

Europäisches Patentamt European Patent Office Office européen des brevets

Quality Report 2020



Executive summary

Commitment to quality lies at the heart of all EPO activities. Inventors who spend years to develop their ideas, investing considerable time and funding deserve that we do the best we can, so that they obtain justified protection for their inventions. In the current pandemic situation, inventors are working around the clock to develop new ways to tackle the coronavirus, which makes it even more important that we redouble our efforts to improve our quality. As this report shows, in some areas, we have achieved levels of excellence. Yet we do not rest on our laurels, but are actually getting tougher on ourselves, so we can truly deliver levels of excellence in both service and legal certainty. For it is high quality patents which will help to build a better, more sustainable future.

This strategic focus on improving the quality of the EPO's search, examination and opposition procedures and patent related services can be found in Goal 3 of the Strategic Plan 2023 (SP2023). One of the issues we are tackling is the grant compliance rate, as measured by Directorate Quality Audit, which declined in 2018 and was reversed to some extent in 2019. Defining what contributes to high quality is difficult, because so many aspects of our work influence the outcome. Nevertheless, over the past year, we have developed a concept to describe our strategic quality developments under five key pillars, namely design; support; shared values; metrics and continual learning; and dialogue (see Figure 1). Firstly, we are using the opportunities of digitalisation to design new, automated procedures so that getting things right is the default. Where automation is not possible, we are putting in place ways to support staff in their daily tasks. Shared values unite us - for example, the collaborative power of the three-person division is built into the EPC. We measure our performance through targeted metrics, and with a growth mindset identify opportunities for continual learning.

Our partnerships with user associations, the national offices of our Member States, and our reinforced partnerships, allow us to understand user expectations of quality, and to export our quality standards around the world.

Moreover, the EPO made strenuous efforts to maintain direct contact with its user communities during 2020. In addition to the regular consultation channels such as SACEPO, which took place virtually in 2020, the President and senior also management engaged in numerous video conferences with user associations.

Throughout the challenges of 2020, our staff remained committed to providing a high quality service to our applicants and the wider public. At the start of the lockdown, the foresight of the strategic IT developments, the tireless efforts of our support services, and the willingness and flexibility of staff to adapt enabled us to transition within days to a teleworking environment. A new electronic workflow for search was followed by those for examination and other tasks. Video conferencing for oral proceedings became the norm for examination, and was piloted for opposition. As a result, not only were we able to provide a continuity of service to our users, but we also achieved improvements in timeliness, saw increases in the quality in our classification and search and observed the first signs of improvement in grants. Moving to digital workflows also enabled us to save almost 60 million sheets of paper over the year.

Timeliness is a key metric related to the quality of our service, as it impacts on legal certainty. Despite the pandemic, the number of granted and published European patents in 2020 was 133 715 (budget plan 120 000), and 401 996

search, examination and opposition products were delivered. Many oral proceedings in opposition had to be postponed, and this may negatively impact the 2021 timeliness statistics. Nevertheless, in 2020, 86% of search files were sent to applicants within 4.5 months from their filing date, 78% of our standard grants were issued within 36 months and 74% of opposition decisions were taken within 18 months for standard cases.

We hope that this report provides you with insight into how, against the odds, we achieved these results, for the benefit of the inventors and the wider public who use our services, demonstrating our commitment to the EPO mission.





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1. Quality during the pandemic – measures taken to ensure business continuity

At the outbreak of the COVID-19 pandemic, the EPO rapidly distributed laptops and other office equipment to staff and introduced a new electronic workflow, allowing over 85% of EPO staff to work from home.

The Office also quickly reacted to meet applicants' needs by granting general extensions of periods to commit certain legal acts, for instance the Administrative Council of the EPO decided that annual fees due on or after 15 March 2020 could be paid up to and including 31 August 2020, without surcharge.



Figure 2 – Timeline of EPO's COVID-19 response in 2020

Source: EPO

In 2020 the COVID-19 pandemic and the associated travel restrictions have prevented – and continue to prevent – many parties and representatives from attending oral proceedings in person. To ensure timely access to justice under these circumstances, the EPO made oral proceedings in examination by video conference the default option in April and launched a pilot for oral proceedings in opposition. As a result, the President decided that from January 2021 oral proceedings before opposition divisions would no longer depend on the consent of all parties and become the default option, at least until 31 January 2022.



Source: EPO

2. Foundations of quality at the EPO

2.1 Building on the solid framework of the European Patent Convention

The EPO's legal framework specifies the requirements for the quality products and services which are delivered to all users of the European patent system. The European Patent Convention (EPC) builds collaboration into the process, requiring that examining and opposition divisions are constituted by three technically qualified members who oversee the procedures. When necessary, a legally qualified member brings in additional legal expertise. To ensure our process is fair, the EPC requires that applicants and third parties are given the right to be heard. Following examination or opposition proceedings, the Boards of Appeal act as the ultimate test for the application of the law of our first instance. We continually analyse and learn from the teachings of the jurisprudence.

The detailed application of the Articles and Rules of the EPC is described by our guidelines for examination (EPC Guidelines). Keeping these current with Case Law and other developments, for example by integrating key decisions integrated into our Guidelines, enables us to harmonise the application of our legal framework across all technical areas of the Office, and so we update them annually. The latest version of the EPC and PCT-EPO Guidelines was published and entered into force on 1 March 2021.

The Office launched a pilot project in 2020, which assessed the feasibility of conducting oral proceedings in opposition by videoconference In 2020 we opened up our review cycle to public scrutiny, so that we could involve the widest possible participation and take into account the feedback of anyone willing to send in suggestions, for both the EPC Guidelines, as well as for the Guidelines for Search and Examination at the EPO as PCT Authority (PCT-EPO Guidelines). This was our first public user consultation, and we received 150 responses. These were discussed extensively at successive meetings of our Standing Advisory Committee Working Party for Guidelines. As a result of these comments, both feedback from users and from our partnerships through Convergence of Practice could be incorporated into the Guidelines, which were published in a public preview in February 2021. The consultation cycle was considered a success and has now been implemented as a regular annual exercise.

2.2 EPO staff: highly skilled, trained and motivated

The EPO is proud of its 6 403 highly skilled and motivated staff. Of these, in 2020, the EPO counted 4 099 patent examiners and 604 formalities officers.

Encouraging and facilitating a culture of development is of strategic importance at the EPO. The EPO Talent Academy's development and engagement programmes ensure that all staff are trained to deliver high quality services for stakeholders. In 2020, we quickly adapted our Talent Management system to the new virtual environment. Staff followed 111 067 hours of instructor-led courses (75% as virtual sessions), 11 734 hours of internal eLearning courses, and 18 236 hours of external online learning courses, such as through the new provision of LinkedIn Learning. Another important element is Continuous Knowledge Transfer (CKT), see chapter 4.6.1.

