



Europäisches  
Patentamt  
European  
Patent Office  
Office européen  
des brevets



# Quality Action Plan 2025

# Introduction



High-quality patents are essential to a thriving innovation ecosystem. They are indispensable to commercialising innovation, building successful ventures and driving further innovation. They are also a central element of the new strategy for growth based on Mario Draghi’s landmark report on the future of European competitiveness and set out in the European Commission’s recent “Competitiveness Compass”.

Investors rely on a high-quality patent system to help them make informed investment decisions for a smarter, safer and more sustainable world. Our applicants, their competitors and the public rely on the European Patent Office for the timely delivery of patents that provide the highest levels of legal certainty, predictability and consistency.

To deliver on the EPO’s commitment to excellence, we take a holistic approach to quality, as outlined in our [Patent Quality Charter](#). In the spring of 2024, for the first time, we published a [Quality Action Plan](#) – providing transparency on our targeted quality actions for all stakeholders.

Alongside the Quality Action Plan, we published and regularly updated a set of quality key performance indicators (KPIs) in a new [Quality dashboard](#) – enabling all users to follow and track our progress. Our [Quality Report](#), published every June, provides a comprehensive picture of how we work to improve our patent granting process (PGP) continuously: by investing in our talented staff, enhancing our tools and databases, harmonising our work practices and further deepening dialogue with our users.

We can see the positive impact of these co-ordinated actions and initiatives. The results of our quality audits are improving – these are carried out by Directorate Quality Audit (DQA), a dedicated, internal unit that is independent of the operational area. Our internal harmonisation dashboard shows an increase in the consistency of our approach, and we receive positive feedback from users.

Our targeted actions for 2025 are based on the feedback we received in 2024, the outcomes of our studies, and analysis of data and audits. These actions will ensure that we continue our journey towards excellence throughout the PGP.

# Progress in 2024

The Quality Action Plan 2024 reflected the EPO's holistic approach to improving the quality of products and services at every stage of the PGP. Here are some key achievements in our quality journey of last year.



## We invested in our people

As a knowledge-based organisation, the journey towards high-quality patents starts with our people. In 2024, we:

- **recruited** 146 highly skilled staff members, including **111 patent examiners**
- **conducted 50 000+ hours of PGP training** – to keep our examiners up to date with the latest developments in our tools and case law
- **arranged specific training for examiners in rapidly developing areas** – ensuring that their knowledge stays cutting edge
- **held training on citing Asian prior art** – to improve the quality of our search reports
- **ran specific training for 3 000 examiners on ANSERA**, the EPO's powerful search tool – paving the way for the end-of-year decommissioning of our legacy search tool
- **organised a series of “EPO Talks”** on topics including AI, patent quality and the Draghi report – helping our staff to understand the wider innovation landscape and the importance of patent quality to industry
- **incorporated the decisions of the Unified Patent Court (UPC)** into case law reports for examiners – keeping them up to date on developments in patent law.



### We enhanced our use of technology and tools in the PGP

We leveraged AI to help our examiners find and assess the most relevant technical and legal information, and enhanced our user services. In 2024 we:

- **expanded our prior art databases** from some 333 million to 357 million documents – ensuring our examiners have access to the best prior art
- **used AI-driven pre-classification** and routing of incoming applications – ensuring the right experts receive the right file at the right time
- **extended the use of AI-based auto-classification** to support more complete searches – AI is now in use to classify patent literature in most fields, as well as new and existing collections of non-patent literature
- **fully integrated standards documentation** into the ANSERA search tool – making it easier for examiners to find relevant standards documentation
- **developed and deployed a new AI-based Legal Interactive Platform (LIP)** – providing all EPO staff with rapid and accurate responses to refinable queries on our legal texts and case law, complete with links to the relevant parts
- **piloted the LIP** with selected external users ahead of its release in MyEPO in February 2025
- **enhanced MyEPO**, our suite of online user services – to support high-quality patent applications and user dialogue throughout the PGP.



