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The EPO new initiative in XML Filing An update



Kevin DOUGLAS

Principal Director Service Creation – Information Management

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Current EPO Situation

- On-line filing has been operational since 2000
- Operationally it is working well with approx 95% of new filings online
 - Almost all in PDF
 - Requires OCR to create XML working copy and publication
- 98% of applicants drafting in MS Word
 - Actually creating XML (Office Open XML – ISO29500:2008)
- Conversion to PDF adds uncertainty, hence OCR challenges
 - EPO OCRing 10mio pages per year including remaining scanned paper
- Internally EPO uses or is being prepared for XML (Examiner tools and processes rely on text coded data)

New Approach – Make XML filing the standard

- Make “Office Open XML” (ISO 29500:2008) a legal filing format
- Make it easy for applicants with standard document templates and simple rules
 - Unicode fonts, black only etc
 - Rules for tables, chemical and mathematical formulae
 - Allow PNG for images
 - Paragraph styles for claims, description, drawings, abstract, headings
 - No encrypted text or embedded objects
- Build a validation engine to check compliance and warn of any problems:
 - For use by applicants before filing
 - For use by the EPO after filing for formal checks
- Build a loading mechanism to extract ST36 XML from OOXML
 - Allows direct use of the XML in the patent grant process and publication
- Adapt legal structure to support this preferred route
- Extensive consultation underway with Member States, IP5, WIPO and users
- Planned entry into force: 1st April 2018

What does this mean for users?

- "What you file is what we use"
- Simpler process
 - No more need for conversion to PDF
 - Attach and send in-house document saved directly from word processor
 - No more OCR at the EPO
- Secure process
 - Existing digital signature used to guarantee no changes after submission
 - Applicant has the digital "hash" to prove it
- Provides a solid basis for the digital end-to-end process
 - Opens the door for colour support
 - An existing, well understood model for track-changes in amendments
 - Will allow improved communications (e.g. hyperlinks for citations)

Conclusions

- The current filing systems work well operationally
 - 95% online predominately PDF
 - Challenges due to OCR conversion of the PDF and any paper
- Proposal to adopt a word processing XML format widely used
- Implementation
 - Technical preparations progressing as planned
 - WIPO's Annex F update progressing as expected
 - Legal framework prepared
 - User consultation going well
 - Pilot with volunteers to start in July 2017

- Entry into force on-track for 1st April 2018