

# Contingency Upload Service

## Frequently Asked Questions (FAQs)

### What is the Contingency Upload Service?

The Contingency Upload Service offers an alternative method of submitting documents to the EPO in the unlikely event that the other EPO filing tools are not available, or it is not possible to create, or sign-in to an EPO account for making use of the EPO filing tools.

It enables the secure electronic transmission of documents to the EPO, although without any of the validations and benefits of the filing tools of the EPO.

It allows for the upload of PDF documents including new European patent applications, international applications and/or subsequently filed documents.

### In which situations should I use the Contingency Upload Service?

This service is offered as a contingency, in the unlikely event that the applicant must submit documents to the EPO urgently and the standard EPO filing tools or EPO account are not available to support this. A direct link to the Contingency Upload Service will be published on EPO's outage pages in the event of an unavailability of the EPO filing tools.

Applicants are strongly encouraged to use the EPO online services and filing tools whenever possible to benefit from the business validations and the accelerated processing of submissions that originate from these tools.

### How can I make use of the Contingency Upload Service?

You can authenticate and make use of the Contingency Upload Service using your EPO account. In the event that you are unable to sign-in, or cannot create an EPO account, you also have the option to make use of the Contingency Upload Service, by providing a valid email address. You will then receive an email to the address you provided, with an access link to the Contingency Upload Service.

### What happens after I upload one or more documents using the Contingency Upload Service?

The documents that you upload using the Contingency Upload Service are stored encrypted, and the timestamp of the upload is logged.

Upon the successful upload, you will receive an automated email acknowledging the receipt of the documents, along with the timestamp of the receipt and a unique reference code for your upload.

The Contingency Upload Service does not perform the business validations normally performed by the EPO filing tools. Therefore, subsequent processing will be required by the EPO after your documents have been uploaded, for them to be incorporated into the file held by the EPO and be treated as part of the Patent Granting Process.

According to the above, if your upload concerns a new European patent application or international application, the email acknowledging the receipt of your documents will not contain an EP application number or PCT application number. This will be issued by the EPO upon the successful processing of your upload.

## **What document formats are supported?**

You can upload documents in PDF format. If you want to upload sequence listings, XML or ZIP are also allowed. It is not possible to upload pre-conversion archives.

## **Do I receive a fee reduction if I make use of the Contingency Upload Service?**

The existing fee regulations for filing in electronic form also apply to the Contingency Upload Service.

In case an international application is filed using the Contingency Upload Service, the international filing fee is reduced by 100 Swiss since this filing is done in electronic form but the request is not filed in character-coded format.

## **Can I pay fees with the Contingency Upload Service?**

No, it is not possible to pay fees from within the Contingency Upload Service.

## **Can the Contingency Upload Service be used to submit documents to National Offices?**

No, the Contingency Upload Service can only be used for submitting documents to the EPO.

## **What are the limitations of the Contingency Upload Service?**

As a contingency service expected to be used in cases of emergency, only very basic validations on the meta-data of your upload are performed. As a result, by making use of this service you will not benefit from the business validations and structured meta-data offered by the standard EPO online services and filing tools.

The uploaded documents are not automatically indexed, and subsequent processing will be required by the EPO for them to be incorporated into the file held by the EPO. Therefore, more lead time will be needed for the documents to be treated as part of the Patent Granting Process and become visible in MyEPO portfolio.

