

Munich, 21 December 2020

165th meeting of the Administrative Council of the European Patent Organisation (Munich, 15 and 16 December 2020)

The Administrative Council of the European Patent Organisation held its 165th meeting as an e-meeting on 15 and 16 December 2020 under its Chairperson, Josef KRATOCHVÍL (CZ).

The Council noted the activities report of its Chairperson, as well as the reports of the respective chairpersons of the Boards of Appeal Committee (BoAC), the Committee on Patent Law (CPL), the Technical and Operational Steering Committee (TOSC), the Supervisory Board of the Reserve Funds on Pension and Social Security (RFPSS SB), the Supervisory Board of the Academy (A/SB), and the deputy chairperson of the Budget and Finance Committee (BFC).

The President of the European Patent Office, António CAMPINOS, provided the Council with an extensive oral report on the Office's achievements in 2020 under each of the five main goals of the Strategic Plan 2023. He highlighted the prudent, long-term approach taken by the Office in the COVID-19 situation to ensure business continuity while moving towards a "New Normal." The Council expressed its deep appreciation for the Office's clear reporting of the results achieved under challenging circumstances and transmitted its warmest thanks to all staff.

Turning to 2021, the Council gave a unanimous favourable opinion to the EPO's Annual Work Plan for 2021 (CA/105/20), which was presented as a blueprint that may evolve over time in view of changes brought by the pandemic. It also approved the orientations for recruitment in 2021.

The agenda also included several highly important items, including the:

- Improvement of the framework for the working agreements on search co-operation between the EPO and National Patent Offices of the European Patent Network (EPN), and extension of support for SMEs, universities, research centres and individual inventors;
- Adoption of the first two recommendations on convergence of practices within the EPN on the examination of unity of invention and the designation of inventor (as well as corresponding amendments to Rules 19 and 143 EPC for the latter);
- Amendment to the implementing regulations (Rules 117 and 118 EPC) allowing the taking of evidence by videoconference;

- Positive developments regarding the ratification process of the Unified Patent Court Agreement in Germany and the call of the chairperson of the Select Committee to complete quickly the ratification of the Protocol on Provisional Application.

Turning to budgetary and financial matters, the Council unanimously approved the Organisation's EUR 2.5 bn budget for 2021, as well as the adjustment of salaries and other elements of the remuneration of employees of the European Patent Office and of pensions paid by the Office (+0.5% on average). The Council also approved the transfer from the Office's treasury to the Reserve Fund for Pensions and to the Salary Savings Plan of EUR 125m and almost EUR 2m respectively.

Finally, the Council took the following decisions on individual positions:

- Re-appointment of Mr. Carl JOSEFSSON (SE) as the President of the Boards of Appeal and to his judicial functions with effect from 1 March 2022 for another five-year term;
- Appointment of Mr. VIHHER (EE) as Deputy Chair of the Budgetary and Finance Committee for a three year mandate;
- Appointment of Mr SØRENSEN (DK) as member of the Board of the Administrative Council for a three year mandate;
- Re-appointment of Sir MAHONEY, Mr VAN HOUTTE, Mr JANSEN, respectively as chair and vice-chairs for the next 3 years, and Ms FALCE and Mr MANTERE as members of the Appeals Committee of the Council for the next 2 years.

The Council also decided on the appointments, re-appointments and promotions of several members and chairpersons of the Boards of Appeal, based on proposals by the President of the Boards of Appeal and on his consultation or recommendations on proposals from the Chairperson of the Council.

Lastly, the Council bid a fond farewell to Mr KAUFHOLD and Ms FOSS, departing heads of the Luxemburgish and Norwegian delegations respectively.

Council Secretariat