Number:	**Original:**	**Date:**	**Category:**
CA/T 15/25	en	05.05.2025	Restricted

TITLE: **Presentation (TOSC/97)**

SUBJECT: Presentation given at the 97th meeting of the Technical and Operational Support Committee – Update on quality actions

SUBMITTED BY: President of the European Patent Office

ADDRESSEES: Technical and Operational Support Committee (for information)

SUMMARY: This document has been issued in English only.

UPDATE ON QUALITY

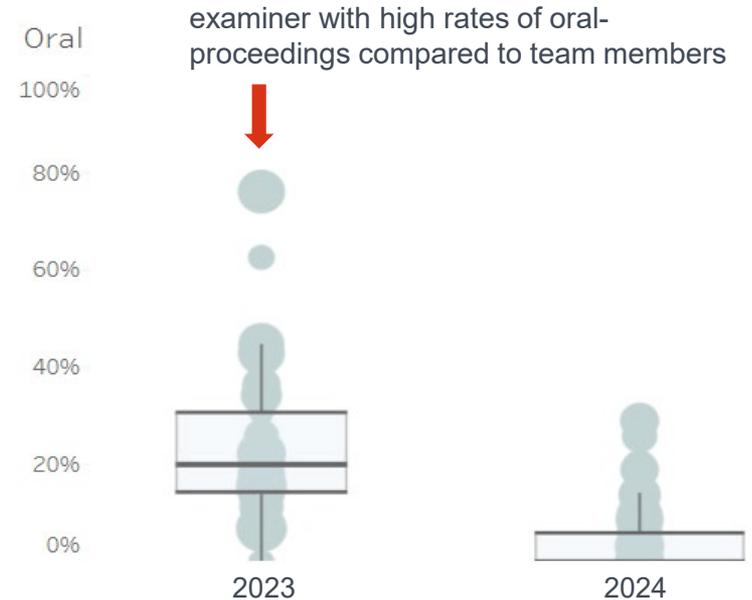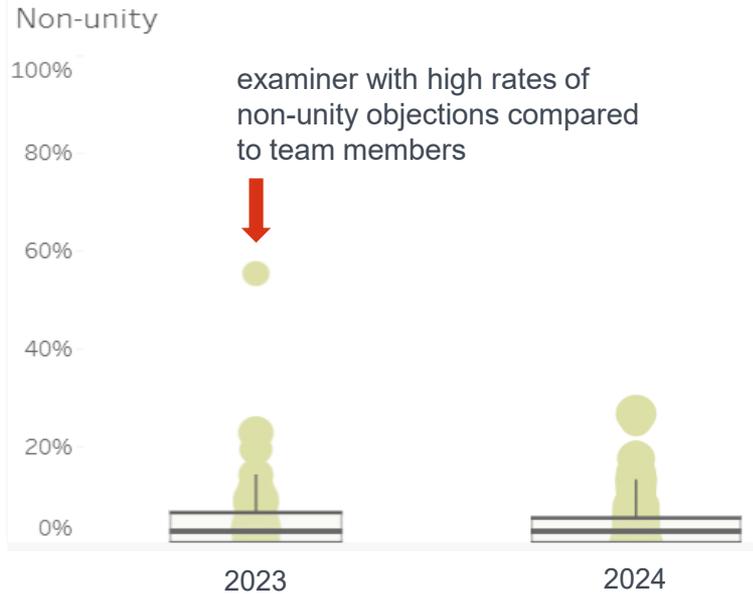EMMA Ó DONNABHÁIN | PRINCIPAL DIRECTOR QUALITY AND PRACTICE HARMONISATION

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KEY QUALITY ACTIONS 2024

Invested in people: 146 new highly skilled staff (111 examiners), 50 000+ hours training in tools, technical fields and case law

Enhanced access to prior art: expanded databases (333 to 357 million docs), integrated standards documents into ANSERA

