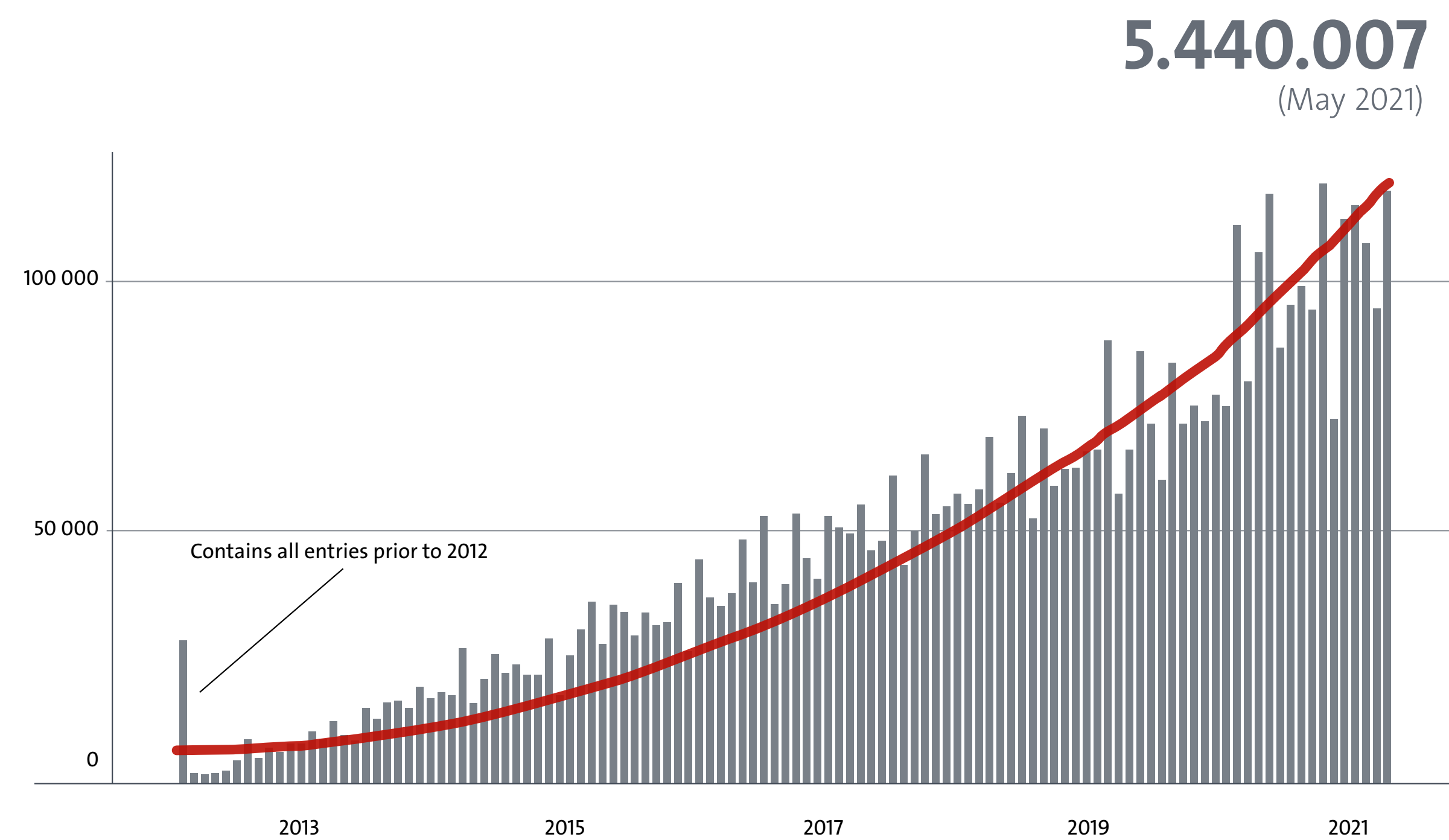

While digital workflows and tools present new opportunities for the EPO's operations, growing demand for online services suggests there are also opportunities for enhanced online user interactions and services in the future, particularly as new tools gain growing acceptance from users.

In 2020, 1 350 attorneys registered for new electronic mailboxes, representing a 35% increase and taking the total number of users up to 5 145. Online Mailbox services were also expanded, allowing users to receive most correspondence related to opposition digitally. On 1 December 2020, 72 opposition forms – almost all – were added to the EPO's Mailbox, increasing the number of forms available online to over 750. Building on this success, the Office will continue to enhance its online filing services to ensure that its services are accessible, convenient and efficient.

Following the introduction of a user area, new features will be introduced in the future to include self-service user registration and user-friendly access to the user's patent portfolio as well as a new communications mailbox to provide online access to all EPO procedural communications. Users will also benefit from new options for submitting procedural requests for existing patent applications.

Videoconferencing

The use of videoconferencing (VICO) facilities accelerated quickly in the course of 2020. Above all, VICO has helped all staff and stakeholders to remain connected while staying safe. VICO has also allowed the EPO to hold regular meetings with its user community, helping the Office to understand its evolving needs and challenges. Furthermore, it has supported the EPO's international co-operation efforts with national patent offices, both within and outside of Europe, facilitating the continuing expansion of the EPC. In addition, the EPO has continued to fulfil its commitment to European Patent Organisation member states. Starting in June 2020, successful online e-Councils have been held instead of traditional Administrative Council sessions at the EPO's headquarters in Munich. A new format has also been introduced for the Standing Advisory Committee before the EPO (SACEPO), with regional e-meetings.

In view of the multiple benefits it offers, VICO is set to play a continuing role in the new normal. Going forward, it will be further developed to offer secure, stable and high-quality full and/or hybrid VICO services for virtual co-operation, meetings and events, and to support social interactions

Online videoconferences in 2020
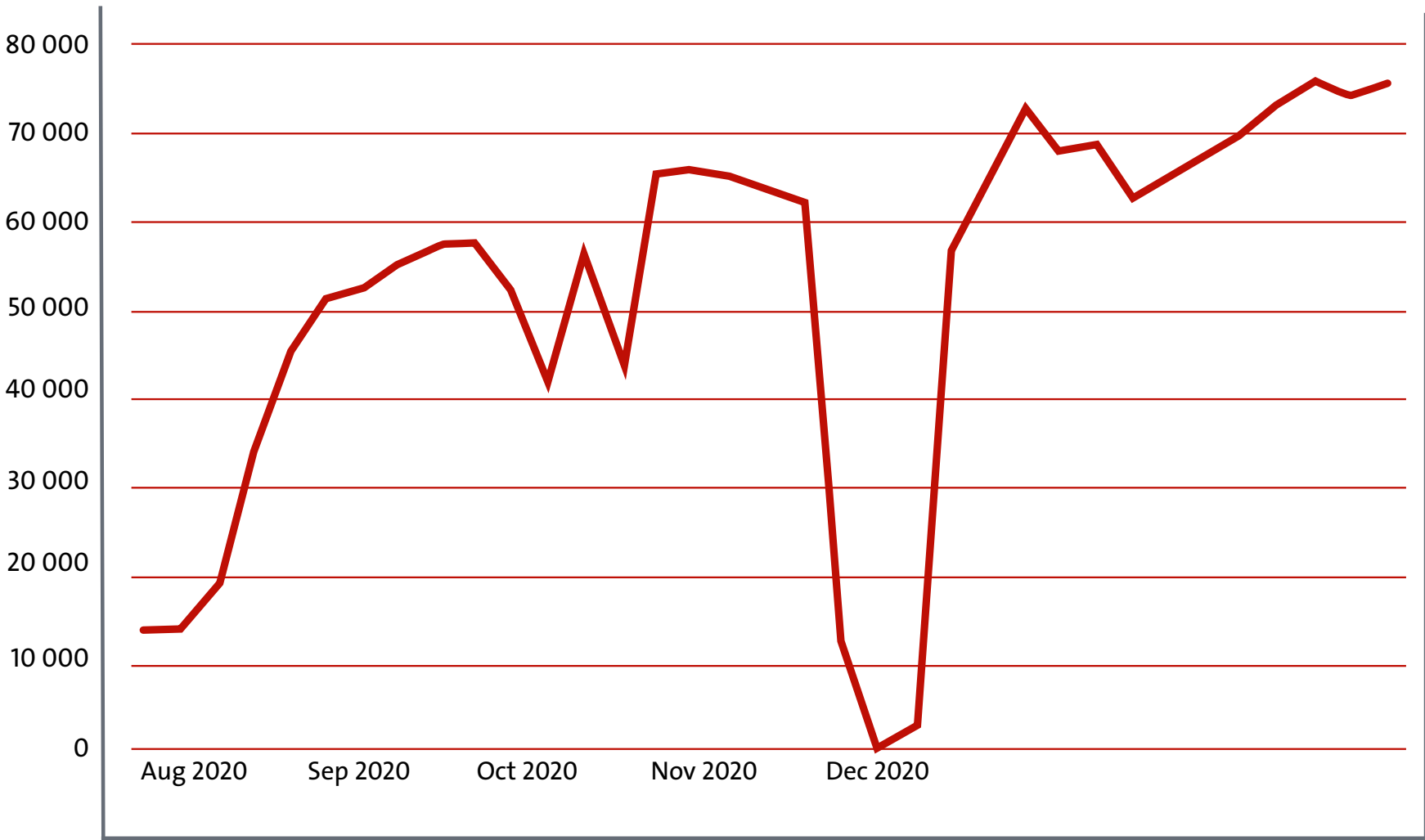
between staff. The Office will also continue to train staff in the collaborative aspects of VICO software in the future. Full and hybrid VICO facilities for both internal and external meetings will also be a key consideration in any changes to the EPO's buildings.

The EPO will also continually develop its VICO facilities in order to support the patent system – maintaining timely access to justice and greater transparency. While some oral proceedings in

examination have been held by VICO at the EPO since 1998, the VICO format became the default in 2020. Over 2 530 oral proceedings in examination were held by VICO in 2020, compared to fewer than 900 in 2019. The experience gained not only served as a basis for further improvements, but also helped the Office prepare for the increase in oral proceedings by VICO in 2021. For example, in the first four months of this year over 1 300 examination hearings have taken place via VICO.

Administrative council meeting

In May 2020, a pilot project for oral proceedings in opposition by VICO was launched. The requirement for all parties to proceedings to consent to the use of VICO contributed to a low uptake such that, by the end of the year, the backlog of opposition cases, compared to 2019, had risen by over 2 000. Following an extensive assessment published in November 2020, the pilot was extended until 15 September 2021 (and has subsequently been further extended until 31 January 2022). It was also decided that opposition hearings would be held without requiring the parties' agreement to VICO from January 2021. As a result, in the first four months of 2021, the EPO held 1 377 opposition hearings by VICO, a significant increase compared to just 333 held in all of 2020. In addition, official complaints against oral proceedings by VICO fell from 73 received in December 2020 to just 11 in April 2021, indicating a growing acceptance among users.

While these developments have helped ensure access to justice for all parties and the smooth functioning of the patent system, other, more fundamental advantages have materialised. Publicly accessible proceedings at the opposition and appeal stages have contributed to transparency and accountability in the patent system. Recent examples have also shown a desire from stakeholders to take advantage of these new opportunities to obtain knowledge on topical developments in IP. On 15 July 2020, the EPO's Enlarged Board of Appeal provided livestreaming access to case G 1/19 for members of the public and the media. The proceedings, on the patentability of computer-implemented simulations, were seen by 1 500 external users as well as 500 staff members of the EPO.

In the future, the Office will undertake a further assessment of the pilot for opposition by VICO to evaluate its success. The Office will also look to build on recent improvements, such as the Administrative Council's amendment of Rules 117 and 118 EPC to allow evidence to be taken by VICO in proceedings before the EPO, as approved at its virtual meeting on 15 December 2020. The amendment took effect on 1 January 2021 and now means that evidence can be taken this way regardless of whether the oral proceedings are held by VICO or on EPO premises. In the future, the Office will also investigate further improvements, accompanied by practical guidance where necessary. Further improvements will be based on regular feedback from parties to proceedings; on discussions with stakeholders, for example through SACEPO and user associations; on the findings of the one-year progress report on the opposition-by-VICO pilot; and on a user consultation on opposition by VICO to be run subsequently.

With such gradual improvements, it is anticipated that proceedings by VICO will be integral to the Office's efforts to ensure timely procedures and efficient access to justice as well as improved transparency and accountability in the new normal.

Trilateral meeting

KIPO meeting

Professional certification and training

Expanding online services for users also means offering digital training that can be undertaken remotely or as part of hybrid training. In addition to convenience and reduced costs for candidates, it also ensures that the EPO's training is made available to all, equally and regardless of location. Online and hybrid training helps the EPO to achieve its mission of supporting the patent system throughout all European Patent Organisation member states.

The EPO is now moving to an online environment for many of its training activities and professional certification schemes. In 2021, for example, the electronic European qualifying examination (e-EQE) for patent attorneys was launched. After consulting with users and professional bodies, the first-ever online qualifying exam took place in March 2021.

For the first time ever, candidates sat the exam online at a place of their choice, anywhere in the world. Almost 3 800 candidates took part. 400 people were involved in the preparation of 5 exams split over 11 flows in a secured examination environment including audio and image supervision. There were 24 hours of examination over 5 days and 130 exam pages in three alternative languages and the involvement of 80 online invigilators ensured a bidirectional communication channel with the candidates.
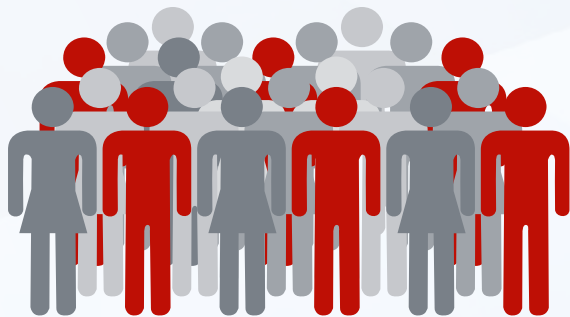
The e-EQE therefore ensured the training and qualification of patent professionals in Europe could continue despite the pandemic. It also brought various other advantages: for candidates taking the exam by saving them time, money and stress not having to travel; for the EPO by modernising and simplifying procedures; and for the environment by causing less travel and greatly reducing paper consumption.