The launch of our iLearn online gateway provided staff with easy and remote access to learning resources. In addition, the examiner development programme provided the necessary skills for effective virtual oral proceedings in examination and opposition.

In view of the rapidly developing Digital Transformation we expect that the work of the Formalities Officers will change significantly in the coming years. In anticipation of this, we set up three working groups which are dealing with the following topics:

- Supporting the examiners ("the "paralegal" role)
- Supporting the external users
- Career development both within DG1 and in other departments.

The working groups have come up with a number of proposals which we are assessing to identify what can be implemented in 2021 and in 2022.

Figure 4 - iLearn intranet website



Source: EPO

2.3 Integrated Management

Commitment to quality lies not only at the heart of all EPO activities, it is also embedded in how we manage. The Corporate Governance Service unit, which was created near the end of 2019, continued to pursue governance improvements. In 2020 and in line with Goal 5 of the Strategic Plan 2023, the Office continued to implement its Integrated Management approach. The goal of Integrated Management is to establish a corporate framework to monitor performance, to identify opportunities for improvement and to implement appropriate changes. It is about making sure that all pull indeed in the same direction, all units have aligned objectives and management considers all aspects of a decision when taking it. It is about working in the same manner in the various management systems, about speaking the same language and applying the same best practices. At the EPO, our ISO 9001:2015 certified Quality Management System is the foundation for Integrated Management. Integrated Management at the EPO currently includes Quality-, Eco- and Occupational Health and Safety Management

Figure 5 – ISO 9001 as the basis for Integrated Management



the basis of Integrated Management

a set of common central mechanisms

a different view on the organisation
 a specific set of best practices

Source: EPO

In 2020, the Quality Management System of the Patent Process was recertified for the second time under the ISO 9001:2015 standard. The auditors highlighted the success of IT digitalisation work carried out in 2019, which enabled us to move over swiftly and efficiently to remote working in early 2020. In addition, they emphasised that the EPO exceeds the requirements of the ISO 9001:2015 standard significantly.

Since 2009 the EPO applies an Eco-Management and Audit Scheme (EMAS) to assess, manage and continuously minimise its carbon footprint. The EPO is one of several organisations worldwide that is registered for this scheme. Between 2008 and 2019, the Office reduced its consumption of electricity (17%) and water (-15%), lowered its residual waste generation (-46%), and produced substantially fewer carbon emissions from energy consumption (-76%). Paper consumption in 2020 decreased by 47.5% compared to 2019; from 123.6 million to 65 million sheets. Additional savings are expected in 2021 due to the roll-out of iPads to all Examiners and Formalities Officers.

As a new milestone achievement in 2020, the Office obtained ISO 45001 certification for EPO Occupational Health and Safety Management System to demonstrate its commitment to provide a safe and healthy working environment that maintains and enhances the health, safety and well-being of EPO staff and other people on its premises.

At present the EPO introduces a framework for corporate risk management, which will become fully operational in 2021 and is extending its Quality Management System to five new areas:

- IT delivery and maintenance
- Human Resources
- Infrastructure
- Finance and Procurement
- Legal/International Affairs

An improved customer interface and complaints handling procedures, aligned with ISO 10002 Guidelines, will support our Integrated Management further.

During the EPO's recertification audit, external auditors praised the EPO's process and procedural descriptions

Implementation of Risk Management, extension of Quality Management and improved customer interface are the main elements of current developments towards Integrated Management To strengthen internal governance, the EPO improved the decision-making process by integrating the quality decision bodies with the strategic and operational management decision bodies. Specifically, the Quality Board's competencies were integrated into the Management Advisory Committee (MAC) and the DG 1 Executive Operations Committee (EOC). In this way, we were able to integrate quality topics in the strategic and operational decision-making process.

3. Quality by design

3.1 Introduction

Our first quality pillar is **design**. The EPO recognises that a design approach to quality means rethinking our patent grant process workflows to make them simpler and clearer. By redesigning workflows in a way that builds in quality, we aim to introduce greater efficiencies that promote timeliness, minimise the potential for errors and enable smarter, more effective approach to quality.

As technical complexity and the amount of data such as prior art increases, digitalisation becomes a necessity for quality. Digitalisation makes it easier for our examiners, formalities officers, and users, to get things right first time. Together with digitalising the paper-based processes, this means developing a truly digital dialogue with our users.

In addition, we are expanding our use of Artificial Intelligence (AI) to support and facilitate human decision-making. Digital file allocation ensures getting the right file to the right examiner and examining division on time and helps them to organise their work efficiently. We encourage examination operational Team Managers to support each other through sharing workloads through our new Digital File Marketplace and we are building flexibility into our resource management through a Digital Talent Marketplace. As technology moves quickly, this is enabling us to ensure a quality outcome by constituting the division from the examiners having the best match of skills and experience. In the patent application process, automatic fill-ins for facts and automatic checks to see if applicants' submissions are complete, will help to avoid human error in future.

To strengthen internal governance, the EPO improved the decision-making process by integrating the quality decision bodies with the strategic and operational management decision bodies

3.2 Rethinking the procedures and processes

Our Simpler project employs a structured methodology — Quality and Operability Studies (QOpS) — to look at every aspect of the patent grant process with a view to simplification. In a first step, improvement suggestions are collected from staff and assessed and prioritised to determine which processes need to change and how. User input is then sought. In a final step, changes decided on are routed to the relevant SP2023 projects, for implementation, with QOPs participants kept involved as change agents. In November 2020, a pilot of the QOpS methodology focused on the workflows relating to refusals. It resulted in 45 concrete actions for implementation. Consensus was found towards developing a collaborative environment where division members draft actions together, supported by experts when necessary. Appropriate workflows will foster joint ownership of files. In addition, a feasibility study analysed the potential of using workflows as the basis of a new operational quality assurance system. In 2021, pilot teams will be used to refine the approach.

As a result of the growth in the number of oral proceedings by video conference, the number of held oral proceedings in examination decreased by only some 10%, whereas the number of cancellations dropped by 20% and of "no shows" by a historic 50%, most likely thanks to holding them as video conference.

The aim behind simplifying our patent procedures and processes is to achieve higher levels of quality, better timeliness and improved efficiency while also enabling a truly digitalised way of working for both internal and external users, avoiding where possible mundane form filling and allowing us to focus on intellectual work and added value



Figure 6 - Response to summons for Oral Proceedings in examination

Source: EPO

3.3 Workload balancing and skills development

Files are distributed to the EPO operational teams most appropriate for the technical subject matter covered by an application. Innovation, however, is constantly developing and some technologies permeate into other technical areas. Therefore, in order for the EPO to master its workload and treat all applications with the required technical expertise, collaboration and agility are being fostered in search and examination. We have introduced three measures designed to enable examiner teams to manage short-term fluctuations, structural workload and capacity changes.

