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Comment:

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The documents produced before 1969 cannot be provided in English as this was not an official language in the period before that date. These documents therefore are provided in French and German.

INTER-GOVERNMENTAL CONFERENCE
FOR THE SETTING UP OF A EUROPEAN
SYSTEM FOR THE GRANT OF PATENTS

Brussels, 9 February 1970
BR/GT I/35/70

- Secretariat -

NOTE

The members of Working Party I will find annexed, as indicated in the document dated 3 February 1970, submitted by the Chairman (BR/GT I/34/70, page 1), the report drawn up by the EEC "Patents" Working Party, dated 24 October 1963 (10687/IV/63).

BR/GT I/35 e/70 ett/PA/bm

TRANSLATION

"Patents"
Working Party

10687/IV/63-E

CONFIDENTIAL

Brussels, 24 October 1963

ANNEX
to doc. BR/GT I/35/70

Third report of the "Patents" Working Party
to the Co-ordinating Committee

ESTIMATE OF STAFF REQUIRED FOR THE

EUROPEAN PATENT OFFICE

10687/IV/63-E kel/PA/bm

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I - Introductory note

At its seventh meeting (Brussels, 11-22 February 1963) and its ninth meeting (Munich, 1-12 July 1963), the "Patents" Working Party studied the question of the probable volume of work which will devolve upon the European Patent Office and the resulting staff requirements of that body. The estimates of the probable volume of work were drawn up on the basis of information collected by the Working Party and of statistical data supplied by the national patent offices of the six Member States of the EEC relating to the applications received by them for national patents and the estimated increase in the number of these applications.

The report on this subject submitted to the Co-ordinating Committee by the Working Party first deals with the probable volume of work which will devolve upon the European Patent Office, since this is the basic factor for an estimate of the staff required. The amount of work devolving upon the European Patent Office will depend on the solution which the Convention on a European Patent Law adopts to the problem of accessibility. The report first deals with these questions on the assumption that free access will be allowed. It then points out what differences would ensue were access to be restricted to nationals of the Contracting States to the Convention.

II - Estimate of the volume of work which will
devolve upon the European Patent Office

1. Estimate of the number of applications for European patents

It is not possible to give a precise figure for the probable number of applications for European patents which the European Patent Office will receive once it has been set up. This can only be estimated. In order to limit the sources of error inherent in any estimate, certain basic assumptions must be adopted, and the Working Party founded its discussions on four such assumptions.

1st assumption

In order to avoid errors resulting from unforeseeable developments in the number of applications in Europe, it has been assumed that the European Patent Office will open on 1 January 1964.

2nd assumption

It has been assumed that the European Patent Office will operate fully in all areas of technology as from the opening date assumed above. This assumption allows lack of certainty connected with the progressive widening of the field of activities of the European Patent Office provided for in Article 186 of the Draft Convention to be avoided. It is

in fact not possible at this stage to foresee to which areas of technology the activities of the European Patent Office will be extended as it is set up.

3rd assumption

It has been assumed that the number of applications for national patents in the six Member States of the EEC will be the same in 1963 as in 1962 since, if it is assumed that the European Patent Office is to begin operating on 1/1/1964, the figures for national applications in 1963 will have to be taken as a basis, but only the figures for 1962 are available at present.

4th assumption

It has been assumed that any applicant filing an invention in at least two Common Market States in 1963 would, once the European Patent Office had been set up, file an application for a European Patent (the "two States" theory). This assumption applies equally as regards both applicants who are nationals of the six Member States of the EEC and all other applicants.

For the purpose of estimating the probable number of applications for European patents, two other theories might have been applied in place of the "two States" theory. On the one hand, it could have been assumed that any application for a national patent filed in one of the Common Market States would in future be replaced by an application for a European patent. On the other hand, it would have been possible to

consider only those inventions for which a national applications has been filed in each of the six EEC Member States, for the purpose of working out the number of applications for European patents. The Working Party considered the first of these alternatives to be too broad and the second too restrictive. For this reason, it voted in favour of the two States theory, which was also adopted by the Council of Europe's Committee of Experts during discussions on the Longchambon draft for the setting up of a European patent in 1951-1954.