Leveraged AI: more AI-based classification & routing, Legal Interactive Platform

Increased early interaction within divisions: 260 000 searches under Active Search Division

Harmonised practice: peer reviews for CII, Third Party Observations study, analysed BoA decisions and developed new KPIs now published on quality dashboard, UPC case law reports

Deepened dialogue with users: 88 user meetings, clarity workshop capturing broad range of perspectives from 70+ participants from industry, private practice, BoA, UPC, EPLIT

Assessed quality together: expanded SQAPs programme including first ever session on refusals, assessments by EPO experts and European patent attorneys converged
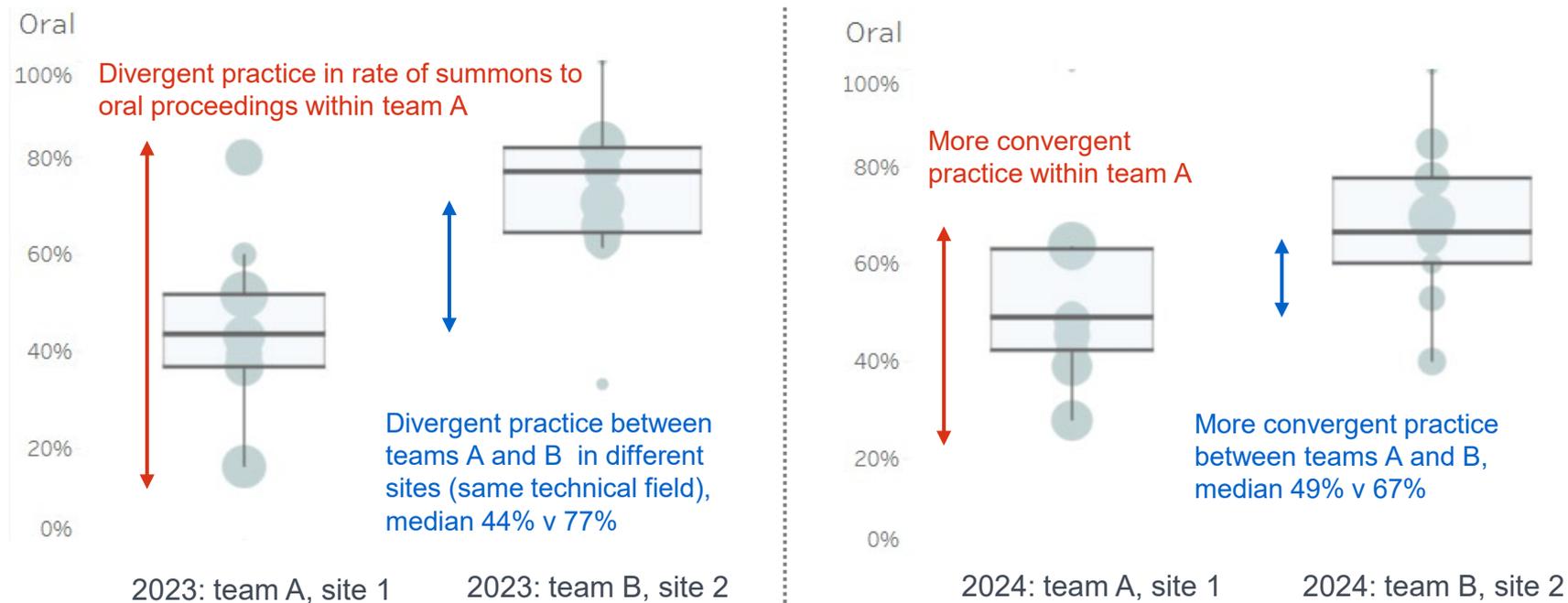
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POSITIVE IMPACT OF ACTIVE SEARCH DIVISIONS

- Improved assessment of fallback positions in written opinions, reported both by EPO managers and by users

- Quality auditors note more complete written opinions e.g. addressing all independent claims

