



Observatory on Patents and Technology

Biennial work programme 2023-2025

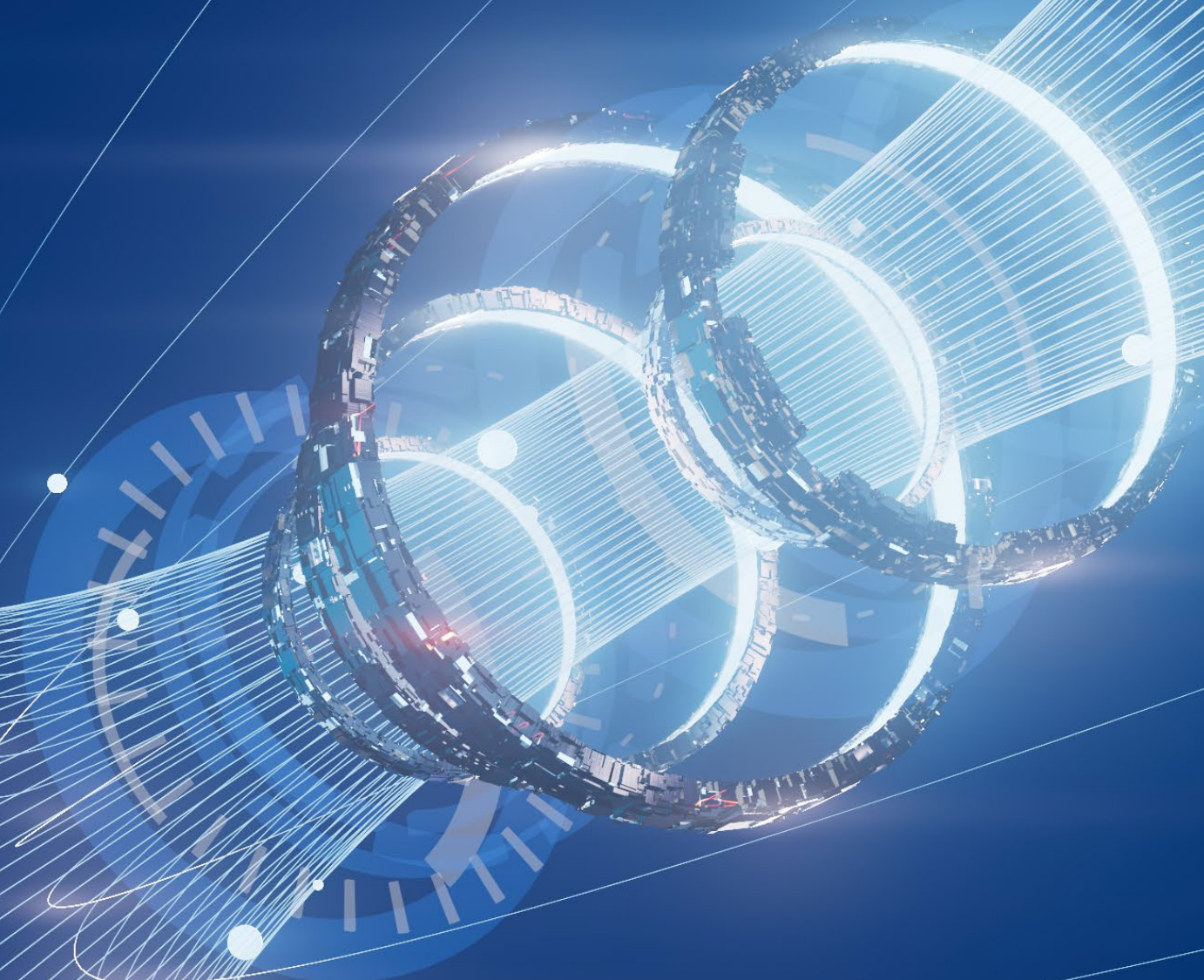


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Foreword from the President

Today, the EPO starts a new chapter in its history with the creation of the EPO's Observatory on Patents and Technology. It is not coincidental that the launch of the Observatory takes place in the framework of the 50th anniversary celebration. It is the right moment to do so.

Innovation, and in particular the new wave of deep-tech innovation, is accelerating. The societal changes we need to face are also unfolding very rapidly. The sense of urgency in contributing from a new angle to the most pressing societal challenges is already here with all of us, from the younger generation demonstrating in the streets to agenda-setting world leaders. We all have the responsibility as individuals and as organisations to do everything we can to meet these challenges, to make the most of the resources we have available and to prioritise a holistic and collaborative approach. This is exactly the approach that the new Observatory will take.

Patents play a key role in driving innovation and in ensuring that society reaps the benefits. This is not new. What needs to accelerate is the move from the “inward-looking” perspective of looking at IP topics to a more outward-looking mindset, whereby different views and perspectives are incorporated into the discussion. We can also improve the way we capitalise on all the intelligence and resources we have at our disposal to maximise our impact. Having been in the frontline of technology for the last 50 years, the EPO benefits from a unique perspective on technology and innovation. But this outlook is only complete if we strive to put it into the right context and enrich it with the data and information arising from other innovation stakeholders. For this purpose, the EPO has created the Observatory: a platform that will equip the EPO and its stakeholders with an up-to-date understanding of, and expert insights into, innovation and patents. This inclusive platform will bring together both public and private stakeholders to discuss the economic impact of patents and new technologies.



António Campinos
President of the EPO

By working together with innovators in the race to tackle global challenges, we will build a stronger global patent system that fosters innovation.

We will aim to break down the barriers that prevent people from fully benefiting from the patent system and use a language that supports wider outreach

By working together with innovators in the race to tackle global challenges, we will build a stronger global patent system that fosters innovation.

One of the ambitions of the Observatory is to enhance interdisciplinary partnerships within the innovation ecosystem and to encourage the participation of external stakeholders beyond only intellectual property specialists. We will aim to break down the barriers that prevent people from fully benefiting from the patent system and use a language that supports wider outreach. When it comes to participation, the underlying ethos of the Observatory will be “driven by expertise, yet accessible to all.”

This document describes the first biennial work programme (BWP) of the Observatory. It reflects the goals, the guiding principles and the essence of the Observatory. The BWP is the result of

different rounds of consultation processes with our stakeholders. We have made the effort to expand this consultation to include the whole innovation ecosystem, going beyond the IP community. I would like to thank everyone who has participated in this process and suggested topics, activities, and priorities. We have received many enriching ideas from different sectors of society, and we hope that this programme reflects the diversity and inclusivity of the consultation process which has given rise to it.

We are only at the start of the Observatory’s activity, and this BWP should not be considered as a closed programme or as a restrictive list of topics and activities. The Observatory remains open to innovative ideas, and we will adapt along the way to embrace other emerging topics and tools in the coming years.

While we will remain agile and flexible with respect to new topics and developments as we grow, there are three convictions on

which we will not compromise. Firstly, the Observatory’s activities will be driven by accurate, impartial, and verifiable information. Secondly, as part of a European institution founded on European values and ideals, the Observatory is committed to ensuring that we draw strength from a plurality of views – experts and stakeholders will be invited to participate in the activities and debates of the Observatory, which will take into account their expertise on the topics to be addressed and seek a plurality of opinions. Thirdly, we are committed to ensuring that all of our activities contribute to greater diversity in the innovation ecosystem. We will do our utmost to transmit our enthusiasm for innovation to the younger generation, and to promote the inclusion of under-represented groups in the innovation ecosystem.

Background and patterning

Through its Observatory, the EPO and its stakeholders join forces to better respond to current challenges, anticipate change and to take measures leading to economic, social, and environmental progress. By involving stakeholders with the help of a holistic, inclusive approach, the Observatory will identify ways in which the patent system can develop further to stimulate innovation, economic growth, employment, competitiveness, and sustainable development.