The two States theory leads to the following results:

(a) European patent applications originating in EEC States

To assess the number of applications for European patents originating in the EEC States, the Working Party additionally assumed that any applicant having his residence or registered place of business in one of the EEC States would first file an application in that State. Every application filed in an EEC State by a national of another EEC State has been preceded by a first filing in the applicant's own State.

It follows from this that the number of applications filed by the nationals of a given EEC State in that one of the other EEC States in which they file the greatest number, corresponds to the number of inventions for which the applicant has filed at least two national applications in the EEC States and, consequently, to the number of European patent applications which would be filed by the nationals of the State concerned, in

view of the other assumptions made above. The available data give the following picture:

Country of origin	Main country in which applications were filed in 1962	Number of patent applications
Germany	France	6,517
Belgium	The Netherlands	496
France	Germany	2,450
Italy	France	1,025
Luxembourg	Germany	49
The Netherlands	Germany	1,226
Total		<hr/> 11,763 <hr/>

For 1964, it could therefore be expected that 11,763 applications for European patents would originate in the EEC.

(b) European patent applications originating in non-Member States

The two States theory leads in this case to the assumption that, of those applicants having their residence or registered place of business in a non-Member State, only those who filed applications in at least two EEC States would apply for a European patent. If the numbers of applications made by nationals of a given non-Member State in each of the EEC Member States are compared, the second largest number represents the number of applications filed in at least two Member States, the difference between this number and the largest

number being equal to the number of single applications. The available data lead to the following results:

Country of origin	Second country in which applications were filed in 1962	Number of patent applications
United States	France	7,891
Great Britain	France	3,254
Switzerland	France	1,793
Others	France	2,690
Total		<u>15,628</u>

For 1964, it could therefore be expected that 15,628 European patent applications would originate in non-Member States.

The total number of applications filed with the European Patent Office in 1964 would thus be:

Applications originating in the EEC	11,763
Applications originating in third countries	15,628
Total	<u>27,391</u>

The estimate of the number of applications for European patents is based on the assumption that the European Patent Office will begin full activity as from 1/1/1964. In fact, it does not seem likely that the European Patent Office will be opened before 1966 at the earliest. Since, in addition, it is to be set up in stages - the present report foresees

five stages of two years each - it can be assumed that the European Patent Office will only reach full development in 1974.

As the statistics of the national patent offices of the EEC show a constant growth in the annual number of patent applications since 1952, and more particularly since the entry into force of the Treaty of Rome, it is reasonable to suppose that this trend will continue. Under these circumstances, it seems justifiable to increase the estimate of the number of patent applications by 10%. The Working Party therefore came to the conclusion that, upon reaching full development, the European Patent Office would receive

30,000 patent applications

This conclusion corresponds to the estimate recently published by Mr. Colas, Consulting Engineer (cf. "Service direction", November 1962, page 1099).

2. Estimated number of refusals and withdrawals during the procedure prior to the grant of the provisional European patent

Three stages can be distinguished in the procedure for the grant of European patents as laid down in the Draft Convention:

- (a) procedure prior to the grant of the provisional European patent,
- (b) a period of five years during which a request for examination of the provisional European patent may be filed, and
- (c) procedure for examination of the provisional European patent.

Obviously the third stage is the one which will create the most work for the European Patent Office. For this reason, the Working Party sought to find out how many applications would be dropped before reaching the stage of the grant of the provisional European patent, and how many provisional European patents would lapse before being examined.

Two main reasons can lead to a provisional European patent not being granted:

- (a) the application does not meet the conditions laid down in Articles 68, 71 and 76 of the Draft, and is therefore refused pursuant to Article 77;
- (b) the applicant withdraws his application after seeing the report on the state of the art (cf. Article 79 of the Draft).

Re (a) Applications rejected before receipt of the report on the state of the art

On this matter, the Working Party made use of statistics allowing the number of European patent applications leading to the grant of a provisional patent to be assessed. The procedure for the grant of a provisional European patent may be compared with national procedures under which a patent is granted without examination as to novelty. The Working Party used statistics from the country engaging in formal examination under the

conditions closest to those under the European procedure.

