DECISION OF THE PRESIDENT OF THE BOARDS OF APPEAL OF 9 OCTOBER 2026 CONCERNING THE AUDIO RECORDING OF ORAL PROCEEDINGS FOR THE PURPOSE OF PREPARING THE MINUTES OF ORAL PROCEEDINGS WITH THE ASSISTANCE OF ARTIFICIAL INTELLIGENCE

THE PRESIDENT OF THE BOARDS OF APPEAL,

having regard to Article 10(2)(a) of the European Patent Convention in combination with Article 1 of the Act of Delegation (OJ EPO 2018, A63),

having regard to Rules 124(1) and 144(b) of the Implementing Regulations to the European Patent Convention,

having regard to Article 14(5) of the Rules of Procedure of the Enlarged Board of Appeal and Article 15(4) of the Rules of Procedure of the Boards of Appeal,

after consulting the Presidium of the Boards of Appeal and the Boards of Appeal Committee,

HAS DECIDED AS FOLLOWS:

Article 1

Audio recordings of oral proceedings

(1) Oral proceedings before a Board of Appeal may be audio recorded and, with the assistance of artificial intelligence, transcribed and further processed for the purpose of preparing the minutes of oral proceedings. The recordings and transcripts generated as a result will be deleted at the latest one month after the notification of the minutes of oral proceedings.

(2) The recording or transmittal of oral proceedings in any form by participants other than EPO employees is prohibited.

Article 2

Status of recordings and transcripts

Any audio recording of oral proceedings and any transcript generated from such an audio recording shall constitute internal preparatory documents. They shall not form part of the file. No copy of the recording or transcript shall be made available to the parties or to the public.

Article 3

Entry into force

(1) This decision enters into force on 1 November 2026 and applies to oral proceedings scheduled to take place before any Board of Appeal on or after that date.

(2) It supersedes the Notice of the Vice-President of Directorate-General 3 of the European Patent Office dated 16 July 2007 concerning sound-recording devices in oral proceedings before the boards of appeal of the EPO (OJ EPO 2007, Special edition No. 3, 117).

Done at Haar, 9 October 2026

Carl JOSEFSSON
President of the Boards of Appeal