Digital File Allocation: for the distribution of incoming workload based on skills and available capacity. It aims to direct incoming files to the right team and the right examiner at the right time.

Digital Talent Marketplace: a platform for rebalancing internal talent, while fostering specialisation and flexibility. So far, 36 examiners have changed technical fields and 49 formalities officers have been transferred.

Digital File Marketplace: an open file redistribution platform, balancing short-term workload with examiner capacity building on collaborative work-practice.





Source: EPO

Via the Digital File Marketplace, examiner team managers offer or request workload to balance short-term workload fluctuations. Based on the technical coherence of the examiner teams, examiner team managers, supported by the technical experts, can agree to collaborate on such applications. When treating search and examination files, "mixed examining divisions" can be established between the workload offering team (chairperson, 2nd examiner) and the workload receiving team (1st examiner). Early collaboration between the 1st examiner and the chairperson throughout the search and examination procedure is a cornerstone that ensures quality standards and knowledge transfer. Any file transfer under the Digital File Marketplace between examiner teams is approved by the sector management and monitored in a transparent way.

It is increasingly important to balance workload across units, while ensuring that the right file is treated by the right examiner and division at the right time

4. Quality by support

4.1 Introduction

Our second pillar, **support**, enables examiners and formalities officers to quickly access the right information, guidance, and expertise, whenever required.

With this in mind, we are changing our systems so that collaboration becomes easier, both on- and off-line. We recognise that efforts to improve quality rely on a number of factors functioning efficiently and in an interconnected way so that our current and future support needs are met.

Effective tools and databases and collaborative networks that encourage the sharing of knowledge and best-practices all contribute to a more engaged, transparent and quality-driven workplace. Under SP2023, the EPO is focussing its attention on strengthening its capabilities in all of these areas.

For example, the project "Patent Grant Process (PGP) Knowledge Support" has developed the necessary building blocks to change the way we access knowledge at the EPO. A prototype in-tool help menu for all future PGP-related software is being embedded into the patent work bench tool.

4.2 The world's most comprehensive prior art collection

Prior art is the starting point for searching any patent application. EPO examiners have access to the world's most extensive prior art collection, which includes 1.5 billion technical records in 182 databases.





Source: EPO

At a glance:

1.5 billion technical records in 182 databases
120 million patent documents
65 million Asian patent documents
over 610 000 traditional knowledge documents from India, China and Korea
over 10 000 journal titles covering all areas of technology
subscription-only external databases and collections and
4.1 million standards documents

4.3 Non-patent literature

Non-patent literature (NPL) is an extremely important type of prior art for many technical fields. , Since 2017, the percentage of search reports with at least one NPL citation has steadily increased. In 2020, 15% of all EPO search citations were NPL.





Source: EPO

4.3.1 Standards documentation

Standards ensure the compatibility and interoperability of components, products and services and promote the dissemination of new technologies. Contributions to the development of a standard form part of the prior art, unless such contributions are made in a confidential setting. These standard documents form an important source of prior art, particularly in certain technical areas such as video coding and compression, where 71% of EPO search reports contain at least one standards document citation. The EPO has engaged with a number of standard developing organisations (SDO) and has obtained, through concluded agreements, the relevant standards documentation for use in the patent system.

Standards documentation constitute a central pillar of the modern knowledge economy Currently, EPO patent examiners can consult comprehensive literature collections from several SDOs, including:

- 3rd Generation Partnership Project (3GPP)
- European Telecommunications Standards Institute (ETSI)
- International Telecommunication Union (ITU)
- Institute of Electrical and Electronics Engineers Standards Association (IEEE SA)
- International Electrotechnical Commission (IEC)
- Association of Radio Industries and Business (ARIB)
- Internet Engineering Task Force (IETF)
- Digital Video Broadcasting Project (DVB)
- oneM2M Standards for M2M and the Internet of Things
- Open Mobile Alliance (OMA)

In addition to the final standards issued by the SDOs, the EPO's databases also include technical disclosures submitted during the standardisation process.



Figure 10 – Number of documents in EPO SDO databases 2015-2020

Source: EPO

In telecommunications, standards documents are particularly relevant as prior art. In fact, in 2020, ten directorates in the area of video coding and transmission, wireless communication, IT security and Internet and Internet of Things issued 95% of the search reports containing standards citations; and overall 25% of the search reports for these areas contained at least one standards citation.

SDO members' contributions and draft standards documents are published before the final standard is agreed upon, making them highly relevant for the patent granting process



Figure 11 – Percentage of EPO Search Reports having one or more standard citations

Source: EPO

4.4 Classification: a cornerstone for search quality

Finding the most relevant prior art is key to the quality of the search product. An effective classification system structures prior art according to well-defined concepts in a language-independent way and improves search efficiency. Documents that are classified incorrectly, or too late, cannot be reliably retrieved by an examiner during a prior art search and this may result in an inaccurate assessment of the patentability of a claimed invention.

To focus on further increasing the quality of classification and pre-classification tools, as well as processes and to assist examiners in classification activities the SP2023 includes a "Mastering the prior art" programme. Enhanced cooperation with other offices will support the goal to increase the use of CPC and make it the world's reference system for classification. Preparations have started in several projects to bring Artificial Intelligence (AI) into all aspects of classification.

The Cooperative Patent Classification (CPC) scheme contains 260 000 technical categories (or classification symbols), to allow for efficient, focused searches. It allows examiners to retrieve prior art from many different sources, regardless of the language.

There are three distinct processes for classification of documents at the EPO:

- Classification of new documents: the bulk of classification work done at the EPO is driven by new patent documents, which either lack CPC classification symbols or contain symbols that must still be confirmed by the EPO to meet our high-quality levels.
- Reclassification: : the CPC and IPC schemes are routinely updated and refined to keep up with technological developments. Documents in revised classification groups need to be correspondingly reclassified.
- Pre-classification: new filings are pre-classified into one of 1 400 broad technical fields which are key to ensure that the right file is treated by the right examiner and examining division.

The EPO classifies prior art according to the Cooperative Patent Classification (CPC) scheme, which is jointly owned with the USPTO

Figure 12 – CPC offices and EPO member states



The EPO has continued to invest in training efforts to help other offices classify prior art correctly with the CPC



National offices in the CPC

Offices in the CPC whose data is loaded in EPO's databases

Source: EPO

4.4.1 Classification results in 2020

911 000 documents were classified in 2020, with 93 730 documents pending classification at year end – down 24% from the start of the year.