Among these procedures, that in use in Italy is closest to the European procedure. On the basis of the Italian statistics the Working Party concluded that about 5% of European patent applications, or 1,500, would be rejected under Article 77 of the Draft Convention.

Re (b) Withdrawal after receipt of the report on the state of the art

Here, the Working Party used statistics from the countries employing the system of prior examination (Germany and the Netherlands), the situation of an applicant for a European patent who has received the report on the state of the art being comparable with that of an applicant in Germany or the Netherlands who has received the first "examiner's report". It should be noted, however, that the examiner's first report goes beyond the report on the state of the art, and already involves an examination of the patentability of the invention, even where such examination is not final. The statistics show that in Germany and the Netherlands the percentage of applications withdrawn before the grant of the patent is as follows:

Germany	25.6%
The Netherlands	27.8%

Taking into account the differences between national procedures and the procedure envisaged for the European patent, the Working Party was of the opinion that, in respect of the European procedure, the number of applications withdrawn after receipt of the report on the state of the art would represent 15% of the European applications made, i.e. 4,500 applications.

From the above, it follows that:

5% of European applications would be rejected as a result of the examination provided for in Article 76, and 15% would be withdrawn after receipt of the report on the state of the art. Thus, out of 100 European patent applications, only 80 would reach the stage of the grant of the provisional European patent. As the annual number of applications would be 30,000, 6,000 applications would be dropped during procedure for grant. In other words, 24,000 provisional patents would be granted each year.

3. Estimated number of European patent applications for which a request for examination would be made

To assess the number of provisional European patents which would lapse without a request for examination having been made under Article 88 of the Draft Convention, the Working Party made use of data relating to the term of patents and the percentage of patents still in force at the end of each year (see Annex I).

The Working Party concluded that the basis adopted for the calculation should be the percentage of patents for which the

seventh annual renewal fee has been paid. This is because, if it is assumed that provisional European patents are granted, on average, eighteen months after the application is filed, the period of five years provided for in Article 88 of the Draft expires, on average, six and a half years after the patent application is filed, i.e. during the seventh year of the patent's life.

When taking statistics relating to patents in their seventh year as a basis for assessing the proportion of provisional European patents for which a request for examination would be made, the Working Party purposely omitted to take into account the fact that some proprietors of provisional European patents would make their request for examination as early as the second or third year of the patent, i.e. at a time when they could not assess the economic value of the patent with as much certainty as they could during its seventh year. The Working Party similarly did not take into account the fact that statistics show that 7 to 10% of national patents are abandoned during the eighth or ninth year. It can be assumed that, under the European procedure, some of these proprietors will decide to abandon their patent at an earlier stage, in view of the need to pay examination fees, and will not file a request for examination. Taking the first factor into account would lead to a reduction in the percentage shown by the statistics for patents in their seventh year; taking the second factor into account would, on the other hand, lead to an increase in this percentage. It seems reasonable to suppose that these two factors balance each other out, and therefore to take statistics relating to patents in their seventh year as the basis for estimating the life of provisional European patents.

The percentage of national patents abandoned before the end of the seventh year depends on whether the patents in question are examined, partly examined or unexamined. Furthermore, provisional European patents cannot be fully compared with present national patents, since inventions forming the subject of European patent applications would seem in general to have to offer greater economic interest than those currently forming the subject of national applications.

Since, in view of the diversity of the basic factors involved, it is not possible to draw reliable conclusions as regards provisional European patents on the basis of national statistics, the Working Party tried first to work out minimum and maximum figures from the statistics available. For the minimum figure, the Working Party assumed that the percentage of provisional European patents for which no request for examination is made would in any event be as high as that of examined German patents which now lapse before the end of their seventh year. On this basis, the minimum would be 28%. For the maximum figure, the Working Party based its calculations on the corresponding percentage for partly examined German patents in 1951 and for unexamined French and Belgian patents. The maximum thus worked out comes to 45%. On the basis of these two figures, the Working Party agreed on an average percentage of 35%.