In line with its guiding principles, the Observatory's activities will be driven by accurate, impartial, and verifiable information. The Observatory will aim to help build a sustainable future for innovation by broadening the patent ecosystem's outreach, and by enhancing access to IP and technology-related knowledge.

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By bringing together a diverse range of views, perspectives and expertise, the Observatory will aim to:

- improve the understanding of technological landscapes via the mapping and visualisation of patent data in relation to other science-related data – one of the objectives of the Observatory is to combine the EPO’s unrivalled collection of patent data and information with input received from a wide range of stakeholders to deliver the next generation of tools to serve all actors of the innovation ecosystem
- identify gaps both in patents and IP-related knowledge, and contribute to the understanding of complex technological concepts that will later yield innovative solutions – this includes collaborating with economic and financial institutions to make sure that public and private funding for innovative solutions takes into consideration the patent landscape of new technologies, and so helping to avoid duplication of efforts
- transform and adapt patent knowledge to the evolving needs of EPO stakeholders and the public, and to reflect the diversity of the innovation ecosystem – this means reaching out proactively to a diverse variety of innovation system actors who are not yet using the full potential of IP knowledge, and helping them to get their businesses to thrive and to efficiently make use of innovative ideas
- disseminate innovation-related knowledge by giving access, through a new digital library, to innovation-related material and publications, which is accessible to all, and which is user-friendly
- create a specialised forum in which representatives from across the whole innovation system can launch a fulsome dialogue based on facts and deep analyses of patenting trends, sharing best practices and exchanges with a wider community of experts
- “connect the dots” between the different stakeholders, developing innovative solutions or aligning with technology-related developments, and in particular looking at the connection between patents and the access to financial resources and innovation for startups, universities and SMEs
- achieve greater diversity in the innovation ecosystem and the inclusion of under-represented groups – this includes identifying gaps where actions are needed and raising awareness and creating impact
- contribute to shaping a patent system that is smarter and more sustainable – Not only identify ways in which the patent system can develop further to stimulate innovation, economic growth, employment, competitiveness, and sustainable development, but also raise awareness of innovation and patents and their contribution to sustainable development

Guiding principles

The Observatory will be guided by a number of principles:

- **evidence-based approach** = all activities and debates will be driven by evidence and facts
- **transparency** = digital space open to all stakeholders and the public
- **diversity** = accessible to all, regardless of geographical origin, gender or socio-economic background
- **inclusiveness** = engage with participants regardless of their differing opinions and interests
- **collaboration and synergies** = create added value and avoid duplication of efforts
- **subsidiarity** = add value to existing national initiatives



Three streams

Based on the guiding principles, the Observatory's activity will be structured along three main streams.

■ stream 1

TECHNOLOGY INTELLIGENCE

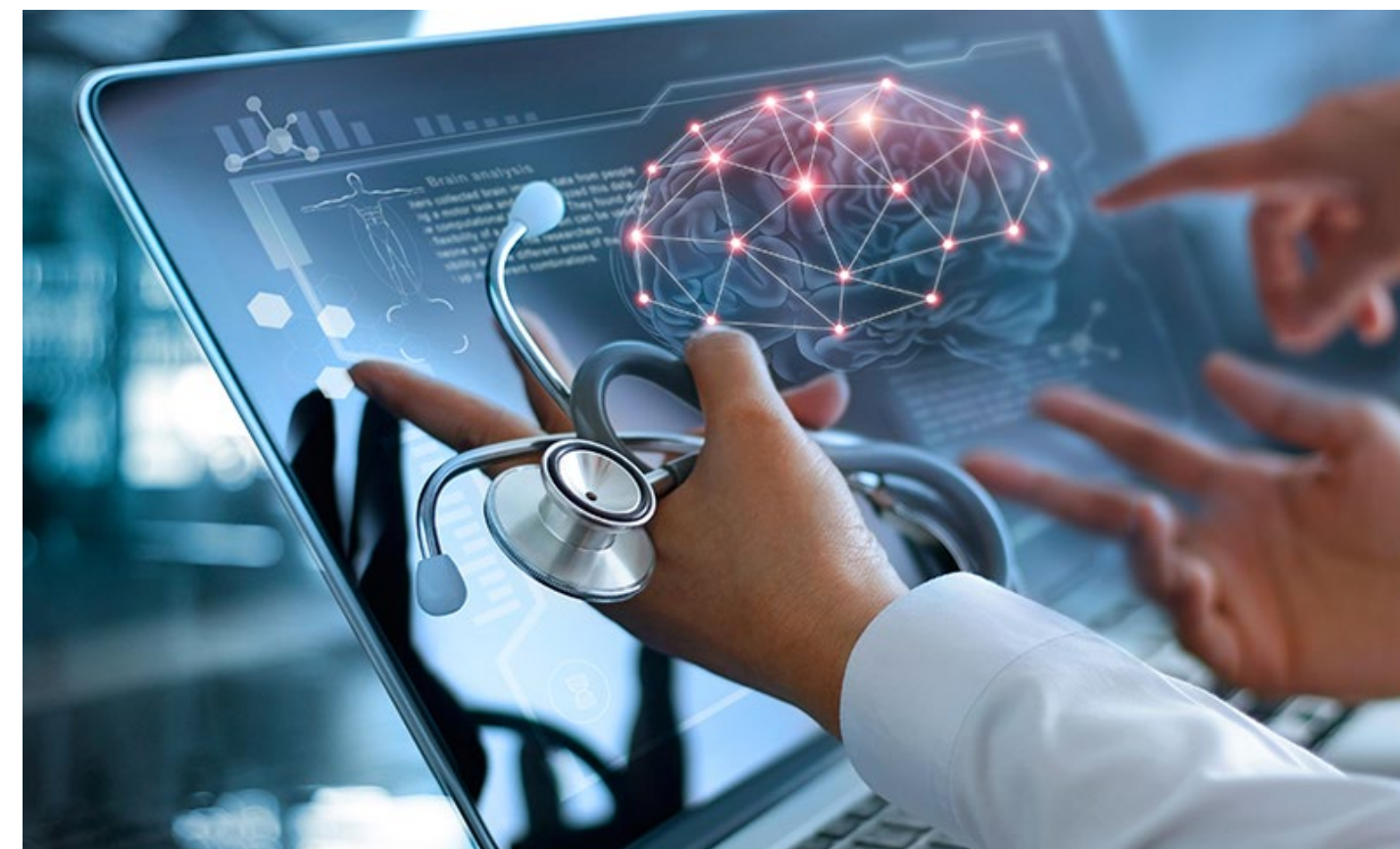
will map critical technology developments and identify their respective pan-European innovation ecosystems, along with their key components, and will promote co-ordination and collaboration among the key players to bring innovative solutions to market.