In light of the advantages and success of the first e-EQE, the Office will continue to pursue an online EQE in the future, making improvements where necessary. In other online training certification activities, the Office plans to finalise preparations for the first electronic exam to certify patent administrators (EPAC) in 2022.
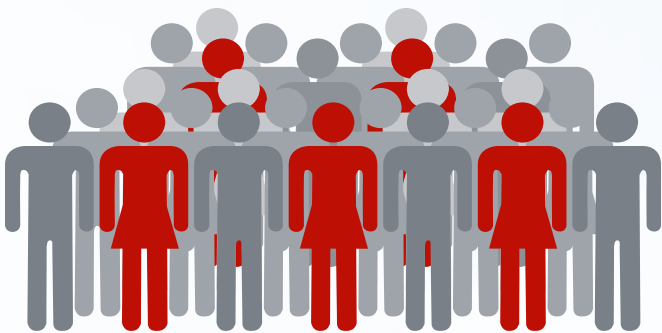
Adapting to the new normal environment also implies a shift to online training and e-learning for the European Patent Academy. Building on the pillars of digitalisation, co-operation, modularity and certification, the goal is to enhance the role and impact of the European Patent Academy as a benchmark for excellence in IP training.
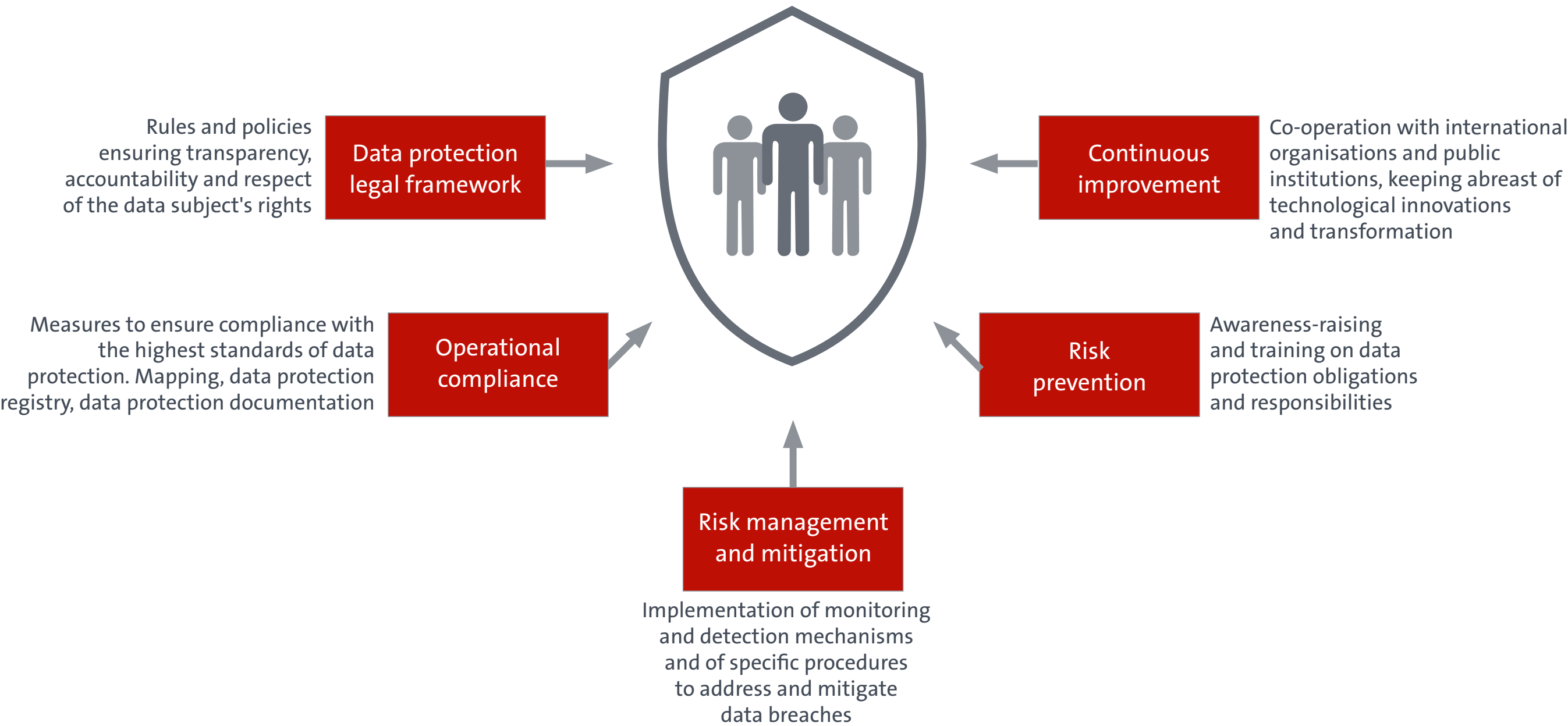
EQE

24 hours of examination over 5 days

80 invigilators

3 800 candidates

130 exam pages in 3 languages for 5 exams

4.5 Data protection

In SP2023, the EPO plans a number of measures to enhance its data protection, in light of increased dependency on data and technology, and powerful software providers. There is also a need to enforce data protection in view of extensive outsourcing of EPO information, to mitigate the potential for data breaches, and to respond to new standards in data protection that are being demanded of all those who hold personal data, especially public institutions. The EPO is committed to respecting the fundamental rights of data protection and privacy, whether processing personal data or developing new policies, procedures and practices.

Since the pandemic began, the Office has increased its use of communication networks, data analytics, cloud solutions and remote devices, as part of its efforts to best manage

Protection of personal data

Rules and policies ensuring transparency, accountability and respect of the data subject's rights

Data protection legal framework

Continuous improvement

Co-operation with international organisations and public institutions, keeping abreast of technological innovations and transformation

Measures to ensure compliance with the highest standards of data protection. Mapping, data protection registry, data protection documentation

Operational compliance

Risk prevention

Awareness-raising and training on data protection obligations and responsibilities

Risk management and mitigation

Implementation of monitoring and detection mechanisms and of specific procedures to address and mitigate data breaches

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the crisis. This is likely to remain the case for the months and years to come. The response to COVID 19 now calls for a greater focus on data protection, with rigorous data protection measures that will secure the rights of the Office's stakeholders in the digital environment. The Office will therefore put in place a new strategy which will enable the EPO to set new standards in privacy and personal data protection. The strategy will comprise five pillars.

Firstly, a comprehensive data protection legal framework will be created which is transparent and available to all stakeholders. It will include new data protection rules and data protection-related policies, instructions and documentation. Secondly, the Office will set up measures and mechanisms to safeguard transparency and ensure compliance, including the mapping of the existing processing operations and the creation of the new data protection registry. Thirdly, risk management and mitigation will be enhanced, with the creation of a new body to oversee and advise the Office on data protection matters, and by implementing further monitoring and detection mechanisms in co-operation with the other services of the Office (audits and investigations on data protection) and specific procedures to address and mitigate data breaches. Fourthly, risk prevention will be supported through awareness-raising activities Office-wide

Finally, the EPO will focus on continual improvement to ensure that it is "fit for the future" in line with its goal of long-term sustainability. For example, the Office will further its continuous co-operation and exchange of best practices with other international organisations and public institutions.

Overall, this strategy will respond to higher demands for data protection arising from technological innovations and transformation in the area of data protection and privacy, but also to the Office's intensified use of digital tools, databases and workflows.

4.6 New skills for a digital environment

The new normal opens up new opportunities and challenges in terms of creating a collaborative, engaged and knowledgeable organisation, and building on progress made to date under Goal 1 of SP2023. Recruitment and onboarding initiatives are being developed for a digital environment, and existing EPO staff are being given new skills to help them face the unique range of challenges posed by teleworking. Similarly, managers are being trained specifically to lead remote and hybrid teams. These elements are critical to the Office's success because it is an organisation powered primarily by people – and that will remain the case in the new normal.

Moving towards a hybrid environment featuring extensive teleworking also calls for a rethink of how the Office recruits and integrates new staff members. In terms of attracting talent, the Office is evaluating new digital tools, such as augmented reality, that can help engage with new talent by highlighting the everyday relevance of patents. These tools could help the Office access a larger pool of candidates, increase diversity and raise its profile as an employer in all member states. The EPO's employer branding should also reflect the increased flexibility that will exist for new EPO staff in the new normal, as part of the Office's employer value proposition. In response to the COVID 19 pandemic, the Office has already set up a virtual onboarding portal for staff to support the training and engagement of new recruits from their very first working day. This onboarding portal will be further developed to ensure that newcomers are effectively integrated into the Office community, so they possess not just a good knowledge of the EPO's mission and values, but also a sound understanding of the work of different EPO departments.

All staff—whether newly recruited or existing—are entering an environment where working methods are changing fast. They face a steep learning curve when it comes to using new digital tools and hybrid teleworking, which relies on a mix of remote and on-site activities. As the Office moves towards the new normal, it is offering staff effective training in areas such as developing healthy homeworking habits and managing personal energy and resilience to address the potential physical and mental challenges of long-term teleworking. Given the increased flexibility that a new teleworking scheme is expected to bring, staff can also benefit from time and workload management training. To promote virtual collaboration, the Office will also offer training in digital tools and online collaboration skills that can, among other things, help colleagues to strengthen social bonds, improve communication and lead to more effective collaboration. Enhanced diversity and inclusion training will aim to ensure that a hybrid working environment is also fully inclusive.

Furthermore, the new hybrid way of working not only impacts the content of training, but also the way it is offered. The Talent Academy, for example, has already started to transfer many offerings to e-learning formats. It recently launched one central hub for training offerings called iLearn, which includes online offerings from different training partners throughout the Office. As social distancing rules allow, consideration will be given to the development of hybrid training courses and events.

