

MAJOR AMENDMENTS

General Part	8	Updated to include new point on Unitary Patent protection
Part A	II, 3.1	Updated in view of OJ EPO 2023, A48, decision on the electronic filing of documents
	III, 6.1	Clarified practice relating to transfer of priority right in view of G 1/22 and G 2/22
	III, 12.1	Updated to include Georgia as validation state
	X, 10.2.6	New subsection related to refund of the appeal fee
Part C	V, 2.1.	New subsection related to the request for unitary effect
Part D	VII, 4.3	Updated section to reflect the legal change concerning Rules 126(2) and 131(2) (OJ EPO 2022, A101)
PART E	II, 2.3 II, 2.4	Updated section to reflect the legal change concerning Rule 126(2) (OJ EPO 2023, A29)
	IV, 4.1	Updated section in view of G 2/21
	X, 7	New section concerning procedures after expiry of the term of European patent

MINOR AMENDMENTS

General Part	1	Clarified cut-off date for updates incorporated in Guidelines
	2.2	Updated with Unitary Patent
	3	Clarification that Guidelines do not refer to Unitary Patent proceedings
	5	Added new point specifying date of filing request for Unitary Patent after date of publication
PART A	II, 1 II, 1.1 II, 1.1.1 II, 1.1.2 II, 1.2	Restructured to reflect the Office's digital transformation and the users' preferred practice to file online
	II, 1.5	Updated section concerning update of the ADA (OJ EPO 2023, A58)
	III, 3.2	Updated to include reference to A-IV, 5
	III, 5.1	Clarification added about the person of the inventor and means of filing the designation of inventor
	III, 5.3	Clarified practice relating to the inventor in view of J 8/20
	III, 6.2	Updated to remove outdated references
	III, 6.7	Updated section concerning the copy of the priority document
	III, 13.2	Clarified practice relating to calculating the additional fee for Euro-PCT applications and the additional fee for ST.25 sequence listings in divisional applications
	IV, 1.3.1	Clarified practice relating to electronic means of filing (OJ EPO 2023, A48).
	IV, 1.3.2	Clarified practice relating to possible deficiencies in the request for grant
	IV, 5	Clarified practice in view of WIPO Standard ST.26
	IV, 5.3 IV, 5.4	Updated practice relating to ST.25 sequence listings in divisional applications
	VI, 1.1	Clarified practice in view of J 1/10
	VI, 1.3	Clarified practice relating to publication of erroneous application documents
	VI, 2.5	Updated section concerning the refund of the examination fee
	VII, 1.1	Clarified language requirement for according a filing date
	VIII, 1.4	Clarified practice relating to signing of authorisation in cases of joint applicants appointing a common representative
	VIII, 1.7	Clarified practice relating to authorisations for UP proceedings
	VIII, 2.5	Update concerning electronic filing of subsequent documents in view of OJ EPO 2023, A48
	VIII, 3.1	Updated section in view of the withdrawal of paper EPO Form 1037
	VIII, 3.3	Clarified practice relating to the form of signature in the case of electronic filing
	X, 4.2.3	Clarified practice relating to batch debit orders
	X, 5.2.4	Clarified due date for paying third renewal fee in Euro-PCT applications
	X, 9.2.1	Clarification of fee reductions available under the language regime for Euro-PCT applications entering the European phase
	X, 9.2.2	Deletion of outdated information
	X, 10.3.1	Update concerning invalid refund requests in view of updated ADA
	PART B	III, 3.3.1
VI, 4.1.2		Clarified practice relating to conflicting PCT applications
VI, 4.2		Clarified importance of national prior rights
PART C	X, 9.1.2 X, 9.1.3	Clarified practice concerning the availability of machine translation of a cited published patent application for the applicant
	I, 1 I, 2	Updated section concerning the work of examiners
	III, 3.4	Clarified practice relating to refund of additional search fees