In conclusion, it can be stated that for 80 provisional European patents granted in respect of 100 applications, 28 (35% of 80) would lapse in the absence of a request for examination. Thus, for 100 European patent applications, 52 requests for examination would be made.

4. Estimated number of provisional European patents leading to the grant of a final European patent

The Working Party was not able to estimate the number of final European patents by multiplying the number of requests for examination by the percentage of decisions to grant a patent made in those patent offices which examine patents. For this reason, the relevant national figures can only be applied to the number of European patent applications filed.

The percentage of applications filed in 1955 which led to the grant of an examined patent was:

34.2% in Germany, and

33.9% in the Netherlands.

On the basis of these figures, the Working Party estimated that about 35% of European patent applications would lead to the grant of a final European patent. Therefore, for 30,000 European filings, the number of patents granted would be 10,500.

5. Summary of the results

Assuming freedom of access and a European Patent Office open for all areas of technology, the annual number of European patent applications would be of the order of 30,000.

Out of 100 patent applications,

80 would lead to a provisional European patent,

52 to a request for examination, and

35 to a final European patent.

The activities of the European Patent Office could be broken down as follows:

- 30,000 European patent applications
- 24,000 provisional European patents
- 15,600 requests for examination
- 10,500 final European patents.

6. Estimates on the assumption of limited access

In this case, it follows from point 1 (a) above that the number of European patent applications would be reduced to 11,763, or, increasing this figure by 10% as provided for, about 13,000.

The considerations set out in points 2 to 4 above would lead to the following statistical expression of the activities of the European Patent Office:

- 13,000 European patent applications
- 10,400 provisional European patents
- 6,760 requests for examination
- 4,550 final European patents.

III - Estimated number of staff required for the
European Patent Office

1. Time required by an examiner to study a European patent application
and to examine a provisional European patent

The amount of work devolving upon the European Patent Office is determined by the number of patent applications and requests for examination filed. Patent applications and requests for examination are to be examined by the examiners of the European Patent Office. An estimate of the amount of work expected will therefore make it possible to determine the number of examiners required, which will in turn allow the numbers of other staff required for the European Patent Office to be worked out. The number of examiners required is thus the key to working out the total number of staff needed for the European Patent Office.

Up to the grant of the provisional European patent, procedure is in the hands of a single examiner (Examining Section, Article 55). After the request for examination has been made, proceedings are transferred to a group of three examiners (Examining Division, Article 56), the first acting as Chairman of the Division, the second as first rapporteur and the third as second rapporteur. In the estimates given below, the Chairman's working time is not taken into consideration for the purposes of the examination; each Chairman would preside over several Examining Divisions, and for this reason their duties will be considered under another heading.

The Office's examining duties thus fall into three categories:

- (a) examination of European patent applications by an Examining Section examiner;
- (b) examination of provisional patents by the first rapporteur of an Examining Division;
- (c) examination of provisional patents by the second rapporteur of an Examining Division.

Examination of a patent application or a provisional patent must therefore be understood to consist of the whole of the work to be carried out by the Examining Section examiner and by the first and second rapporteurs up to the end of the proceedings as regards the Examining Section or Examining Division. The time required to examine European patent applications or requests for examination can vary a great deal. In some cases a European patent application or a provisional European patent could involve only a small amount of work, if, for example, it is soon withdrawn or abandoned. On the other hand, a particular case may require an exceptional amount of work if, for example, after lengthy and difficult proceedings, the Board of Appeal refers it back to the Examining Section or Examining Division for a new decision. For the purposes of the present report, an average case must be supposed in estimating the time required to examine a European patent application or a provisional patent. Basing its calculations on such a case, and taking into consideration the experience acquired by offices having a system of prior examination, the Working Party arrived at the following estimate of the time needed by each examiner to carry out the two tasks mentioned above:

examination of a patent application by the first rapporteur	0.5 days
examination of a provisional patent by the first rapporteur	2.3 days
examination of a provisional patent by the second rapporteur	0.7 days

These figures take into account the existence of the report on the state of the art, which allows of considerable work saving by the European Patent Office.