### We further harmonised our work practices

We increased consultation among divisions and experts to improve alignment and quality at all stages of the PGP. We also conducted in-depth studies to identify areas for further improvement. In 2024 we:

- **increased early interaction within divisions**, with some 260 000 searches conducted in 2024 under the Active Search Division initiative
- **harmonised our approach to search and examination for emerging technologies** through the expert network on computer-implemented inventions (CII) and AI, peer reviews and the allocation of mixed divisions
- **analysed the handling of over 2 000 third-party observations** for consistency of practice, and identified action points accordingly
- **analysed Boards of Appeal (BoA) cases** settled in 2023 – enabling us to set new KPIs for 2025 and provide a granular breakdown of areas where we can improve.



### We deepened dialogue with users

We gained insights from a broader spectrum of user perspectives on quality.

In 2024 we:

- **held 88 user meetings** – 26 with large applicants, 29 with SMEs / micro entities and 33 with user associations
- **launched the user satisfaction surveys 2024/2025**, with new questions based on user input and dedicated questions on the Unitary Patent
- **improved our Stakeholder Quality Assurance Panels** programme, incorporating feedback from epi, SACEPO Working Party on Quality (WP/Q) and BusinessEurope; a new session on refusals complemented regular sessions on searches and written opinions, and grants
- **ran a clarity workshop** in November capturing **diverse perspectives on clarity** in the European patent system from 70+ participants and speakers from user associations, industry, BoA, the Unified Patent Court and the European Patent Litigators Association
- **consulted users** on the **revision of the Guidelines** entering into force in April 2025, including the **first edition of the Unitary Patent Guidelines**.



### We delivered strong results

Investments in our people and technologies, harmonisation of practice and user dialogue are positively impacting our results.

In 2024 we:

- **saw the impact on quality following the implementation of the Active Search Division** – findings of our Directorate Quality Audit (DQA) related to invalid objections in the search report and written opinion **fell from 11.5% in 2023 to 6% in 2024**
- **improved DQA quality audit results for grants** – incorrect assessment of novelty and inventive step **decreased from 7.9% in 2023 to 6.8% in 2024**
- **observed more consistent practice on our internal harmonisation dashboard**, especially in emerging technologies
- **delivered 82.4%** of search, examination and opposition products on time
- **strengthened a mutual understanding of quality** through improved Stakeholder Quality Assurance Panels
- **received positive feedback** from applicants and professional representatives on our quality actions and enhanced user dialogue.

# Quality Action Plan 2025

High-quality, timely products and services: excellence throughout the PGP

## Investing in our people – technical training and reskilling

In 2025, to complement continuous training on tools, processes and legal changes, the EPO will explore the concept of **technology community forums**. These will bring together leading researchers and scientists with our examiners to help them stay at the cutting edge of technological developments in their areas of expertise. This approach will support other initiatives such as the attendance of examiners at relevant trade fairs in Europe.

In addition to technology community forums, we will develop an **active programme for technical reskilling and upskilling**. Together with targeted recruitment, this measure will ensure that we can match the skills and competencies of our staff with the changes in demand across different areas of technology.



# Enhancing the use of technologies and tools in the PGP for both our users and staff

## PGP tools and technologies: leveraging AI and advancing digital transformation

The key focus of our digital transformation journey is to improve our products and services. We will continue to leverage the **latest AI technologies** to support examiners in the **correct and consistent application of the European Patent Convention (EPC) and Guidelines**.

The improvement of the Patent Workbench (PWB), the EPO's task management tool, will deliver **new functionalities to support digital file allocation and enhance usability**. New dashboards will support managers in **matching workload with available capacity**. A new, modern interface for patent administration tasks will be integrated into PWB workflows and our digital file repository.

ANSERA will be integrated more closely with examination tools to **streamline passage capture for search reports and reduce manual work in verifying citations**. Ergonomic improvements, like keyboard shortcuts and voice control, are also planned. Additionally, a **new Smart Communication Drafter will use ANSERA annotations on clarity issues and prior art** to simplify EP communication drafting, with AI helping to identify relevant passages, claim structures and added subject-matter.

## Improving online user services

To support the filing of high-quality patent applications, we will focus on **enhancement of the services offered by MyEPO and the transition from the legacy eOLF to OLF2.0**, guiding users throughout this transition. We will also continue our work to bring about **legal changes that enable us to streamline and simplify procedures** for our applicants. Our **smart card authentication system was fully decommissioned on 1 January 2025** in favour of modern tools offering different forms of multi-factor authentication.



