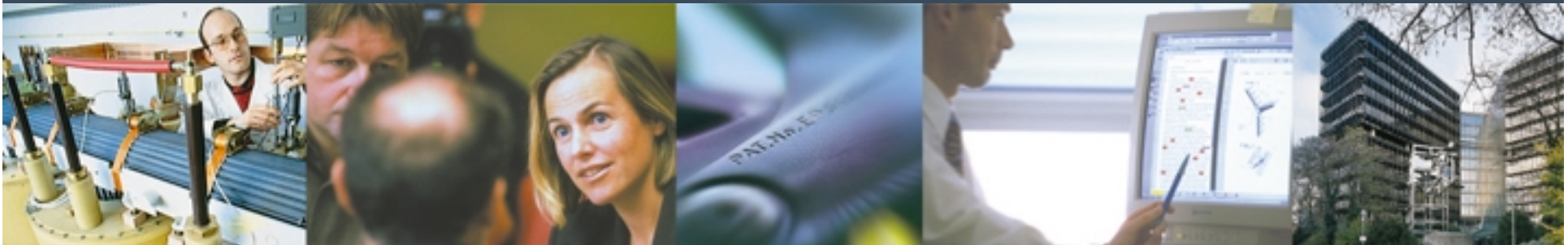# Quality in the Examination Area of the EPO

Pantelis Kyriakides

Vice-President, Directorate-General 2, Operational Support

Meeting of International Authorities
Geneva, 24 February 2005

Office-wide
Key points from 2004

- **Member states**

  With the addition of Poland, Iceland, and Lithuania, the Organisation now comprises **30 Member States**

- **PCT Discussions**

  In November, an extraordinary AC meeting in The Hague discussed the strategic future of the **European patent system**

- **New President**

  Following Ingo Kober's departure, **Alain Pompidou** took up his duties as the Office's fourth President

- **Communication**

  All aspects of internal and external communication are brought together in the creation of **Principal Directorate Communication**

Examination in 2004

- **Products**

  - Incoming applications: 177 500
  - Searches: 165 329
  - WO-ISAs: 44 014
  - EESRs: 9 688
  - Final actions: 100 649
  - Grants published: 58 747

- **Training**

  - BEST penetration reached 90%

- **Recruitment**

  - New **large scale** recruitment drive started in September 2004

Office Reorganisation: Examination Area up to 01.01.2005

VP 1

VP 2

Documentation, Search, Examination and Opposition

Means

Tools/Documentation

Methods

Patent Administration

Audio-Video Media

Electricity & Semiconductor Technology

Electronics

Handling and Processing

Human Necessities

Industrial Chemistry

Polymers

Biotechnology

Civil Engineering & Thermodynamics

Computers

Measuring and Optics

Pure and Applied Organic Chemistry

Telecommunications

Vehicles and General Technology

Office Reorganisation: Examination Area from 01.01.2005

VP 1
Operations

VP 2
Operational Support

Means

- Audio-Video Media
- Electricity & Semiconductor Technology
- Electronics
- Handling and Processing
- Human Necessities
- Industrial Chemistry
- Polymers
- Biotechnology
- Civil Engineering & Thermodynamics
- Computers
- Measuring and Optics
- Pure and Applied Organic Chemistry
- Telecommunications
- Vehicles and General Technology

Tools/Documentation

Quality Management

Patent Administration

Information Systems

Quality Milestones

- Elaborate quality system developed over the years

- "Joint Agenda Building" (JAB) group "Strategic Quality"

  - Progress report CA/80/04 to AC in December 2003
  - Final report to MAC in spring 2004

- The Management Committee (MAC) produces "Concept for Quality" with "EPO Quality Mission" and "EPO Quality Strategy in Examination"

- Comprehensive Consultation

  - **Internally** with staff on results of JAB group and "Concept for Quality" during summer 2004
  - **Externally** with NPO's, *epi*, UNICE, applicants

- MAC finalises "EPO Quality Mission" and "EPO Quality Strategy in Examination" and gives a mandate to prepare implementation of a quality management system

Quality Structure / System

- **Create DG Operations**

  - All examining staff under one Vice-President

  - Organised in 14 cross-site units (Joint Clusters) on a technical subject-matter basis

  - Joint Clusters operate as business units with respect to budgeting and planning issues

- **Create DG Operational Support**

  - All direct support functions for the operational area under one Vice-President

    - Tools / Documentation
    - Quality Management
    - Patent Administration
    - Information Systems

Ch. 21.05

Quality Structure / System

- **Create Principal Directorate for quality management**

  - Bring together all factors which concern quality

- Implement a **Quality Management System** to support, monitor and improve quality:

