

BR/GT I/38 e/70

Travaux Préparatoires EPC 1973

Comment:

The collection represents purely an internal research tool for the purpose of Directorate Patent Law of the European Patent Office. No guarantee can be given for its completeness or correctness.

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.

- Secretariat -

WORKING PARTY I

WORKING DOCUMENT

PRELIMINARY DRAFT
CONVENTION FOR A
EUROPEAN SYSTEM FOR THE GRANT OF PATENTS

GUIDELINES FOR FINANCIAL PLANNING FOR
THE EUROPEAN PATENT OFFICE

(Points IV to VII).

Recommendations made by Working Party I to Working Party IV

IV. Procedural fees and renewal fees

1. Working Party IV should draw up tables, particularly corresponding to those in Annexes 14, 17 and 18, on the assumption of deferred examination with a 2-year request period.
2. As regards renewal fees, Working Party IV should take the figures in Annex 16 as the basis for its calculations, stopping at year 10. The question whether renewal fees should be progressive or fixed after year 10 remains open. There would seem to be no point, at the present stage, in forecasting income from renewal fees after year 10, in view of their negligible amount. The attention of Working Party IV is drawn to the fact that the figures given in Annexes 17 and 18 include applications for patents of addition which do not give rise to the payment of renewal fees.

V. Designation fees

1. Working Party IV should consider that:
 - designation fees would constitute direct revenue of the EPO;
 - the designation fee will be \$ 12 for each State designated (the figure envisaged in the PCT draft). The question whether only one designation fee, or six designation fees, are to be levied for the six Member States of the EEC under the second Convention, is still open.

In addition, in order to simplify matters, Working Party IV should not take into account any effects of designation fees levied under the PCT.

2. When evaluating the revenue from designation fees on the basis of the figures given in Annex 23, Working Party IV is asked to assume that each European patent application will, on average, give rise to the designation of 3 States, the Member States of the EEC being regarded as a single designated State. If it is later agreed that these States must be designated separately, the above average figure of 3 designations per application should be raised to 7.6. Working Party IV could also work out the financial consequences of the latter possibility.

VI. Opening of the European Patent Office

Working Party IV should examine the revenue and expenditure of the EPO for the two following cases:

- immediate opening of the EPO in all areas of technology (Annex 20);
- progressive extension of its activities according to the phasing set out in Annex 21.

VII. Partial financing of the European Patent Office by a share in the renewal fees levied by the national offices

Working Party IV should in particular study:

- the system proposed in Annex 25 which provides for a 75 % share of the proceeds from renewal fees levied by the national offices on European patents, on the understanding that for any State the share should read a minimum amount still to be fixed, this amount being levied even in the event of the renewal fees being abolished in that State;
 - a system under which the contributions on account of national renewal fees would be fixed for each year and for each State according to criteria to be determined.
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