

European Patent Office | 80298 MUNICH | GERMANY

To the Members of the Board of the
Administrative Council

European Patent Office
80298 Munich
Germany

Central Staff Committee
Comité central du personnel
Zentraler Personalausschuss

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Petition from EPO examiners

Dear Delegate in the Administrative Council,

Please find attached a petition that has been signed by 924 EPO examiners. Its message is extremely clear: quality of the EPO patent is endangered by the demands of current management.

We are of course ready to transmit to staff the response they are expecting from you, as supervisory body of our organisation.

The issue of quality at the EPO is becoming every day more pregnant. We invite you to read in full the recent paper published on the Kluwer blog on this very topic (<http://patentblog.kluweriplaw.com/2018/03/05/epos-vision-iii-quality/>), including its policy recommendations for quality (under point 4) which cautions the AC against allowing employment of EPO examiners under 5-years contract.

You may wish to read as well another relevant paper dealing with the issue of quality at the USPTO whose analysis is also relevant for the EPO (<https://arstechnica.com/tech-policy/2018/03/why-the-roots-of-patent-trolling-may-be-in-the-patent-office/>)

Yours sincerely,



Chairman of the Central Staff Committee

Annex: Notarial statement

European Patent Office
Grasserstr. 9
80339 Munich
Germany

cc.: Mr Battistelli, President of the EPO

www.epo.org



AB/JB/513094298/NOTARIAL STATEMENT

I, the undersigned:

Alexander Quinten Blomaard, Civil Law Notary in the city of Rijswijk, The Netherlands,

hereby certify:

that the petition with title "PETITION TO THE ADMINISTRATIVE COUNCIL OF THE EPO" and the following text:

"We, examiners of the European Patent Office, are submitted to constraints that are no longer compatible with fulfilling appropriately our duties within the Search and Examination divisions. We are far too often put in front of the dilemma of either working according to the European Patent Convention (EPC) and respecting the Examiner's Guidelines, or issuing "products" as our hierarchy demands. We feel that timeliness and number of "products" should not be the only criteria to assess the Office and examiners performance, but that attention should be paid to providing a high level of presumption of validity to the patents we grant.

We turn to you, Delegations of the Administrative Council (AC), the supervisory body of our organisation. We feel it is our duty to inform you of the situation and consider it is yours to find the appropriate response.

We put our name under this petition and sign it. However, by fear of reprisal, we request the Central Staff Committee to collect the signed petitions, to file them with a notary/ lawyer to certify the number of signatures, and to send only the text of the present petition and the number of signatories to the AC, once it has been signed by at least 800 EPO examiners."

bears the names and signatures of nine hundred twenty-four (924) signatories.

I, notary, declare that the forms with the signatures have been presented to me and I have done as much as possible to ascertain the fact that the total amount of names and signatures is nine hundred twenty-four (924).

In witness whereof I have set my hand hereunto after having affixed my seal of office.

Signed at Rijswijk, The Netherlands, on the seventh of March two thousand eighteen.



A handwritten signature in blue ink, consisting of a large, stylized 'B' followed by a long horizontal stroke that extends to the right.