

The EPO's Vision and Reality (I)

Kluwer Patent Blog

February 11, 2018

Thorsten Bausch (Hoffmann Eitle)

Please refer tot his post as: Thorsten Bausch, 'The EPO's Vision and Reality (I)', Kluwer Patent Blog, February 11 2018, <http://patentblog.kluweriplaw.com/2018/02/11/epos-vision-reality/>

Part I - Introduction

The word “vision” has a couple of fascinatingly different meanings. There is a famous saying by Helmut Schmidt, Germany's chancellor from 1974-1982, who recommended to anyone proclaiming that he/she had a vision to see a doctor. According to wiktionary, vision may mean:

1. The sense or ability of sight.
2. Something seen; an object perceived visually.
3. Something imaginary one thinks one sees.
— *He tried drinking from the pool of water, but realized it was only a vision.*
4. Something unreal or imaginary; a creation of fancy.
5. An ideal or a goal toward which one aspires.
— *He worked tirelessly toward his vision of world peace.*
6. A religious or mystical experience of a supernatural appearance.
— *He had a vision of the Virgin Mary.*
7. A person or thing of extraordinary beauty.
8. Pre-recorded film or tape; footage.

With that in mind, let us turn to the vision of the European Patent Office and find out which of the above meanings/definitions fit best to it. Here it is:

Our vision - what we want to be

With expert, well-supported staff, motivated to set worldwide standards in quality and efficiency, we will continue to contribute to innovation across

Europe, and play a leading role in developing an effective global patent system. All our relationships – within our Office and with partners around the world – will prosper through trust, transparency, fairness and mutual respect. Our processes will empower our people to use their knowledge and skills to the full.

Ok, let us discard definitions (1), (2), and (8) from the outset. Definition (7) might also not be so appropriate unless perhaps you are the EPO President looking into the mirror in the morning. Definition (6) probably also goes a bit too far; at least I have yet to hear about someone who claims to have had a mystical experience of a supernatural appearance about any great patent office. Their job (or, nowadays, “mission”) is more of a profane and economic nature, such as, in the case of the EPO,

To support innovation, competitiveness and economic growth across Europe through a commitment to high quality and efficient services delivered under the European Patent Convention.

Thus, we find ourselves somewhere in the range from definitions (3) to (5), and it is up to the reader to decide which definition he or she finds most appropriate in these days. At a minimum, the EPO’s vision shows what the Office wants to be. Moreover, it gives some clues about the criteria in which the EPO wants to excel and, hopefully, accepts being evaluated. Summarized briefly, these are:

- o Expert, well-supported and motivated staff
- o Quality (EPO aims high by aiming at “standard-setting worldwide”)
- o Relationships (both within the EPO and the outside world) prospering through
 - Trust
 - Transparency
 - Fairness and
 - Mutual Respect
- o Efficient services delivered under the EPC.

I will therefore endeavour to draft a series of four contributions on this blog over the next couple of weeks, setting forth my personal experiences and opinions on where the EPO currently stands with regard to each of these criteria. As always, your comments, also critical ones, are welcome, but please stay respectful and to the point. Our overall aim should be to help reaching the EPO this commendable

vision. This may (and sometimes must) include critique, but does not justify personal aggressions against persons having a different opinion than yours.