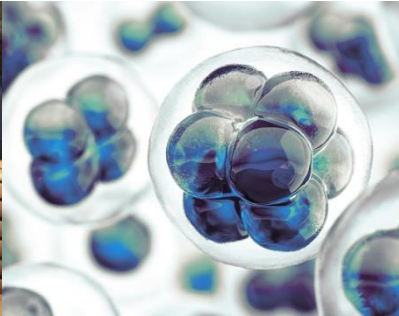




Europäisches
Patentamt
European
Patent Office
Office européen
des brevets

PCT for US paralegals and patent agents



Richard Garvey | Elke von Brevren | Heli Manner | Mike Lindblom

European Patent Office

29 April 2021

Presenter



Richard Garvey

- Key Account Manager
EPO Munich
- At the EPO since 1998
- Formalities experience, Outward facing IT Projects, Key Account Manager
- Managing relationships between the EPO and customers

Presenter



Elke von Brevern

- Expert in PCT Affairs Department
EPO Munich
- At the EPO since 2008
- Paralegal at various Patent Attorney firms (Germany) (2000-2008)
- Formalities Officer (2008-2010), Online Filing Application Manager (2010-2015) at the EPO
- In the context of the PCT Affairs Department coordination of PCT-related projects implementation at the EPO

Presenter



Heli Manner

- Finance Expert in Revenue Controls
EPO Munich
- At the EPO since 2011
- Extensive experience on project work involving
development of EPO fee payment tools

Presenter



Michael Lindblom

- Key Account Manager
- EPO Berlin

- At the EPO since 1987. Has been working for DG1, DG2 and DG3, and with the e-products since 2002.

- Workflow implementation for the nordic countries and the UK

Agenda

- Introductions
- PCT procedure before the EPO as International Authority
- Overview of Electronic Interactions
- Filing, Receiving Communications, Fees, Monitoring Files,
- Paying Fees
- PCT Legal Updates

What does the PCT bring to your patent filing strategy?

- **Keep control of your timing:**
 - use the multiplying effect in up to 153 States
 - All-designation system
- **Time gain** – from 12 m of the Paris Convention up to 30 / 31 months of the PCT
- **Cost and administrative efficiency:** **ONE** procedure in **ONE** language with **ONE** agent

How can the EPO support you in your journey?

- You must be interested in ... Europe
 - Where do you seek for patent protection?
- Quality is in our DNA!
 - same standard for both EP & PCT procedures
- Flowers in the Garden
 - More is possible!



EPO has planted many flowers in the PCT garden (1)

EPO as International Searching Authority

- PCT-CLAR and PCT Direct services
- Preliminary opinion in case of non-unity
- Info sheet on search strategy

EPO has planted many flowers in the PCT garden (2)

EPO as International Preliminary Examination Authority

- top-up search
- 3-person Examination division endorsing the final product
- Increases your chances to get a grant at the EPO when entering the EP phase

You may export your invention all over the world using PCT-PPH



Filing electronically at the EPO

- Filing at the EPO electronically within the legal framework
- PCT Demands, PCT SFDs
- Regional Phase
- e-filing options (eOLF, EPO web-based filing options)
- ePCT filing
- <https://www.epo.org/applying/online-services/online-filing-20.html>

Secure Access to EPO Online Services

- Smart card: eOLF & Web-based
- <https://www.epo.org/applying/online-services/online-filing/download.html>
- Alternative Access: User id & Password (Web Form Filing & Fee Payment Service)

Potential to receive documents electronically


- EP Documents if you have a European presence with a European Representative / association / applicant filing on your behalf.
- PCT Documents if you have a European presence with a European Representative / association / applicant filing on your behalf.
- SP 2023 (looking at Electronic Communications for International Agents)
- WIPOs e-PCT....
- Register Alert

Searching the EPO register

Search results

monitor patent applications throughout the EP grant procedure.

 Refine search

 Export (CSV | XLS)

 Print

Sort by Sort order

289 items found, displaying 1 to 20.