2. Number of working days per year

The Working Party estimated the average working year of a European Patent Office examiner at 220 days, on the basis of the following calculation:

Number of days in full year:	365
less:	
Saturdays and Sundays	104
Annual and special leave	30
Public holidays	11
	<hr/>
	145
	<hr/>
	220

3. Number of examiners needed

On the basis of the information given above (II 5), the European Patent Office examiners would each year have to examine :

30,000 patent applications
15,600 provisional patents, as first rapporteurs
15,600 provisional patents, as second rapporteurs.

The number of examiners needed to carry out this work can thus be determined as follows:

30,000 applications	
at 0.5 days per application	15,000 working days
15,600 provisional patents	
examined by first rapporteurs	
at 2.3 days per request	35,880 working days
15,600 provisional patents	
examined by second rapporteurs	
at 0.7 days per request	10,920 working days
	<hr/>
Total	61,800 working days

Number of examiners required: $\frac{61,800}{220} = 281$

It would seem to be advisable to add to the number of staff given above to make up for foreseeable departures of staff, in view of the time required for training new examiners. The number of examiners needed for the European Patent Office could thus be rounded up to 300.

4. Second method for calculating the number of examiners required

The estimate of the number of examiners required is based on an assessment of the working time required by an examiner to complete the various stages of the procedure. Against this

method, it could be argued that the basis adopted for working out the estimate is not a fixed quantity. Since the procedure planned for the European Patent Office is quite new, so that similar national procedures cannot be used for comparison without certain reservations, and since, furthermore, the particular difficulties likely to face European examiners as a result of the use of several languages cannot be assessed, even approximately, the choice of this basis only for determining the number of examiners required, i.e. the key number for estimating overall staff needs for the European Patent Office, may give rise to certain objections.

Furthermore, slight changes in the estimate of the working time needed for each stage of the procedure would give rise to significant changes in the final figures. For this reason it may be useful to check the results obtained by the above method by employing another method of calculation.

This could consist in a comparison with the number of examiners needed at the largest national patent office, which is the German Patent Office. The latter receives about 60,000 patent applications a year, and estimates that examination of these requires about 560 full-time examiners. On the Working Party's estimate, the European Patent Office can expect about 30,000 applications per year, or half the number received by the German Patent Office.

Like the German procedure, the European procedure for the grant of patents involves the examination of applications. Compared with the German procedure, however, the European

procedure is somewhat simpler in several respects. Novelty search by the European Patent Office has been omitted, and is to a large extent replaced by the report on the state of the art drawn up by the International Patent Institute. Because of the system of deferred examination, novelty search is omitted for a larger percentage of applications than under the German procedure.

On the other hand, the European procedure does involve additional difficulties as compared with the German procedure: the European Patent Office is staffed by people of various nationalities, three or five languages are used in proceedings and examination for patentability is effected not by one, but by a board of three examiners.

It is obviously not possible to assess separately each factor helping to simplify or complicate the European procedure. It does, however, seem possible to make an overall comparison of the factors which simplify or complicate the procedure, and to note that the two sets of factors balance each other out. It follows from this that a European examiner would deal with about the same number of applications as a German examiner. If the German Patent Office needs 560 examiners for 60,000 applications, this estimate indicates that the European Patent Office would need about 280 examiners for 30,000 applications. This method of calculation thus gives the same result as the first.

IV - Staff numbers and grading

On the basis of the 300 examiners considered to be necessary to deal with 30,000 applications and to examine 15,600 provisional European patents, the "Patents" Working Party was of the opinion that the total staff of the European Patent Office should number 1,045. Annex II indicates how this number is divided among the various classes and grades.

V - Progressive extension of the field of
activity of the European Patent Office and
the effect of this on staff requirements

Pursuant to Article 186 (1) of the 1962 Draft, the European Patent Office (EPO) is to be set up progressively, and the Working Party was of the opinion that this progressive extension might consist of five stages of two years each. Indicating the activities of the Office at its final stage by the figure 100, the percentage of growth in activity for each of the stages could be expressed as follows:

1st stage	10 %
2nd stage	15 %
3rd stage	20 %
4th stage	25 %
5th stage	30 %

It should be noted that these percentages are only given as a guide, since the activities of the EPO would be extended by one or more areas of technology at a time, and these would probably not correspond to precise percentages.