Managing remote teams long-term

Managers feel positive
57%
30%
13%
Disagree
Neutral
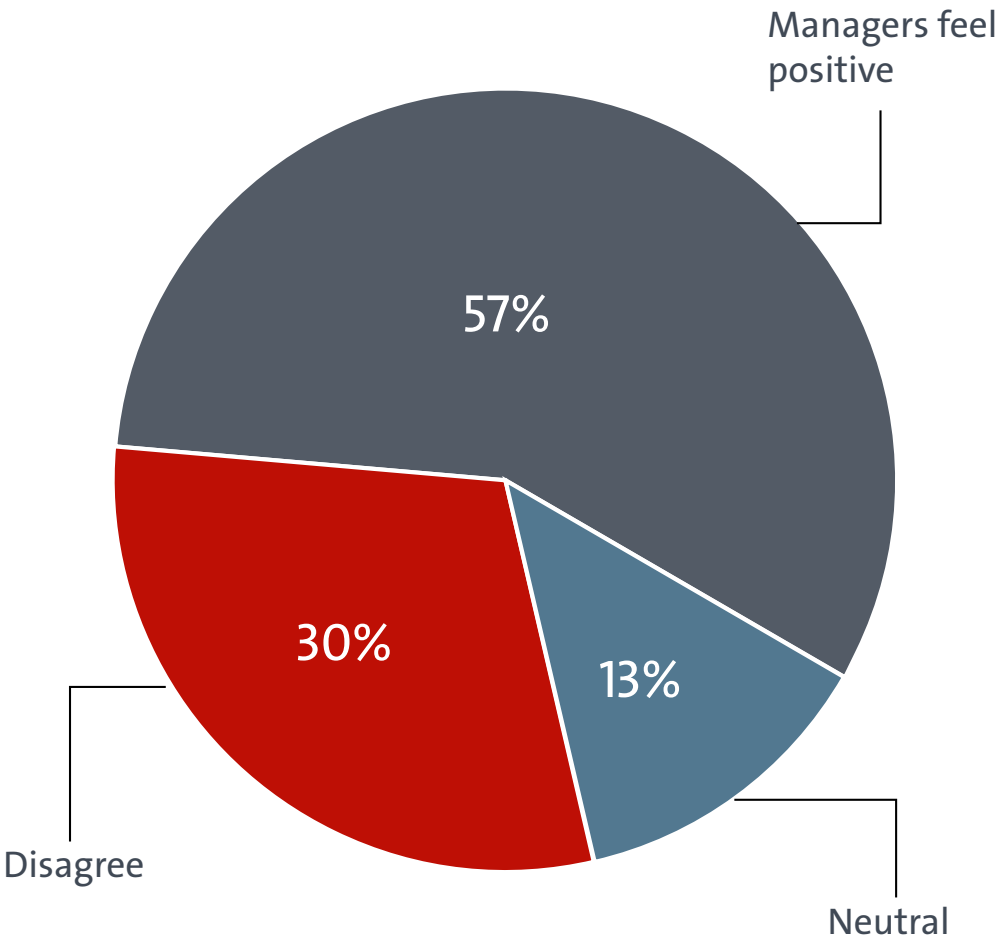
Whilst staff gain new skills to help them excel in the new normal, they will also need to be supported by effective managers. In the Shaping the new normal survey, 30% of managers reported feeling uncomfortable at the prospect of leading dispersed teams. To address this issue, the Office will support its managers with effective management training specifically tailored to meeting these challenges. They will receive training, for example, that helps them build trust with their team and encourage interactions among team members. Training for managers will also include planning activities and social and work interactions that build and maintain a sense of belonging in a remote working environment, especially those that connect individual staff activities with the broader vision and goals of the Office.
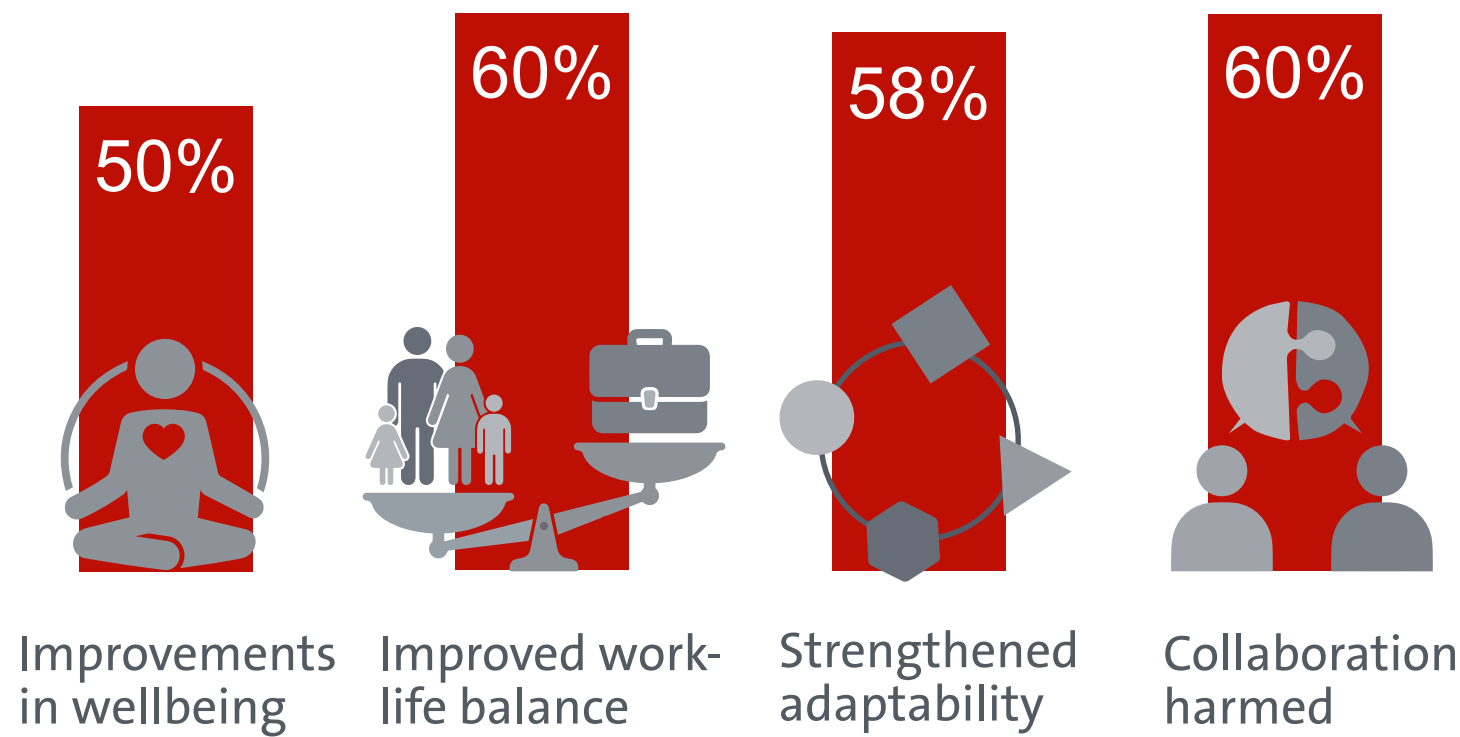
One of the Office's fundamental goals in the new normal is to encourage collaboration and maintain a sense of EPO identity and community. In addition to a sense of belonging, potential barriers to collaboration have already emerged as one of staff's main concerns about remote or hybrid working. Around 60% of Shaping the new normal survey respondents expressed concern that remote working was weakening co-operation between departments and colleagues.

In the light of this finding, the Office has moved towards a more holistic approach to goal-setting for staff in 2021. It is specifically encouraging behaviours and ways of working that are especially relevant to the transition to a new normal and will help to address the concerns expressed in the survey. As usual, business targets are integrated into professional goals. However, the new approach also prioritises collaboration to foster a "one EPO community", coupled with the acquisition of individual skills that will help staff to contribute effectively in a smart working environment. Such elements are expected to play an increasing role in rewards allocation and distribution in the future.

The new normal will also aim to foster career opportunities for staff throughout the Office. Teleworking and a more hybrid way of conducting

Expected impact of remote working

Improvements in wellbeing	Improved work-life balance	Strengthened adaptability	Collaboration harmed
50%	60%	58%	60%

our operations will mean the physical location of a staff member will become less important in determining their potential career moves. In line with these developments, the Office is already promoting partial internal mobility, which will also contribute to greater flexibility between career paths, both from a geographical and a functional perspective. This new mindset will be reflected in the Office's respective policies and practices.

Throughout an EPO staff member's career, wellbeing, health and safety are a top priority for the Office. Although the vast majority of staff are now teleworking, the Office's duty of care continues, regardless of where the

staff member may be located. Over the course of the pandemic, the Office has offered its support to staff through a broad range measures, from offering advice on physical and mental wellbeing to online wellness and exercise sessions and identifying sources of information on coronavirus. Building on experiences in previous years, there was also an intensified campaign to promote and swiftly implement a mass influenza vaccination programme. The EPO's occupational health and safety management system was also certified in accordance with the ISO 45001 standard on 2 November 2020. In the future, our health and safety services will need to undergo further significant transformation to be fit for purpose in the new normal. Notably, services will be offered independently of a staff member's physical location, whilst respecting data protection and confidentiality issues.

Finally, comments in the Shaping the new normal survey revealed a broad range of experiences with teleworking to date. Many staff members have successfully used time previously spent on daily commuting to be more physically active, but others have reported challenges arising from a blurring of the boundaries between private life and work. In response, the Office will enhance its offering of training and coaching related to teleworking. Health and safety experts will be available to provide further support and tailored advice if required. Furthermore, new IT tools will be subject to regular reviews by ergonomic experts to ensure the Office's tools are as safe to use as possible, regardless of whether they are used from home or in the office. New tools will also be designed to function across the full range of IT devices.

4.7 Digital communications

Among the EPO's various communication channels, its intranet is a unique platform for conveying vast amounts of information deemed critical to EPO staff. The EPO's internet site fulfils the same role for all external stakeholders. With widespread homeworking and rising demand for online services, both the intranet and the internet can help to create an online community of truly connected professionals in the new normal. That community will also be brought together through advanced online conferences that overcome the traditional barriers of attending physical events.

Enhancing online communication

The EPO's new intranet will act as a hub for an online community of EPO staff members. It will help to raise their awareness of the EPO's identity by providing a steady stream of news and information. It will also keep staff up to date on the latest events in the Office and provide online spaces for collaboration, socialising and providing feedback. Staff will also be able to interact with the intranet intuitively to discover the best route for finding information and avoiding potential digital fatigue due to an excess

of widely distributed content. Furthermore, users will feel supported, knowing that help is at hand and empowered to find answers to questions quickly and easily. Everyone using the intranet will be made to feel welcome, regardless of their location or role.

A new intranet will also offer more opportunities for two-way dialogue and inclusive feedback through different channels. It will support more engaging content in improved audiovisual and interactive formats, and more live broadcasts. The shift to a modern content management system will provide more options and flexibility in terms of presentation of information. It will enable users to customise their own home page to information that is directly relevant to them and their work.

The intranet will also facilitate more peer-to-peer content exchanges between colleagues that not only facilitate effective professional discussions, but also promote social contacts and cohesion among colleagues. This will include the use of virtual platforms to provide digital spaces where staff can meet and network, either for professional or social purposes. The use of such virtual platforms would also allow the possibility of designing attractive 3D digital meeting spaces.

Similarly, a revamped internet will provide the core point of entry for the various user communities and other stakeholders who engage with the EPO online. In the new normal, the Office has an opportunity to harmonise content and modernise the user experience, addressing specific user groups with relevant content. It will provide a hub for EPO users, providing access to all services, which would be integrated directly into the website where possible.

A responsive web design for both the intranet and the internet that works smoothly on all devices — from very large office screens to mobile phones — will support greater flexibility, especially if staff are working from different locations with varying technical set-ups on different days or at different times in the future. Similarly, the intranet and internet will be "editable from anywhere", from any device within the EPO network, thereby supporting teleworking.