By the end of 2020, examiners had reduced by 63% the backlog of documents pending full classification within six months after filing. This was 60% better than the excellence objective. The backlog of documents receiving a first classification was reduced to a level 69% better than the 2020 excellence objective.

In line with the EPO's compliance target for 2020, 81% of all patent applications searched at the EPO are now fully classified by the time they are published.

A total of 325 000 patent families were reclassified in 2020, meeting the year's excellence target.

4.5 Communities of Practice

EPO examiners can already find expert support and assistance, not only from their peers within examining Directorates but also from a wide range of sources throughout the Office, as shown in the figure below.

Figure 13 – Resources that support examiners



Source: EPO

Over the years, several informal cross-departmental groups arose through as a result of EPO staff initiatives. These groups have an interest in developing expert knowledge in certain technical or legal areas and sharing it with interested colleagues. Under SP2023, these will be transformed into an evolving ecosystem of topic oriented Communities of Practice (CoPs), delivering high quality and exploiting their full potential.

81% of all patent applications searched at the EPO in 2020 were fully classified before publication. This will be further improved in 2021

4.5.1 Continuous Knowledge Transfer (CKT)

Continuous Knowledge Transfer (CKT) promotes a culture of knowledge sharing, enabling examiners to keep each other up to date with developments, and making it easier for examiners to find expert advice. Thanks to CKT, expert examiner groups can disseminate knowledge to the wider examiner community on matters such as, Asian prior art, computer implemented inventions, and additive manufacturing.

CKT provides tools and services that allow EPO staff to exchange best practices. In 2020, CKT focused on supporting the EPO's digital transformation and helping staff to meet the challenges posed by the COVID-19 pandemic.

CKT also runs a "tip of the day" service, under which colleagues provide concise solutions to problems found during work. These are published on the EPO intranet and in a searchable database.

A dedicated channel for formalities officers will also come into operation in 2021.

Peer to Peer events are typically one-hour events with around 40 participants. In 2020, 684 P2P events took place. These were organized as webinars. Like the day tips, P2P events focused on adapting to the digital workflow, as well as mastering the EPO's constantly evolving search tool, ANSERA.

684 700 600 529 495 500 400 344 333 328 304 280 274 274 300 205 216 185 200 -141 100 63 0 2012 2013 2014 2015 2016 2017 2018 2019 2020 CKT events New daytips

Figure 14 – Number of new CKT tips and events 2012-2020

CKT's 2020 efforts paid special attention to teleworking, paperless working, search tools, diversity and inclusion

Peer to Peer (P2P) events are staff-driven learning events, which focus on classification, search, examination and opposition

Source: EPO

4.5.1.1 COVID-19: sharing EPO knowledge and expertise internally and externally

At the end of June 2020, the EPO has published an expanding "Fighting coronavirus" platform designed to help researchers and decision-makers benefit from patent information in their fight against the coronavirus.

Examiners across the three Sectors, data analysts and staff from the Communication Department have compiled 276 datasets arranged into four broad themes: (i) vaccines and therapeutics, (ii) diagnostics and analytics,

(iii) informatics, and (iv) technologies for the new normal, encompassing amongst others masks, respirators, and disinfection, and further updates are in development. The platform has enjoyed significant public attention; as the more than 29 000 page views (December 2020) since its launch amply demonstrate.

Because the keywords, classes and smart searches used for building these datasets are also of benefit to examiners, a series of six CKT central webinars with the following themes were organised for Q1 2021:

- 1. Vaccines and Therapeutics (presented by HBC)
- 2. Diagnostics and Analytics (presented by HBC)
- 3. Informatics (presented by HBC)
- 4. Medical Equipment and Disinfection (presented by HBC)
- 5. ICT and Data Services (presented by ICT)
- 6. Technologies to prevent spreading the Corona Virus (presented by M&M).

The six internal webinars were attended by over 1500 EPO staff members.

A number of the above topics have also been presented during webinars for external users.

The CKT webinars also drew attention to an internal keyword which has been created by the Covid-19 Network and which is allocated to all Covid-19-related applications for ensuring quality/harmonisation and for statistical purposes.

Today, 9 directorates of the sector Healthcare, Biotechnology and Chemistry are represented in this network by 29 experts. The experts meet regularly and spread the results in their respective directorates.

4.5.2 Asian Patent Expert Group (APEG)

APEG organises online seminars to share best practice and inform examiners how to efficiently search and retrieve Asian literature. Native speakers of Chinese, Japanese, Korean and Russian provide support for examiners to interpret unambiguously Asian prior art and are also involved in various in-house projects, such as tools for machine translation. Through its pool of Asian experts, APEG connects various stakeholders within the Office APEG is the main contact point for examiners if they any questions about Asian prior art. APEG also prepares internal material, such as the "Practical Guidelines on Asian Documentation" and it disseminates knowledge regarding the retrieval of Asian prior art amongst staff. Moreover, APEG provides support for tool and database developments by identifying staff needs regarding Asian literature, machine translations and desired tool features.

In its training and awareness activities in 2021, APEG engaged with staff on Computer Implemented Inventions (CII) practices in Asia, practical aspects of sending translations of cited Asian prior art to applicants and how to handle corrections in translated Euro-PCT applications of Asian origin.

In 2021, new topics will be presented through online APEG seminars and external speakers will be invited to share their expertise on subjects such as the Indian patent system and the patentability of artificial intelligence (AI) in Japan. Furthermore, attention will be dedicated to the improvement of the coverage and search of Asian non patent literature.





4.5.2.1 Asian prior art consulted and citated in EPO search reports

The use of Asian prior art in EPO search reports continues to increase. In Q4 2020, Asian machine translations made up 17.2% of full-text patent documents reviewed by examiners, an increase of 6% from the year-earlier period.



Figure 16 - Percentage Asian machine translations of all consulted patent documents

Source: EPO

In 2020, 46% of search reports contained at least one citation with an Asian-origin priority and 24% of EPO search reports contained at least one Asian-only citation, namely a citation only available in an Asian language (CN, JP, KR) and with no family member in English, French, or German. This highlights the importance of Asian documents being made accessible to examiners.





16% of EPO search reports contained at least one Asian-only citation that was deemed highly pertinent for the novelty or inventive step of the application being searched



4.5.3 Additive Manufacturing

Additive Manufacturing (AM, which includes 3D printing) is a manufacturing technique that stems from a digital design. The technology involved in AM includes diverse areas such as CAD, laser technology, apparatuses and materials. AM technology can be applied in an equally broad range of settings from medical devices, to turbines and satellites. The number of patent application filings received at the EPO has increased dramatically in the last 5 years.