As regards the effects of the progressive extension of the field of activity of the EPO on staff requirements, the Working Party assumed that the number of examiners required for the various stages would correspond to the percentage for each stage.

However, the necessity of appointing examiners responsible for a particular area of technology before the activities of the EPO are extended to the area must also be taken into account, in view of the time needed for training the examiners.

Staff requirements for the Directorate General of Administration are not proportional to the technical activities of the EPO, since this Directorate is to be responsible for fixed administrative tasks and for preparing the development of the EPO.

On this point, it should be noted that, when estimating the amount of work and the probable staff requirements of the EPO, the Working Party based its calculations on an EPO in the final stage of development. The Working Party therefore only assessed the number of European patent applications and the number of staff needed to examine these applications. However, under Article 189 et seq. of the Draft Convention, the EPO is also to receive "joint filings" during the period of progressive extension of its activities.

The Working Party did not work out an estimate, which would be very difficult, of the number of "joint filings" to be expected during the various stages in the setting up of the EPO, nor, consequently, of the number of staff needed to examine such filings.

VI - Effect of limited access on staff requirements

If access were to be limited to nationals of the Member States of the Common Market, the number of European patent applications filed with the EPO each year would, as previously explained, be only 13,000 instead of 30,000. The number of examiners needed to deal with 30,000 applications having been estimated at 300, it could be assumed that 130 examiners would be sufficient to deal with 13,000 patent applications, and that the number of other staff could be reduced accordingly, save as regards the number of staff in the Directorate of Administration which cannot be reduced proportionally.

In fact, however, it would be possible to reduce the number of examiners in proportion to the reduced number of applications. It is obvious that the fewer examiners there are, the wider the area of technology entrusted to each of them.

With limited access, each examiner would be made responsible for an area of technology about three times as broad as in the case of free access. It can be supposed that the number of applications dealt with by each examiner, and probably the quality of the examination, would drop to a certain extent as the area to be covered was increased.

These arguments are further strengthened, for the initial stages at least, by virtue of the multiplicity of languages in use by the EPO. It would probably be impossible to recruit examiners able to use all the languages of the EPO, and this would call for an increase in the number of examiners assigned

to each area of technology and, consequently, for a further widening of each area.

It is obvious that there are limits to the ground covered by each area of technology and that, in order not to extend beyond these limits, it would be necessary to go well above the number of 130 examiners in the event of limited access.

Effective life of patents⁴

Country	patents filed in	number of patents granted = 100 %	percentage of patents in force until the end of the year of the patent's life												
			2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th
<u>examined patents</u>															
Germany	1928	21,185	99.52	94.51	83.54	65.45	51.23	38.40	31.11	25.72	20.86	18.62	15.86		
Germany	1952	18,613	99.97	99.36	96.41	90.69	82.52	72.41	62.31	53.45	46.05	38.98			
				1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	
The Netherlands	see note (1)			98.85	93.91	83.72	75.59	66.27	60.89	52.24	47.40	41.92	36.02	29.18	
<u>partly examined patents</u>															
Germany	1951	27,995	99.94	97.96	88.95	79.10	67.67	57.82	48.37	40.84	34.83	29.79			
Italy	1943	(2)	94.44	82.67	70.12	56.41	47.98	33.93	26.14	20.19	13.70	10.52	10.50	7.59	1.63
<u>unexamined patents</u>															
Belgium	1954	9,304	92.77	85.1	76.8	69.7	63.7	55 ⁽³⁾							
France	1948	22,342 ⁽⁴⁾	99.87	76.21	66.90	57.34	48.06	40.94	35.02	26.27	23.95	21.16	18.85	16.87	15.36
France	1955	27,004 ⁽⁴⁾	87.68	80.76	73.43	66.33	59.78	53.70							

(1) In the Netherlands, the life of the patent begins only after grant.
The average period between filing the application and grant seems to be 4 years.

(2) The information given for Italy is drawn from a survey made by the Italian Patent Office in 1958.

(3) Estimated figure.

(4) Number of patents filed.