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AI conference

Tech day
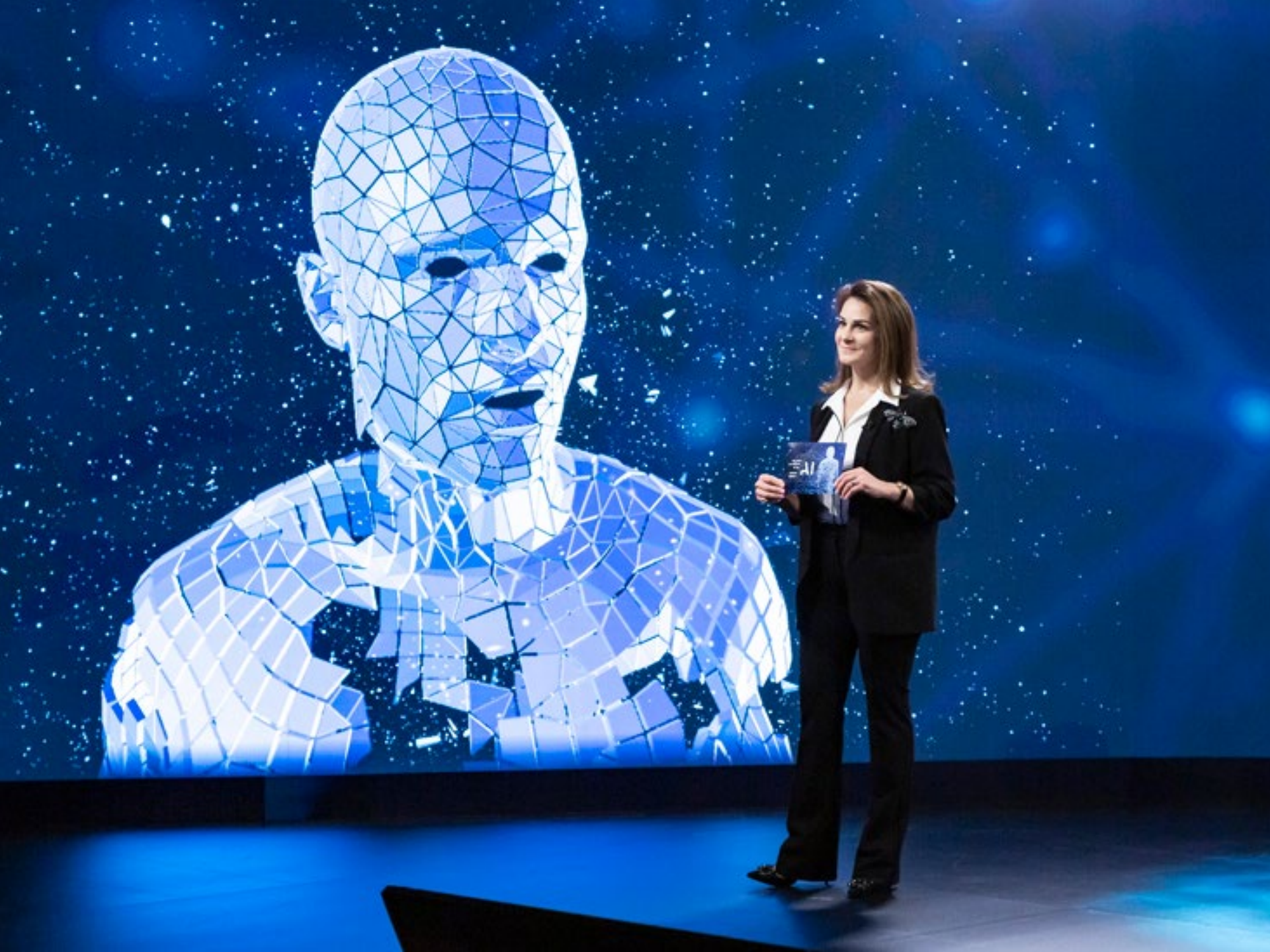
Code challenge

Online and hybrid events

In the light of the COVID 19 crisis and the need to use digital communication methods, the Office has expanded its offering of online digital events. This has helped the Office to reach wider audiences and encourage widespread debate on technologies such as additive manufacturing (3D printing) and AI. An EPO event on AI held in December 2020 attracted over 3 000 participants from 70 countries. Over 25 000 users watched the event's videos on social media, where they were liked and shared 7 472 times. The move to online events has also facilitated greater access for staff who would not necessarily have the opportunity to attend in person. In 2020, staff were able to attend the EPO's Patent Information Conference (EPOPIC), as well as its East meets West event, for the first time. In the coming years, the EPO plans to develop the format of its events to offer increased interactivity and engagement. The 2021 EPOPIC is already planned to be a week-long online event, to be renamed Patent Knowledge Week.
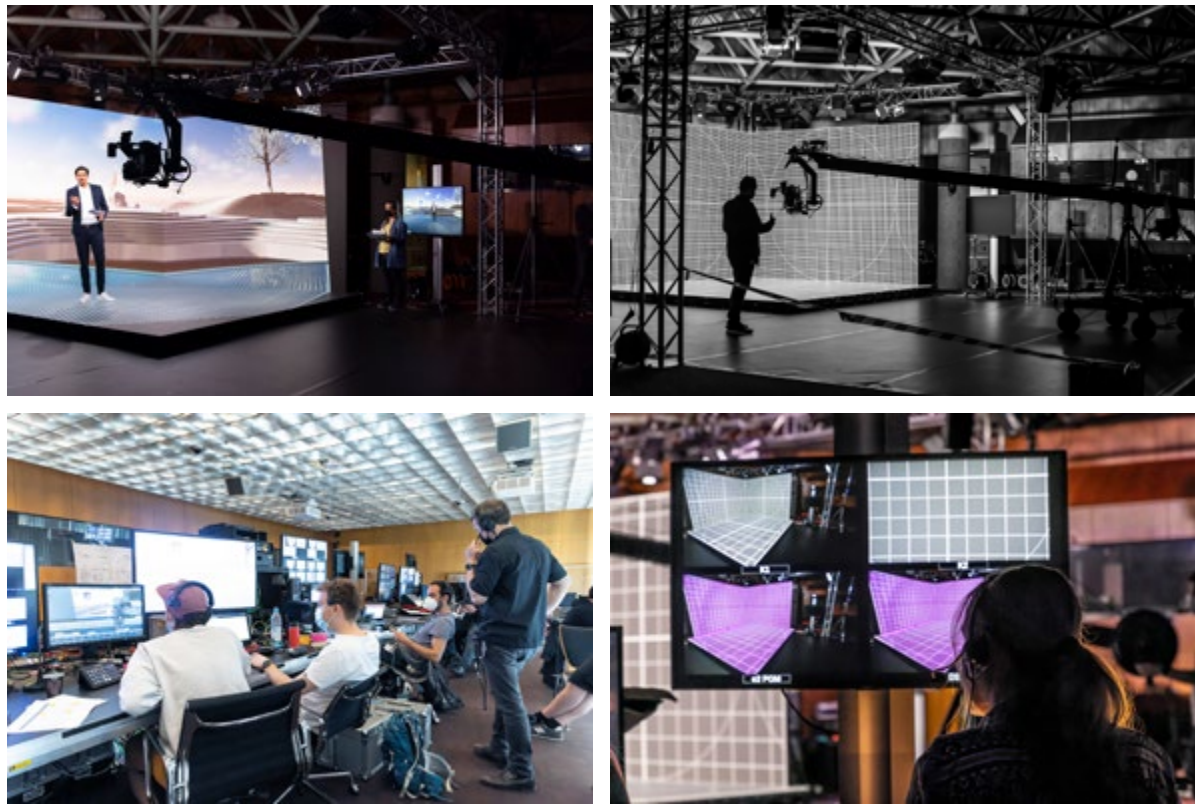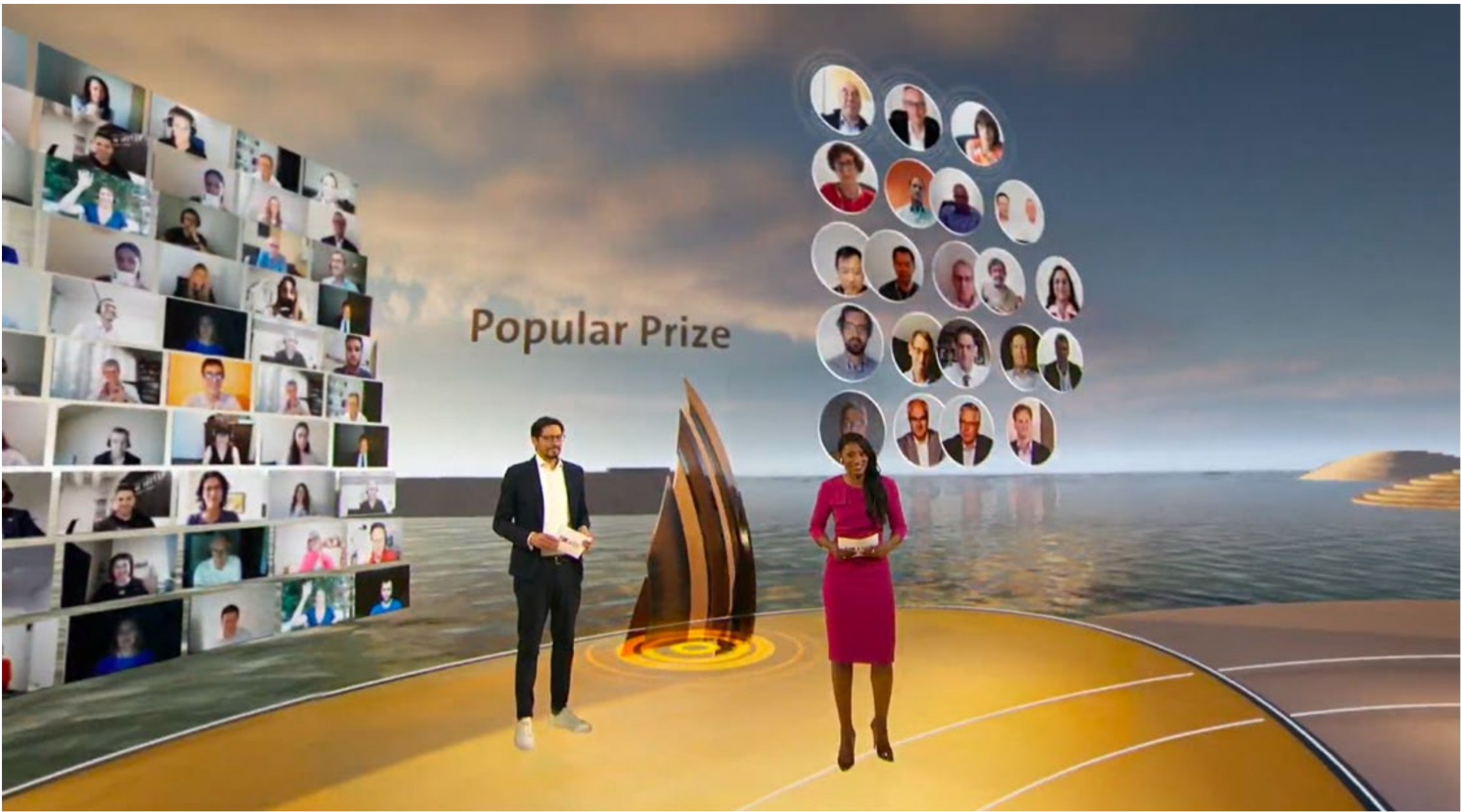
European Inventor Award | Behind the scenes

With more comprehensive online events, the EPO will be better placed to boost staff engagement; increase event attendance; contribute to a sense of belonging and close collaboration with colleagues; and facilitate communication and debate between the Office and its stakeholders. As soon as social distancing requirements allow, the transition will evolve further to include hybrid events that will draw on the advantages of online events, such as greater reach and participation rates, while also allowing for on-site presence and traditional forms of networking and interaction.

European Inventor Award

EPO buildings:
5
a professional home from home

Before the pandemic struck, the Office had drawn up an ambitious plan to invest in its premises. The Building Investment Programme (BIP) was approved by the Administrative Council in principle at the end of 2019, with the agreement that each project would be presented to the Council for financial approval. The programme aimed to improve the sustainability of EPO buildings; maintain the value of its real estate assets; and create a modern and healthy working environment for staff. While those basic goals remain valid, there is a clear need to fundamentally re-evaluate the Office's building plans. A new building investment programme must be developed which can respond to changes that can be anticipated in the new normal, for a number of reasons.

Firstly, the Shaping the new normal survey results show that the traditional approach of working five days a week from the Office premises — on which the former BIP was based — is a thing of the past. They also suggest that the number of staff using the buildings will fluctuate significantly compared to the pre-pandemic era. In the survey, only 23% of staff expressed a desire to work from EPO office buildings mainly or on a full-time basis in the future. Around 30% of staff wish to telework three to four days per week, and 23% wish to telework one to two days per week. Moreover, 22% of staff want to telework on a full-time basis (2% said "don't know"). Additionally, only 6% of staff expressly stated that they are not interested in teleworking at all. It can therefore be estimated that, on average, around 50% of staff may be on site for any given day during the week.

Reasons for working on site from EPO buildings

Secondly, the survey reveals that around one third of the staff surveyed would like to be able to work from an alternative EPO location to their current duty station. Specifically, 13% of staff wish to work permanently from Munich or Vienna, 10% from Berlin and 6% from The Hague. Around a third of our staff expressed an interest in working from another EPO location periodically. This desire for mobility on the part of staff will require a more flexible approach to office space management.

Thirdly, the staff survey asked staff about their primary motivation for using our buildings. Nearly 90% of participants expect to come to the office for informal exchanges and meetings, while 75% will use the office to work collaboratively. Two thirds of staff declared their intention to use the office for high-concentration tasks and/or to make use of on-site equipment. Half of staff plan to make use of on-site social facilities and services such as canteens and sports facilities and to participate in Amicale activities.

Fourthly, the survey results also reveal that many staff fear collaboration could suffer in the event of a shift towards full teleworking. In the survey, teleworking was strongly associated with the EPO value of adaptability, but 60% of participants think it could harm collaboration. Anxiety over the impact of this shift is particularly clear among staff who wish to remain primarily office-based. Over 75% of them fear that their sense of belonging to the Office, their relationships and their ability to collaborate with colleagues will suffer as a result of large-scale teleworking.

Lastly, the EPO has to prepare its buildings for future occasions when social distancing may be required. In the course of the last year, all organisations have seen the extent to which pandemics can have an immediate and profound impact on the use of office premises. The Office cannot rule out similar events in the future. Any plans developed must therefore ensure that the buildings can be used efficiently when social distancing is required, and when it is not required.
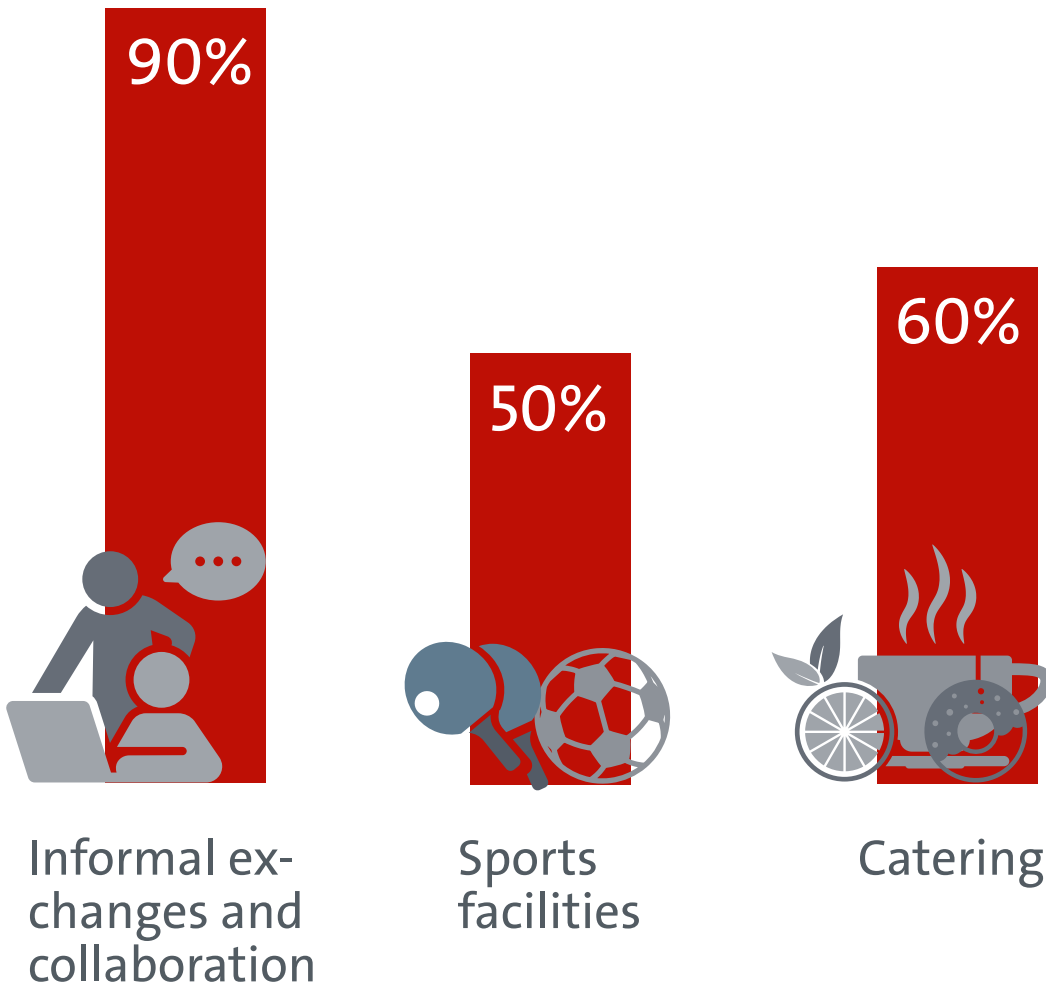
5.1   Aims of a revised building policy

The EPO must therefore now develop a new building investment programme which physically embodies the Office's efforts to support flexibility, collaboration and community. The programme should ensure that the buildings are:

Flexible and adaptable – Any building plans must accommodate the fact that an estimated 50% of staff on average may be on site on any given day. The time that colleagues wish to spend at the office is expected to vary, as is the type of work or activity.

EPO buildings could therefore offer a variety of spaces from individual offices for high-concentration tasks and touchdown[2] spaces for quiet work to collaborative spaces and meeting rooms of different sizes. The key principle would be to move away from the "one-size-fits-all" approach. The interior layout of our buildings needs to be capable of being redesigned quickly, efficiently and cost-effectively. This ability to reconfigure efficiently will ensure that social distancing can be achieved whenever needed. Reconfigurability will allow the Office to accommodate evolutions in the use of the buildings and manage the impacts of the new teleworking scheme, such as the movement of staff between Office sites. The impact of the teleworking scheme could also be managed by the introduction of defined capacities at sites. Furthermore, a central room booking system to ensure availability of different workspaces, taking into account the type of workspace desired, and the desire of staff to sit in proximity to their colleagues where possible. Consideration will be given to staff regularly on site through measures such as lockable cupboards as well as wardrobe space.

