



European  
Patent Office

# Research Use of Patented Inventions The Economic Context

*CSIC/OECD/OEPM CONFERENCE*

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Madrid, 18-19 May 2006*





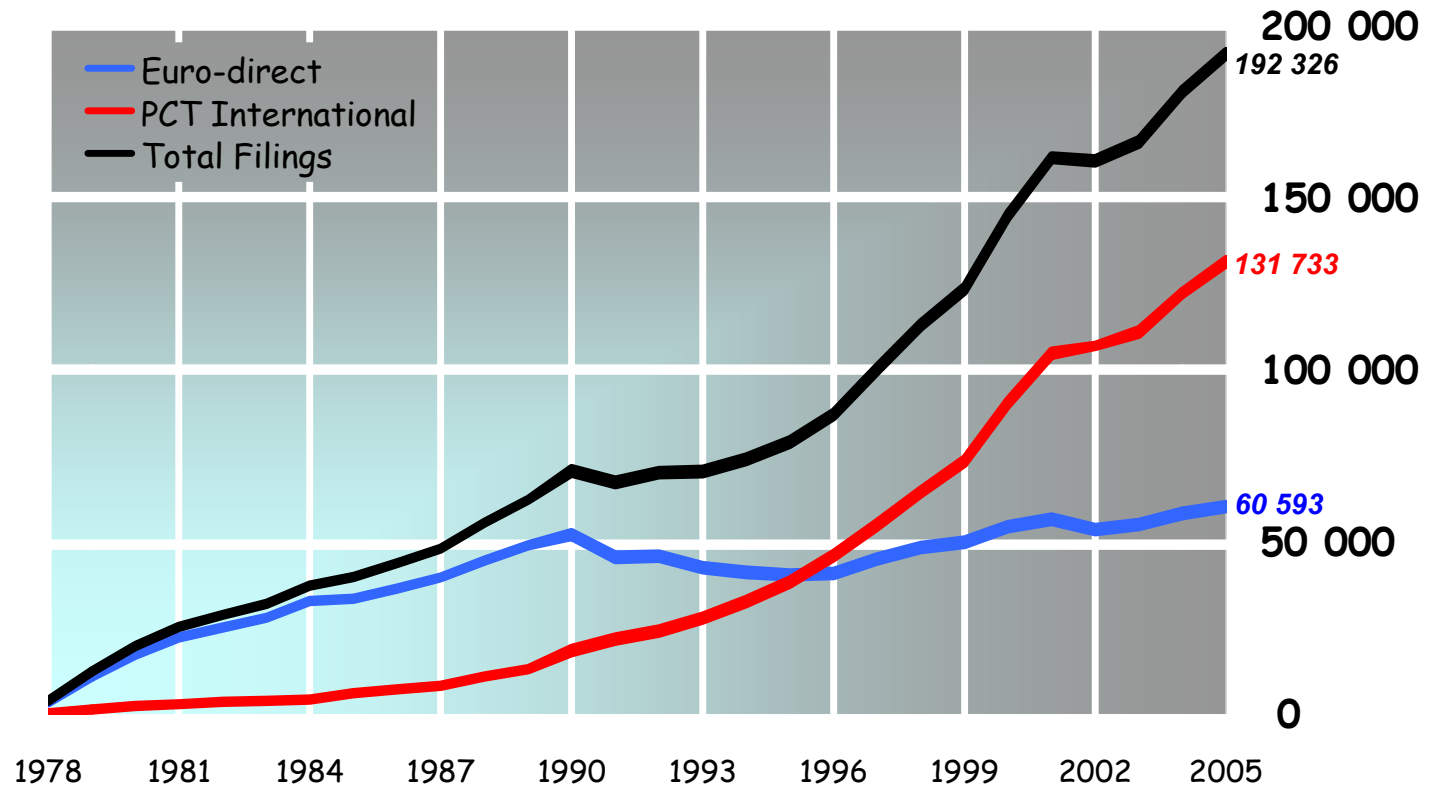
# Agenda

- Filings development
- Complexity of applications
- Quality focus
- Economic and regulatory context



