

EPO OMBUDS OFFICE CHARTER

1. Purpose and Scope

The European Patent Office (“the EPO”) is the executive organ of the European Patent Organisation, created as an intergovernmental organisation by the European Patent Convention. The EPO is responsible for carrying out the task of granting European patents. The Organisation’s headquarters is located in Munich (Germany), and has a branch in The Hague (Netherlands), a sub-office in Berlin (Germany) and Vienna (Austria), as well as a liaison office in Brussels (Belgium). The EPO established the Ombuds Office and the position of Ombudsperson in 2021 to provide an independent, impartial, confidential, and informal resolution channel for all external stakeholders.

The Ombuds Office's goal is to empower external stakeholders in building effective and meaningful working relationships with the EPO, helping to ensure the predictability, consistency and value of its services.

The EPO’s Ombuds Office service for external stakeholders is available to anyone who experiences difficulties in their dealings with the EPO and who has exhausted the regular channels for resolving them.

The aim of the Ombuds Office is to provide a safe space for informal and confidential discussions about challenges such as stalled processes, and to support their resolution. It offers beneficiaries the opportunity to explore options, gain clarity, and make informed choices about the best way forward. Acting as a neutral facilitator in such exceptional situations, the Ombuds Office helps to restore constructive progress in an informal, confidential, and impartial setting.

External stakeholders may contact the Ombuds Office about any issue arising from the activities of the EPO. It does not handle matters related to the Boards of Appeal. The Ombuds Office is not a decision-making body and does not constitute a legal authority of the EPO. The service from the Ombuds Office is independent of formal processes.

This Charter applies to all EPO Ombuds Office personnel as well as to any support staff.

2. Guiding Principles

The EPO Ombudsperson is a member of the International Ombudsman Association (IOA) and adheres to the principles of the IOA's Code of Ethics and Standards of Practice in performing ombuds services for the EPO. These principles require organisational ombuds programs to be independent, neutral, informal, and confidential.

- **Independent** – The EPO Ombuds Office operates independently from operational departments and is organisationally placed in the Presidential area in the Principal Directorate Internal Audit and Professional Standards. This department is recognised as an important element of corporate governance in the European Patent Office with a mission to ensure accountability and promote integrity.
- **Impartial** – As a neutral third-party, the Ombuds Office provides impartial assessments of concerns and operates as a channel for deescalating situations and raising understanding of different perspectives. The Ombuds Office does not provide legal or other forms of advocacy, nor does it enforce the EPO Code of Professional Conduct and Ethics.
- **Informal** – The EPO Ombuds Office offers an informal, off-the-record space to discuss concerns and supports individuals in exploring possible ways forward. It does not conduct investigations, make or overturn decisions, set policy, provide legal advice, or accept legal notice. For those seeking formal communication, the Ombuds Office can direct them to the appropriate channels to help them choose the most suitable process.
- **Confidential** – Communications with the Ombuds Office are confidential. The EPO Ombuds Office provides a space for its beneficiaries and impacted internal counterparts to voice concerns, evaluate issues, and identify options for possible further action. Data obtained through the Ombuds Office service will be shared confidentially with the appropriate EPO managers, to the minimum information essential to deal with the matter. In line with the EPO Data Protection Rules and the International Ombuds Association's Code of Ethics and Standards of Practice, confidentiality may only be lifted in the following exceptional cases:
 - (a) when, during the communications with the Ombuds Office, a beneficiary gives the Ombuds Office permission to make a disclosure and the Ombuds Office agrees it is appropriate to do so, or
 - (b) in case the information shared reveal any illegal activity or serious risk of harm, the Ombuds Office reserves the right to share any information with EPO management. This includes reporting integrity issues, such as fraud, corruption or other irregular activities, to the EPO department responsible for ensuring compliance.

3. Accountability and Reporting

The EPO Ombudsperson reports to the Principal Director Internal Audit and Professional Standards.

The Ombuds Office issues periodic written reports to EPO senior management. These reports summarise the number and overall nature of cases brought to the Office and may include non-identifying information such as the category of beneficiaries, the number and nature of contacts, how issues were addressed, the services provided, and the extent to which problems were resolved.

In addition, the Ombudsperson may alert senior EPO leadership about observations on systemic issues or emerging trends that could help the organisation address learning opportunities, enhance the quality of its products and services, and strengthen working relationships. When raising such matters, the Ombuds Office fully respects the confidentiality of those using its services.

4. Record Keeping

The Ombuds Office provides only informal assistance. While informal notes may be created temporarily, when necessary, the Ombuds Office does not retain any permanent records containing personally identifiable information or confidential communications.

Reports shared with senior EPO leadership contain only aggregated data, fully anonymised examples where appropriate, and the Ombuds Office's insights and observations on the types of issues raised, along with any organisational recommendations.

5. Professional Development

In the interest of delivering excellent standards of the EPO Ombuds Office services, the Ombudsperson will maintain membership in IOA and attend trainings, professional development opportunities, and annual conferences when possible and engage in continuing education to increase knowledge and skills related to the Ombuds Office.