  Ch. 21.03 & Ch. 21.04

  - Develop **operational quality control** together with Joint Clusters
  - **Quality Assurance:** Integrate and strengthen elements of the QMS; e.g. define standards and methodology of measuring them
  - **Independent quality audit** executed by Internal Audit Department in future

Quality Management System

QMS
Quality Management System

Q Control	Q Policy Q Standards Q Manual Processes	Recruitment Training Learning Development Motivation	External influence Feedback	Q Audit
	Quality Assurance			

Quality Control
- at Operational Level

QMS
Quality Management System

Q
Control

Q
Policy

Q
Standards

Q
Manual
Processes

Recruitment

Training

Learning

Development

Motivation

External
influence

Feedback

Q
Audit

Quality Assurance

Quality Control
- at Operational Level

In the examining Directorates / Patent Administration units:

- **Defines the responsibility of Line Managers**

- **Ensures that an appropriate, consistent approach is followed**

- **Defines the nature of quality checks undertaken**

- **Enables appropriate feed-back**

A more formalised approach is being developed

Quality Policy: Quality Mission

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Quality Management System

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Quality Assurance
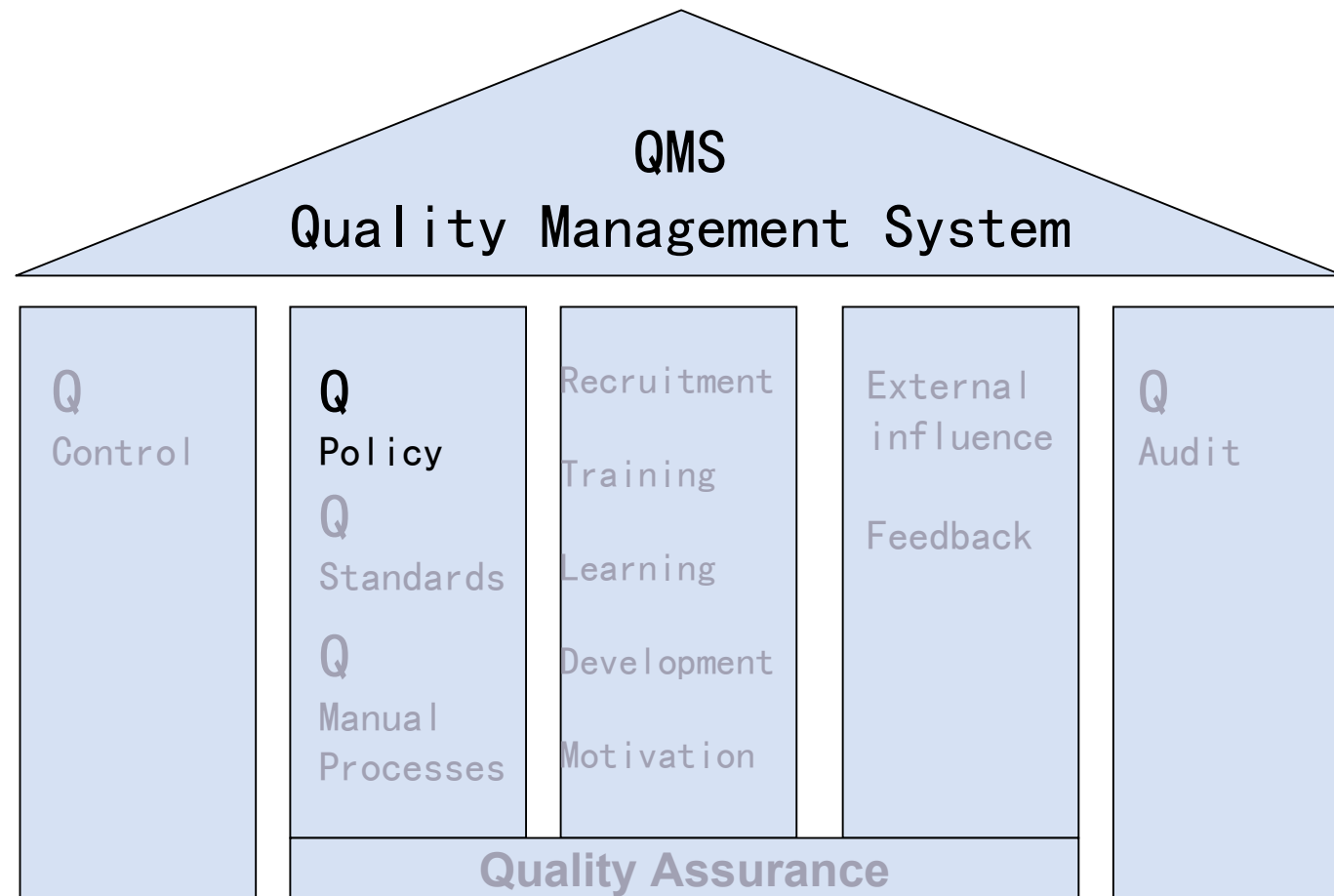
Quality Policy: Quality Mission