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[2] A touchdown space is typically a laptop-centric, informal setting. Such spaces feature modular workstations with fast internet access. Staff can use a touchdown space to quickly respond to an email, a call or a text message and then move to other areas to complete tasks and projects.

Collaborative and community oriented — Buildings should support greater collaboration and foster a sense of community for EPO colleagues. This might involve making sure that teams are located in the same parts of buildings, and have access to areas where team members can collaborate in person, while also ensuring that the buildings can accommodate staff as they switch between sites. This ability of buildings to accommodate staff from other sites would also support the ethos of "one EPO community". Buildings should support an inclusive approach to staff interactions, by offering the best facilities for face-to-face, hybrid and remote meetings.

A destination of choice — Buildings should offer facilities that make them a destination of choice for professional activities and networking or socialising. EPO buildings must become engaging spaces where staff want to spend time and offer facilities beyond those of a home office. For example, the EPO's buildings should also offer high-quality cafes and restaurants and well-equipped, modern fitness facilities.*

A healthy and safe environment — Staff's health and safety will remain a top priority that needs to be reflected in the design and servicing of our buildings. Buildings will offer the highest standards of health and safety to all users of EPO premises. They would ensure that social distancing is possible, and that the EPO can anticipate and respond quickly to any future instances of a pandemic. Other measures could also be envisaged, such as a better air-conditioning system, openable windows or more frequent office cleaning. Buildings should aim to create an energising environment, filled with light and energy, that creates a connection with the outside.

A pillar of the EPO's sustainability and the foundations of a professional home — The EPO's buildings represent a significant and stable part of its assets and patrimony, and their retention is integral to the Office's long-term financial sustainability. Furthermore, the EPO's buildings have an even greater value as the professional home of the EPO community, whose staff should all still be entitled to benefit from face-to-face contact and on-site presence in the new normal. With these points in mind, the EPO will aim to retain its building assets and concentrate on how buildings can be used to the greatest effect, and for the benefit of all stakeholders..

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* Document amended following discussion in the 167th session of the Administrative Council

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5.2 Initial plans

In developing a new building investment programme, the Office faces two challenges. Firstly, the way buildings will be used by staff in a post-pandemic situation cannot be predicted with certainty, and the occupancy rate can only be estimated at around 50% on any given day (notwithstanding the specific requirements of the Boards of Appeal; see Annex 4). Secondly, the rollout of a more extensive teleworking policy could also have a profound impact on the use of EPO buildings. The details of the teleworking scheme are still under development and its full impact on building use is also currently unknown.

However, some work can already be foreseen and prioritised in order to have an immediate positive impact. It constitutes the first elements of a prudent, gradual and flexible policy that would build on the aims of the former building plan (retaining asset value, sustainability, maintenance) while also starting to prepare the Office for a new normal in light of the principles above (collaborative, destination of choice, energising). The plans will be subject to the approval of the Administrative Council.

Maintenance and environmental sustainability – Certain premises within the EPO's portfolio need urgent maintenance work to ensure all buildings continue to meet safety standards and in order to maintain the value of the EPO's fixed assets. Work will need to be carried out to ensure that the buildings are energy-efficient and contribute to the EPO's sustainability goals, in particular to the EPO's target to be carbon-neutral by 2030. Work to maintain asset value and ensure environmental sustainability will therefore be carried out on buildings as and when necessary, in addition to the work already underway at the EPO's Berlin building. The Shell building will also be evaluated to assess its value to the Office, in light of the evolving situation, and considering factors such as its use, the maintenance and work required for the building to offer high-quality workspaces and its contribution to sustainability.

Completely renovated building in Vienna — The second project will be a complete renovation of the EPO's office building in Vienna. The current EPO building in Vienna is at the end of its life cycle. The completely renovated building will become a flagship for sustainability and collaboration. In developing the plans for the building, the impact of the new teleworking scheme will be taken into account. While it will be a home from home for staff whose operational units are based in the city, it will also be available for some staff from other locations who wish to work there — up to a defined limit and supported by an efficient booking system. The completely renovated building in Vienna will have a flexible layout that provides different types of space for concentrated and collaborative work as well as informal activities.*

The EPO will aim for light and engaging spaces, as seen in the New Main building

Light and engaging office spaces — Plans will be proposed to bring more light from outside into the interiors of buildings, to create vibrant spaces that also make a visual connection to the host city. While that has been achieved in Rijswijk with the completion of the New Main building, other sites would also profit from a new interior approach that creates brighter, lighter workspaces. In Munich, sections of the interior walls of the Isar building will be replaced with glass. In principle, the buildings' layout will remain in place, providing a large number of individual offices for concentrated work. This work would therefore strike a balance between an attractive, energising workplace on the one hand and a layout that offers scope for high-concentration work, privacy and confidentiality on the other hand. Spaces for social interactions, health and wellbeing will also be promoted, with upgraded coffee corners, modern canteens and state-of-the-art fitness facilities.*

* Document amended following discussion in the 167th session of the Administrative Council

Conclusion

6

Developments at the EPO and in society, as well as staff feedback, show that the EPO of the future will be defined by an increasingly digital workspace. To ensure this digital environment corresponds to its mission and values, and delivers the highest level of service, the Office needs to implement measures that specifically support greater flexibility, collaboration and a sense of professional community.

To achieve this, the EPO will need to continue working towards the goals of SP2023. However, there are several key areas that can potentially ensure that the EPO excels in a new normal. These are:

— **A new teleworking framework** — to give EPO staff flexibility in where and when they choose to work, while also ensuring a clear legal framework for individual staff members and the Office.

— **An enhanced digital workspace** — to ensure the EPO has reliable, effective and secure tools and workflows that can be accessed from anywhere at any time and incorporating digital workflows that support the key elements of quality, including timeliness. New skills for staff and managers must also be developed to help them exploit the opportunities of the new normal and face the unique set of challenges it brings. Digital communications will also help to connect and engage the EPO's staff and other stakeholders in a virtual and hybrid environment.

— **A revised building programme** — to answer the fundamental need for a physical workspace where EPO staff want to spend time working, collaborating, socialising and networking. The programme starts with an initial set of measures based on maintenance and sustainability, upgrades to social spaces, a completely renovated building in Vienna and an approach that brings more light into the interior of EPO buildings. The Office will aim to retain its buildings and further develop them as a long-term financial asset.*

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* Document amended following discussion in the 167th session of the Administrative Council

Annexes

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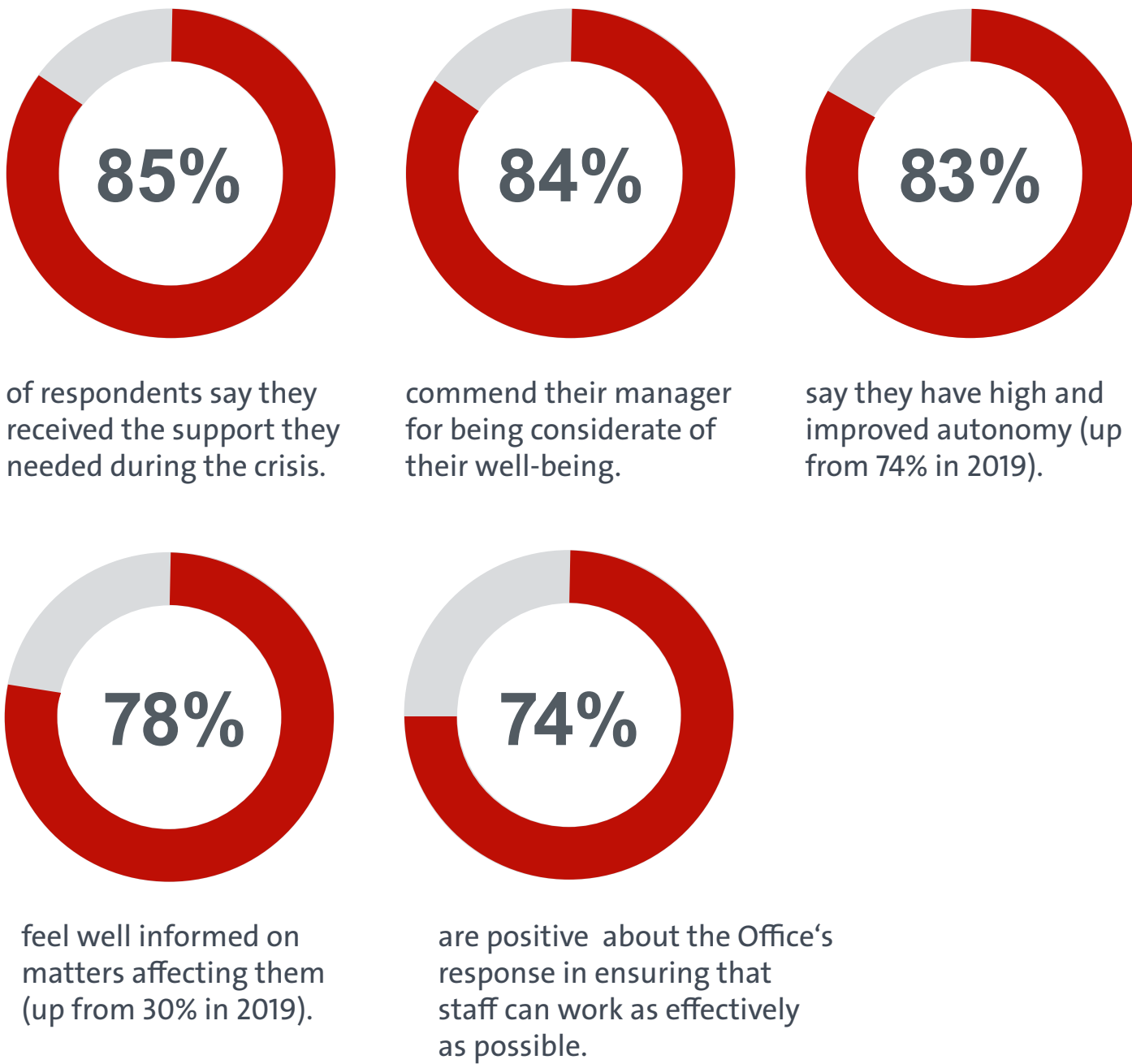# Annex 1 Strong together – working during COVID-19 survey: key findings

Survey carried out by external consultant Willis Towers Watson (WTW) from 6 May to 15 May 2020. WTW analysed 5 202 responses and a total of 8 657 open comments to give an overview of the status quo and recommend further action based on input.

Full results are available **here**

Key strengths

– 85% of respondents say they received the support they need during the crisis.

– 84% commend their manager for being considerate of their wellbeing.

– 83% say they have high and improved autonomy (up from 74% in 2019).

– 78% feel well informed on matters affecting them (up from 30% in 2019).

– 74% are positive about the Office's response in ensuring that staff can work as effectively as possible.

Wellbeing

85%

of respondents say they received the support they needed during the crisis.

84%

commend their manager for being considerate of their well-being.

83%

say they have high and improved autonomy (up from 74% in 2019).

78%

feel well informed on matters affecting them (up from 30% in 2019).

74%

are positive about the Office's response in ensuring that staff can work as effectively as possible.

Key areas for reflection

— 46% reported no substantial obstacles despite the pandemic (up from 43% in 2019).

In DG 1, however, there was an increase in reported obstacles, referring specifically to tools, technology and resources, and the need to care for children.

— 56% responded positively regarding the efforts made to care for staff wellbeing. There were significant differences between DGs.
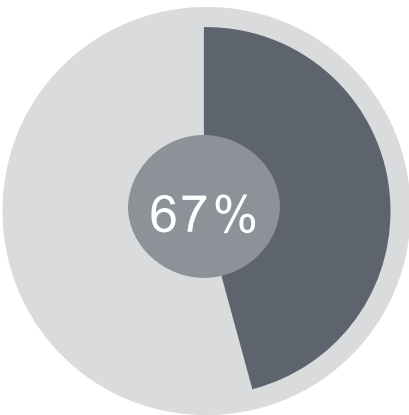
— While 66% of respondents say they are coping well with the crisis, 21% said they're coping poorly. Coping levels are lower in DG 1 compared to more than 75% in other DGs.

— 66% say they have the tools they need to work effectively from home, yet it varies greatly by job group; negative views range from 4% to 49%.
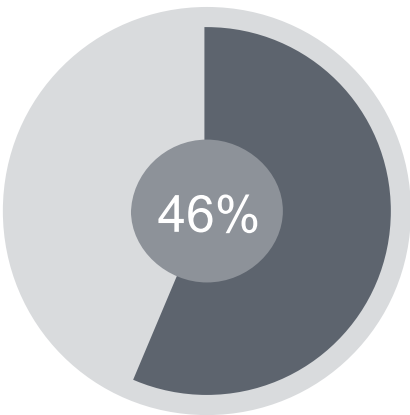
— Guidance during the pandemic (67%) and HR support (41%) reportedly did not reach everyone. Views vary significantly by role and DG.