■ stream 2

LEGAL AND INNOVATION POLICIES

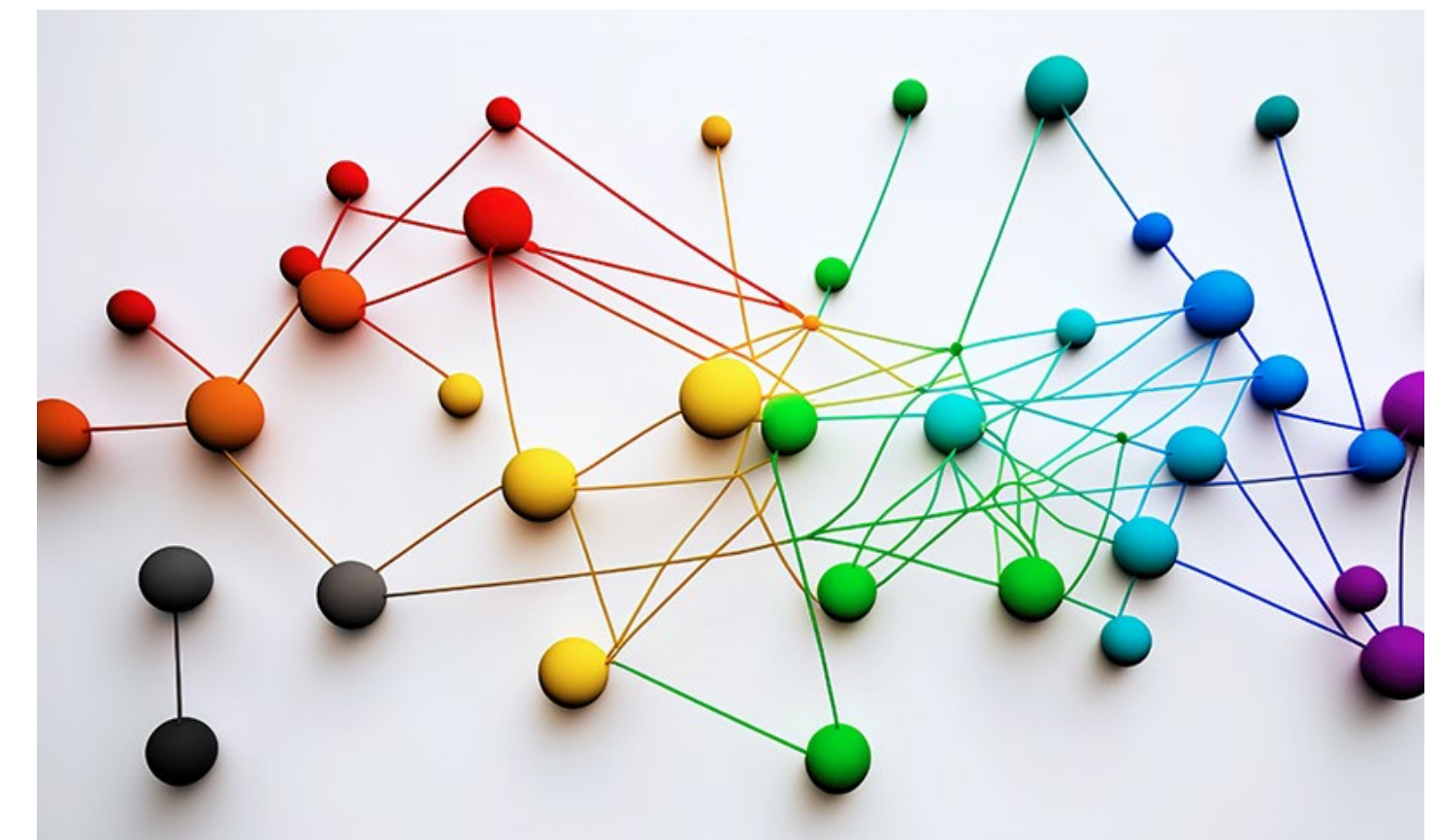
will involve the analysis of patent law, and of patent knowledge and intelligence in the context of the broader innovation framework, related economic tools (i.e. public funding and taxation), and interaction with other branches of the law. It will also address hotly debated topics such as patent activity in the medical sector and the relationship between standards and patents.



■ stream 3

DIVERSITY AND TRANSFORMATION

will focus on heightening understanding of the innovation/patent system among a non-specialist audience. It will take the insights generated by the other two streams and make them clear and accessible. One important goal will be to achieve greater diversity in the innovation ecosystem and promote the inclusion of currently under-represented actors. It will seek to reach out to the younger generation with a view to fostering their skills and knowledge in terms of analysing technical problems and generating potential solutions.



Working as a digital hub with collective intelligence: our activities

The Observatory will address different topics working as a digital hub with collective intelligence. The different themes will be addressed in parallel. The topics will each be launched by the publication of a study and will be followed by different actions, including the dissemination of the study adapted to different audiences, awareness campaigns, organisation of e-seminars and mobilisation of networks.

Publication of studies

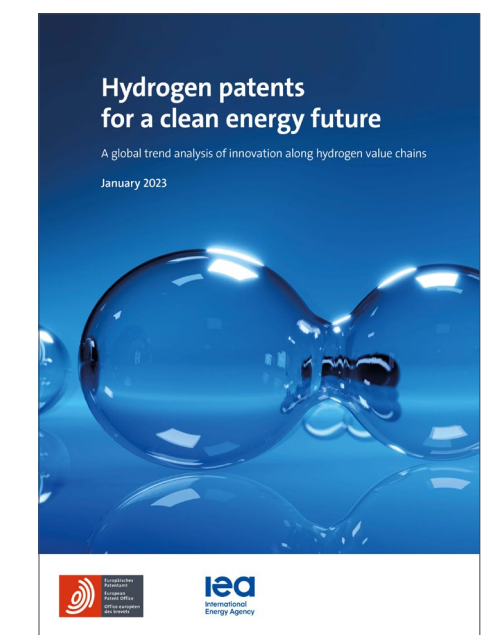
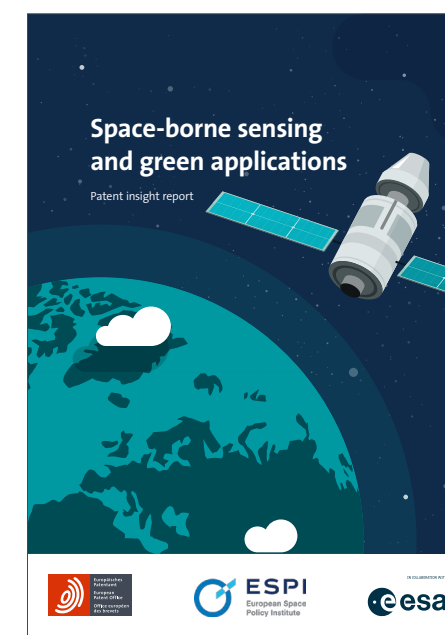
The studies of the Observatory, led by the EPO Chief Economist, provide economic insight into issues relating to patents and innovation. They aim to contribute to high-level expertise and analysis in public and expert forums, and to foster well-informed debate on the economic impact of the patent system, the commercialisation of innovation, and ongoing technology trends in industry. Supported by rigorous evidence-based input on issues related to patents and innovation for informed decision-making by policymakers, particular attention will be paid to small businesses and universities. Collaboration with other organisations and external stakeholders will be promoted.

The studies are arranged in three categories:

Patents and economic performance: these studies reveal the links between the ownership and usage of patents and other IP rights and the economic performance of trade sectors, companies and countries.

Patents and technology commercialisation: these studies explore the ways in which innovators bring their new technologies to market – from raising finance to licensing or sale – and the role that IP plays in these business processes.

Patents and technology trends: patent information can show the trends in established and emerging technologies. Studies combine economic factors in the relevant sectors with the levels of patenting activity to interpret how technology markets are changing.



The Observatory will establish a permanent data desk with a view to enabling permanent access of external users and stakeholders to statistics and intelligence related to patent and innovation

Data desk

In addition to its studies, the Observatory will establish a permanent data desk with a view to enabling permanent access of external users and stakeholders to statistics and intelligence related to patent and innovation. For this purpose, the data desk will draw on the broad range of data and expertise already available within the EPO, and gradually expand them to include external sources and advanced tools and interfaces (such as dedicated dashboards) facilitating exploitation.

The activities of the data desk will encompass:

- the monitoring of the way in which different categories of entities and industries make use of the patent system, both at the European and the international level
- the monitoring of innovation trends, spanning emerging technologies as well as ongoing technology transformation in broader industry sectors
- the analysis of the activities, economic potential and actual impact of innovation ecosystems

Awareness-raising campaigns at a European or national level to disseminate the research, evidence and patent-related intelligence

The Observatory will propose awareness-raising campaigns to be conducted at the European and the national levels in close liaison with partners and stakeholders, so as to disseminate the research, evidence and patent-related intelligence produced. It will support educational activities by leading discussions on complex subjects and, with the European Patent Academy's support, transforming technical, policy and scientific output into transformative learning.

