

# IP5 Global Dossier - EPO perspective

Margot Fröhlinger, Principal Director  
Patent Law and Multilateral Affairs

05 June 2012



# IP5 Global Dossier - the EPO perspective

- **EPO fully supports the IP5 Global Dossier proposal**, as
  - a framework for IT-related IP5 projects
  - a user-centric vision for the IP5 Cooperation 2013-2017
- The EPO sees **two elements as essential** to the Global Dossier
  - Detailed consideration of the **main electronic building blocks**
  - **Active user participation** in a Global Dossier Task Force to ensure a user-centric approach

# IP5 Global Dossier and the EPO's IT Roadmap

- The EPO's **"IT Roadmap"** is planned to deliver **similar functionality** within the European context by 2015.
- The EPO's "IT Roadmap" aims to **optimise the end-to-end patent granting process** in a modern digital environment
- The EPO envisages its IT Roadmap as the **EPO component** of the IP5 Global Dossier
- The EPO's "IT Roadmap" has incorporated **industry participation from the beginning**.

# Global Dossier / IT Roadmap - building blocks

- The IT Roadmap will support the following **6 Global Dossier "blocks"** of **industry-office requirements** in Europe:
- **Global Dossier "blocks"**
  - **Cross Filing and Portfolio Management**
  - **Worksharing between Offices**
  - **Real-time Collaboration**
    - **examiner-applicant, examiner-examiner, and third-party**
  - **Machine Translation**
  - **Exchange of Non-patent Literature citations**
  - **Support for Due Diligence for appeals, litigation etc.**

# Analysis of first "block" - Global Dossier vs IP5 and IT Roadmap

- Example - Cross Filing and Application Management

Function	Global Dossier Description	ITR Plan <2015 in Europe	Tri/IP5 plan <2015	EPO Notes
Refiling of first application	Ability for applicants to automatically refile an existing application with another patent office.	😊	😡	PCT "One-click" filing allows applicant to refile EP as PCT. Could be extended to all types of applications
Uniform application document and data filing format	Each office can accept the format used by applicants in filing elsewhere	😊	😊	EPO to convert all incoming formats to one standard internal format. IP5 only has CAF as a standard XML format.
Secure access	Applicants can access the global dossier in a secure fashion	😊	😡	EPO providing a solution for Europe (Smart Card, username/password, SMS) No worldwide standards.
Timeline	Due dates and upcoming events visible to applicants	😊	😊	Part of CMS functionality. Under IP5 this topic is discussed to achieve an exchange of this
Priority document access	No need to exchange Pdocs, Offices access each others system on-demand	😊	😊	Technically possible with TDA-FWA, requires legal change

# Results of overall EPO analysis over all 6 "blocks"

- Results of overall EPO analysis over **all 6 Global Dossier "blocks"** against i) current EPO IT Roadmap plans, and ii) current IP5 plans :

	Included 😊	Partially included 😐	Not included 😡
EPO ITR	11	10	-
IP5 FPs	3	10	8

- EPO IT Roadmap has many elements of Global Dossier blocks
  - but some elements only partially
- EPO IT Roadmap could be **enhanced to support Global Dossier**

# IP5 Global Dossier Task Force - Industry participation

## EPO View

- **IP5 Global Dossier Task Force** should include
  - IP5 Offices and WIPO
  - Industry representation from each region
  - (one member each)
- **Meetings** every 6-12 months as appropriate
- **IP5 Offices host on rotational basis**; host office will:
  - act as Secretariat for both IP5 Offices, WIPO and Industry
  - ensure continuous progress up to its meeting
  - hand over to the next hosting Office
- **IP5 Global Dossier Task Force** will:
  - liaise closely with the IP5 WG2 "IT-related initiatives"
  - industry representatives also to report to future meetings of IP5 Heads and Industry
- **IP5 Industry** is requested to
  - **approve this approach** and
  - **nominate active members from each IP5 region**

# IP5 Global Dossier - further enhancements

- EPO could envisage **further enhancements** through legal and procedural changes
- **Legal requirements** should reflect modern digital environment to maximise opportunities
- Examples:
  - **for IP5 cross-filings, Machine Translation of description**, with human translation of claims only
    - EPO processes Italian filings in this manner
  - **no requirement for a priority document exchange** or manual translation
  - **publication of description in one IP5 language only**
    - human translation of claims only
    - MT of description into other IP5 languages at central source



# IP5 Global Dossier - Next steps

Mandate the **IP5 Global Dossier Task Force** to :

- Identify industry and office **requirements**
- Identify the **digital components required**
- Complete the analysis of **current IT plans** of each IP5 Office
- Assess the inter-relations with **existing Foundation Projects**
- Consider **legal aspects** and further opportunities
- **Establish the Global Dossier Roadmap 2013-2017**

Thank you for your attention!