The following principles are at the forefront of the EPO's quality mission:

- **Legal certainty:** Providing a single procedure for the timely grant of patents which ensures that the rights granted are commensurate with the contribution made to technology

- **Service:** Reliability and flexibility based on a balanced understanding of the needs and values of European society delivered through the sharing of knowledge among a network of professionals

- **Openness:** Willingness to be transparent and to publish insights and facts

- **Continuous improvement:** A permanent commitment to improve thoroughness, consistency, transparency, fairness and timeliness

Quality Policy:
Quality Strategy for Examination

QMS
Quality Management System

Q	Q	Recruitment	External	Q
Control	Policy	Training	influence	Audit
	Q	Learning	Feedback	
	Standards			
	Q	Development		
	Manual			
	Processes	Motivation		

Quality Assurance
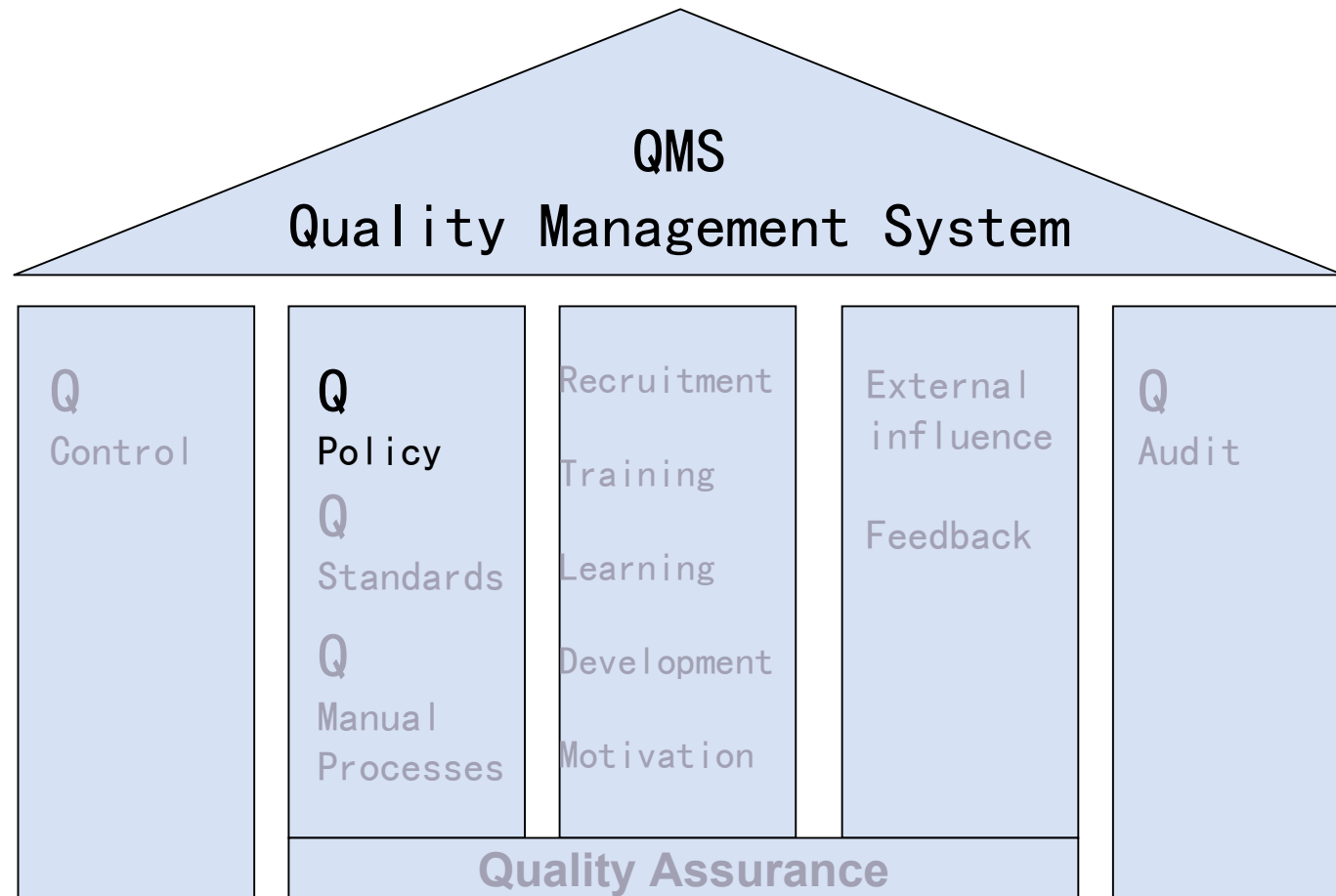
Quality Policy:
Quality Strategy for Examination