The impact of these actions should be fostered by the capacity of the Observatory to bring together partners and multipliers through its various networks.



Organisation of online seminars and e-conferencing through digital platforms

Based on a highly modular approach, the Observatory will carry out its activities primarily on a digital platform, using modern communication means that facilitate access and dissemination, such as online seminars and e-conferencing.

Digital communication will constitute the preferred format of interaction for the management of the activities of the Observatory. This also fits in with the general aim to contribute to a more sustainable environment by reducing our carbon footprint.

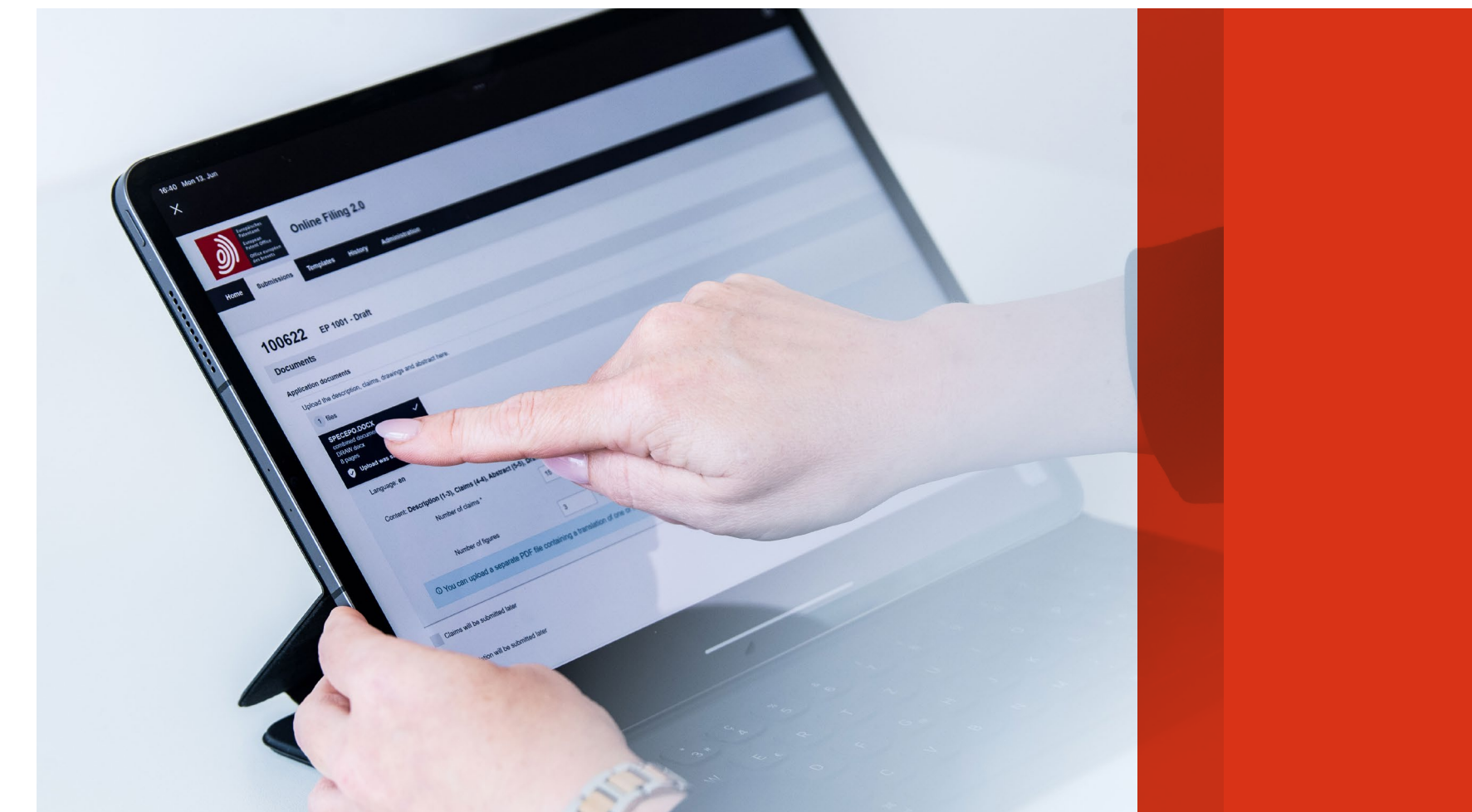
Transforming technical, policy and scientific findings into a learning and user experience

The contents produced in relation to innovation and patents are almost always inherently very technical. With the support of the European Patent Academy, the Observatory will engage experts with different backgrounds to undertake this complex task.

As a world leader in supplying technical information, the EPO will also make specialist patent knowledge available to a broader audience through dedicated products, such as Espacenet platforms and other online tools derived from the Observatory's activities. Espacenet platforms makes it easy for researchers, entrepreneurs and decision-makers to navigate a wealth of patent information in a precise way and search for specific technologies. Further online tools will be designed and developed by the Observatory to facilitate access to advanced information on startups and universities that are making use of the patent system.

Digital library: a digital collection of freely accessible sources

The Observatory will set up a comprehensive digital library that is easily accessible from the EPO website and gathers all pre-classified content related to patents and innovation produced by the EPO and all freely accessible sources in a single location. The search function will include several parameters, enabling users to select content based on different perspectives (e.g. focusing on communities of technologies, sustainable development goals, and the innovation process).



Delivering on the three main themes

The Observatory will address at least ten specific topics during its first two years, with the aim of delivering concrete and tangible results in three different dimensions.



1. **Positively impact the innovation ecosystem.**

The Observatory will maximise the potential of the EPO's patent intelligence and networks to foster innovation. It will develop studies and analysis which respond to innovators' needs. It will improve the understanding of technologies and technological landscapes via the mapping and visualisation of patent data in relation to other scientific data. It will publish specific studies, build platforms and dedicated dashboards that are accessible and user-friendly for the scientific community and innovators, beyond only IP specialists. As an example, the Observatory will leverage the power of patent information to help investors and other stakeholders identify high-potential European startups and SMEs with patented innovations by using a new generation of tool-mapping startups and universities with European patents.



2. Contribute to societal change.

The Observatory will strengthen diversity and inclusion and achieve greater diversity in the innovation ecosystem. The Observatory will leverage the EPO's wealth of data to identify gaps where actions are needed, and contribute to raising awareness and creating impact. It will publish data on gender parity among inventors on a regular basis and it will devote efforts to involving underrepresented groups in the innovation community. The Observatory will also encourage interest among the younger generation in STEM, innovation and entrepreneurship. Collective action and co-operation with partners and other leading institutions will make this possible.