# Search and written opinion – complete and accurate

In 2025, the Active Search Division (ASD) – supported by enhancements to our tools and training – will be the foundation of our efforts to improve the completeness and accuracy of our searches and written opinions. One year on from the ASD’s introduction, we see **improved quality through more interaction between division members**.

Given the different stages of the PGP, and the time periods involved, many searches conducted under the ASD are not yet at the examination stage – so we have yet to see its full benefits. Our **preliminary findings will be reported** in the Quality Report 2024 in June and a **fuller analysis will be conducted later in 2025**. This will allow us to assess fully the impact of the ASD initiative on the quality of our search and written opinion, as well as on the examination stage. We will also look at the way in which the division works together at search stage across our teams and all areas of technology to **assess and spread best practice**. The ASD will be a key tool in our work to bring **greater consistency to our interpretation of inventive step** at the earliest stages of the PGP.



## Search and written opinion KPIs

As in 2024, we are setting clear and challenging KPIs for search and written opinion to track the impact of our actions on providing a complete search and a comprehensive and correct written opinion.

### Key Performance Indicators (KPIs) Search and Written Opinion

#### Directorate Quality Audit, DQA

- **Search and Written Opinion: incorrect assessment of novelty or inventive step**
  - Result 2024: **6.2%\*** ▶ Goal 2025: **< 5%**
- **Search: more relevant prior art found**
  - Result 2024: **3.0%\*** ▶ Goal 2025: **< 4%**

\*12 month rolling average, sample size 404 search products

#### User Satisfaction Survey, USS

- **Users rating our search products as good or very good**
  - Achievement 2022/23: **80%** ▶ Goal 2024/25: **≥ 80%**

#### Definitions:

- “Incorrect assessment of novelty or inventive step”: all findings where the assessment of whether claimed invention is new or inventive was incorrect (e.g. Rule 61, 62, Article 54, 56 EPC).
- “More relevant prior art found”: auditor found a prior art document with greater impact on considerations of novelty and inventive step than the documents found by the examiner (e.g. Rule 61, Article 54, 56 EPC); subsection of the KPI “Incorrect assessment of novelty or inventive step”.





# Examination – complete, correct and consistent

In 2025, we will take a series of actions to improve harmonisation both in the application of substantive patent law and procedure. In particular, we will focus on actions to:

## Improve our assessment of inventive step

The analysis of BoA outcomes, an action in our Quality Action Plan 2024 and set out below, showed there are opportunities to improve consistency when assessing inventive step. This is confirmed by Directorate Quality Audit (DQA) and SQAPs findings. We will aim for **greater harmonisation in the application of the problem-solution approach and reduced divergence between divisions or instances when assessing whether inventive step is present**. Deeper analysis of BoA and opposition decisions, examiner training and the use of the Active Search Division will be key to improving the assessment, providing more legal certainty to applicants.

## Increase harmonisation in the assessment of clarity

The workshop on clarity reinforced the shared responsibility with applicants to ensure a clear scope of protection in the patents we grant. Our efforts in this area will be supported by training, awareness and enhancements to our examiner tools.

## Ensure the appropriate limitation on the scope of claims

Some users indicate that at times we are too strict in requiring certain features to be added to the independent claims of a patent application. This can lead to an unreasonable limitation on the scope of protection. **We will review our practice in this area, raise awareness and engage the examining divisions on this topic.**

## Increase accessibility to UPC case law for our examiners

**UPC case law will be incorporated** into the **existing case law monitoring and analysis activities** conducted by the legal and operational departments of the EPO. This will enable the EPO to **ensure compliance where UPC decisions are binding; gain insights** into reasons for revocation that may prompt additional quality assurance measures; **identify necessary actions** and opportunities to maintain coherence and harmonisation in the application of European patent law; and **safeguard the quality and consistency of European patent law application** by analysing divergent decisions. Where applicable, findings will be reflected in the Guidelines for Examination.