- **Set up a QMS to involve:**

- **Capturing and analysing information** on quality from all sources concerning those affected by the European Patent System and those working in it

- **Balancing the results** of this analysis to provide an input to the process of **defining relevant standards** for core products and services

- **Implementing these standards** at the operational line and ensuring their achievement through appropriate quality control mechanisms

- **Checking compliance** with the standards set via a quality assurance procedure, including independent audits

- **Publishing the standards** and the achievement of them to inform interested parties on the one hand and to provoke feedback on the other

- **Analysing divergences** from the standards, establishing causes and proposing corrective measures

Quality Standards

QMS
Quality Management System

Q Control	Q Policy	Recruitment	External influence	Q Audit
	Q Standards	Training	Feedback	
	Q Manual Processes	Learning		
		Development		
		Motivation		

Quality Assurance
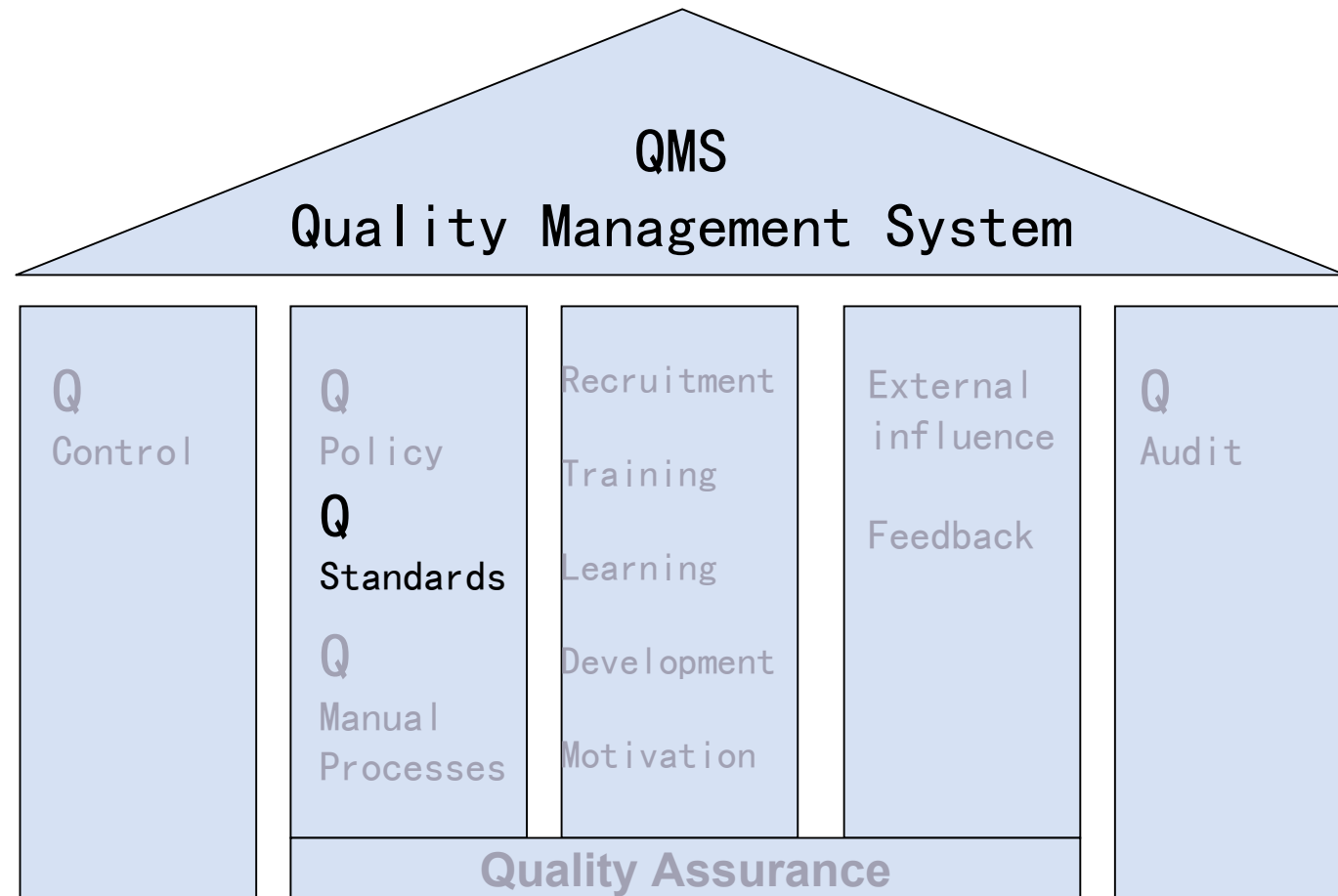
Quality Standards

- **Based on the ongoing needs and values of all users**

- **Measurable quality criteria to be considered are:**

  - **Thoroughness / Completeness**

  - **Timeliness**

  - **Transparency**

  - **Fairness / Impartiality**

  - **Consistency / Uniformity**

- **Metrics being developed further**

Ch. 21.06 & 21.07

Quality Manual

QMS
Quality Management System

Q Control	Q Policy	Recruitment	External influence	Q Audit
	Q Standards	Training		
	Q Manual Processes	Learning	Feedback	
		Development		
		Motivation		

Quality Assurance
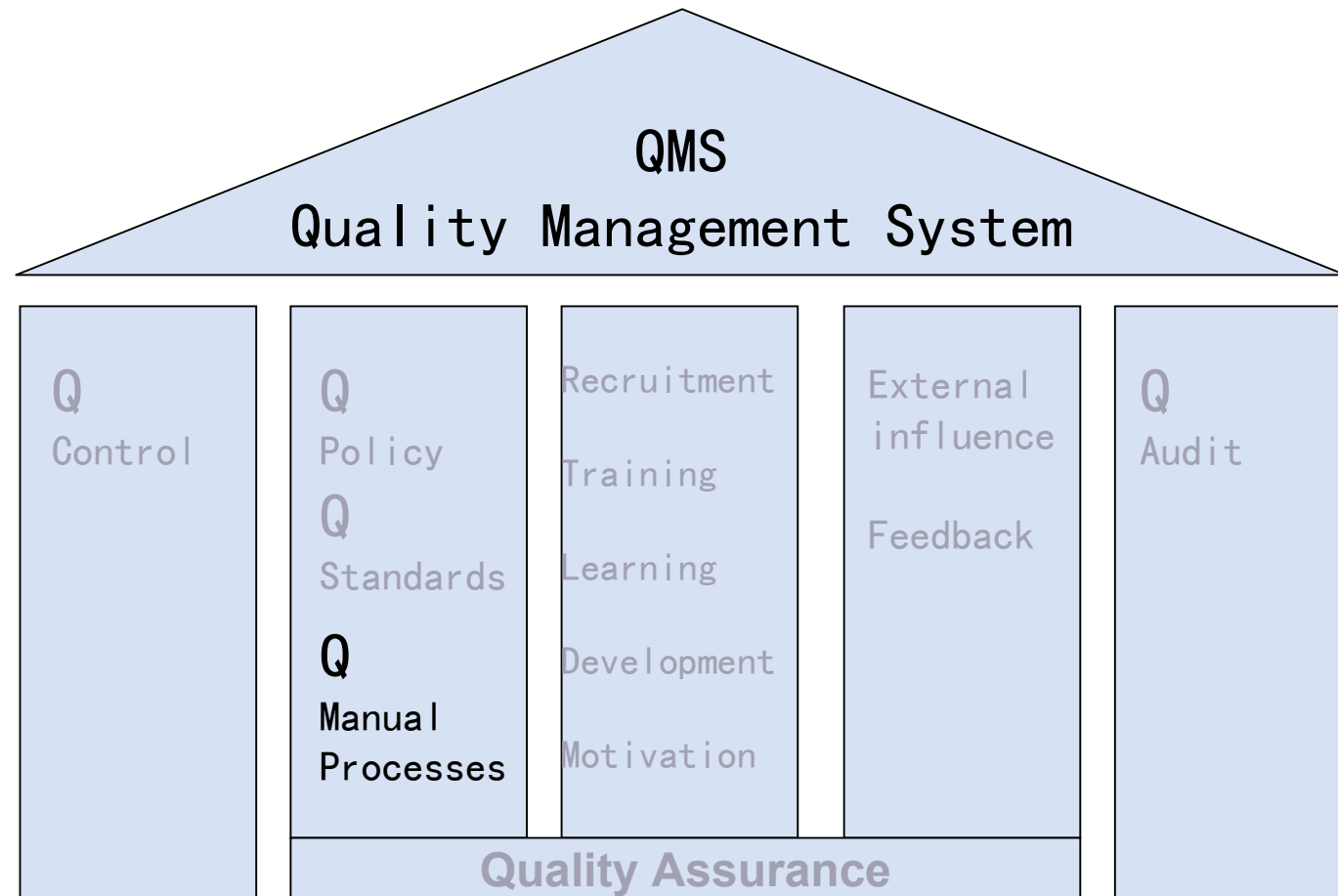
Quality Manual

Quality policy, definition of Quality Management System combining aspects of ISO and EFQM