Obstacles during the pandemic

67% reported no substantial obstacles despite the pandemic.
In DG 1, however, there was an increase in reported obstacles, eferring specifically to tools, technology and resources, and the need to care for children.
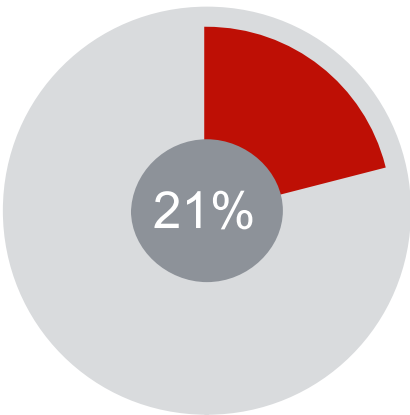
46% responded positively regarding the efforts made to care for staff wellbeing. There were significant differences between DGs.
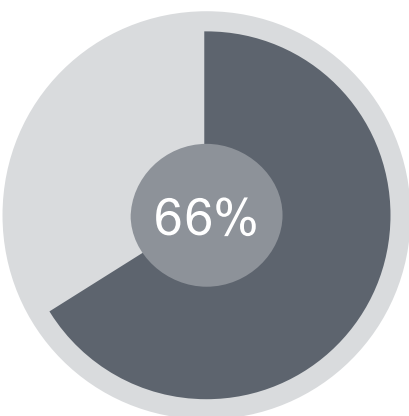
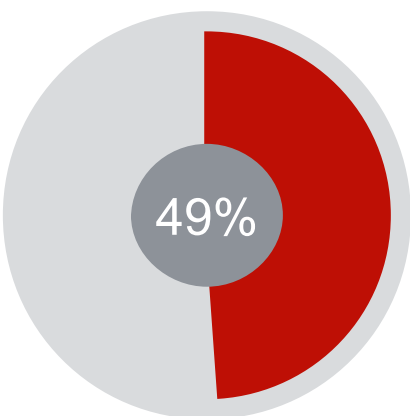Coping with the crisis
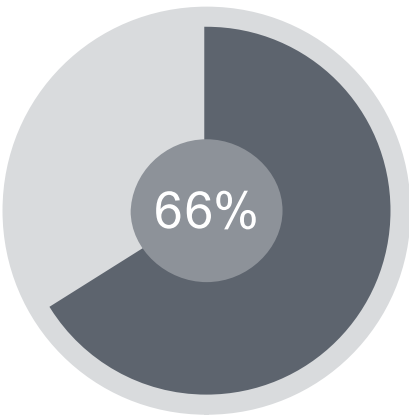
66% say they are coping well with the crisis.

21% said they're coping poorly. Coping levels are lower in DG 1.
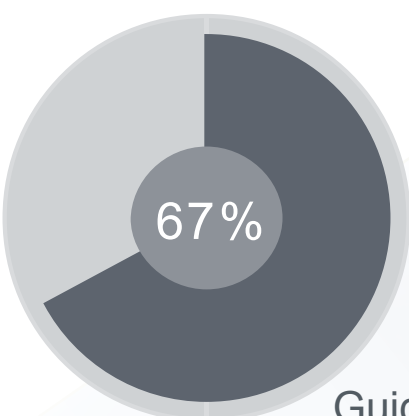
Availability of work equipment

66% say they have the tools they need to work effectively from home, yet it varies greatly by job group.
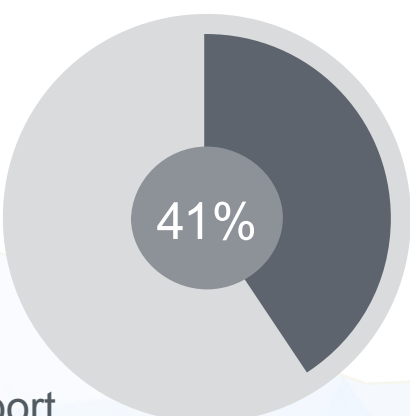
49% have negative views on the availability of tools, although this varies between occupational groups.

Human resources support

67% Guidance during the pandemic and HR support reportedly did not reach everyone. Views vary significantly by role and DG.

41%

Guidance

Support

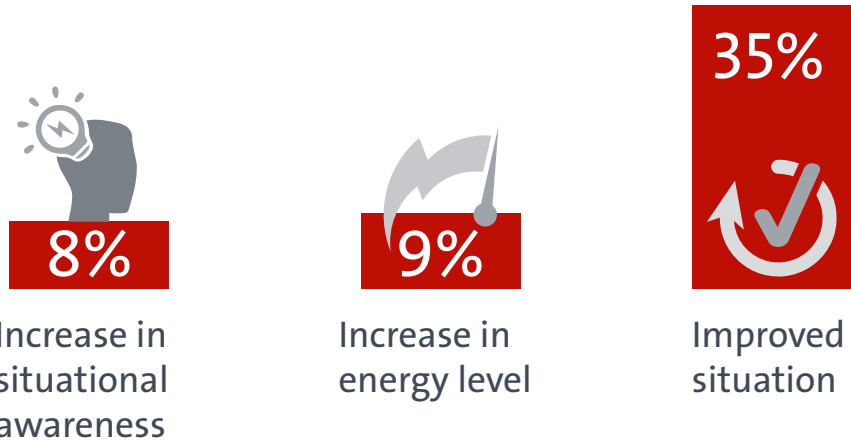# Annex 2 Shaping the new normal survey: key findings

Survey carried out by external consultant Willis Towers Watson from 16 to 25 September 2020. WTW analysed 5 554 responses and more than 40 000 open comments to give an overview of the status quo and recommend further action based on input.

Full results are available **here**

Looking back

− **(+) Improvements since May in ability of our staff to cope (8%) and their level of energy (9%).** 35% indicate that the situation has improved since May. This is encouraging as COVID 19-related anxieties are still on the rise in Europe. While DG 1 is still lagging slightly behind in this area, it has made the most progress of all DGs.

− **(-) Scope for improvement**: 1 out of 5 staff members answered that their situation has worsened. We need to continue to work on technical challenges. Over 1 in 4 staff say they still lack the systems, tools, etc., to work effectively from home/remotely. Colleagues who are not coping well also need further support.

− +/- There is roughly a **50/50 split** between those finding it easier or no different to **perform their job remotely** and those finding it harder. For examiners, classification is easier or the same, while examination, search and division work are harder.

(+) Improvements since May

8%
Increase in situational awareness

9%
Increase in energy level

35%
Improved situation

(-) Not everything is as it should be

1 out of 5 answered that their situation has worsened.

1 in 4 say they still lack systems, tools, etc.

Performing the job remotely
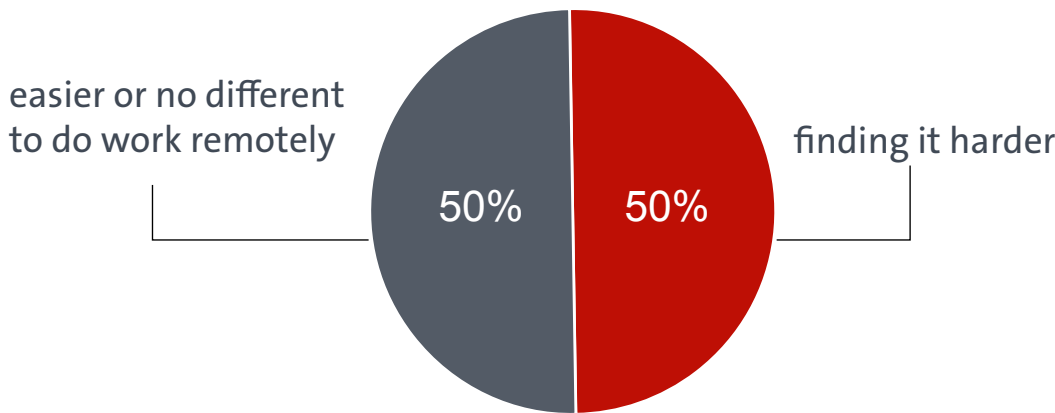
easier or no different to do work remotely

finding it harder

50% **50%**

Looking forward

— **Despite perceived difficulties, there is high support for flexibility:** 75% of staff are open to some form of teleworking; around 61% would be interested in using the opportunity to work from an EPC country (34% of non-expats want to work from another EPO location), 33% from another site (around 54% of those for a limited time period and 10% on a permanent basis).

— **Needs and preferences differ — 4 personae:** full teleworkers: 22%; moderate teleworkers (3-4 days): 30%; light teleworkers (1-2 days): 23%; mainly or fully office-based: 23%, and 6% working only from the office. These personae overlap largely with preferred scenarios and are spread across different DGs, age groups and genders.

— **Future preference is largely driven by current practice**, and a majority of those who currently combine office-based/remote working want to continue with partial teleworking (approx. 75%).

— **Reasons for coming to the office**: The primary reasons are for **informal exchanges** and to **collaborate** with colleagues and managers, although the **ability to concentrate** also comes high on the list (especially for the group working fully from the office; 94% of office-based (fully and mainly) cited it as a reason).

— **Future intended use of facilities**: Around 50% of staff would come to use sports facilities and 60% would access catering facilities. A large majority of those say they would use these facilities once a week or more.

— **Envisaged future impact**: Improvements in wellbeing (49%) and work-life balance (59%) are seen as the greatest opportunities. Most staff don't feel that their overall service to users would be impacted by remote working. However, 58% think it will strengthen our adaptability, while 60% think it could harm collaboration.

Support for teleworking

Despite perceived difficulties, there is high support for flexibility:

75% Teleworking

61%

Teleworking from EPC country

33%

Teleworking from another site (approx. 50% of those for a limited time & 10% permanently)
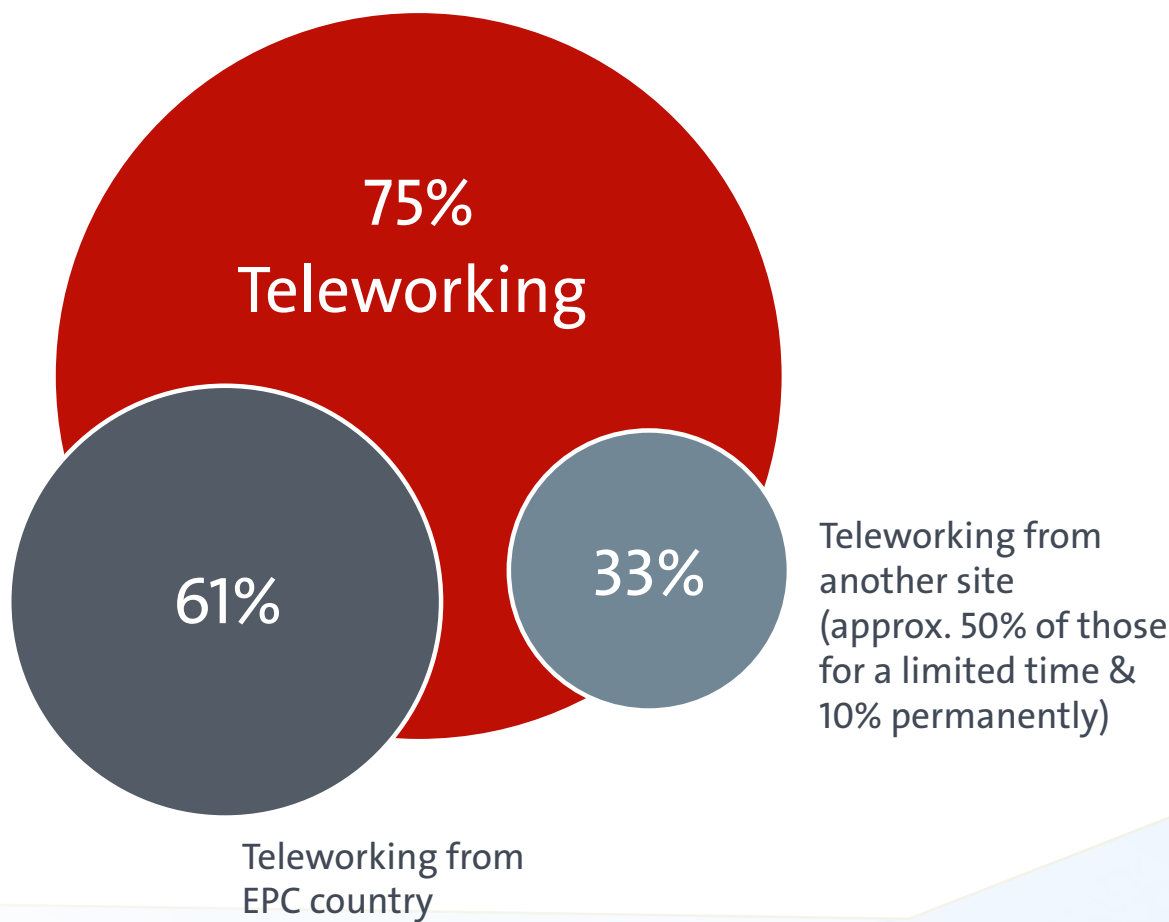
– **Maintaining a sense of belonging** and good relations with colleagues are perceived as the greatest challenges of a large-scale shift to teleworking. No matter what the new normal looks like, numerous comments reiterated the importance of contact – be it virtual or in person – as essential to effective collaboration and good working relationships.

– **Shared wishes for the future of the Office**: Comments reveal the importance of trust and fairness (approximately 40%) between peers and from management to staff, and fairness in the treatment of one another. They also highlight the need to preserve cultural diversity and respect (approximately 40%) and the European spirit embodied in the composition of the Office's staff.

Respect for one another's culture, background, personal circumstances and choices is seen as paramount to facilitating the Office's strong performance in the future. 57% of managers feel positive about managing remote teams long-term, but 30% disagree. Their comments reveal the type of support they need in terms of tools, training and empowerment.