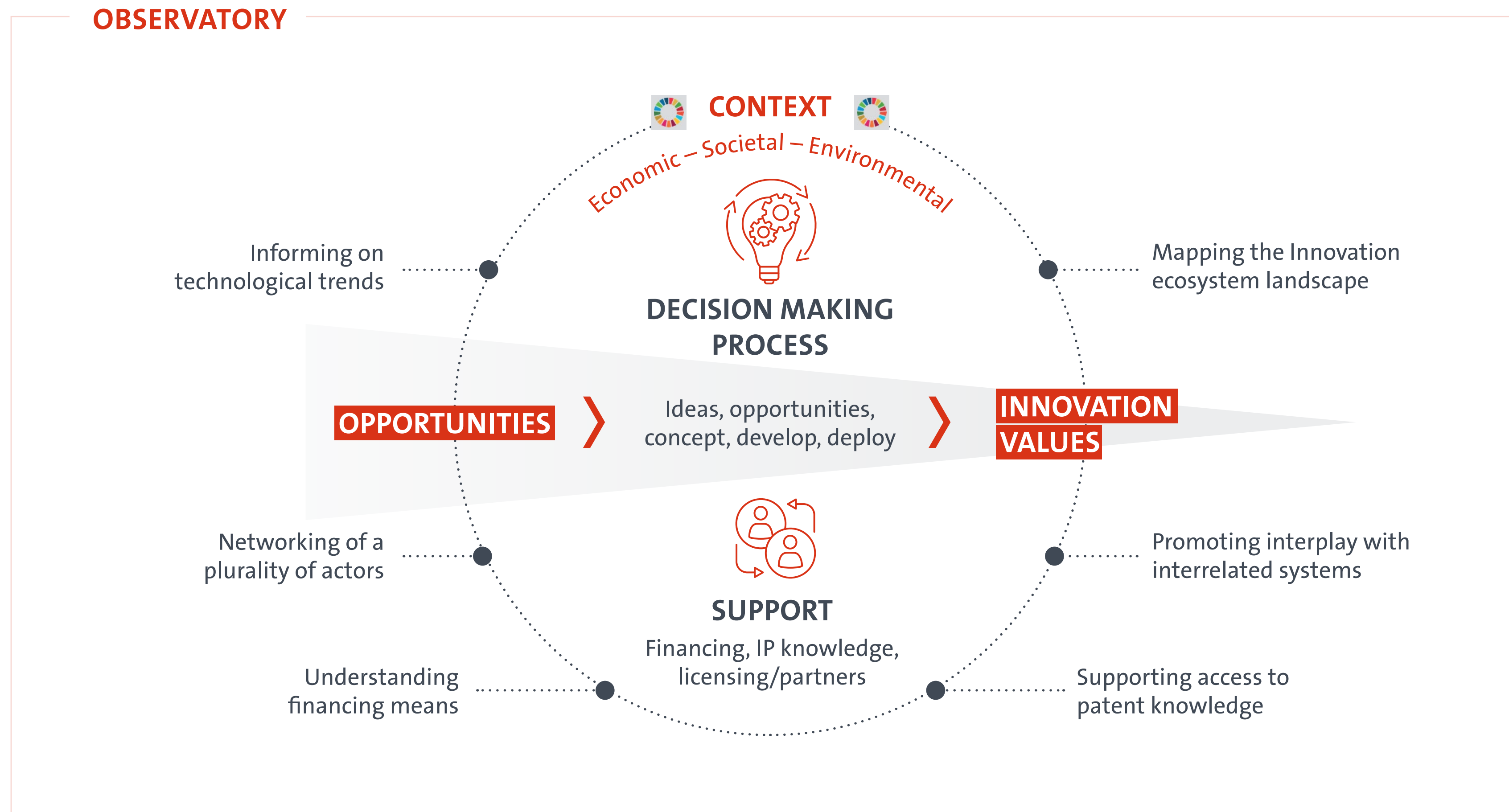
3. Bring peripheral subjects closer together.

The Observatory will address IP-related topics driven by accurate, impartial, and verifiable information in the larger socio-economic context. It will aim to “connect the dots” between the different stakeholders developing innovative solutions or impacted by technology-related developments. Topics will be addressed with an outward-looking mindset, taking into account the perspectives, needs and challenges of other actors and institutions. The process will involve learning from each other and will lead to more comprehensive and inclusive results.

These three main themes will be the backbone of the activities of the Observatory, reflecting the holistic approach that the Observatory intends to take. Most of the topics that will be addressed by the Observatory will contribute to the three main themes, thus reflecting the interrelations in the innovation ecosystem.

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Observatory in the innovation ecosystem landscape



Our ten topics

Following an extensive consultation process with our stakeholders, the following topics will be prioritised by the Observatory:

- **Contribution of innovation to the UN Sustainable Development Goals**
- **Climate change and energy crisis: how innovation and IP can help to mitigate risks**
- **Latest technological trends: focus on startups**
- **Latest technological trends: focus on SMEs**
- **From innovation to commercialisation: European universities in focus**
- **Improving mapping and knowledge of the financing of innovation**
- **D&I in innovative activities: inclusiveness and IP**
- **A closer look at patenting activities in the health sector**
- **Space-related inventions**
- **Standards and patents**

Contribution of innovation to the UN Sustainable Development Goals

The EPO is fully committed to the United Nations Paris Agreement, the UN Sustainable Development Goals, as well as to the European Green Deal. In order to reach the ambitious targets of these political agendas at the global level, a huge effort is expected in terms of investments and R&D which will help to produce the necessary technologies. The Observatory will contribute to reinforcing the links between IP, innovation and sustainability by publishing fact-finding analyses and disseminating knowledge to a wider audience.





Climate change and energy crisis: how innovation and IP can help to mitigate risks

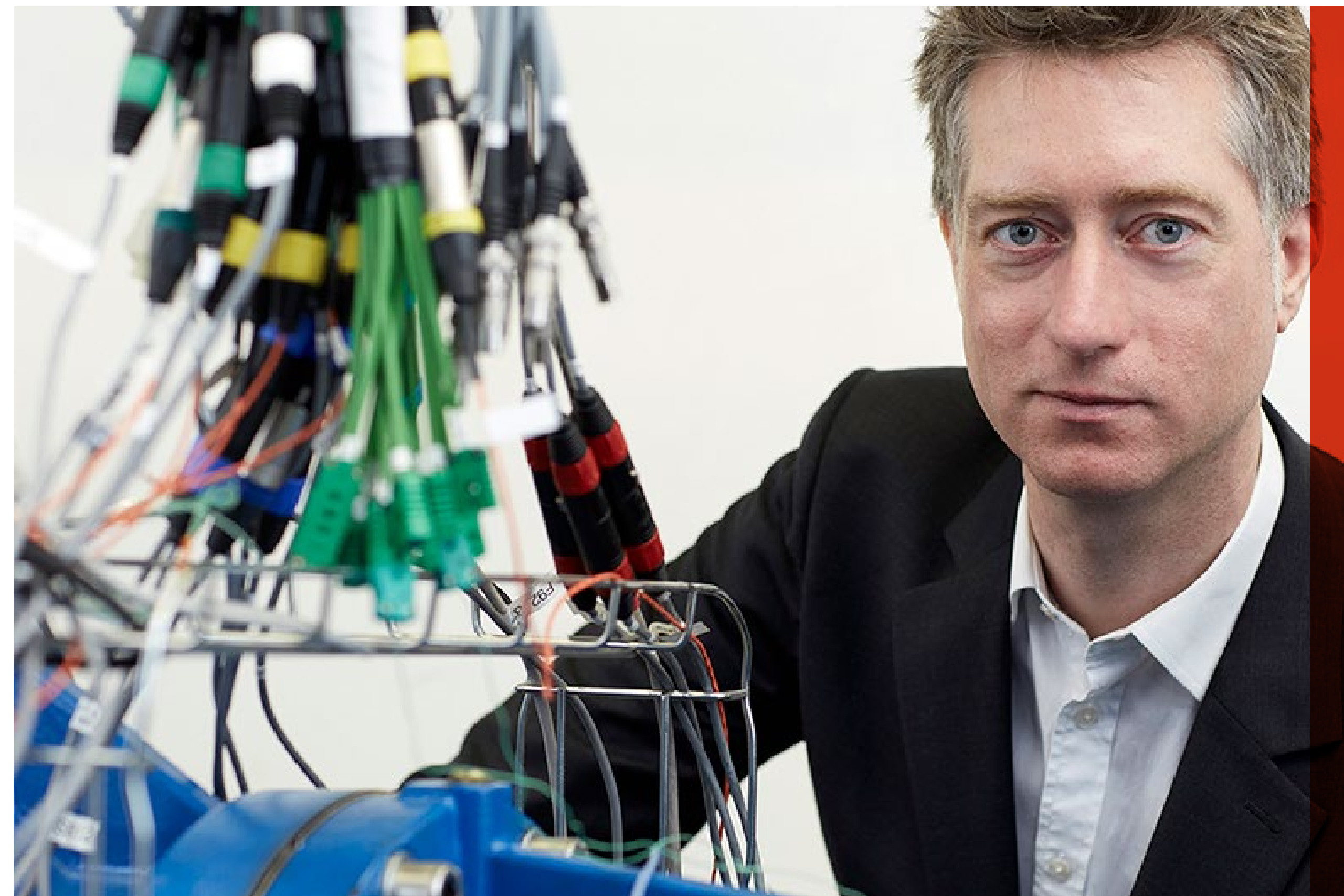
Being at the forefront of the creation of new technologies, patent offices can help to measure progress and how fast technologies needed to reach the 2050 goals are being delivered. Through the identification and monitoring of trends in specific industrial sectors, patent offices can help other actors to take better-informed decisions in terms of future investments. In order to promote the development of new tools and partnerships, the Observatory will publish fact-finding analyses and will provide a forum where the results of these different initiatives will be regularly presented and discussed.