Full set of instructions, including:

- European Patent Convention, PCT

- Guidelines

- Internal instructions

- Case Law

Description of processes

Certification not initially sought; to be reviewed

Human Capital

QMS
Quality Management System

Q Control	Q Policy Q Standards Q Manual Processes	Recruitment Training Learning Development Motivation	External influence Feedback	Q Audit

Quality Assurance
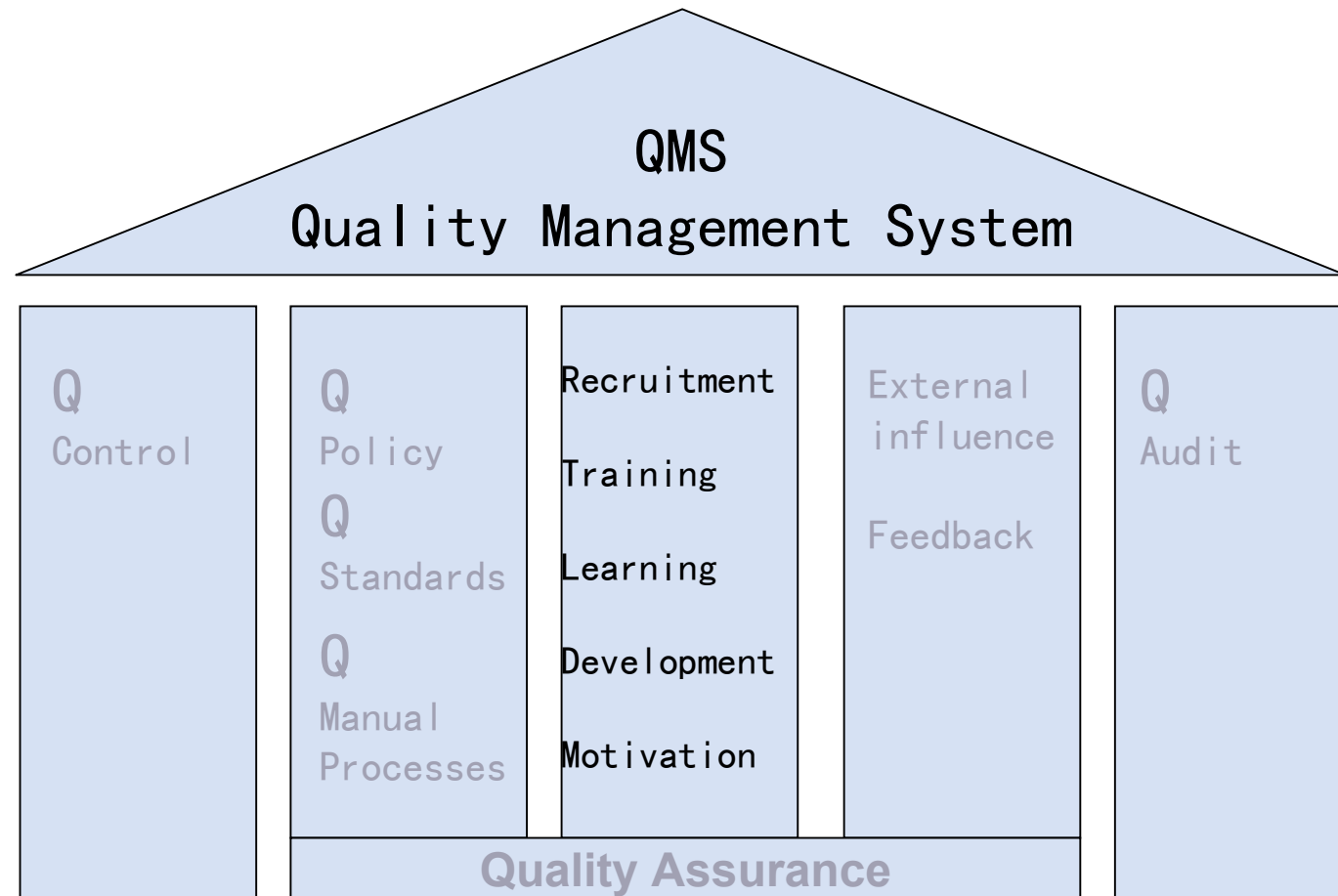
Human Capital

- Stringent recruitment

- Centrally controlled training reflecting and reinforcing core quality principles and values