Because of the breadth of technologies involved in AM and the range of technologies in which it is used, the AM-CoP was set up across DG1 as a follow up to the first Technology Day event at the EPO which was held on September 2019. This event built on the information gathered for the EPO Chief Economist's Unit-study on "Patents and Additive Manufacturing".

At present, the AM-CoP connects 100 different areas of technology across DG1. It aims at connecting experts of relevant fields, harmonising practices and disseminating information to the EPO staff community.

During 2020, a joint-workgroup has been set up between CII- and AM-CoP members to address the specific issue of claims to data in AM. Other initiatives have been taken to create mixed divisions across DG1 covering the different technological aspects of the invention. This enhances quality and harmonisation through very intensive collaboration (ECo, search-jams) and the organisation of joint Knowledge Transfer Events (e.g. on AI in AM).

4.5.4 Computer Implemented Inventions (CII)

CII are emerging in many technical fields and computer related features are popping up everywhere now. For example, the same GUI (graphical user interface) can be claimed in different fields and contexts. This poses great challenges to ensure cross-field harmonisation.

To achieve harmonisation and legal certainty, a CII (Computer Implemented Inventions) Community of Practice (CoP) has been set up. This CoP has been and is very active in two complementary areas:

On the one hand, the CII CoP is active in harmonizing and defining legal practices for examining CII and of developing materials to disseminate CII knowledge to the work floor. In fact, in the period 2015-2021, all CII-related sections of the Guidelines have been clarified and several new sections have been added, along with corresponding training material.

On the other hand, the CII CoP is active in the area of developing CII collaborative and supportive networks, and in disseminating knowledge through these networks.

During 2021, Communities of Practices will be established across further areas operational areas, to foster transversal expert knowledge exchange and dissemination.

The number of patent applications concerning Computer Implemented Inventions (CII) have increased dramatically in the past decade

4.5.5 Learnings from Boards of Appeal (BoA) case law

In 2020, BoA members gave a series of monthly internal lectures on the most relevant case law developments. There were opportunities for interaction, and extended question and answer sessions. For the first time, these were accessible live from all EPO sites and made available on-demand on EPO-TV. In 2021, we have enlarged the breadth of our lectures thanks to the contribution of national judges, to shed light on the life of a patent after grant. These lectures are highly appreciated and regularly reach viewing figures in the order of 1 100 individuals

5. Quality through shared values

5.1 Introduction

Activities under the third pillar of "**Shared values**" encourage and support cooperation between colleagues. Close collaboration strengthens team spirit and promotes knowledge sharing. Our quality initiatives reinforce our unique threeperson patent examining divisions, which are based on the principle that three heads are better than one. At the same time, we are endeavouring to improve collaboration across the whole office, including formalities officers, Business Information Technology, and our talent management department.

5.2 EPO quality policy and Patent Quality Charter

EPO staff and external users hold differing perceptions of quality, as interactions with EPO user groups and internal discussions reveal. We are therefore eager to build a harmonised view of quality, backed by a common understanding and shared vocabulary.

To address this, we have held extensive user interactions via different channels, such as missions, surveys and workshops. So far, these have identified seven main themes:

- predictability and consistency of procedures
- timeliness of procedures
- correct classification
- complete search reports covering the core of the invention
- consistent and complete examination communications
- harmonised structure and professional language in communications
- efficient and correct procedural performance.

The EPO and its global stakeholders have demonstrated their willingness to work together to strengthen the European patent system and to promote a common understanding of quality.

5.3 Enhancing collaboration

The SP2023 "Enhancing Collaboration" (ECo) project shares best practice collaboration methods allowing teams to choose new ways of working together.

In 2021, we will continue our dialogue with users to incorporate their feedback into our new Patent Quality Charter, which is based on the EPO Quality Policy, first established in 2013. As the EPO's advisory committee dealing with quality matters, the SACEPO WP Quality, will play a crucial role here

The many examples of collaboration methods scouted by the project teams along the patent granting process promote a culture of continual improvement which contributes to improving the quality of our products and services.

In 2020, the number of participating examiner teams grew from 30 to 65. The first eight formalities officer teams joined at the end of the year. Several methodologies developed in ECo have been incorporated in the Digital File Marketplace, supporting workload-balancing, knowledge transfer and harmonisation.

An ECo Store platform on the intranet publishes descriptions of best practice collaborative approaches, covering all phases of the patent granting process. In addition, 15 ECo Webinars were held, in which some 25 collaboration methods were presented to all ECo participants.

Example of collaborative best practice: search jams

Search jams are a new collaborative technique for gathering best practices and new ideas. Examiners work on the same search file, at first independently so as to identify the best strategy and obtain first results. After 20 minutes the examiners stop and exchange their approaches. Finally, the examiner treating the file uses the strategies during the subsequent search and provides feedback to their colleagues.

Reactions gathered from search jam participants

"The Search Jam is an opportunity for brainstorming and collecting ideas; it is particularly helpful in ensuring a harmonised knowledge of new tools among the examiners."

"We used the session to discuss strategies for dealing with the presented files. This was useful and gave different perspectives."

"It was very interesting to see the different approaches of colleagues to the same search. Definitely worth the time-investment, and it broadened my own way of thinking on how to approach a file."

Figure 18 – The working group that runs search jams within the ECo project



Source: EPO

Conducted on a voluntary basis, the search jams for now continue virtually. Many examiner teams have discovered the fun of jamming, and interest is growing ECo continues to expand to examiner and formalities teams, and in 2021 will also reach some areas in DG 4 and DG 5. In 2021, a key focus will also be on the use of email and videoconferencing technology to understand how to improve our dialogue with applicants.

6. Quality through metrics and continual learning

6.1 Introduction

Metrics and continual learning play a crucial role in the EPO's quality management strategy and are a key element of our ISO 9001:2015 compliant Quality Management. To achieve our quality ambitions, the President sets clear quality objectives. These are monitored on a strategic level via the EPO's Balanced Score Card, in particular Key Performance Indicators 3.1 (User Satisfaction), 3.2 (Substantive Quality) and 3.3 (Timeliness). Strategic decisions based on these indicators are taken by the Management Advisory Committee (MAC). On an operational level we have a more detailed Quality Dashboard that permits the monitoring of targeted Quality Actions. Quality Initiatives (QIs) trigger, define, and review improvement actions and their operational management for the Patent Grant Process lies with the Operational DG 1 Quality Committee.