In 2024, we will publish a new study about commercialisation of technologies related to the European Green Deal. This study, prepared in collaboration with the European Investment Bank, will include a survey of a large sample of European SMEs and larger companies that have been filing patent applications for sustainable technologies. The Observatory will document the companies' successes and challenges in commercialising inventions in Europe, with a main focus on financing issues and strategies. Another study in 2024 will be dedicated to technology trends related to access to water and will provide the basis for the development of a new Espacenet platform on this topic.

Latest technological trends: focus on startups

Startups are key to the innovation ecosystem. They regularly transform into high-growth technology businesses, bringing innovation and employment to our economies. The Observatory will address how startups use IP rights to foster innovative solutions and how these IP rights encourage and reward investment. In particular, the Observatory will explore to what extent European patents are key for startups to succeed and attract venture capital funds to scale up. The Observatory will also leverage the power of patent knowledge to help investors and other stakeholders.

In October 2023, we will publish a dashboard which identifies high-potential European startups with patented innovations by using a new tool mapping startups. Additionally, the Observatory will disseminate IP information adapted to the needs of startups, in particular on the new possibilities presented by the Unitary Patent.



Latest technological trends: focus on SMEs

Smaller entities are a backbone of the European economy, constituting 99% of EU businesses, employing two out of every three employees, and producing 57% of the European Union's GDP. It is a major goal for the EPO to support the growth and development of European SMEs, by helping them obtain sound patent protection and thus enabling them to commercialise their intellectual assets across Europe and globally. One important goal of the new Unitary Patent system is to provide simpler and broader patent protection at a lower cost and make Europe more attractive for innovation and investors. Considering the limited resources these smaller entities have at their disposal, well-designed and easy-to-access training is a must if they are to acquire the information and know-how they need. This is why, in close liaison with the European Patent Academy, the Observatory will present a set of tools and material specifically dedicated to SMEs. Regular monitoring of the main trends of patent activity by SMEs will help to promote success stories and to identify gaps where more actions are needed.





From innovation to commercialisation: European universities in focus

European universities and public research organisations use European patents to exploit their inventions commercially, but there are still significant barriers to commercialisation and in transferring knowledge and technology to industry. It is still very challenging for European universities and public research organisations to successfully commercialise their inventions, and this often places them at a disadvantage to those located elsewhere. The Observatory will develop activities to present the most comprehensive picture of the different steps followed by European universities through their innovation process, identify all the support they could benefit from (especially at European level), and provide tools to enable them to better scout for partnerships.

To this end, a comprehensive study and a dedicated online dashboard will be made available in the second half of 2024, to be followed up by diverse activities focusing on:

- **leveraging** universities' expertise in technology trends and case studies
- **reporting** and shedding light on patented inventions stemming from European universities
- **measuring** the impact of university inventions through commercialisation and follow-up innovation
- **shedding** light on the impact of universities on local innovation ecosystems
- **monitoring** challenges and best practices in universities' use of the European patent system

Improving mapping and knowledge of the financing of innovation

The development of a favourable ecosystem for innovation is a top priority for many governments, and significant financial means are allocated for this purpose. However, the access to sufficient financial resources seems to remain an important limiting factor for many economic actors willing to invest in the innovation process. Although there is extensive empirical evidence showing that the ownership of a patent represents a very useful tool in attracting investments at different stages of development, in Europe it is still problematic to consider a patent as an important asset to attract venture capital, especially when compared to other competing regions. The Observatory will investigate the main hurdles faced by inventors in accessing financial means, and will also investigate which changes could be envisaged to put Europe on a par with other competing economic regions. The Observatory will address how to bring relevant information to smaller economic actors, and will identify potential solutions in partnership with experts and stakeholders from innovation and financial circles. A main event on this matter will take place during the second semester of 2024.



D&I in innovative activities: inclusiveness and IP

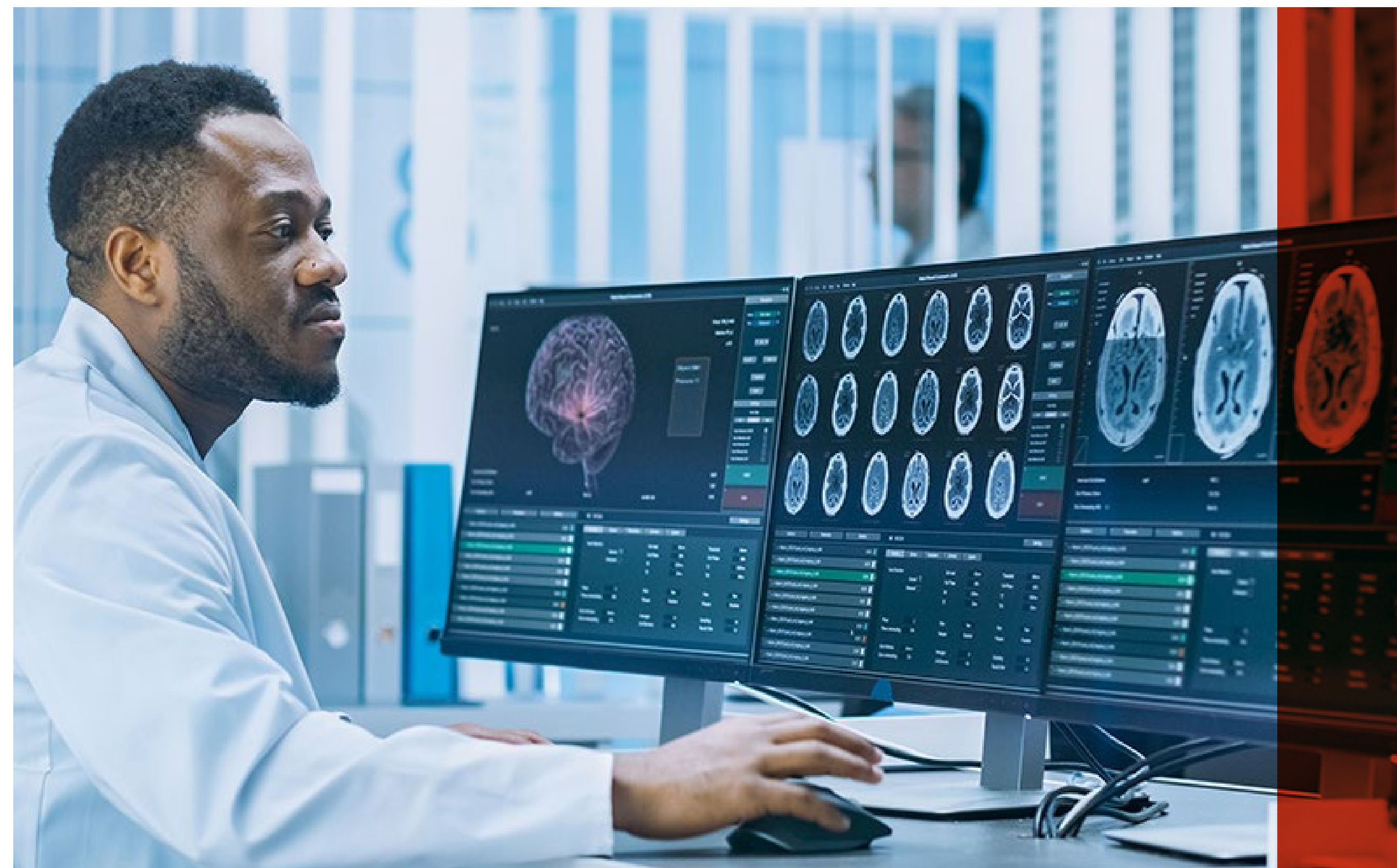
Strengthening diversity and inclusion is an important societal goal, and we all certainly have a role to play in achieving this goal. The Observatory will leverage the EPO's wealth of data to identify gaps where actions are needed, and contribute to raising awareness and creating impact. The Observatory intends to provide a forum where best practices to achieve greater diversity in the innovation ecosystem and the inclusion of under-represented groups will be discussed and promoted. It will further energise these debates with studies during the second semester of 2024, to improve the understanding of the education and career paths of "Women in STEM", and by identifying the gaps to be addressed with the actors concerned, especially in the younger generation. The Observatory will help to address all aspects of D&I, including disability.