- JC/PD Patent Administration-oriented specialised training

- Personal development

✓ All integrated in the QMS

Ch. 21.05

External Influence & Feedback

QMS
Quality Management System

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Control

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Policy

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Quality Assurance
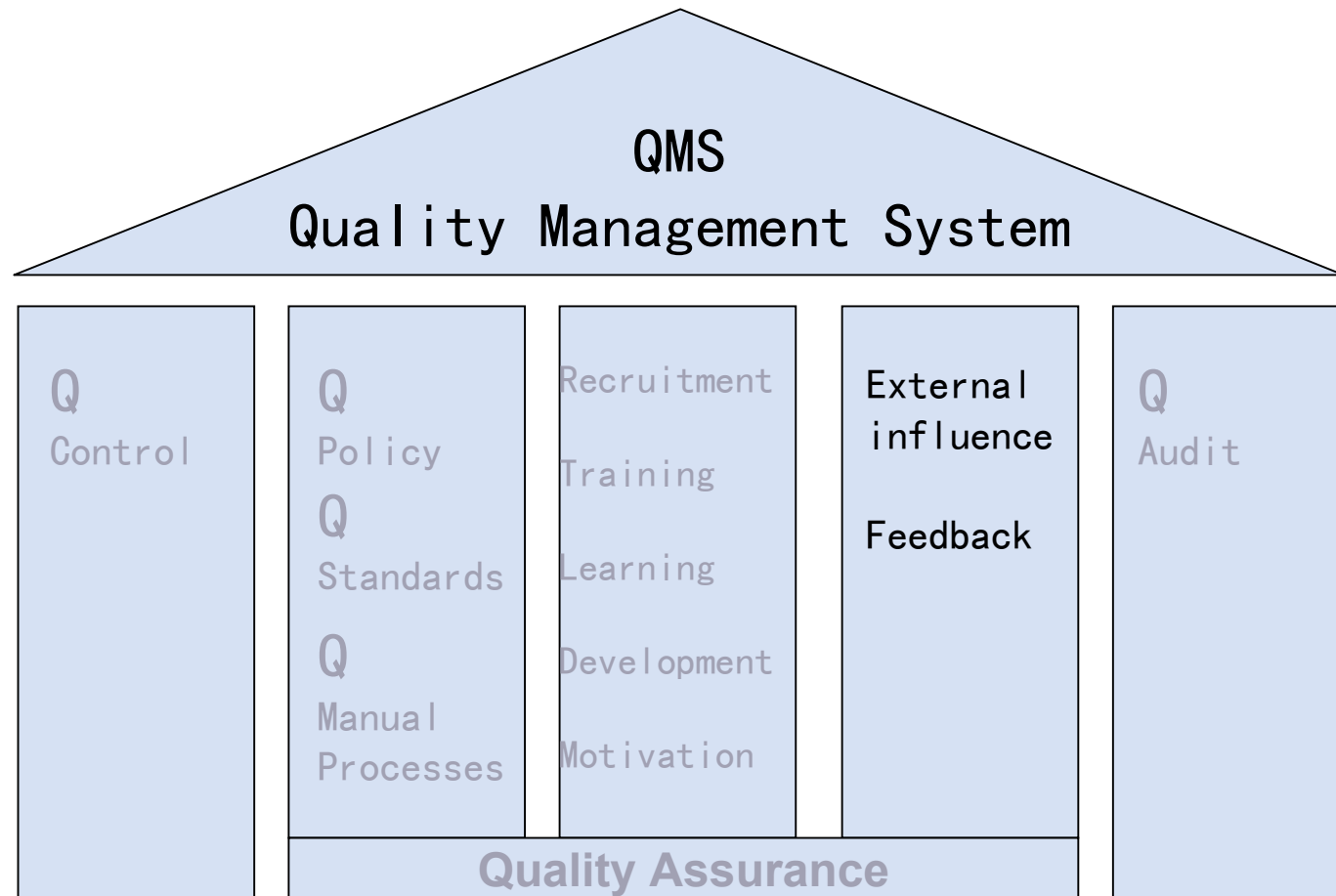
External Influence & Feedback

"Trash in – trash out"

- Identification of trends in filing behaviour

- Identification and implementation of effective countermeasures to prevent applications which negatively affect internal quality

Feedback

- Two-way communication: Intranet, Internet, external (user) surveys, complaints management