# An explosion of filings at EPO

## European Patent Applications Filings



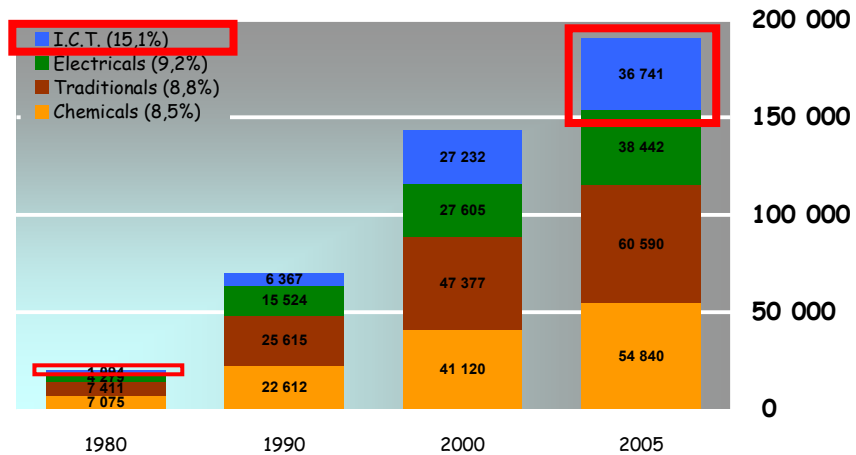
Source: EPO



# Most dynamic drivers: Applications of ICT industry and Japan/Asia

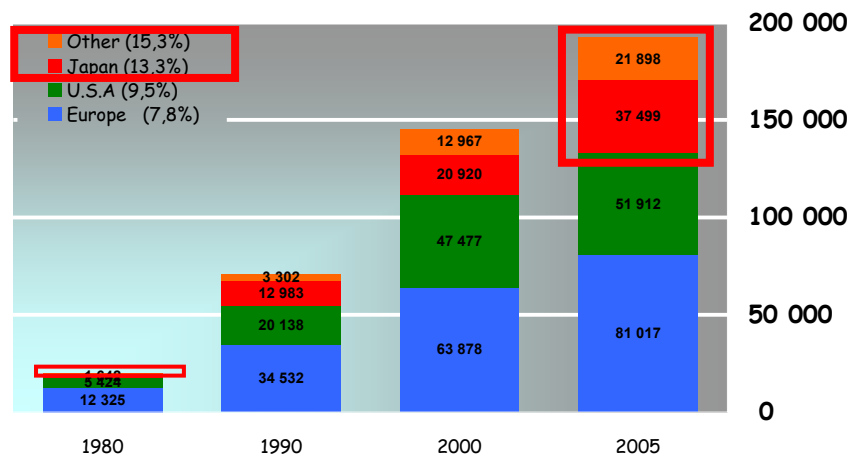
## European Patent Application Filings

(Annual compound growth rate 1980-2005)