A closer look at patenting activities in the health sector

Innovation in health care is a major driver of patenting activity in leading sectors such as pharmaceuticals, biotechnology or medical technology. Patents are essential to protect the investments in R&D which are particularly important in the health sector. With the surge of the COVID-19 pandemic, medical technologies have captured the public imagination like never before. However, because the patent system here relates to such sensitive matters as access to medicines, the system was also subject to criticism during this period. This illustrated the need to improve the understanding of patents and their fundamental role in promoting innovation.

Through its activities, the Observatory will promote a balanced approach when looking at the interplay between the patent system and important societal objectives. The Observatory will play a key role in holding fact-based discussions and in listening to critical voices. By the end of January 2024, the Observatory will publish a comprehensive study on “Innovation against cancer”, tracking patenting trends in all technologies related to cancer (including therapies as well as diagnostics), and release a dedicated Espacenet platform to identify the patents in this field. The Observatory will open the door to several stakeholders to participate in this study and platform, with the intention of providing a holistic and balanced approach on this important matter and of contributing to the fight against cancer from a new perspective.



Space-related inventions

By its very nature, the space sector generates a lot of innovation, and several important space-related inventions have helped to improve our daily life (LEDs, CAT scanners, camera phones, and scratch-resistant glass, amongst many other things). Moreover, global space sector activity has intensified and diversified considerably over the past decade. Technological innovations are driving down the cost of access to and the use of outer space, and are enabling new missions and applications; increasingly, new players and countries are becoming engaged in the space sector, and private capital flows into the sector are gradually growing. The space sector of today encompasses a diverse, global set of public and private actors, all of which engage in a variety of upstream and downstream activities.

Through the activities of the Observatory, it is envisaged that further investments will be made in the regular and deeper monitoring of the technological developments in this area, opening up collaboration to a greater number of potentially interested partners. Taking a holistic approach, different angles can be addressed, such as patent protection of outer space inventions. A launch event is planned for the first half of 2024.



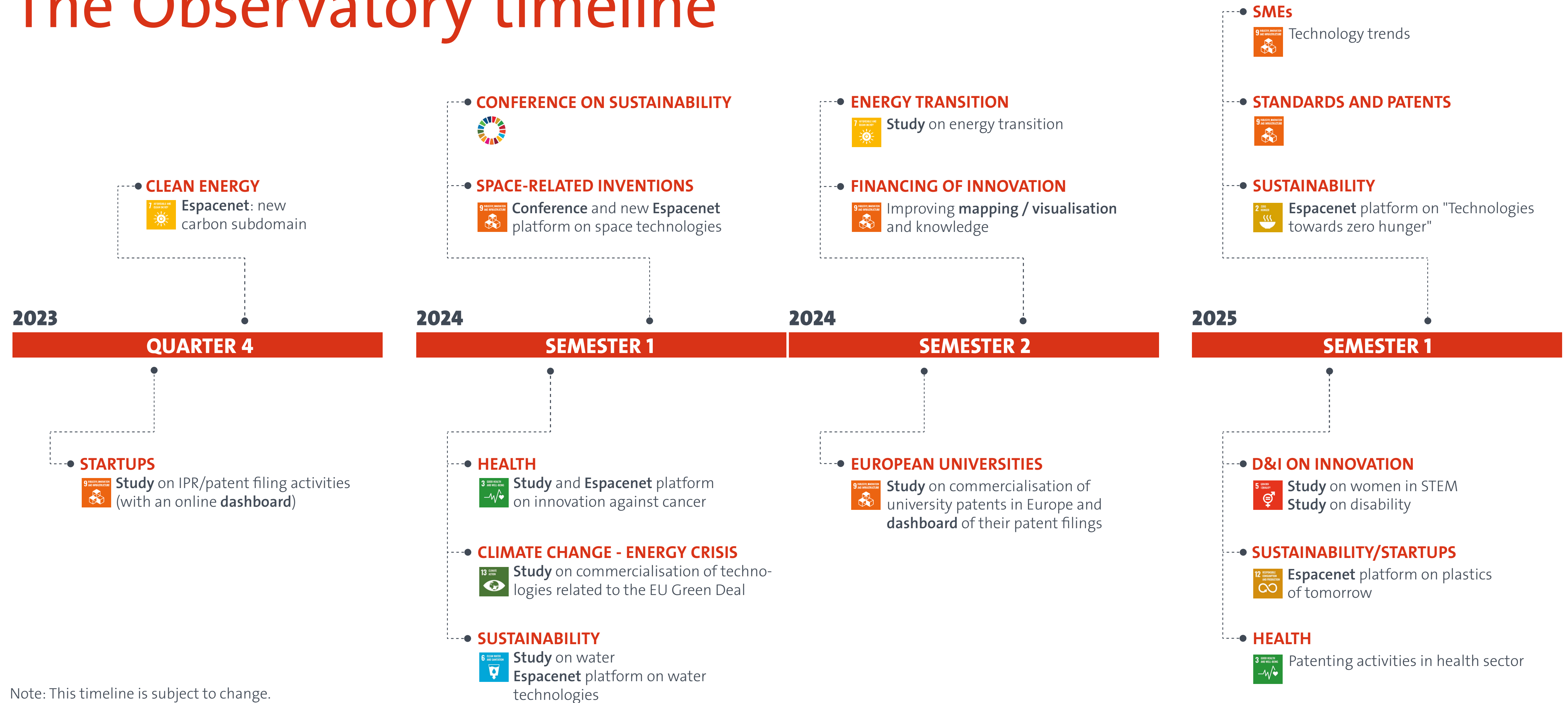
Standards and patents

Technical standards ensure interoperability and support the digitalisation of economies, thereby fostering innovation and growth. The patent system is very important in this context. As a means of ensuring effective innovation competition, the patent system promotes the early disclosure of innovative technical solutions, which enables the exchange of technical knowledge that can then be used in the development of standards.