## Improve consistency in the handling of third-party observations

Based on feedback, and a detailed study of our handling of over 2 000 third-party observations, we will **make third-party observations more visible to the divisions and provide training to raise awareness of requirements**, so that divisions handle the observations in accordance with the Guidelines. **A follow-up study will be conducted in 2026 to assess the impact of our actions.**

## Refine our peer-to-peer quality improvement process

In addition to practice harmonisation within examining divisions and teams, there is a need to ensure consistency of approach across teams working in related technical areas. This is an **essential part of the EPO's ongoing commitment to the delivery of high-quality patents**. Examiner-to-examiner exchange and discussion are key elements in achieving our goal of increased consistency. The Active Search Division, the peer-to-peer review between divisions and the creation of mixed divisions of examiners from different fields of technology and sites all help us in this endeavour.

Peer-to-peer review has been ongoing for some time, and we have gained valuable insights into how to conduct such a peer-review quality control exercise more effectively. In 2025, **we will extend the initiative to further technology areas where divergent practice or procedure is observed**. We will sharpen our focus on improving communication and feedback loops about such exercises (both internally and externally) to promote understanding, best practice and learning opportunities. The mechanism for the sampling of files for peer review will be formalised. These steps will **enhance the quality assurance measures** carried out by team managers and directors as part of our **operational quality control**.

## Enhance dialogue with applicants – early collaboration in examination

Higher quality is both a shared journey and shared responsibility. We must work with our users to deliver the highest quality products and services. Early and clear collaboration in the PGP is a key factor in achieving higher quality and we will use tools and different ways of working to help us achieve our goals. Misinterpretation concerning the scope of the invention, as well as the way in which the examination division substantiates its objections and the applicant replies, can lead to delay and confusion in the PGP – with multiple rounds of lengthy correspondence – sometimes resulting in oral proceedings.

By encouraging **early dialogue and collaboration on the file we can improve both the quality and the efficiency of the PGP**. Since its launch on 30 June 2023, the shared area – where the division and applicant can share and discuss documents and amendments – is valued by those who use it. However, uptake remains low. Feedback has suggested that the shared area and the guidelines for its use could be improved. We will act on that feedback and look for ways in which we can encourage this early collaboration on more files. Where we write formally to the applicant, we will improve the substantiation of the objections we raise and the **completeness of our communications**, to assist applicants in the further prosecution of their applications.



## Increase consultation before substantial amendments by the division

We received feedback from our users that examiners sometimes make substantial amendments to the claims and propose the amended text for grant without consulting the applicant. To address this, we will **revise the online training module regarding amendments and consultation and raise awareness in the examining divisions**. We will also explore use of the shared area and other ways to collaborate with the applicant on any amendments. Indeed, consulting the applicant before substantial amendments are made by the division in the proposal to grant is crucial to ensure the applicant has an opportunity to address any issues before the application proceeds to the next stage.

## Examination KPIs

Following on from the progress made with our examination KPIs in 2024, the actions in our Quality Action Plan 2025 will drive further improvements. The quality of our refusal decisions is also important, which is why we had a dedicated SQAP session on the topic in 2024. Our comprehensive analysis of the outcomes of the Boards of Appeal has enabled us to develop a **new examination KPI on ex parte refusals to complement the existing KPIs for grants and user satisfaction**. Approximately 12% of refusals by examining divisions are appealed, representing 0.3% of applications filed at the EPO. A total of 1 248 ex parte proceedings were settled in 2023. 745 of the settled proceedings fall under the Rules of Procedure (RoP) of the Boards of Appeal 2020, of which 36 resulted in the decision by the Board to grant a patent.



## KPIs Examination

### Directorate Quality Audit, DQA

- Grants: incorrect assessment of novelty or inventive step**  
 ■ Result 2024: **6.8%\*** ▶ Goal 2025: **< 5%**
- Grants: findings on added subject-matter**  
 ■ Result 2024: **5.9%\*** ▶ Goal 2025: **< 5%**

\*12 month rolling average, sample size 984 grants

### Boards of Appeal outcomes (ex parte)

- Decision of the Board to grant a patent, which sets aside a decision of an examining division to refuse a patent**  
 ■ Result 2023: **4.8%\*** ▶ Goal 2026: **< 4%** ▶ Goal 2028: **< 3%**

\*Percentage of proceedings settled in 2023 falling under RoP 2020 with decision to grant.