## European Patent Application Filings

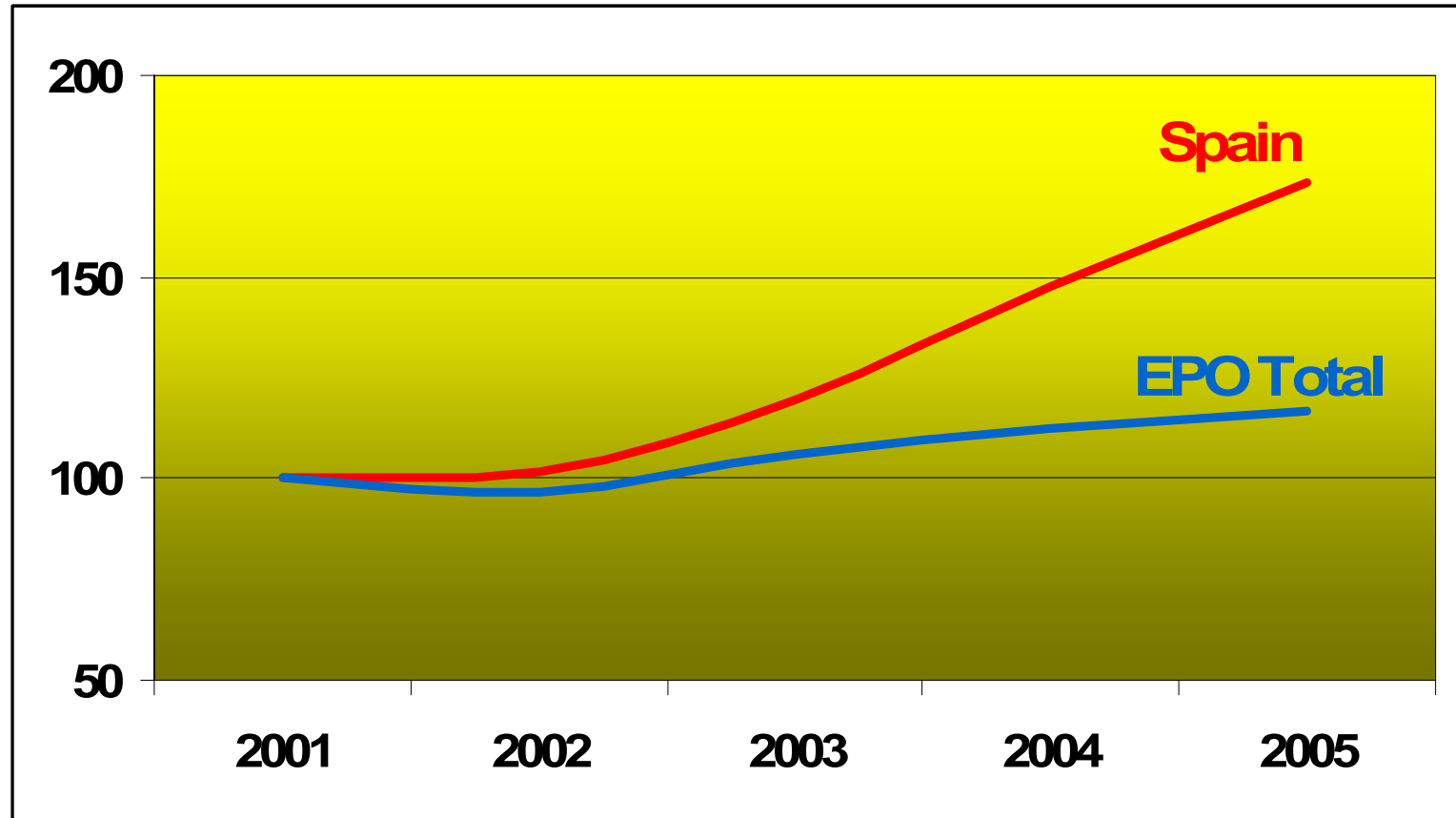
(Annual compound growth rate 1980-2005)