Reasons for working on site from EPO buildings

90% Informal exchanges and collaboration

50% Sports facilities

60% Catering

Wishes for the future of the Office

40% Trust and fairness

40% Preserve cultural diversity and the European spirit

Managing remote teams long-term

Managers feel positive — 57%

Neutral — 13%

Disagree — 30%
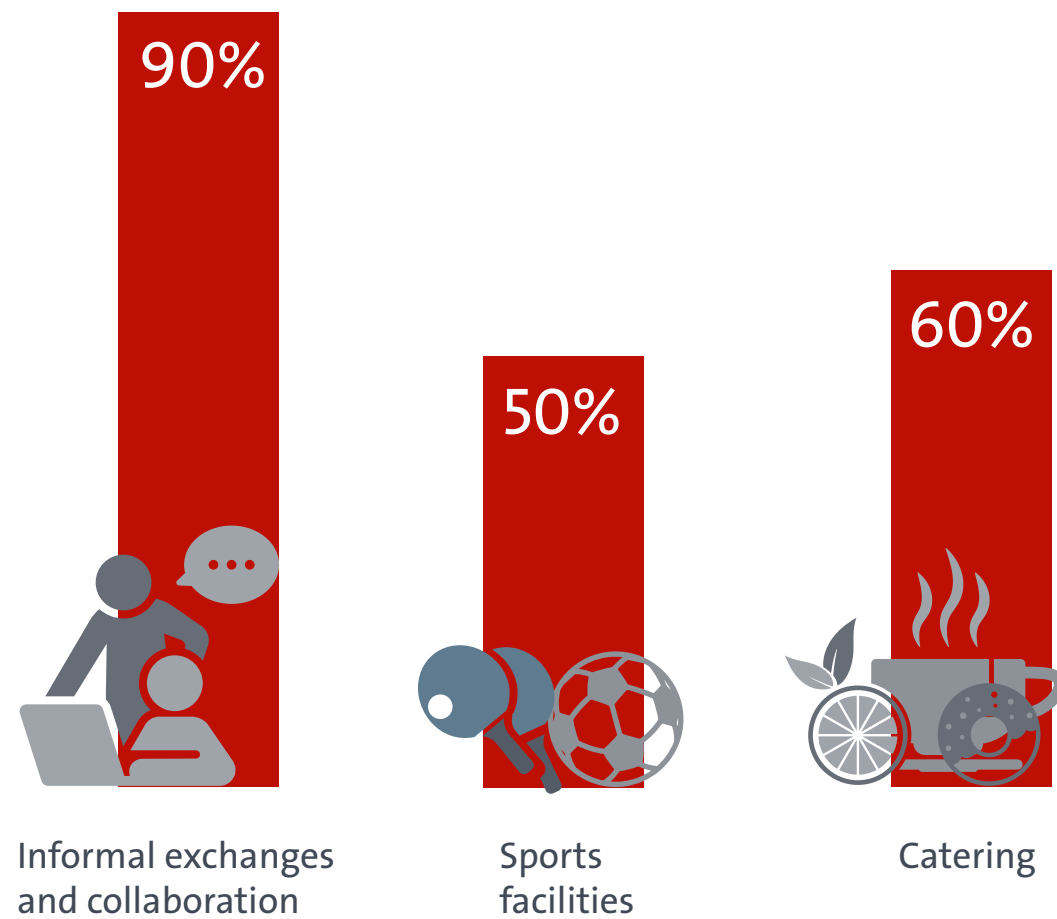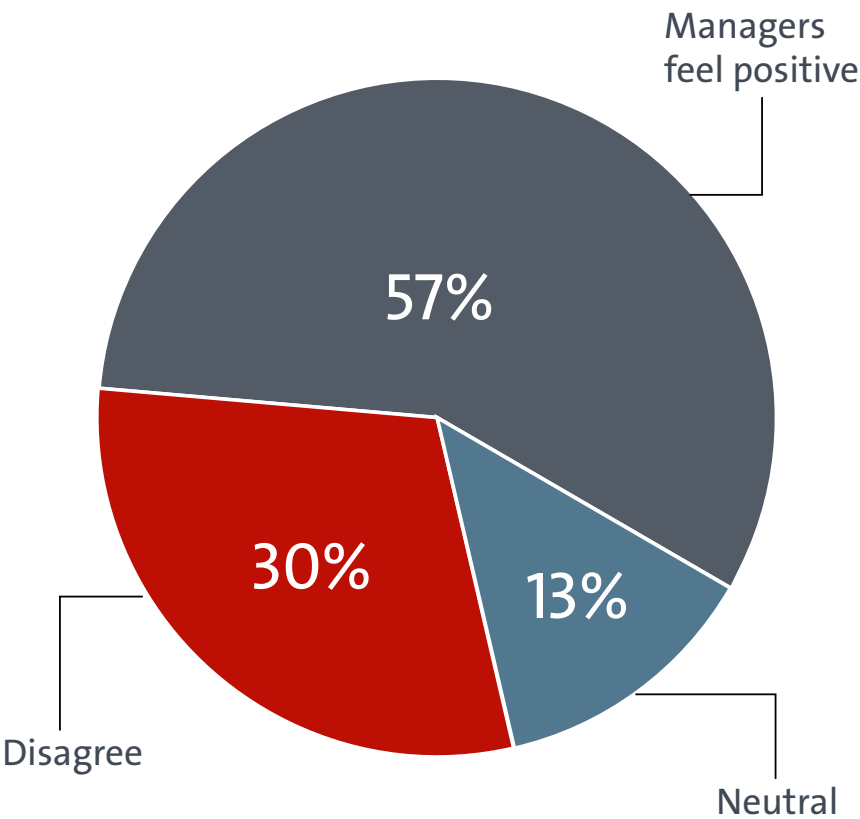
Annex 3 Summary of input from the new normal consultation

The consultation process

Together with the publication of the new normal document, the consultation asking for further input and comments from internal staff was launched on the intranet on 18 March 2021 with the request for staff to email any comments to newnormal@epo.org by 16 April 2021. For external stakeholders, the announcement and document were published on epo.org on 19 March 2021 together with a form for comments including a data privacy statement. The same deadline for comments was set of 16 April 2021. A request for comments and a copy of the document were also sent directly to all delegations of the Administrative Council.

Internal responses

Internal staff and the Boards of Appeal submitted a total of 195 responses. The submissions comprised 184 individual responses and 11 responses on behalf of teams, representing 692 people. The comments of the President of the Boards of Appeal were submitted on behalf of the Boards of Appeal following consultation with the Presidium of the Boards of Appeal. Altogether, 887 people were represented in the consultation.

Feedback from staff focuses on key topics, including teleworking arrangements, rules related to the place of employment, buildings and IT.

Teleworking arrangements – Input focused on requests for more details on teleworking. In particular, there were many comments from staff wanting flexibility in changing between

Total internal

DG 5: 22
DG 1: 522
DG 4: 316

different teleworking schemes and the amount of time spent on and off site. The second most popular request was for details on the number of days that working from EPC contracting states would be allowed, varying from a few months to almost full-time. The impact on the expatriation allowance, tax situation and education allowance and home leave was also frequently referred to. There were a number of
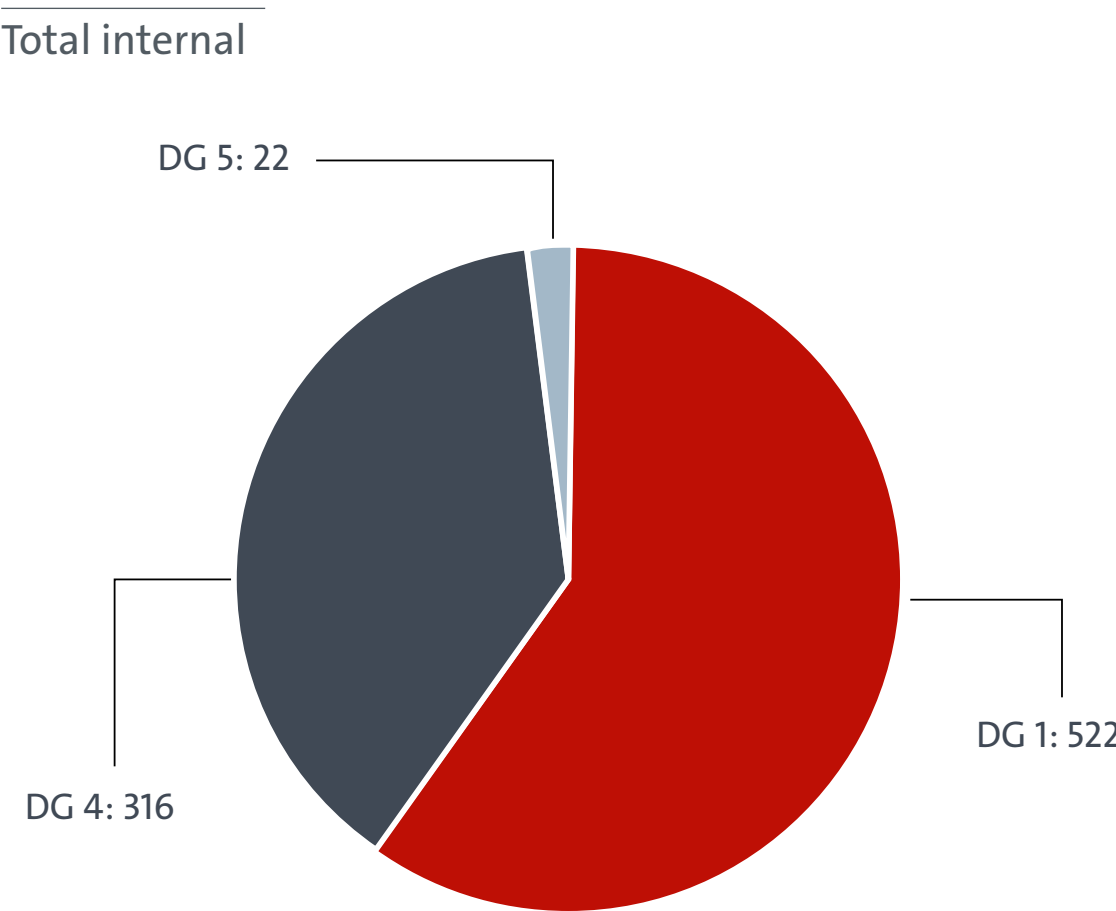
Most recurring comments

comments on where salaries could be paid in future (e.g. direct to a bank in an EPC contracting state), the need for some mandatory on-site meetings, guidelines for running optimal online meetings and the associated timing as well as the need for suitable training for managers and staff to make the mixed teleworking world work effectively. Other HR-related topics raised were how social events and networking can be better supported in a hybrid world and the importance of using the opportunity of on-site meetings by combining them with training and social events.

Place of employment rules — The responses on this topic mostly focused on proposals to extend the 100 km limit on the distance that staff can live, in the same country, from their registered location of employment. The main interest was in being able to live in areas where property is less expensive than cities such as Munich, where property prices have risen steeply and remained at a premium.

Buildings — For this topic, the main question raised was whether staff who intended to work mostly or completely on site would be able to reserve a private office that would remain allocated to them, including asking for clarity on whether staff can have dedicated cupboard space for storing their personal and desk items between visits. There were also some proposals on how to maximise the utility of any room booking system, such as ensuring that teams, directorates or mentors and mentees could be co-located; how to deal with peaks of occupancy above the predicted 50%, and whether overnight accommodation arrangements for visiting staff could be taken into account, were raised. The importance of high-quality canteens and collaborative areas was also stressed. There were some proposals to open "hub offices" in other EPC contracting states to better support staff working in those countries.