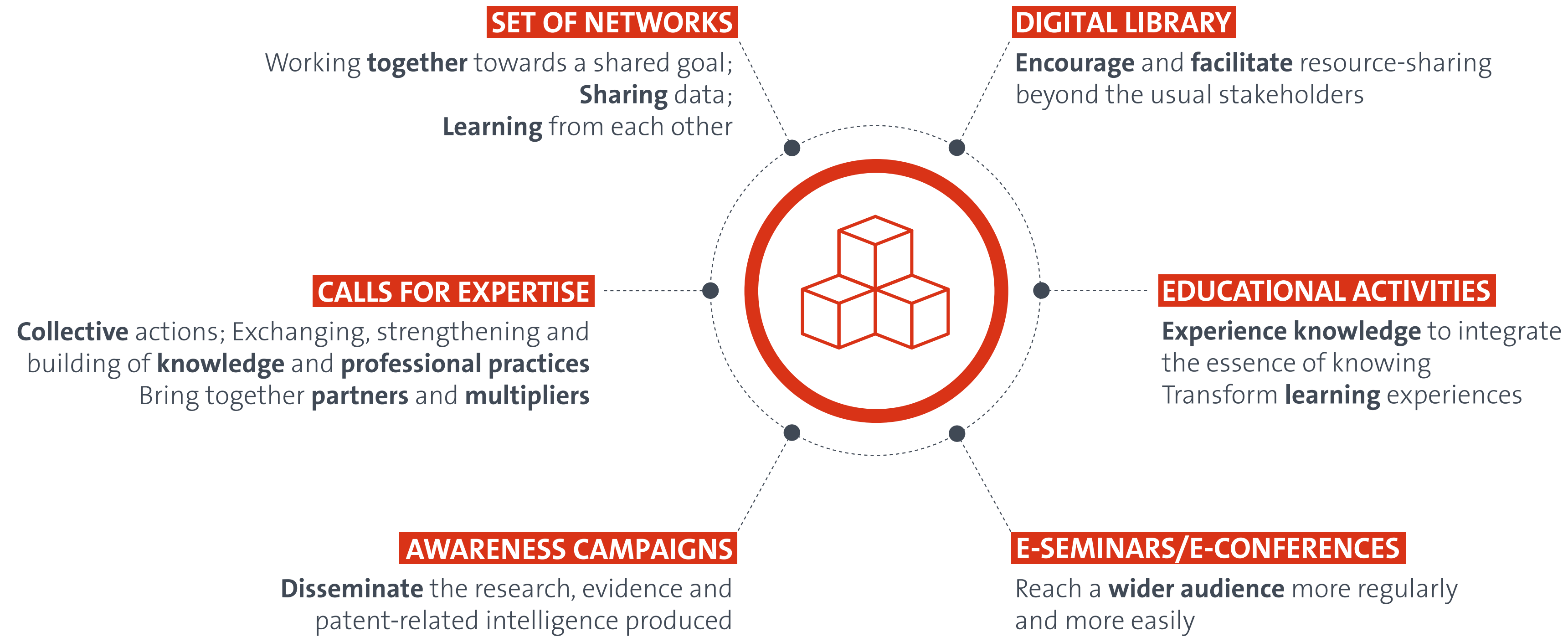
Given the economic relevance and importance of patents for Europe's future competitiveness, the Observatory will examine how standards and patents interrelate. It will monitor trends in different technological sectors, identify possible gaps through fact-based analysis and studies, and support public entities in taking informed decisions in this complex matter.



The Observatory timeline



Note: This timeline is subject to change.



Each topic highlighted in the timeline will be addressed by the Observatory through different actions and tools, as shown in the “Working as a digital hub” graphic below. Once a specific topic is launched through a study or a conference, complementary

actions will continue to address this topic from different angles, so that the Observatory can work as a digital hub with collective intelligence. Once they are launched, the different themes will be addressed in parallel. This will involve the dissemination of a study

with adaptation to different audiences, awareness campaigns, organisation of e-seminars and mobilisation of networks.

A wide range of experts is the core of the structure

Over decades of development, the EPO has enjoyed fruitful interactions with various stakeholders

Working with partners and developing co-operation relationships is enshrined in the DNA of the EPO. Over decades of development, the EPO has enjoyed fruitful interactions with various stakeholders such as national patent offices (NPOs), international organisations, EU institutions, user associations and PATLIB centres, among many others.

The Observatory will build from this powerful base and include new experts and partners beyond the IP community. It will explore and create synergies with different existing networks that will be activated depending on the topics to be discussed and the activities the Observatory. The driving force of the network will always be expertise, and plurality of views.

The Observatory will seek wide and inclusive representation covering public and private sectors, as well as international, regional or national innovation entities that are particularly relevant to

one specific topic and that can provide expertise or function as multipliers. Specialised organisations in innovation-related issues, as well as universities and research institutions, will be among the pillars of the wide network that the Observatory aims to activate. This network will also include startups and existing SME networks. The new European Inventor Award network will be invited to join Observatory activities, and we will count on the participation of prestigious inventors to inspire us with their experiences with patents and innovation.

Everyone is invited to contribute, from young people and the general public to inventors of the next big thing and the investors who support them. Policymakers, legislators and researchers seeking to gain or share a better understanding of rapidly changing technology landscapes will also benefit.

Making the results of the Observatory's activities accessible to all is in the spirit of cooperation among the 39 EPO Member States. A close cooperation with EPO Member States in the implementation of our activities will further fuel new collaboration and synergies and will avoid duplication of efforts. The Observatory will also work very closely with EPO validation states, providing the platform and the opportunity for them to actively contribute and benefit from its results.

The EPO's Observatory on Patents and Technology will collaborate closely with the EUIPO's European Observatory on Infringements of Intellectual Property Rights and will look for potential synergies and avoid duplication of resources.

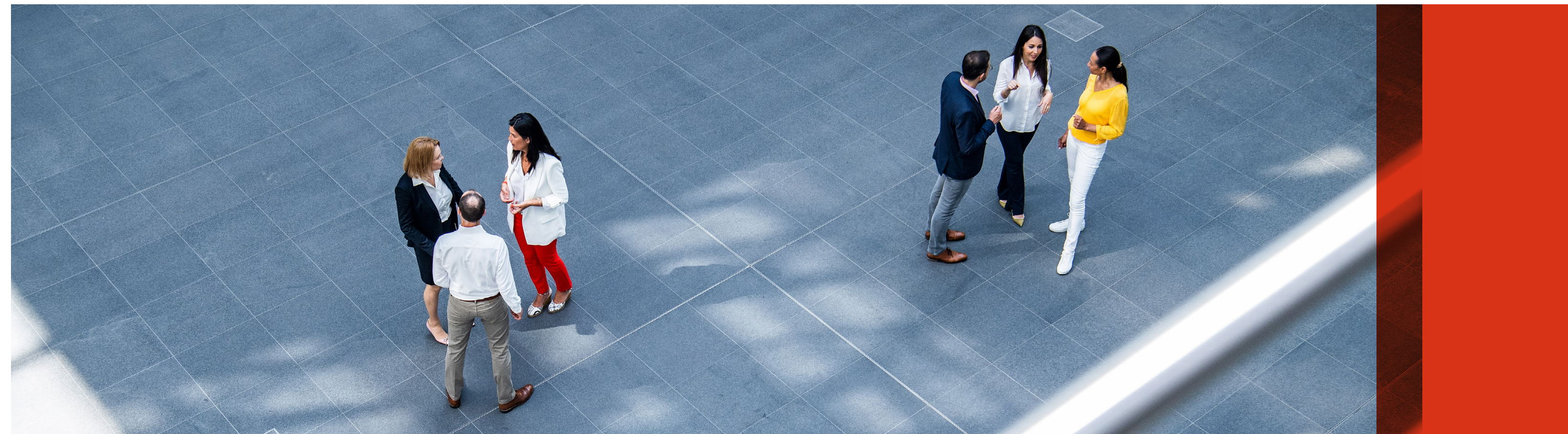


Contact

The Observatory will function in its early phase through three streams and will address the ten topics covered in this BWP. But this is just the beginning. As an open and dynamic platform, the Observatory remains ready to address other topics that may be suggested by our stakeholders along the way.

If you have any questions or suggestions, please contact observatory@epo.org.

Please visit epo.org/observatory



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