Source: EPO



## Evolution of EPO applications (EP- direct and PCT-RP), 2001=100



**Applications in 2005:**

**Spain : 972    Total EPO : 128,679**



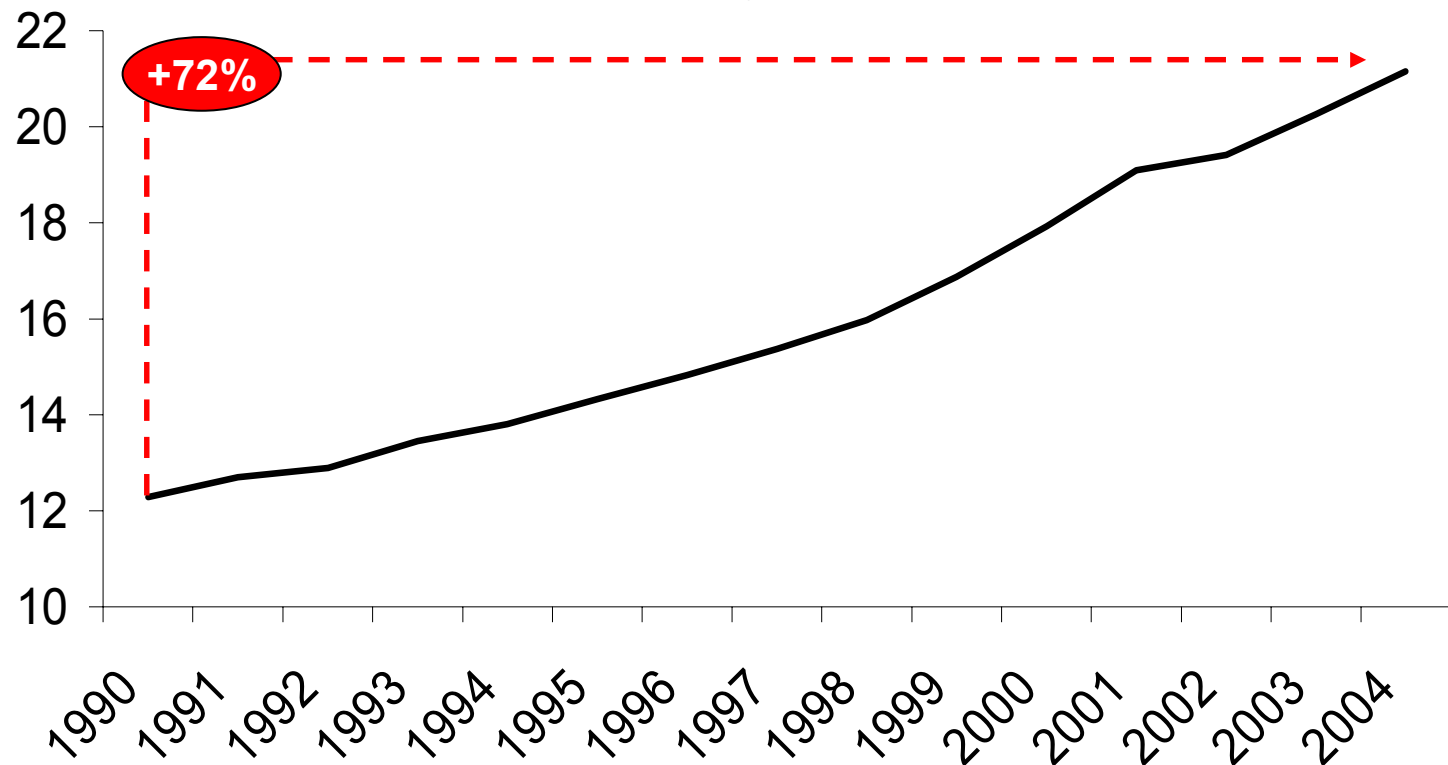
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# Increasing complexity of applications