### User Satisfaction Survey, USS

- Users rating our examination products as good or very good**  
 ■ Achievement 2022/23: **78%** ▶ Goal 2024/25: **≥ 80%**

#### Definitions:

- “Incorrect examination of novelty or inventive step”: (i) the examiner assessed the technical features or the technical effect of either the claimed invention or the prior art document(s) on file incorrectly, or (ii) the auditor found a prior art document which was more relevant to the considerations of novelty or inventive step than the prior art on file (e.g. Articles 54, 56 EPC).
- “Findings on added subject-matter”: the auditor found new information that has been added to the application after its filing date which impacts the scope of the independent claims (Article 76 EPC, Article 123 EPC).

## Opposition – fair and transparent

In 2025 our focus will be on learning from the Boards of Appeal (BoA) and applying the same approach to our opposition decisions.

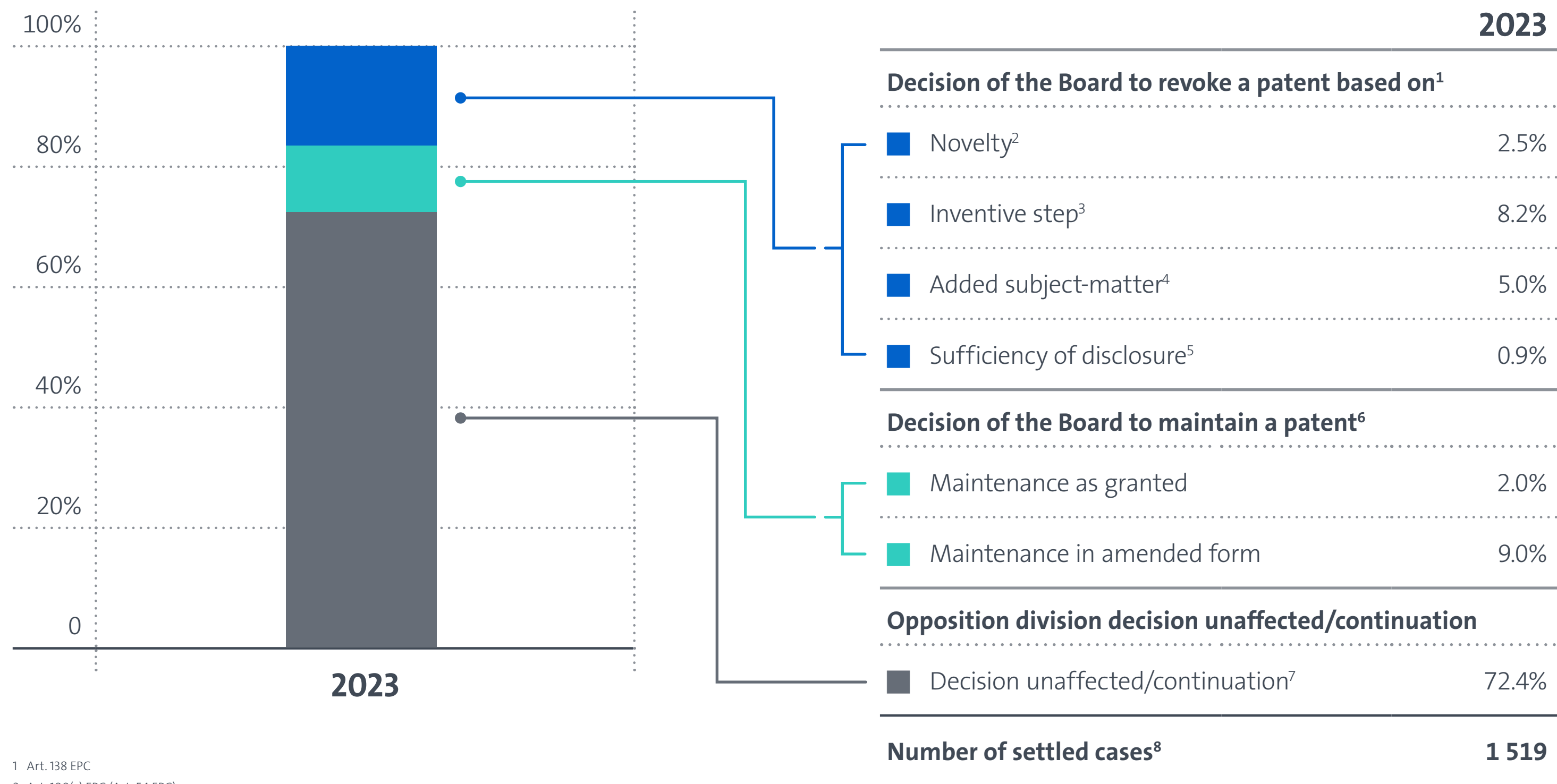
### Increasing our learning from the Boards of Appeal