Figure 19 – The Plan Do Check Act cycle



Source: EPO

As part of the EPO's Integrated Management System, the ISO 9001:2015 certified QMS covers the whole patent process, from filing, search, examination, limitation and opposition to patent information and post-grant activities. The QMS consists of numerous quality assurance mechanisms to assess the quality of processes and procedures and of the products generated, including their timeliness.



Figure 20 - High level Patent Grant Process quality control and assurance

Source: EPO

6.2 How and where we measure Quality

The EPO's QMS has defined metrics at various levels of granularity, allowing us to monitor the effectiveness of our processes and identify any deviation that might jeopardise the quality of our products and services.

6.2.1 Formalities Operational Quality control (OQC-FO)

OQC-FO involves sampling pending dossiers and checking the formal quality aspects every second week. In cases where non-conformities are detected the Quality Officer records this and Quality Experts validates the findings. A feedback loop provides the formalities officers with follow-up information by the Quality Expert ensuring that improvement actions on identified non-conformities are undertaken.

In 2020, a total of around 6 956 (6 100 in 2019) operational quality control (OQC) checks covering 17 (13 in 2019) different procedural aspects were performed.

In order to address some of the non-conformities found, a pilot to centralise the work of formalities officers of the formal aspects in PCT and in the Opposition and Central Formalities Directorates (OCFD) began in November 2020. A feedback loop, so called Quality Circles, provides the formalities officers with follow-up information to enable active learning and to ensure that they address and correct any non-conformities. During the pandemic, quality experts began to apply electronic tools, such as webinars and online presentations, to share their findings and make improvement suggestions.

6.2.2 Operational Quality Control for Classification (Class-OQC)

As co-owner of the CPC, the EPO has established a system of quality checks to ensure that CPC classification symbols are applied in a complete, correct and harmonised way:

- The classification of around 40 000 classified applications and prior art documents is checked each year under operational quality control of classification (Class-OQC). The results provide feedback to classifiers and guidance for improvements.
- A team of trained auditors carries out an annual classification audit of a sample of documents to establish an Office-wide benchmark for classification quality.
- The CPC Quality Assurance monitors divergences between the EPO's classification work and that done by other offices via a mixture of expert checks and automated comparisons. The results are used to reduce future divergences.

6.2.3 Opposition Operational Quality Control (OPPO OQC)

Oppositions help users of the European Patent System avoid costly national procedures. The EPO has implemented operational quality control in opposition, similar to search and examination. As the procedure is fully electronic, it was not impacted by the pandemic.

The opposition operational quality control (Oppo-OQC) provides a substantive and procedural quality check of the opposition process within each DG 1 sector. An expert, external to the division, checks each decision and the minutes of the oral proceedings before these are dispatched to the relevant parties.

In the opposition procedure, the formal quality checks concentrated on admissibility, preparation of oral proceedings and decisions. Deficiencies were identified in the admissibility handling, the handling of handwritten amendments after oral proceedings and the encoding of the date of legal effect when closing the procedure. This was addressed in various webinars in the OCFD teams.

For the remaining issues, actions have been started in 2021.

In addition, we will review internal documents to ensure that all opposition examiners take a harmonised approach. We will also focus on the "*Druckexemplar*" (the documents prepared for publication) being correctly compiled and updated.





Source: EPO





Source: EPO

6.2.4 Learning from each other

CASE (Conformity Assurance for Search and Examination) is a learning tool which allows the reasons for corrections in a file to be recorded. Using this structured data, actions can be taken to prevent issues from reoccurring. The effectiveness of such actions is monitored by regularly evaluating the recordings of the past 12 months. Any non-conformities are corrected by the responsible examiner before a file is dispatched to the applicant. In 2020, in-process quality checks were performed on:

- 4% of all searches (EP, PCT, national), totalling 9 168
- all patent grant proposals, totalling 130 769

In 2020, a total of 1 852 non-conformities in searches and 18 510 non-conformities in grants were detected, corrected, and recorded in the CASE tool.

Findings resulting from in-process quality checks are now recorded in a more detailed manner. This has increased value of CASE as a learning tool and has enabled it to become even more effective as a means to identify where improvements can be made. Typically, both formal and substantive aspects are checked by the chairperson of the search /examining division and the line manager. These include aspects such as whether amendments were allowable or not. Analyses of the data in 2020 identified a number of improvement opportunities such as promoting early consultations within the division and focused training needs.

6.2.5 Quality audits

The EPO's Directorate for Quality Audit (DQA) regularly performs quality audits in classification, search and grants. It also checks how we are doing in terms of compliance. This is carried out independently of our operations. The scope of the audits is set to be broadened to address issues such as the written opinion and work done by formalities officers.

The SP2023 "optimising oversight" project aims to assist the operational line in delivering EPO products of the highest quality through a more effective and collaborative audit as it now includes a new audit dialogue between the (prospective) examining division and auditors.

This enhances the mutual understanding of the standards to be applied and supports learning and knowledge transfer. The agreement rate between auditors and examining divisions has increased to 95.5% in Q4 2020.

The introduction of the new audit dialogue is only the first stage of the project. Further steps will include:

- revising the search audit
- running a pilot for a new audit procedure in the formalities area
- quarterly meetings between DG 1 senior experts and auditors performing an in-depth analysis of the agreed noncompliant products to identify potential areas to harmonise their approach.

As Digitalisation and Quality go hand in hand, the first steps to integrate the grant workflow into the Patent Workbench were taken at the end of year. This will provide a simpler and more efficient process for both Directorate Quality Audit and DG 1.

In the "optimising oversight" project, we are also reinforcing our quality audits by increasing the number of quality auditors, so that we can increase file sampling rates and provide wider technical expertise

6.2.5.1 Classification audit results

Classification quality audit showed that quality was at an all-time high 96%, up 3% on 2019.





Source: EPO

6.2.5.2 Search audit results

In 2020, the search audit sample size was doubled to 350 to make search audit results statistically relevant on a 12-month basis. DG 1 achieved levels of excellence of 97.6% in the search audit, which is an all-time high.

In 2021, we will widen the scope of the search audit and for the first time, to include the quality of the written opinion.

At 97.6%, there was little room for improvement, so we are now piloting tougher criteria, taking a fresh view on the search auditing to extend the checks to cover the search opinion. This will reinforce the already high quality of our searches still further.

Overall, we measured a high level of 97% conformity in 2020



Figure 24 – Search audit compliance

Source: EPO

6.2.5.3 Grant audit results

DQA audits remain a key benchmark for tracking improvements in examination. The compliance rate derived from the grant was 78.6% in the last quarter of 2020. Going forward, we are aiming for a rate of 85%. The EPO plans to achieve this by:

- further promoting the new audit dialogue
- continue to review and implement recommendations from quality audit findings
- promotion of best practice and quality ownership in all sectors
- implementing the quality factors from the "Definition of Quality" project as additional guidance for team managers for their quality assessments.