Search term(s): **applicant = Otis and filing-date = 2018**

2 3 4 5 6 7 8  

SAFETY BRAKE FOR A COUNTERWEIGHT ACTIVATED BY A TENSION MEMBER

 Application No.	Publication No.	Applicant	Representative	IPC
EP18306757	EP3670416	Otis Elevator Company	Schmitt-Nilson Schraud Waibel Wohlfrom Patentanwälte Partnerschaft mbB	B66B5/12

METHOD AND DEVICE FOR MONITORING CHAIN TENSION


 Application No.	Publication No.	Applicant	Representative	IPC
EP18213959	EP3670419	Otis Elevator Company	Schmitt-Nilson Schraud Waibel Wohlfrom Patentanwälte Partnerschaft mbB	B66B23/02 G01L5/04


DEVICE AND METHOD FOR MONITORING AN ELEVATOR SYSTEM

 Application No.	Publication No.	Applicant	Representative	IPC
EP18209794	EP3663248	Otis Elevator Company	Schmitt-Nilson Schraud Waibel Wohlfrom Patentanwälte Partnerschaft mbB	B66B1/34 B66B5/00 B66B13/14

Setting up an automatic notification

Search results

 Refine search

 Export (CSV | XLS)

 Print

Sort by Sort order

Add results of current page to list of monitored applications

Delete results of current page from list of monitored applications

289 items found, displaying 1 to 20.

Search term(s): **applicant = Otis and filing-date = 2018**

2 3 4 5 6 7 8  

SAFETY BRAKE FOR A COUNTERWEIGHT ACTIVATED BY A TENSION MEMBER

<input checked="" type="radio"/>	Application No. EP18306757	Publication No. EP3670416	Applicant Otis Elevator Company	Representative Schmitt-Nilson Schraud Waibel Wohlfrom Patentanwälte Partnerschaft mbB	IPC B66B5/12
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DEVICE AND METHOD FOR MONITORING AN ELEVATOR SYSTEM

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Setting up action notifications

Preferences

Table Settings

Notification

Monitoring Profiles

Grouping and Title

Import and Export

Choose a profile to define the events you would like to be informed about.

Profile:

Main events (Substantial procedural actions)

List of events

These comprise those actions which have a substantial influence on the status of the European patent application or the European patent insofar as the EPO is competent.

- A-publication
- Separate publication of search report
- Grant of patent (B1 publication)
- Patent maintained in amended form (B2 publication)
- Limitation of patent (B3 publication)
- Withdrawal by applicant
- Application deemed to be withdrawn
- Refusal of application
- Intention to grant a European patent
- No notice of opposition filed within time limit
- Filing of notice of opposition
- Rejection of opposition
- Revocation of patent in opposition proceedings
- Revocation of patent by the patent proprietor
- Closure of opposition proceedings
- Renewal fee paid
- Lapse of patent in a contracting state
- Licence

Check all

Check none

Paying fees online at the EPO

Deposit account at the EPO

- Debit orders can be submitted via **OLF 2.0, ePCT, CMS, OLF**
- **Online Fee Payment**, including also batch payments and deposit account management

Credit card

- Exclusively via the **online service for paying fees and claiming refunds** (SAP e-commerce)

Bank transfer

- Via the **online service for paying fees and claiming refunds** (SAP e-commerce)

Towards one centralised fee payment service (SAP e-commerce)

