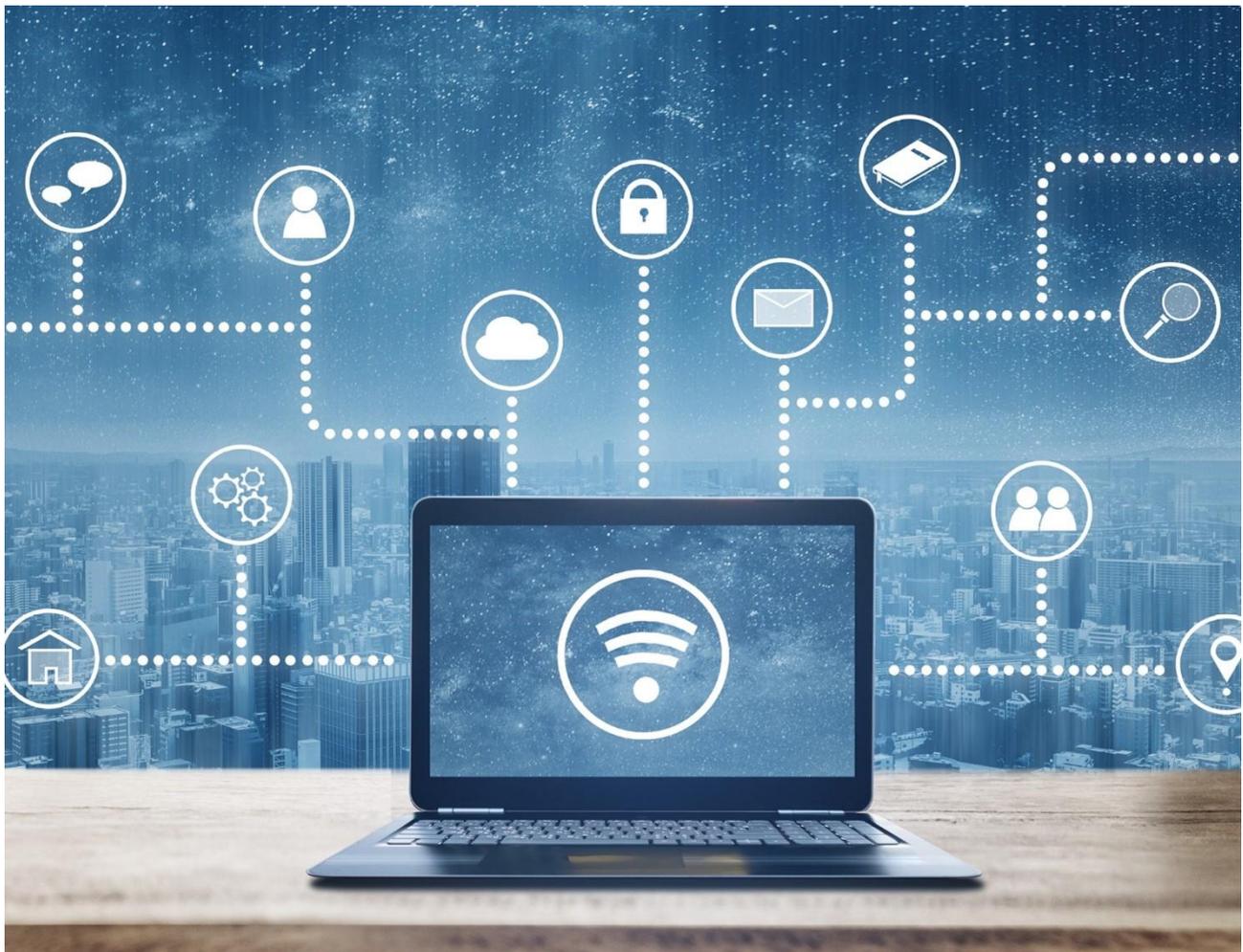


# Submitting third-party observations to the EPO

Feature guide

Last update: December 2025



Under [Article 115 of the European Patent Convention \(EPC\)](#), anyone can submit observations on the patentability of a published European patent application. This helps ensure that only truly patentable inventions are granted.