Source: EPO

6.3 Stock management and timeliness

6.3.1 Stock management

The EPO's continued production achievements reduced stock levels to 11.7 months of available work in 2020 (long-term objective: around 11.0 months). The decrease in the volume of stock has also seen a reduction in the number of old files (valid examination request < 2013), which was an obstacle to improving examination timeliness. This has been possible thanks to targeted actions for tackling the backlog of old files, which decreased from 12 000 to 4 000 in the course of 2020. This improved timeliness led to more predictable patent prosecution for our user community.

Figure 26 - The evolution of stock levels 2015-2020





6.3.2 Timeliness

In 2020, the EPO's timeliness metrics were reviewed extensively to better reflect users' perception of the level of service we provide. For all first filings, the time taken to do a search was measured from the filing date, thus showing the efforts that the EPO makes internally to accommodate fluctuations in the time to receive the application from filing Offices. For EuroPCT-bis searches, the time to do a search is now measured from the moment when formalities are completed, because that is the point in time when applicants have taken the steps necessary for the EPO to start the search, which includes payment of fees and provision of the relevant versions of amended claims.

For opposition, the metrics were reviewed to exclude non-standard cases, which are cases with more than one opponent, cases with re-scheduling of the oral proceedings, or cases with intervention of a legal member in the opposition division. These situations are seen to extend the procedure beyond the duration that the EPO would normally achieve. Non-standard cases represent about 30% of the total opposition cases.

To support the achievement of the timeliness objectives, targets have been set at every organisational level, and the reporting tools have been refined to allow monitoring of timeliness result down to individual level.

Collaborative mechanisms as those mentioned under "Enhanced collaboration" are a fundamental element to improve timeliness by redistributing workload from units that lack the capacity to treat their stock in time.

6.3.2.1 Search timeliness

Timeliness is an essential aspect of the quality of our service, enabling applicants and the public to obtain legal certainty as soon as possible. Timeliness achievements in search remained stable in 2020, with 86% of files sent on time¹ to the applicant. It took an average of 4.5 months from receipt of an application to send a search and written opinion to applicants.



Figure 27 – Search file timeliness

Source: EPO

Figure 28 – PCT rate of A1 publications

КРІ	Trend	Latest result	Excellence objective		Date of latest result
PCT A1 timeliness		96.2%	≥96.0%	*	DEC 2020

Source: EPO

6.3.2.2 Examination timeliness

The average examination duration for standard cases was 23.2 months at the end of Q1 2021, with almost 79% of standard grants sent to applicants within 36 months. Our goal for 2021 is 80%.

The average time to grant for EP first filings has fallen by 3.3 months over the past year to 43.9 months from filing to grant (end of Q1 2021). As examination stocks continue to decrease, we expect to reduce these processing times even further.

¹ For first filings: EP first filings, 4-6 months from filing. PCT and National first filings: 4 to 9 months from priority. For second filings EP, PCT, National: 6 months from date of receipt. For EPCT-bis 6 months from formalities done.

Figure 29 - Files on time in examination phase



Improving timeliness: 78% of standard grants are sent to applicants within 36 months at the end of 2020 (79% end of Q1 2021)

Source: EPO

6.3.2.3 Opposition timeliness

Opposition timeliness for standard cases² improved in 2020, with 74% of standard cases completed within 18 months. However, many oppositions could not be completed without oral proceedings, which were postponed by COVID-19. As a result, the opposition backlog has grown. We expect opposition timeliness to deteriorate in 2021, as we process cases that could not be completed in 2020. Nonetheless, we plan to reduce average opposition pendency to the 2019 levels over the next two years.

Figure 30 - Opposition timeliness trend (standard cases)



Source: EPO

6.4 Driving improvements through quality data

The EPO continually monitors the various sources of quality data it generates and receives from its users. This enables us to trigger, define and document measurable improvement actions known as Quality Initiatives (QIs).

As an example, in 2020 we noticed that in 50% of the cases where the examining division introduced new prior art in examination, the applicants had amended the claims so that the examiner needed to do a follow-up search. Previous classification backlogs may have contributed to the number of new citations made during examination. As classification backlogs have now been reduced, we expect the percentage of new citations in examination to decrease to a level reflecting the citations justified by amendments made to the claims.

 $^{^{2}}$ Standard oppositions: one opponent, no legal member involved, no rescheduling of oral proceedings.

Figure 31 - Closed quality initiatives per process



On average 1.95 action plans were implemented per Quality Initiative. In 2020, 36% of the QIs were completed

Source: EPO

7. Quality through dialogue

7.1 Introduction

Improving quality is about fully understanding external perceptions of our products and services, or **quality through dialogue** – our fifth pillar. It is also about maintaining an open dialogue with our stakeholders, with the aim of finding a common understanding of what quality means.

The EPO has regular exchanges with user associations and individual applicants, including:

- SACEPO Working Party on Quality (WPQ)
- meetings with users and user representatives
- Member states
- Key Account Managers (KAMs)
- European Patent Academy

The input we receive from user satisfaction surveys, complaints and direct feedback is fed into the QMS so that we can learn from it and take improvement actions. In 2020, we consolidated the findings from 2019 SACEPO WPQ meetings into seven categories of quality factors. In 2021, we will review the EPO Quality Policy and compile patent quality related elements into a new patent quality charter.

Other channels to reach out to our users include examiner and high-level meetings with key users, user day events, claim drafting events and the *Praktika Extern* programme for both examiners and formalities officers.

User groups have highlighted that consistency, harmonisation and predictability are key to increasing trust and confidence in the quality of our patent services

In 2020, 300 DG 1 staff members were in contact with some 190 external stakeholders in around 200 virtual missions

7.2 Meetings with our users

Our user outreach activities were also impacted during 2020, but rather than wait and until the pandemic was over, we embraced the new technologies which are now helping us stay in close contact with our users.

The EPO switched to virtual meetings to stay engaged with applicants during the pandemic. Lengthy business trips were replaced by frequent virtual meetings, limited to just a few hours in length.

We have also held numerous seminars and training events virtually. These new modes of engaging with our stakeholders not only make us more environmentally responsible as an organisation, they also increase our transparency and accessibility.

"I hope that we can all embrace the benefits of these online meetings. Not only do they ensure we can continue with our important discussions on quality. But these meetings now allow us to broader participation and greater inclusivity" – António Campinos.

The SACEPO Working Party on Quality (WP-Q) was set up to engage with users and gather feedback on quality at the EPO. The group includes representatives from user associations in all IP5 jurisdictions, as well as delegates from the European industry. In 2020, the SACEPO Working Party for Quality held its 5th meeting. Here, we demonstrated that the EPO could reach its users globally and have effective interactions even in a large, virtualmeeting format.