- Enables refinement of standards

Ch. 21.08 - 21.13

Quality Audit

QMS
Quality Management System

Q Control	Q Policy Q Standards Q Manual Processes	Recruitment Training Learning Development Motivation	External influence Feedback	Q Audit

Quality Assurance
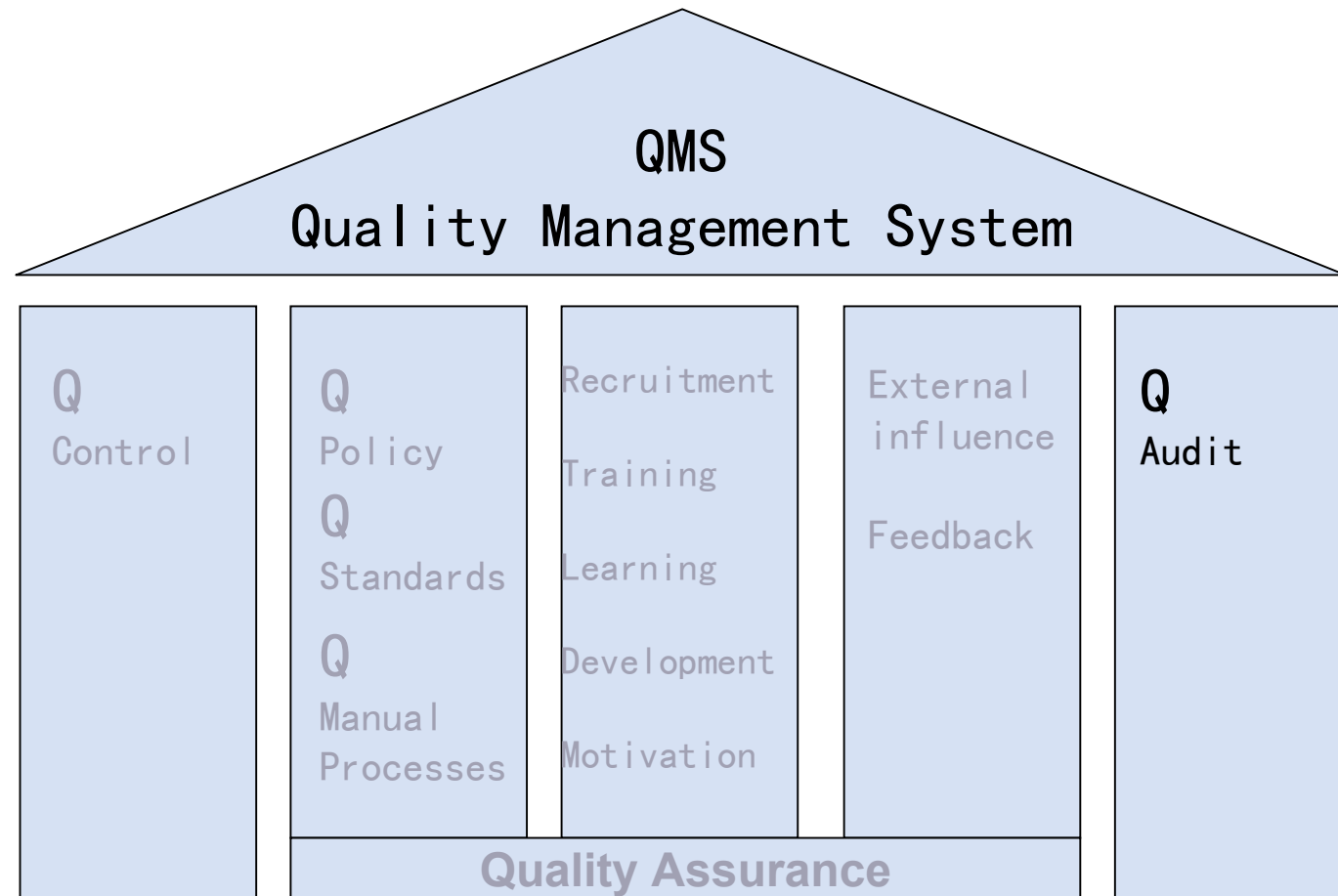
Independent Quality Audit

Internal Audit Department directly under the President; independent of operational area

- Independent internal audits

- Provides confidence in procedures products and results from operational area

- Provides statistically corroborated measure of quality

Ch. 21.10

Questions to the team

Members of the EPO quality team present:

- **Pantelis Kyriakides**, Vice-President, DG 2

- **Colin Philpott**, Principal Director for Quality

- **Gareth Lord**, Directorate Quality Management Support

European Patent Office

Thank you for your attention

Pantelis Kyriakides

Vice-President, Directorate-General 2, Operational Support

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Geneva, 24 February 2005