

Cynthia Matuszewski
Journalist
Germanenstraße 45
D-86845 Großaitingen

Phone: +49 (0)8203 6453
Fax: +49 (0)8203 6276
cynthia.matuszewski@t-online.de

Press release, 16 April 2007

10,000 patent officers fear for the future of the worldwide patent system

Examiners in the United States, Europe and Canada sign joint declaration

Under the present circumstances, the effective protection of intellectual property by a worldwide patent system is in serious danger and could soon be history. This is the key message of a joint declaration signed in mid-April by patent examiners from the United States, Europe, Canada, Austria and Germany and published today.

The union representatives of these, the biggest patent offices in the world emphasize the major significance of high quality patents for a healthy, innovative economy geared to growth as well as for future-looking research.

In their letter, the patent examiners warn that the current working conditions make it almost impossible for them to satisfy this requirement for quality. The constant pressure for greater productivity, which calls for an ever increasing number of ever more complex patent applications to be handled, is having a negative long-term effect on the protection of intellectual property worldwide.

The signatories represent a total of around 10,000 patent examiners, who look at something like 450,000 patent applications each year.

The union representatives have addressed their urgent appeal to the presidents of their patent offices.

Time for careful examination

First of all, the patent examiners are demanding enough time to carefully examine the patent applications. This contrasts with the policies of the patent offices, which promote the output of as many patents as possible. In this context, the patent examiners fear a loss of quality in their patents in favour of ill-founded quantity. Back in December 2006, the employees of the European Patent Office took strike action to demand "time for quality".

Time to update scientific expertise

Secondly, the patent examiners point out that the complexity of the applications is increasing in parallel to scientific and technical progress. To keep pace with this development, the patent examiners must be allowed to build on their skills regularly, which involves the administration giving them the time they need for continuing professional development.

Objective examination standards

A third issue which the patent examiners believe needs to be urgently addressed is the drawing up of objective examination standards. These rules are intended to ensure that the patent examiners can check their patent applications solely in accordance with factual, scientific criteria. If it is necessary to reject a patent application, this should have the same status as the justified granting of a patent application. This wish on the part of the patent examiners should be seen in the light of the fact that the patent offices are financed in large part out of fees for *granted* patents. This means that they tend to value a granted patent higher than a rejected patent in the performance appraisals of examiners.

Finally in their letter, the patent examiners reiterate their desire to co-operate constructively with the administrations of the patent offices addressed and to see the retention of a strong global patent system that functions efficiently.

[Original text of the letter](#) to the presidents of the patent offices in the United States, Europe, Canada, Austria and Germany.

SUEPO homepage: <http://www.suepo.org>