ANNEX II

Total numbers and grading of
European Patent Office staff for a
requirement of 300 examiners

The staff needed for the European Patent Office has been grouped into four classes (A, B, C and D), as provided, for example, in the Service Regulations of the EEC and Euratom.

(A) Class A officials

I. Office of the President of the EPO

- 1 President
- 3 Vice-Presidents, responsible for Directorates General
- 1 Principal Private Secretary
- 2 Officials

7

II. Directorate General I

(examination, grant and administration of patents)

1. Major Divisions

In accordance with the Draft Implementing Regulations being drawn up by the Working Party, the Examining Sections and Examining Divisions are grouped administratively to form major Divisions.

As set out in the report, the EPO should have 300 examiners.

carry forward:

7

brought forward:

7

The Working Party was of the opinion that each major Division could consist of 15 examiners, which means providing for 20 Heads of major Divisions. The total staff of the major Divisions would then be

320

2. Patent Administration Division

1 Head of Division

2 Jurists

3

III. Directorate General II

(Boards of Appeal and Revocation Boards)

7 Board Chairmen

28 Members

35

VI. Directorate General III

(Administration)

1. Budget, Personnel, Organisation and General Services Division

1 Head of Division

1

(a) Budget and Financial Affairs Section

1 Head of Section

2 Officials

3

(b) Personnel and Organisation Section

1 Head of Section

3 Officials

4

(c) General Services Section (receipt of applications, equipment, statistics, etc.)

1 Head of Section

1

carry forward:

374

brought forward:

374

2. Documentation and Classification Division

1 Head of Division	1
(a) Library	
1 Chief Librarian	1
(b) Classification and Documentation Section	
1 Head of Section	
12 Classifiers	
5 Officials	18

In establishing these figures, account has been taken of the division of tasks between the International Patent Institute and the EPO.

3. Legal Division

(juridical studies, participation, where appropriate as members, in the decisions of the Examining Divisions)

1 Head of Division	
12 Jurists	13

4. Translation Department

1 Head of Translation Department	
35 Translators and interpreters	36

Total number of class A staff needed for the European Patent Office

443

(B) Class B officials

1. (a) For the "procedural" Divisions (Examining Sections, Examining Divisions, Boards of Appeal and Revocation Boards), in the ratio of 1 to 6 class A officials (355)	59
(b) Patent Administration Division	15
2. For the President's Office and the Directorate General of Administration (excluding the Translation Department)	40
3. For the Translation Department, in the proportion of 1 to 10 class A officials (36)	4
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Total number of class B officials needed for the EPO	118

(C) Class C officials

1. Typing Pool

The number of shorthand typists depends on the number of class A and class B officials (561).

In certain national patent offices and at the EEC Commission, the ratio seems to be 1 to 3. The proportion is less in other national offices. The Working Party was of the opinion that the minimum ratio to be adopted for the EPO should be 1 to 4.

The number of shorthand typists needed will
therefore be

140

2. (a) Archives of the "procedural" Divisions

There should be one filing clerk to each category B official in the "procedural" Divisions. Even if a modern centralized filing system for all the "procedural" Divisions, or at least for each of the major Divisions and for the Boards of Appeal and Revocation Boards together, is installed in the EPO, it seems hardly possible to reduce the ratio of 1 : 1.

The number of class B officials in the "procedural" Divisions being 59, it is suggested that the number of filing clerks should also be put at

59

(b) Archives of the Patent Administration Division

7

3. Administration archives, clerical services, library assistants, cashiers, telephonists, caretakers and porters.

As the administrative departments of the EPO will be equipped with modern office machines and equipment, the number of class C officials needed for the administrative services may be relatively low.

Number proposed

143

4. Translation Department

The Translation Department would appear to need about 5 class C officials

5

Total number of class C staff needed by the EPO

354

(D) Class D officials

The estimate of the number of class D officials needed for the EPO is as follows:

Messengers	30
Duplicating services	15
Maintenance staff, drivers and porters	40
Documentation	10
Auxiliary general service staff (including filing)	35
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Total number of class D staff needed by the EPO	130

(Note: cleaning would be undertaken by an office cleaning agency)

<u>Total number of staff required for the EPO</u>	1,045
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