**Avg. number of claims per application  
received by EPO\***

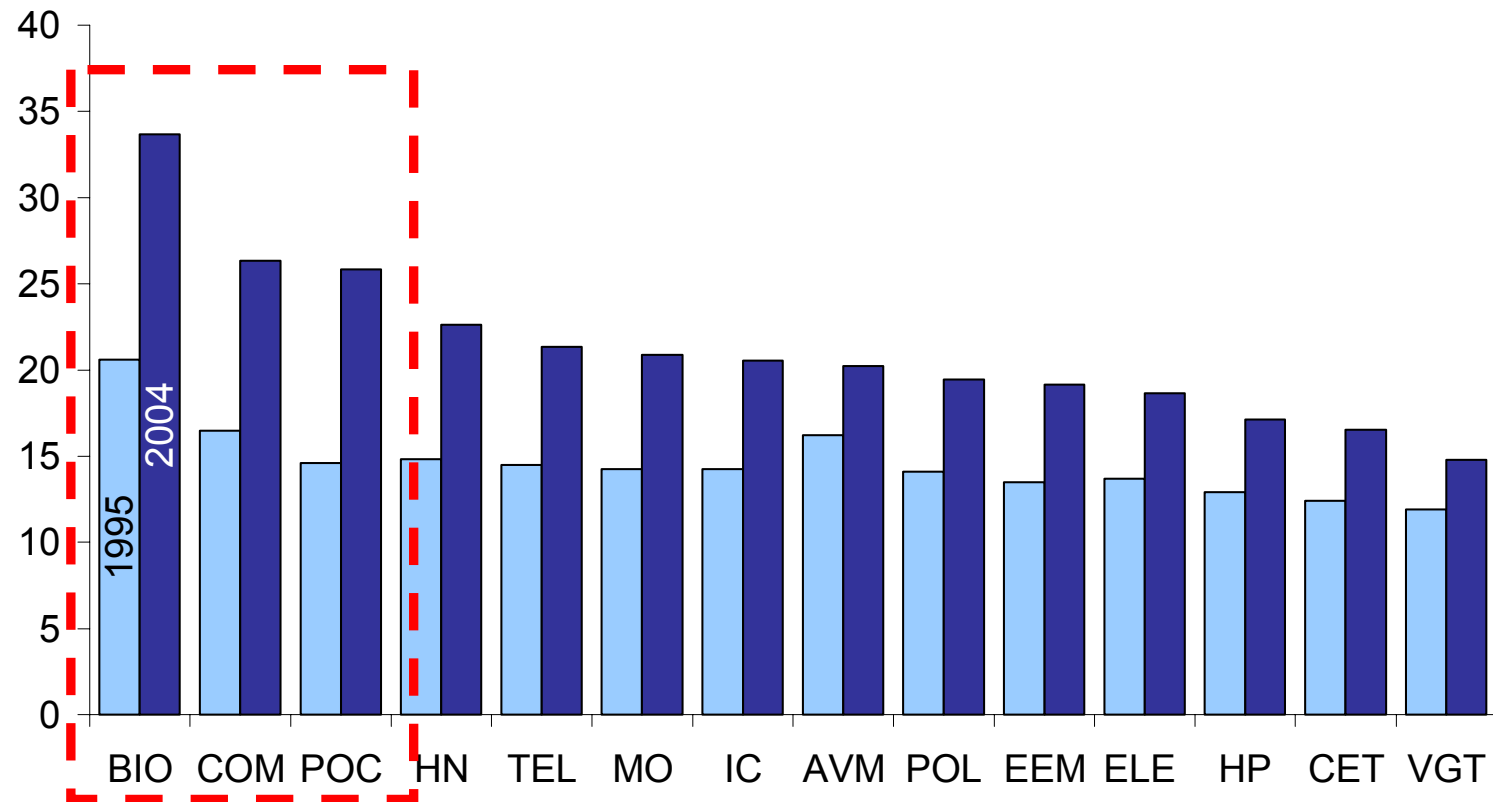


\*by year of application



# Main driver: High-tech applications

**Avg. number of claims per application and Joint Cluster  
at EPO, 1995 vs. 2004**



Note: BIO = Biotech, COM = Computers, POC = Pure and applied Organic Chemistry