We are now ramping up the role played by SACEPO to give its representatives a greater say in shaping the EPO's future. To this end, we are more than tripling the size of SACEPO's working party on quality and creating four regional branches, targeting the Americas; Europe and neighbouring countries; Africa and the Middle East, and Asia and Oceania.

From 2021, 72 participants from 40 countries will meet within these four regional branches to promote an even more productive exchange on quality topics.

7.3 Co-operation with our member states

7.3.1 Facilitating exchanges between examiners

The co-operation policy framework with member states under the SP2023 foresees a possibility to organise bilateral discussion platforms between the examiners of the Office and the national patent offices of the EPO member states with the objective to exchange on patenting procedures in a specific technical field. These events aim to support the exchange of knowledge, raise awareness

Due to the pandemic, the 2020 SACEPO meeting was organised for the first time as a virtual meeting and quality of the European patenting practices and procedures as well as their harmonisation within the EPN, while offering a possibility to involve users, academia and patent professionals in the discussion. In 2020, the discussion platform events were organised with the national IP of France, Spain and Sweden.

7.3.2 Process mapping with our member states

A co-operation project started in 2020 in which the EPO worked closely with ten member states to prepare process maps of their key patent processes. This process mapping work is an enabler for other activities defined in the SP2023 such as convergence of practices and the development of sustainable tools. Importantly, it provides a foundation for the definition of common quality indicators for patent processes across the European Patent Network.

The main processes that have been mapped and approved by the member states are those of Filing, Search, Examination, Publication, Post-Grant process (Opposition, Limitation and Revocation), and EP Validation.

The following results are achieved through this project:

- Establishing a consistent and harmonised overview of the overall patent grant process across the member states
- Providing a baseline enabling requirements definition for the further development of sustainable tools for the EPN.
- Reducing business analysis effort (both in cost and duration) for other IT Cooperation projects e.g., Front-office tools, Modular Back-Office tools, and convergence of practice.
- Opportunity for participants to compare, simplify or streamline their procedures.

Next steps will include expanding the coverage of the process mapping work to include other member states.

7.4 Key Account Managers (KAMS)

The EPO's nine key account managers are the direct interface with over 600 users from the IP5 regions. They promote and support the use of EPO electronic tools and services and provide users with expert procedural advice.

Early in 2020, the KAM team asked users how best the EPO could support them during COVID-19. KAMs were instrumental in organising outreach initiatives in this new virtual environment. Plus, the KAMs' active promotion of the electronic mailbox helped many more users than previously to receive electronic communications from the EPO.

The list of communications provided via the Mailbox is continuously being expanded, making it even more attractive for users. In 2021, further communications, including communications from the Boards of Appeal, will be added.

The Offices in the project working group and covered by this first delivery are AT, BE, DK, EE, IS, PT, RS, SI, TR, and UK. EUIPO also participates actively in this group. A detailed interim report is expected to be published separately in the very near future





Source: EPO

7.5 Engaging with our users to improve incoming application quality

A high-quality European patent is the product of the work of inventors, their attorneys, and the EPO. User and the public alike, can rely on the highest professional standards when it comes to our services. In this context, quality starts with careful drafting of the application which in turn helps the EPO to provide a high-quality search report and written opinion that gives a clear indication of what the likely outcome of the examination phase may be.

In 2020, we took the first steps towards a data analysis approach to assessing the quality of incoming submissions. The first phase of the project identified the top three procedural deficiencies: incorrect margin size, incorrect font size and the quality of drawings. In 2021, the second phase of the project will start to analyse substantive deficiencies. The EPO intends to support applicants' efforts to improve the quality of their applications by sharing the results of these analyses and working with them through our key account managers to establish how to promote best practices.

The top three quality formal deficiencies that the KAMs will address are:

- insufficient quality of drawings (Rule 46(2))
- wrongly sized margins (Rule 49(5) and Rule 46(1))
- use of small font (Rule 49(8) and Rule 46(2)(g)).

7.6 Enquiries

The EPO's first line central enquiries unit responds rapidly to enquiries from users. In 2020, 71 385 user enquiries were resolved, and 93.5% were resolved on time.

7.7 Complaints

The EPO's complaint handling unit investigates every complaint we receive and implements suitable corrective measures. The unit sends a comprehensive reply to the complainant within 20 working days.

In 2020, 374 complaints were received, mainly concerning substantive and procedural matters. Issues raised by complainants are taken into account in the Quality Action plans, and in the SP2023 Commitment to Quality programme.

The EPO is creating an Ombuds Office which will create new ways to serve internal and external stakeholders to help get stalled processes back on track.



Figure 33 – Complaints by type

The EPO provides a convenient online tool³ for registering complaints, making it easier for users to bring potential issues to its attention

*COVID-19 related issues; attorney room equipment; online services; complaints by private inventors



7.8 User Satisfaction Survey (USS)

Our user satisfaction surveys have been redesigned in close co-operation with representatives from our user community to identify their needs and target our improvement efforts accordingly. Five surveys are geared to help us understand the level of satisfaction with all aspects of our end-to-end patent granting process. A further survey is used to help forecast patent demand. The results of these anonymous surveys, as well as the changes made in response, are published on our website.

In 2020, Intellectual Asset Management magazine published its annual benchmarking survey, in which users rated the EPO first among the world's leading IP offices for the ninth time in a row.

³ www.epo.org/complaints

8. Conclusion

We hope through this report to have demonstrated that quality is central to all that we do, through design; support; shared values; metrics, continual learning; and dialogue.

We believe in working together with our users, member states, and partner organisations through open and transparent dialogue which reflects shared values, underpinning the global impact of the EPO's work, and therefore the quality of our work: a European patent can become a national patent in 38 member states, two European extension states and four validation states, with a total population of over 700 million. In addition, EPO products are at the centre of reuse and exchange within our nine reinforced partnerships and 16 PPH agreements.

At the EPO, we aim for excellence during the entire Patent Grant Process: from when a user calls us – how long he or she must wait on the phone for an answer to an enquiry, to everything supporting these processes, including our IT tools. Of course, building on the quality of our search, examination and opposition products and services. The fruits of our strategic quality programme and full integration of our sound practices into an Integrated Management System will improve our quality still further

This 2020 Quality Report is the fifth report that we publish since 2016. In these reports, we convey what we have done during the year to improve the quality of our products and services. We believe transparency is important in giving the patent system credibility. Therefore, this report provides you with information on where we stand and where we wish to be. Please give us feedback whether we succeeded with that objective at quality@epo.org.