Features and benefits of Central Fee Payment Service

Sign in to pay fees and claim refunds

Already have an account? Sign in below

E-mail address

Password

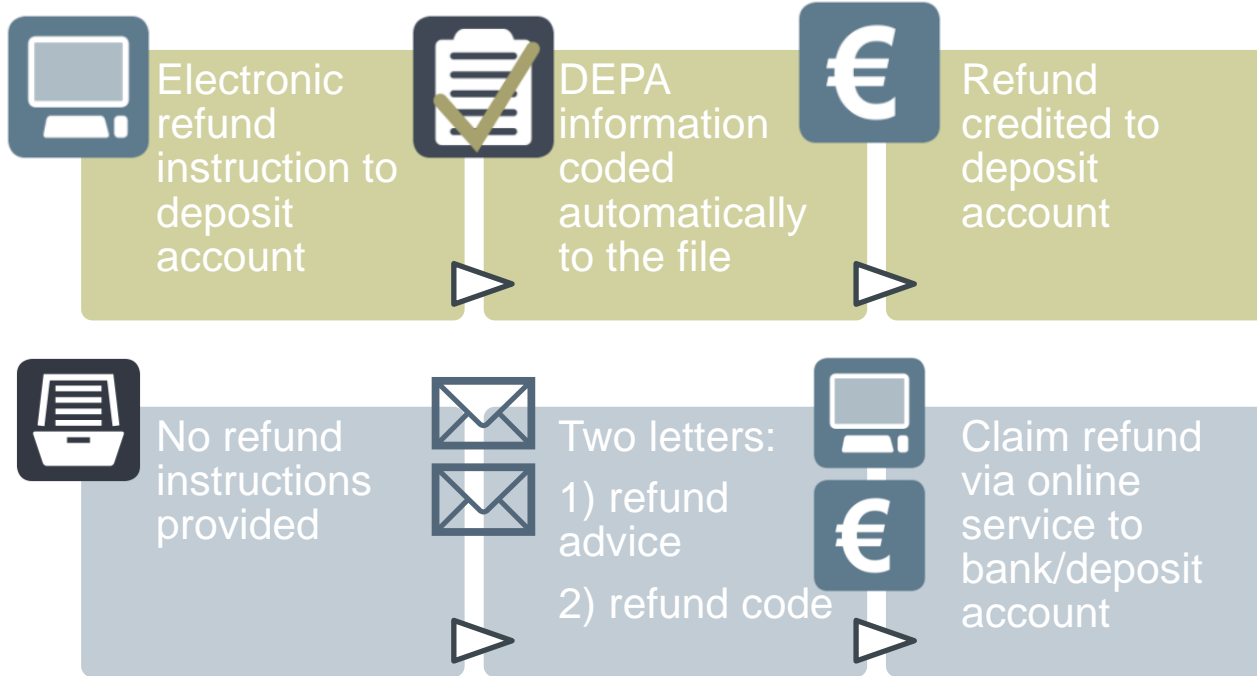
Sign in [Forgot your password?](#)

Using the service for the first time? [Please register now.](#)

<https://www.epo.org/fee-payment-service/en/login>

- ✓ Service accessed with user ID and password, without smart card
- ✓ Display of fees due and time limits for a selected application
- ✓ Batch payments upload in csv or xml format
- ✓ Rejection of erroneous payments (double payments, closed applications etc.)
- ✓ Payment methods: credit card and preparation of bank transfer → deposit account coming end 2021
- ✓ Payment confirmation available in the service

Refunds at the EPO – two methods as from April 2019



New Rule 82*quarter.2* PCT (since 1 July 2020)

- Excuse of delays in meeting a time limit due to the **unavailability of electronic means of communication**
- To be used by Offices in cases of **unforeseen outages** or **scheduled maintenance**
- **Safeguard** triggered by a notification submitted to WIPO (published on WIPO's website)
- Does **not apply** to the priority period or to the time limit for entering the national phase

New WIPO Standard ST. 26 (sequence listings)

- Sequences of nucleotides or amino acids must be presented as a sequence listing in a given format
- Today, WIPO Standard ST.25 (text format)
- As of 1.1.2022, WIPO Standard ST. 26 (XML)
- Benefits: single sequence listing for int. and national phases + enhance accuracy and quality

New WIPO Standard ST. 26 (sequence listings)

- “**big bang scenario**”: all Offices to transition to ST. 26 on **1.1.2022**; filing date as the reference date
- ST. 26 XML to be prepared with **WIPO Sequence**; V1.0.0 + User Manual available on WIPO website
- Interested in testing and reporting your feedback?
Please write to standards@wipo.int

New Rules 20.5*bis* and 40*bis* PCT

- Legal basis for the **correction** of an erroneously filed element or part of the int. Application
- Correct element or part furnished for the purpose of **incorporation by reference or not**
- Applicable to any international application filed **on or after 1 July 2020**

Amended Rules 71 and 94 PCT

- Require that the IPEA transmit copies of certain documents in its file to WIPO
- Chapter 2 files made available by WIPO to the public on the elected Office's behalf
- Apply to any document received or established by the IPEA on or after 1 July 2020

Further questions



Now

via chat to "All Panelists"

Later

via e-mail to support@epo.org
international_pct_affairs@epo.org