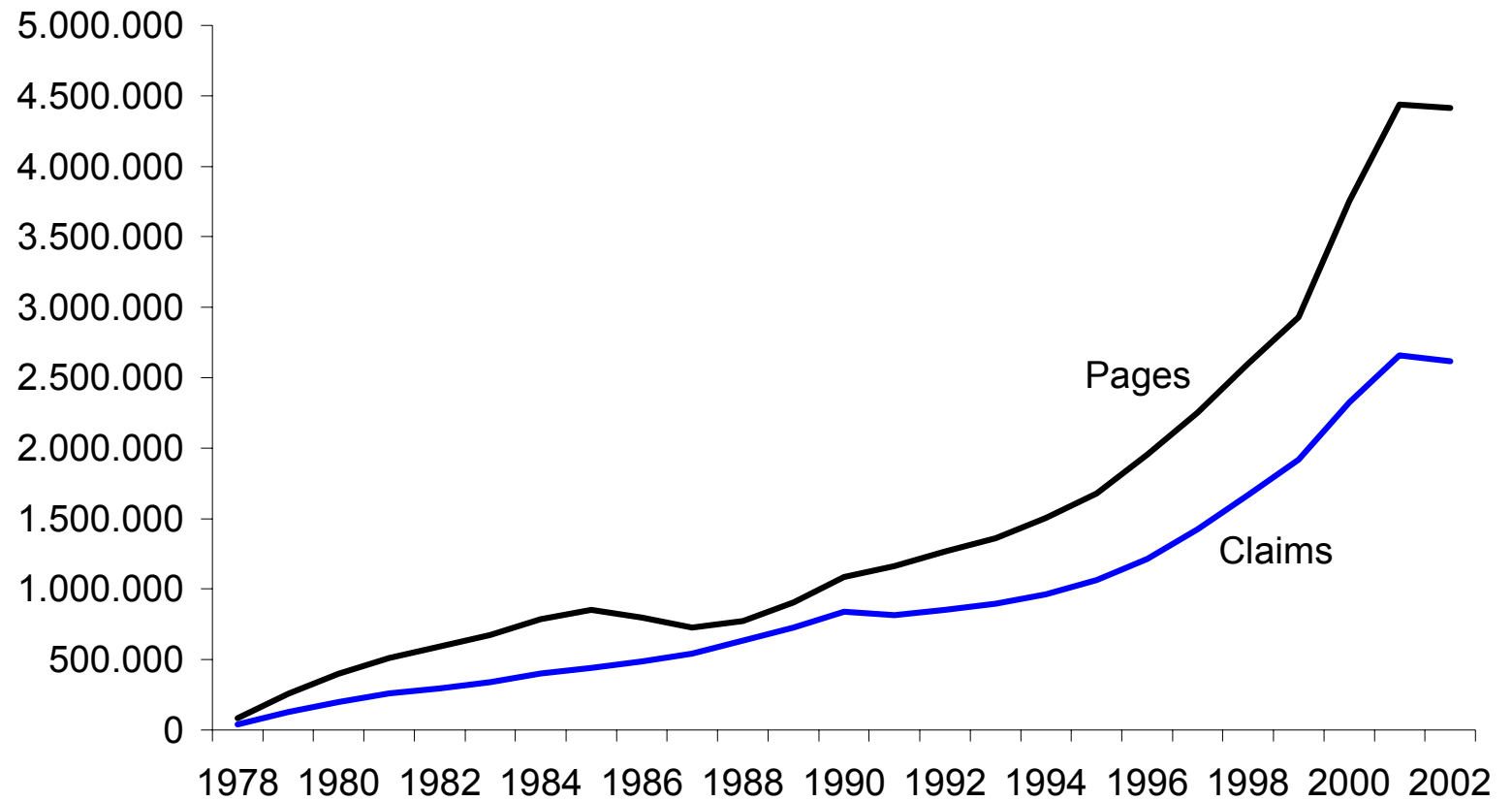
Source: EPO





# Result: Increasing and complex workload 2005 ~ 2.8 M of claims

**Total number of claims and pages received by EPO\***



\* by year of application



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# Clear quality focus

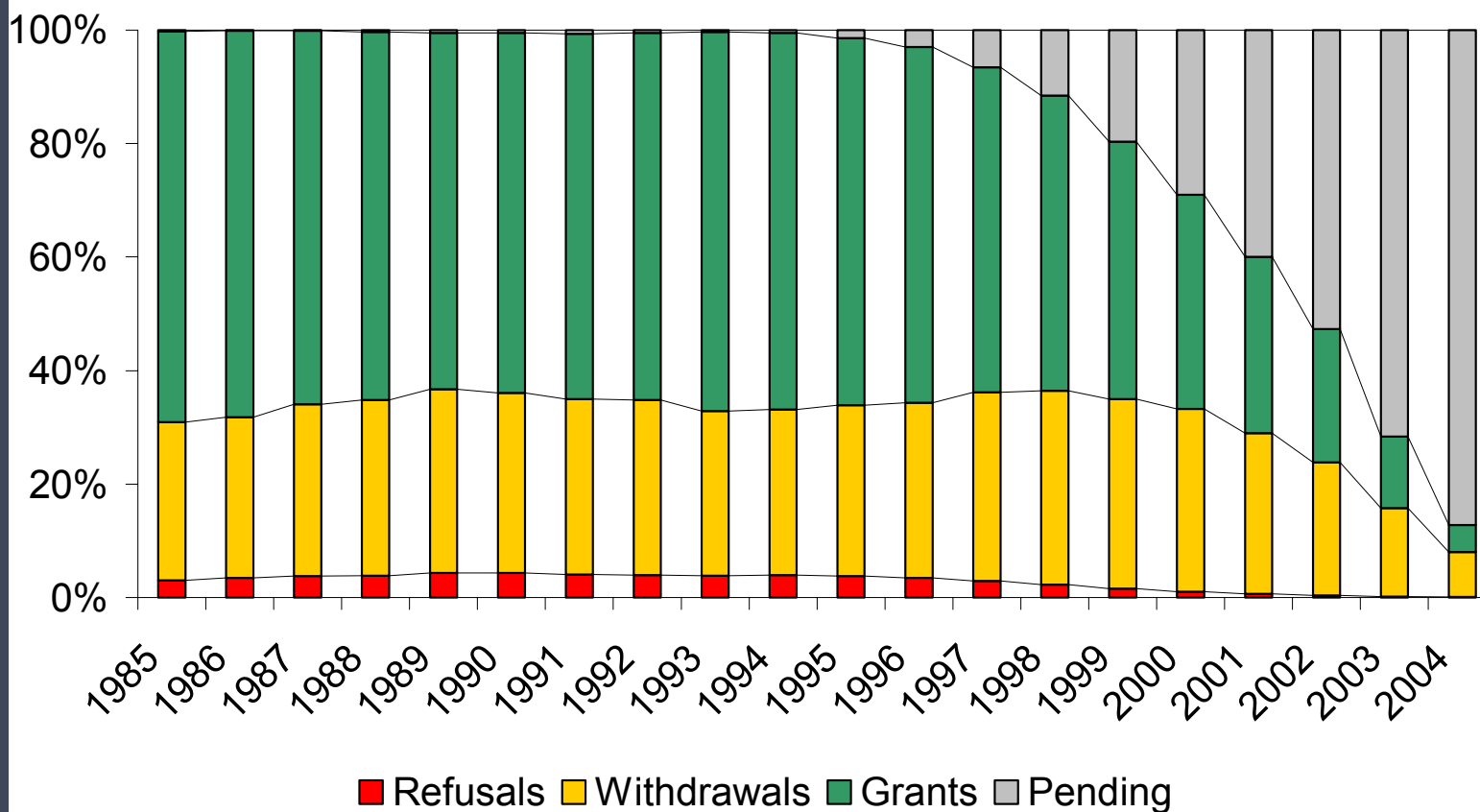
We strive to granting **high quality** patents =

- Only significant inventions get patented  
= quality of technology
- Stopping bad applications early in the process  
= "European Extended Search Report"
- Shortening the time to grant  
= legal security
- Clarity of patents granted  
= quality of information