	IV, 7.1	Clarified practice relating to the search for conflicting Euro-PCT applications
	V, 2	Updated section in view of the end of the transitional measures before the start of the Unitary Patent
	V, 4.7 V, 4.7.1	Updated practice relating to the resumption of examination proceedings
	V, 14	Clarified practice relating to communications issued under Rule 137(4)
	V, 15.1 V, 15.2	Clarified practice relating to decisions according to the state of the file
	VII, 2.1	Added reference to MyEPO Portfolio and shared area
	VII, 2.4	Clarification concerning minutes of a consultation
	VIII, 5.1	Restructured by moving former section E-III, 5.1 concerning substantive examination
Part D	II, 2.1	Clarified role of technically qualified members in opposition
	III, 3.4	Clarified term "text string signature" based on OJ EPO 2023, A48
	III, 6 VII, 6	Digitisation: fax numbers no longer required
	IV, 1.4.2	Clarified responsibilities of the formalities officer and the opposition division
	IV, 5.1	Clarified practice relating to <i>ex officio</i> examination in opposition
	IV, 5.3	Restructured by moving former content from section E-III, 8.7.3
	IV, 5.4	Clarified practice relating to supporting documents
	IV, 5.5	Clarified practice relating to admissibility of an opposition
	V, 2.1	Clarified practice relating to the extent to which a patent is opposed
	V, 2.2	Clarified practice relating to compliance with Rule 43(2) in opposition
	V, 5	Clarified practice in alignment with F-IV, 3.4
	VII, 1.2	Updated practice relating to acceleration of opposition proceedings in cases of pending actions before the UPC
PART E	III, 1.2	Clarified practice concerning oral proceedings on the premises of the EPO
	III, 5.1	Restructured by moving content to C-VIII, 5.1
	III, 8.1	Clarified practice relating to remote access to members of the public to opposition oral proceedings
	III, 8.7.1	Added reference about electronic copies for amendment purpose in opposition oral proceedings
	III, 8.7.3	Restructured by moving one paragraph to D-IV, 5.3
	III, 8.11.2	Clarified practice relating to new summonses in cases of continuation of oral proceedings
	III, 10.1	Clarified practice relating to sound recording
	III, 10.2 III, 10.3 V, 6	Clarified practice relating to entering statements in the minutes
	VIII, 1.5	Clarification concerning the effect of change of priority date on the time limit for entering the European phase
	VIII, 3.1.3	Added examples concerning fee for re-establishment
	VIII, 5	Added reference concerning accelerated processing of opposition in cases of pending actions before the UPC or a national court of a contracting state
	XII, 9	Clarified practice concerning the top-up search for national prior rights in cases of remittal
	XIV, 3	Simplified procedure concerning signature checks on assignment documents
PART F	III, 3	Clarified practice relating to disclosure requirements for AI and mathematical methods applications

	III, 10	Clarified practice relating to sufficiency of disclosure in cases of erroneously filed documents
	IV, 3.8	Clarified practice relating to the assessment of novelty and inventive step of independent claims in different categories
	IV, 4.3	Restructured section and added sub-headings
<u>PART G</u>	II, 3.3.1	Clarified practice relating to the sufficiency of disclosure requirements for AI and machine learning
	II, 6 II, 6.1 II, 6.1.1 II, 6.1.2 II, 6.1.3 II, 6.1.4 II, 6.1.5 II, 6.1.6	Restructured so that the section does not fall under the classification "exclusions and exceptions" restructured by merging former sections II, 5.6.1.6 and II, 5.6.1.3; clarified practice relating to the assessment of antibodies defined by target antigen and further functional features
	II, 6.2	Clarified practice relating to inventive step of antibodies
	IV, 5.4	Clarified practice in view of G 4/19
	VI, 1	Restructured by incorporation of passage from former G-VI, 8
	VI, 4	Deletion of redundant information
	VI, 7	Clarified practice relating to the novelty assessment of selection inventions
	VII, 5.2 VII, 11	Updated practice in view of G 2/21
<u>PART H</u>	IV, 2.2.3	Clarified practice relating to documents "as originally filed" in cases of erroneously filed applications
	IV, 2.4	Restructured by moving second paragraph to new subsection H-V, 3.5 and covering third and fourth paragraphs by H-V, 3.2 and H-V, 6 respectively
	IV, 4.1.2	Clarified practice relating to the reason why subject-matter is not searched in view of Rule 137(5)
	V, 3.5	Updated by incorporating former section H-IV, 2.4
	VI, 2.1 VI, 2.2	Clarification concerning the time limitations applying to requests under Rule 139 in view of G 1/12

EDITORIAL CHANGES

General part	6,7
PART A	II, 4.1; II, 4.1.1; II, 5.1; II, 5.4.4; II, 5.5; II, 6.1; III, 2.1; III, 4.2.1; III, 6.8.2; III, 7.2; III, 16.2; IV, 2.5; IV, 4.1.1; V, 3; VI, 2.4; VIII, 1.1; VIII, 1.2; VIII, 1.3; VIII, 1.6; VIII, 3.2; IX, 3; X, 1; X, 4.2.1; X, 4.2.4; X, 4.3; X, 4.4; X, 5.2.2; X, 9.1; X, 9.3.1; X, 10.1.3; X, 10.2.1; XI, 2.5; XI, 5.1
PART B	VI, 6.3; XI, 2.1; XI, 9
PART C	II, 1.2; II, 2; III, 1.1.1; IV, 3.1; IV, 7.2; V, 1.1; V, 4.9; V, 10; V, 13; V, 15.1; V, 15.2; VII, 2.2; VII, 2.4; VII, 3; VIII, 1; VIII, 2; VIII, 3; VIII, 4; VIII, 7
PART D	I, 5; III, 5; IV, 3; IV, 5.2; VI, 1; VI, 3.2; VI, 4.2; VI, 7.2.2; VI, 8; VII, 8; X, 2.1
PART E	III, 1.1; III, 8.5.1.2; III, 8.5.2; VIII, 3.1.1; IX, 2.3.12; XI
PART F	IV, 3.9.1; IV, 3.9.3; VI, 1.5
PART G	II, 4.2; V.3; VI, 6.1.2; VII, 12;
Part H	II, 2.7; II, 2.7.1; II, 3.2; II, 3.4; III, 2.1.2; VI, 3.3