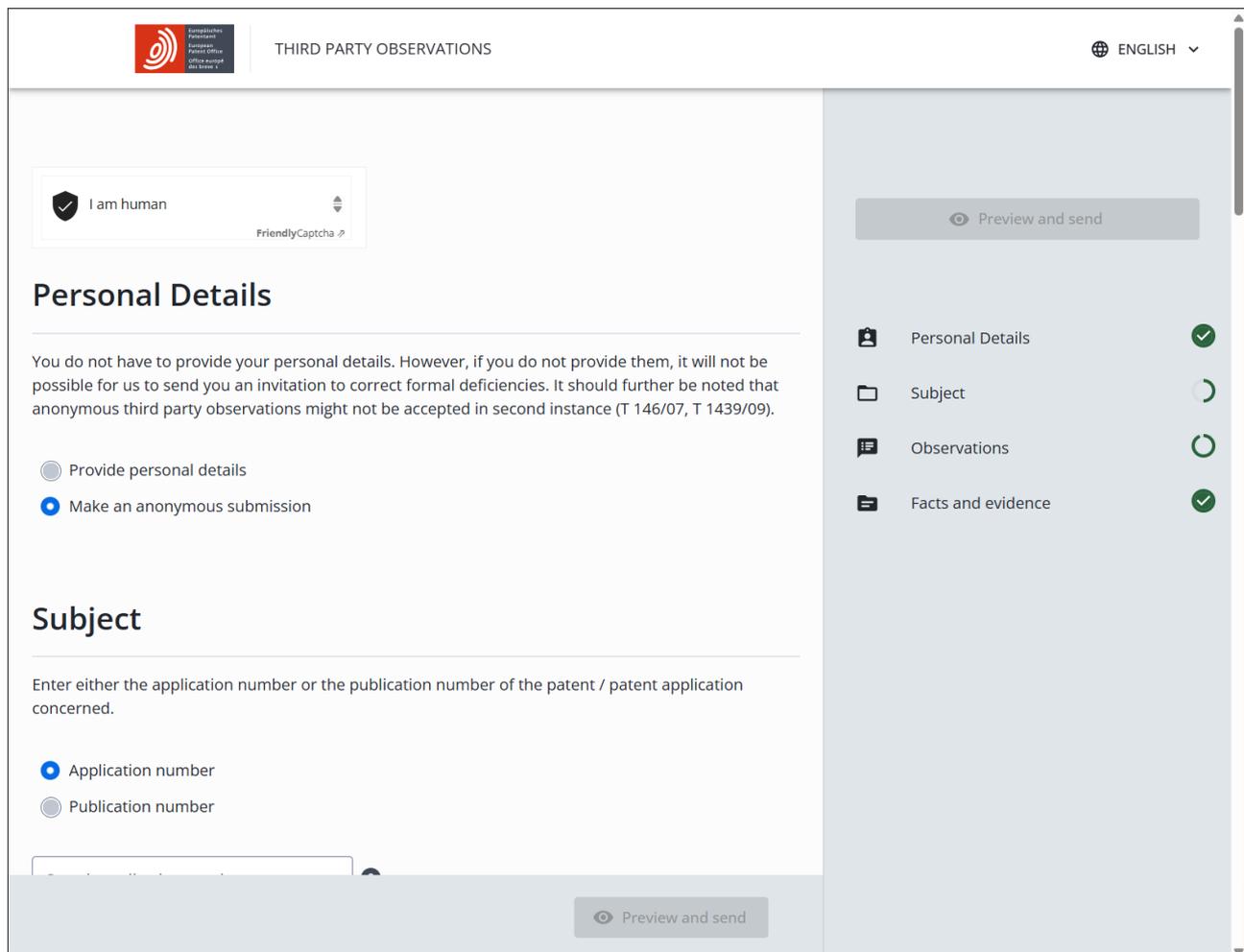
Here is a step-by-step guide to submitting third-party observations using the online form.

### Step 1: Access the online form

You can access the Third-Party Observation Online Form via:

- [the EPO website](#): go to Searching for Patents → Legal Information → Third Party Observations
- [MyEPO](#): sign in and select **Third-party observations**
- [the European Patent Register](#): open a patent and select **Submit observations**.

Instructions for using the form are available on [the EPO website](#), where you will also find a demonstration version which allows you to practice using the form, and [frequently asked questions](#).



The screenshot shows the EPO Third Party Observations online form. At the top, there is a logo for the European Patent Office and the text "THIRD PARTY OBSERVATIONS". A language selector is set to "ENGLISH". Below the logo is a "I am human" captcha box. The main content area is titled "Personal Details" and includes a note: "You do not have to provide your personal details. However, if you do not provide them, it will not be possible for us to send you an invitation to correct formal deficiencies. It should further be noted that anonymous third party observations might not be accepted in second instance (T 146/07, T 1439/09)." There are two radio buttons: "Provide personal details" (unselected) and "Make an anonymous submission" (selected). Below this is the "Subject" section, which asks the user to "Enter either the application number or the publication number of the patent / patent application concerned." There are two radio buttons: "Application number" (selected) and "Publication number" (unselected). A text input field is visible below the radio buttons. On the right side of the form, there is a vertical progress bar with four items: "Personal Details" (checked), "Subject" (loading), "Observations" (loading), and "Facts and evidence" (checked). At the bottom of the form, there is a "Preview and send" button.

### Step 2: Provide contact information

- Enter your contact details.
- Tick the box if you want a copy and confirmation by email.
- Optional: you may also submit anonymously.

Note: If you submit anonymously, the EPO cannot contact you about formal issues.

### **Step 3: Identify the patent application**

- Enter the application or publication number.
- Click Search.
- Confirm the register extract displayed.

### **Step 4: Add your observations**

- Either upload a PDF or type your observations directly into the form.
- Explain why the invention may lack novelty or other patentability criteria.
- Use reference codes for supporting documents (e.g., NPL 1 for non-patent literature).

### **Step 5: Attach supporting documents**

- Upload files (up to **24 MB per form**).
- For additional files, create multiple forms with the same details.

### **Step 6: Review and submit**

- Click Preview and Send.
- Receive confirmation by email (if contact details provided).

### **What happens next ?**

The EPO will add your observations to the application file, allowing the applicant or patent proprietor to comment. If the observations are well-founded and not submitted anonymously, the EPO makes every effort to issue the next Office action within three months.

### **Please note:**

- Observations can be submitted free of charge.
- Submitters are not parties to the proceedings and cannot appeal decisions.
- For complex cases, consider consulting a patent attorney.

Please get in touch with us at [epo.org/support](https://epo.org/support) if you're still not sure about something.