Over the course of 2024, we continued our quality dialogue with the Boards of Appeal. These exchanges continue to provide valuable feedback on how we can improve the robustness of our opposition decisions. One action for 2024 was to set a new KPI on BoA outcomes. To inform our decision on the right KPIs, we conducted an analysis of BoA outcomes. Around 0.7% of applications reach this stage and to maximise comparability with examiners' decisions, the analysis of BoA cases settled in 2023 was restricted to those falling under the Rules of Procedure (RoP) of the Boards of Appeal 2020. The analysis revealed a **high level of alignment between first instance decisions and BoA** outcomes – in **72.4% of cases the opposition decision was not affected** by the outcome. In **16.5% of cases the patent was revoked** – with the largest area of disagreement being inventive step (8.2%), an area which is more subjective. The outcomes for inter partes cases have been visualised in a chart providing a granular breakdown.

This granularity enables us to identify and study small groups of decisions with high learning potential for examiners, and to develop actions tailored for specific technical areas. The areas identified for improvement to date are consistent with Directorate Quality Audit (DQA) and SQAPs findings. **A set of newly developed KPIs on BoA outcomes has been developed based on this analysis and will be included in our Quality dashboard during the course of 2025.** DQA will also provide further granularity, separating the findings for novelty and inventive step to support more targeted action.

# Boards of appeal outcomes: inter partes cases settled 2023

Opposition division decisions under appeal; all cases falling under Rules of Procedure BoA 2020



1 Art. 138 EPC  
 2 Art. 100(a) EPC (Art. 54 EPC)  
 3 Art. 100(a) EPC (Art. 56 EPC)  
 4 Art. 100(c) EPC (Art. 76, 123 EPC)  
 5 Art. 100(b) EPC (Art. 83 EPC)  
 6 Subset: maintenance where opposition division decided to revoke the patent: 1.7%  
 7 Includes appeals dismissed (309 cases), other disposal of the patent (700 cases; including withdrawal, inadmissibility of the appeal) and continuation of opposition (91 cases)  
 8 All cases where Rules of Procedure Boards of Appeal 2020 applied



### Increasing our learning from opposition decisions

Building on the methodology used for the analysis of Boards of Appeal outcomes, which pinpoints learning opportunities for opposition divisions and examination divisions, a similar approach will be taken in the analysis of opposition outcomes. The objective is to **provide a granular breakdown of reasons for decisions and identify areas where decisions of opposition divisions and examining divisions diverge**. It will also support further harmonisation of practice between our examining and opposition teams.

### Opposition KPIs

Based on the analysis of cases settled by the Boards in 2023, we have set the **following new KPIs for opposition**. The 2028 goals reflect the time needed for current quality actions to impact future appeal outcomes.



### KPIs Opposition

#### Boards of Appeal outcomes (inter partes)

- **Decision of the Board to revoke a patent based on novelty, which sets aside an opposition decision to maintain a patent**

■ Result 2023: **2.5%\*** ▶ Goal 2028: **< 3%**

\*Percentage of proceedings settled in 2023 falling under RoP 2020 with decision to revoke based on novelty

- **Decision of the Board to revoke a patent based on inventive step, which sets aside an opposition decision to maintain a patent**

■ Result 2023: **8.2%\*** ▶ Goal 2028: **< 3%**

\*Percentage of proceedings settled in 2023 falling under RoP 2020 with decision to revoke based on inventive step

- **Decision of the Board to revoke a patent based on added subject-matter, which sets aside an opposition decision to maintain a patent**

■ Result 2023: **5%\*** ▶ Goal 2028: **< 3%**

\*Percentage of proceedings settled in 2023 falling under RoP 2020 with decision to revoke based on added subject-matter

- **Decision of the Board to maintain a patent, which sets aside an opposition decision to revoke a patent**

■ Result 2023: **1.7%\*** ▶ Goal 2028: **< 2%**

\*Percentage of proceedings settled in 2023 falling under RoP 2020 with decision to maintain a patent following appeal of opposition revocation decision.