# Stable refusals and withdrawals

### Status of applications by year of receipt of application\*



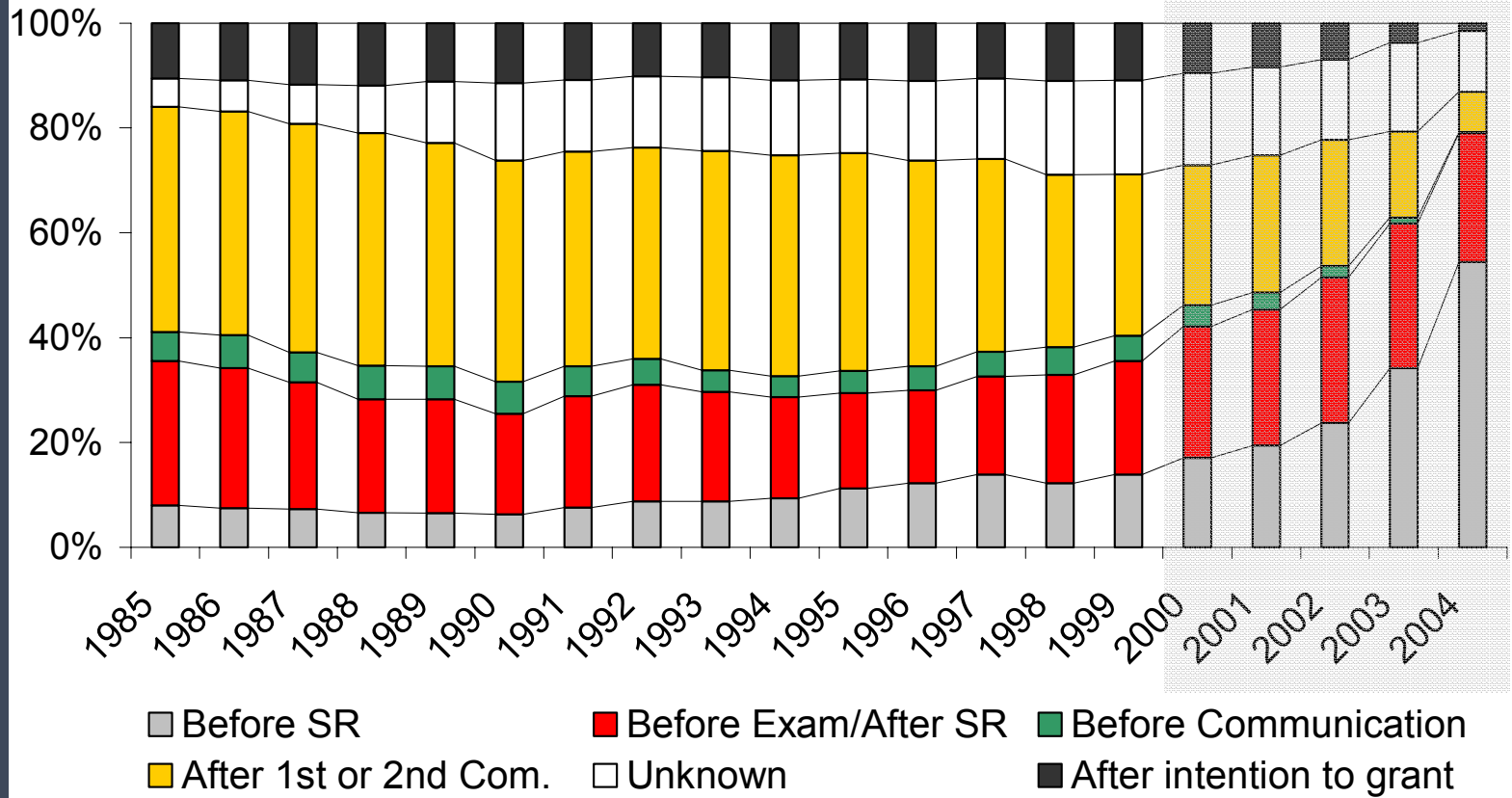
\* as of January 2006

Source: EPO



# >50% of withdrawals driven by Office actions (search report and communications)

### Withdrawn applications by drop-out stage\*



\* by year of receipt of application and as of January



# Agenda

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# Economic and regulatory context

- Increasing number and complexity of patent filings witness the strategic role of IP and patents for the business sector.
- In the same time, Bayh-Dole Act like regulations have spread across Europe: Universities and public labs are new actors in the patent field.
  - Improved technology transfer to local business
  - More resources to universities
  - Apparently no repercussion on the quality and orientation of basic research but a virtuous cycle



# Economic and regulatory context

- Patent filings may increase further with the process of European integration:
  - **London Protocol** = less translation expenses and leaner process
  - **EPLA** = Centralized litigation process (less uncertainty)
  - **Community Patent** = a single centralized procedure
  - **TTBE** = Fair "competition policy/patent policy" interface





## Two promising days...

**Keeping in mind that there is no sign of a slowdown in patent filings:**

- **What are your views?**
- **Are patents really the enemy of “Open science”?**
- **Can patents reduce the speed and quality of academic research?**
- **How frequently are academic research projects blocked by patents?**



European Patent  
Office

*Thank you for your attention*

[www.european-patent-office.org](http://www.european-patent-office.org)

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