- Directorate Quality Audit (DQA) findings related to invalid objections in the search report and written opinion fell from 11.5% in 2023 to 6% in 2024

- Coaches of new examiners reported more effective onboarding for new examiners

- Early indications of enhanced legal certainty and efficiency of procedure

  - fewer applications proceeded to examination

  - fewer communications needed before grant

PROGRESS VISIBLE IN PRACTICE HARMONISATION DASHBOARD

Non-unity

examiner with high rates of non-unity objections compared to team members

2023

2024

Oral

examiner with high rates of oral-proceedings compared to team members

2023

2024

PROGRESS VISIBLE IN PRACTICE HARMONISATION DASHBOARD

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RECOMMENDATIONS FROM CLARITY WORKSHOP WITH USERS

For applicants and representatives	For the EPO
■ Work with experienced representatives and ensure non-European applicants understand EPC requirements	■ Raise awareness of the importance of clarity, including post-grant and for third parties
■ Prepare high-quality applications with clear, consistent terminology, strong supporting data, and fallback wording to anticipate clarity objections	■ Ensure consistent, well-substantiated clarity assessments and raise necessary objections early in the procedure, with proposals for resolution where possible
■ Proactively engage with examiners on clarity issues and respond appropriately to objections	■ Improve the Guidelines, develop a structured methodology for clarity and enhance collaboration with applicants

SQAPS KEY FINDINGS

- **Search report**: broad agreement that cited documents were relevant.

- **Written opinions**: written opinions very much appreciated. Room to improve structure and substantiation of reasoning. Lengthy boilerplate statements should be avoided.

- **Intermediate communications** (2023): examination is handled effectively. Clearer structure would aid understanding. More visibility of status of objections requested. More dialogue between applicants and division at early stage desired.

- **Grants:** High level of agreement in assessment of EPO experts and attorneys. Amendments proposed by division appreciated. More consultation with applicant requested. Attorneys urge caution adapting description, especially deletion. More consultation and reasoning requested.

- **Refusals:** mostly justified. Right to be heard was respected. Decisions consistent with prior communications. More dialogue would prevent applications with patentable matter being refused.

QUALITY ACTION PLAN 2025

Review impact of actions taken in 2024 and refine further
Active Search Divisions, peer reviews

Harmonise and align our interpretation of the EPC
assessment of inventive step and clarity
appropriate limitation of claim scope
learn from opposition decisions, BoA, UPC

Invest in people, technologies and tools
technology community forums
AI to support examiners
myEPO online user services

QUALITY ACTION PLAN 2025

Optimise our patent granting process
consistency in handling third party observations
early dialogue with applicants during examination
consult applicant before amendments by division

Listen and respond to users
user satisfaction surveys, applicants,
user associations, SACEPO, TOSC, SQAPs
expand SME and micro entities programme

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QUALITY ACTION PLAN 2025 – QUARTER ONE ACTIONS

Prioritised actions to address added subject matter based on 2024 DQA results:
- New **Job Aids** to assist examiners in their checks
- Mandatory **refresher training** to teams with DQA findings on added subject matter
- **Explore options** to strengthen our approach for divisional applications

New template for summons in opposition, to ensure all relevant provisions are addressed

Clarified instructions on third party observations to ensure assessment of division is present in public part of file (also for TPOs considered not relevant)

Legal Interactive Platform made available to all myEPO users

Current **User Satisfaction Survey** programme concluding end April – results in June

New pilot on **AI to support preparation of minutes** of oral proceedings – beginning May

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FOR MORE INFORMATION SEE …

■ Published [Quality Report](#)

Comprehensive and transparent reporting of our quality actions, data and outcomes

■ Public [Quality Action Plan](#)

Clear quality objectives and actions, set based on all feedback and data on quality

■ Public [Quality Dashboard with KPIs](#)

Enabling everyone to track our progress, updated quarterly