# Maintaining our timeliness targets – bringing certainty to the market

In our user satisfaction surveys and in our meetings with applicants, there is a sustained emphasis on the importance of timeliness as an element of quality. Timeliness is also crucial to competitors and society, and it will continue to be an area of focus for the EPO.

**A timely search** – We will aim to **deliver 90% of standard searches<sup>1</sup> on time**, as follows:

- EP first and second filings: **six months**
- First-filing ISA and searches for national offices: **seven months**
- Euro-PCT bis searches (EPO not ISA): **eight months**

**A timely examination** – For examination, we will send **70% of standard grants<sup>2</sup> on time**.

**A timely opposition** – We will **maintain the opposition stock below 5 000 pending cases** and strive to return to the timeliness achieved before the pandemic: **70% within 18 months for standard files<sup>3</sup>**.

**End-to-end timeliness** – Our target for **end-to-end processing will continue to be 48 months** from the request for a grant of an EP patent in 75% of standard cases<sup>4</sup>.

**Accelerating the process when needed** – The Office recently introduced a range of measures to ensure that **divisional applications** are processed swiftly to secure legal certainty. **These measures include issuing a summons to oral proceedings as a first action in examination for divisional applications** for which the parent application had an identical scope and was withdrawn or refused. In addition, **all divisional applications are now published as soon as possible** after the completion of formalities checks, providing early transparency for third parties.

We will aim to issue at least 80% of the decisions to grant within **48 months** from the filing of the divisional application. **In response to requests from users, we will monitor and report on the use of divisional applications and in particular multi-generational divisionals in the different technical areas.**



<sup>1</sup> Excluding cases with (a) a lack of unity, (b) a lack of clarity or (c) an incomplete search.

<sup>2</sup> Excluding cases with (a) more than one request for extension of time limits to reply, (b) more than one late fee payment or (c) a request to reschedule oral proceedings.

<sup>3</sup> Excluding cases with (a) more than one opponent, (b) a request to reschedule oral proceedings, or more than one oral proceeding, (c) a division that includes a legal member.

<sup>4</sup> Standard cases are applications with a standard examination – for EP direct: time to grant from European filing date; for PCT: time to grant from entry into the European phase.

## Developing our partnerships – listening and responding

Dialogue with our users remains critically important. We will continue to collaborate closely with our stakeholders to improve quality further and enhance the accessibility of the patent system for all, ensuring that innovation flourishes and that the patent system realises its full potential for society.

Building on the success of MyEPO and the decommissioning of legacy tools, we will also work with our users as we transition to a truly paperless office. Huge progress has been made both within the EPO and in our communications with our users – but some of our processes and communications remain paper-based. **The EPO aims to become fully paperless as of 2027.**

This year will see the **completion of the user satisfaction surveys 2024/2025 and publication of the results in the summer.** As this valuable data and feedback provides an applicant's view of the quality of our products and services, it will drive further quality improvements, as will the outcomes of the annual SQAP programmes.

**The findings of the 2024 SQAPs will be published in the Quality Report this June.** The 2025 SQAP programme will be developed together with our users, responding to their feedback and suggestions.

We will **continue our meetings with applicants and user associations and expand our new programme of engagement with SMEs and micro entities.** Our discussions with SACEPO and its working parties, as well as with member states through the Technical and Operational Support Committee (TOSC), will support continuous improvement by **further developing a common understanding of patent quality.**





# Conclusion

The shared journey to high quality is a continuous one. The EPO's **commitment to excellence – in partnership with all users of the European patent system – will drive improvements in patent quality in 2025.**

Throughout the year, we will update our [Quality dashboard](#) so that everyone can follow our progress towards our goals. The outcome of all actions will be reported on in our Quality Report 2025, to be published in June 2026.



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