IT — The comments related to IT covered the need for improved collaboration and videoconferencing tools as well as the importance of pushing forward with the digital transformation for both the patent grant process and other administrative processes of the Office. Other topics raised were the importance of providing enough resources for fixing legacy applications, extending the availability of IT systems to midnight and into the weekend as well as questions about the possibilities for technical support in EPC contracting states.
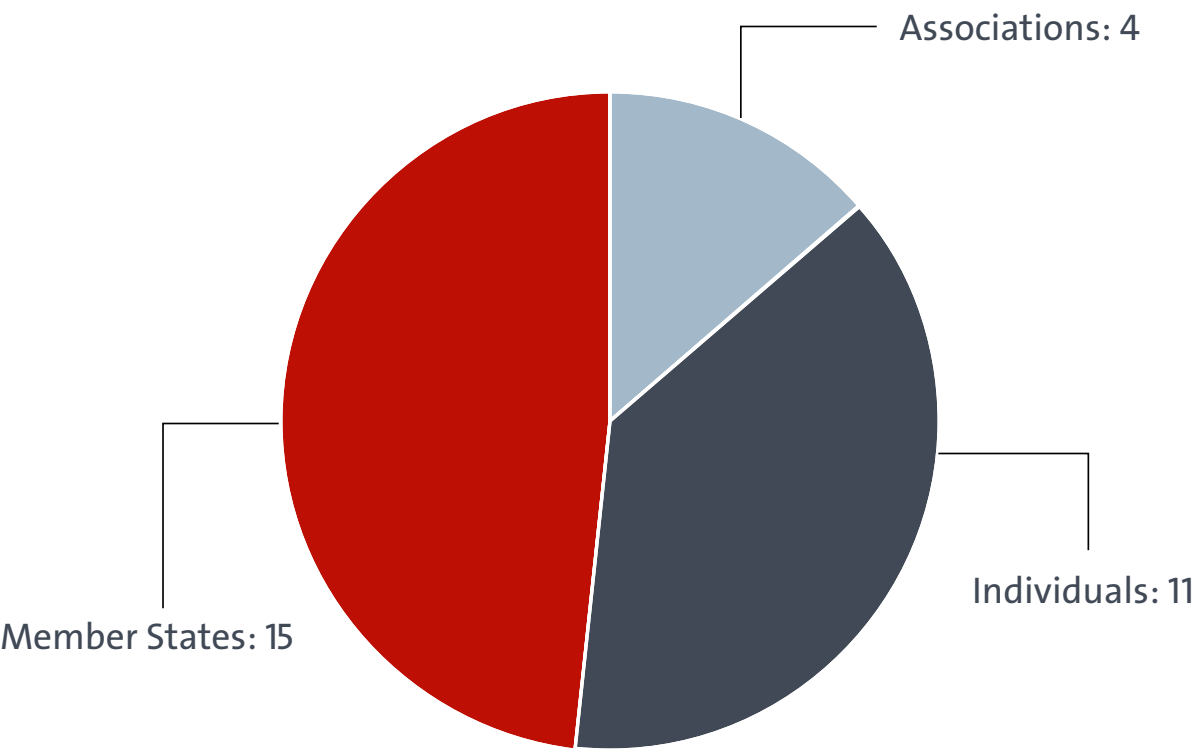
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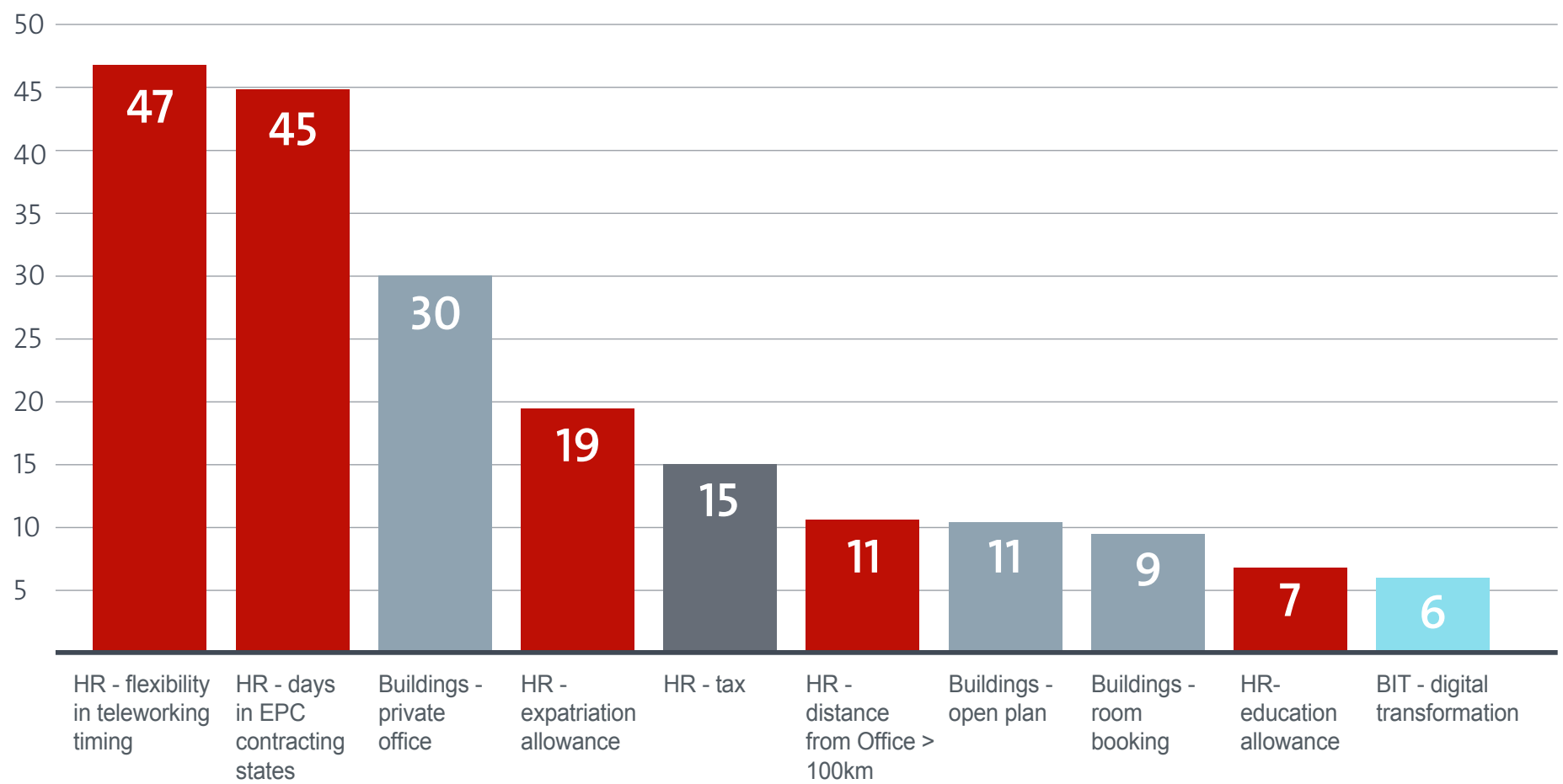
External responses

There were also 29 external responses: 15 from European Patent Organisation member states; 4 from user associations; and 11 from individuals, as shown below.

External responses

Associations: 4

Individuals: 11

Member States: 15

Member states

In general, the responses received from the 15 member states were supportive. However, given the potential ramifications of some orientations, many member states called for further discussions on a number of subjects.

Teleworking arrangements – Requests were made for more information on the impact of staff working from an EPC contracting state other than from their normal place of employment; the importance of approaching new possibilities step by step; and the need for clear rules for teleworking that are consistent with the seat agreements.

Buildings – For buildings, the main focus was on the need for more discussion on a prudent approach to the building policy and the future need for office space.

Online collaboration – The responses emphasised the value of face-to-face as well as hybrid meetings and in particular a request for more discussion on how larger meetings could be optimised. There were also calls for further discussions on online videoconferencing for opposition and appeal oral proceedings.

Potential for knowledge sharing – Many member states emphasised that they were facing similar issues to the EPO in addressing changes brought by the pandemic. They therefore urged the EPO to continually share information and knowledge on subjects related to the new normal.

User associations and other interested parties

The four user associations, while echoing their support for the directions proposed and the central importance of maintaining quality, also highlighted the need for a careful review of conducting oral proceedings online. They also asked for continued discussions on the e-EQE and the best way to hold exams in future.

Annex 4 Input from the Boards of Appeal (BoA) to the consultation

Comments by the President of the Boards of Appeal relating to the "Towards a new normal" orientation document

This paper presents the comments of the President of the Boards of Appeal on behalf the Boards of Appeal (BoA) following consultation with the Presidium of the Boards of Appeal, on the orientation document "Towards a new normal".

Before going into some specific points of the orientation document, the BoA recognises the many achievements described in the document, which were realised under challenging circumstances. The COVID-19 pandemic has accelerated many developments which urge a reconsideration of our future working patterns. The orientation document addresses well these new patterns and is welcomed, provided that the considerations below are reflected in the final document submitted to the Administrative Council.

At this stage of the discussion, the feedback below concentrates on three subjects which are of particular importance to the BoA: A new teleworking framework, an enhanced digital workspace and EPO buildings.

Teleworking

During the COVID-19 pandemic the resilience and commitment of BoA staff has been quite outstanding. Teleworking has been a central element in enabling BoA staff to continue working during this crisis while minimising their movements and the associated risk of spreading infection in the workplace and in society. The staff survey which was run in Autumn 2020, however, showed a high level of concern among BoA chairs regarding the impact of teleworking, but also that a majority of BoA staff expressed interest in retaining elements of the new more flexible approach to work in a "new normal" including teleworking. The aim is to react to that feedback and provide a more flexible approach to work than existed pre-pandemic, while at the same time ensuring that this is in line with the specific needs and working methods of the BoA.

For the BoA it is important in this, as it is with all points, to ensure that the specific requirements of our working environment are reflected in the regulations for the new normal, in particular the collaborative nature of our work and also that the BoA remains based on one site. A core aspect of the BoA as a judiciary is its collegial character. In order to come to decisions of the highest quality, a framework that enables intense discussions and a strong collegial culture is needed. A new normal must safeguard this by asking our members to reside in Munich as is currently the case and by providing options for teleworking within appropriate limitations. For this reason, the presumption that only 50% of staff will be in the building at any one point in time should not apply to the BoA, 50% occupancy would be too low for the BoA.

The regulatory framework should therefore, to the extent needed, reflect the specific needs of the members of the BoA, and accordingly be delegated to the President of the BoA to decide on its application to the members of the BoA, after consultation with, in particular, the Presidium of the BoA.

Enhanced digital workspace

The document contains quite a detailed list of elements, two of which are particularly important to the BoA, namely the requirements of flexible videoconferencing facilities and the further support for digital workflows.

The BoA are particularly grateful for the videoconferencing facilities which have been created, and which have allowed the BoA to maintain the administration of justice also during times when in-person oral proceedings have become the exception. It is foreseeable that also after the pandemic, oral proceedings will need to be conducted in-person and by using videoconferencing technology.

The COVID-19 crisis has seen the BoA adopt a number of new digitalised working practices. The BoA strongly supports the aim stated in the publication of greater digitalisation of work practices. However, with the growing number of participating members, more support needs to be provided in order to reap all the benefits which digital working potentially offers. Crucial to this is that announced improvements for working digitally are introduced as soon as possible.

EPO buildings

The paper outlines a range of considerations regarding the EPO buildings, such as flexibility and the need for them to be attractive and provide healthy and safe environments. For the BoA, points of core importance in this regard — on which the BoA look forward to close cooperation — are:

– office space tailored to the specific working needs of the BoA, including individual offices for high concentration tasks, but also sufficient collaborative spaces which are not accessible to the public;

– sufficient oral proceedings rooms, appropriately equipped with e.g. space for larger display devices, taking into account the need for interpretation facilities, and which offer flexibility regarding in-person oral proceedings and the use of videoconference technology;

– the building policy should retain sufficient room for manoeuvre regarding the long-term options for the premises of the BoA;

– these premises need to be commensurate with the status of the BoA and reflect the BoA's organisational autonomy.

Annex 5 New normal timeline:
June 2019 – May 2021

June 2019

– 26 Jun – Strategic Plan (SP2023) adopted

Dec 2019

– Start of rollout of SP2023 (Corporate Governance Service established, Business Information Technology reorganisation complete)

Jan 2020

– 4 Jan – World Health Organization (WHO) reports cluster of pneumonia (COVID 19) cases in Wuhan

– 29 Jan – All duty travel to and from China cancelled

– 31 Jan – EPO Crisis Response Group Committee established

– 31 Jan – Anyone returning from China to work at home for two weeks

Feb 2020

– 3 Feb – First meeting of the EPO Crisis Response Group Committee

March 2020

– 1 Mar – List of red-zone countries for anyone returning from leave extended to Northern Italy and South Korea

– 4 Mar – All EPO duty travel cancelled and all EPO external events postponed

– 6 Mar – Strong together site launched on intranet

– 9 Mar – Mandatory teleworking for staff with children at the European School Munich (after first case of infection in a pupil)

– First COVID 19 wave in Germany and the Netherlands

– 11 Mar – WHO makes the assessment that COVID-19 can be characterised as a pandemic

– 13 Mar – Teleworking during the pandemic – guidelines published for all staff

– 15 Mar – Applicants informed about extension of periods for the payment of fees

– 16 Mar – All staff urged to work from home; staff in Vienna required to telework

– 20 Mar – Teleworking allowed from a location other than the normal residence, provided this location is within the territory of the EPC contracting states

– 27 Mar – 90% of staff working from home

April 2020

– 1 April – Applicants informed that all examination oral proceedings to be held by videoconference

– 14 April – Staff invited to take their second screen home, if wanted

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– 22 April – European qualifying examination 2020 cancelled

– 27 April – Staff asked to register location of teleworking, at home or in an EPC contracting state

May 2020

– 1 May – Pilot for opposition oral proceedings by videoconference launched

– 6-15 May – Strong together survey run

– 11 May – Classic childcare restarts in Munich

– 13 May – Applicants informed of decision of the President concerning the filing by email of documents during telephone consultations and during interviews and oral proceedings held by videoconference

– 14 May – HR posts general information for staff travelling to and from their host country

– 14 May – Applicants informed of possibilities for using electronic filing, receiving electronic notifications and staying informed via electronic alerts

– 19 May – Daily occupancy figures per site published

– 19 May – Applicants informed about remedies available in cases of non-observance of time limits

– 25 May – All oral proceedings in opposition postponed until at least 14 Sep 2020

June 2020

– 1 Jun – Practical advice for managers issued on handling the gradual return to the office

– 2 Jun – Catering services available again in The Hague, Munich and Vienna

– 5 Jun – Publication on the pilot and training for oral proceedings in opposition by videoconference

– 5 Jun – Results of working during COVID-19 survey published

– 24 Jun – Applicants informed, per country, of outcome of consultation of contracting states on extensions or interruptions of periods

– 26 Jun – Update on best practices for videoconference oral proceedings published for DG 1 staff

– 26 Jun – Fighting coronavirus: EPO publishes resources to help researchers in the fight against coronavirus

July 2020

– 1 Jul – Children of EPO staff in Munich able to return to day care facilities

– 3 Jul – Information published on public access to oral proceedings by videoconference

– 17 Jul – Extension of the emergency teleworking measures until 31 December, including all events to take place online, no duty travel and other social distancing measures

August 2020

– 20 Aug – Staff travelling back to Austria, Germany and the Netherlands advised to check the national authorities' definitions of risk areas and comply with the measures set. Teleworking mandatory for 14 days

September 2020

– 10 Sep – Inventors against coronavirus communication campaign launched

– 10 Sep – Homeworking equipment available for order with new on-demand service

– 16-25 Sep – Shaping the new normal survey run

— 29 Sep — Netherlands staff asked to work from home

October 2020

— 1 Oct — Updated information given to applicants on filing priority documents

— 26 Oct — Maximum number of staff permitted on Office premises at all sites set to 25%

November 2020

— 10 Nov — Applicants informed that extension of time limits also applies to periods for paying fees, including renewal fees

December 2020

— 15 Dec — President announces additional holiday for all staff from 4-8 January inclusive

January 2021

— 4 Jan — Applicants informed that all opposition oral proceedings to be by videoconference

— 28 Jan — Building occupancy rate of 15% at all locations extended until further notice

February 2021

— 8 Feb — Vaccination schemes against coronavirus launched in EPO host countries

— 10 Feb — Extension of period for taking home leave announced

— 26 Feb — EPO staff in Bavaria can now be vaccinated in priority group 3

March 2021

— 18 Mar — Office launches internal consultation on the first draft of the orientation document entitled "Towards a new normal: Flexibility, collaboration and community at the EPO" for staff members to provide their input

April 2021

— 22-29 Apr — Antigen self-tests made available to staff at all sites

— 22 Apr — EPO-wide COVID-19 Hygiene Protocol established for contractors working at any EPO premises

May 2021

— 4 May — Coronavirus emergency measures extended to 31 January 2022