



Calls for EPO transparency investigation “ignored”

15-09-2014

A staff committee at the European Patent Office (EPO) has said its requests for the office’s governance to be assessed by a corruption specialist have been ignored, *WIPR* can reveal.

The office’s central staff committee (CSC) said it had recommended to its supervisory body that anti-corruption organisation Transparency International (TI) carry out a study on the everyday running of the office, to ensure accountability.

The CSC said its own attempts at convincing the Administrative Council (AC) were ignored, and has revealed that a letter sent directly to AC chairman Jesper Kongstad from TI has also yet to receive a response.

TI’s letter, seen by *WIPR*, was sent in July this year and said the EPO’s governance has at times come under criticism.

“As the EPO plays an important leading role in developing an effective global patent system, TI would like to take the opportunity to offer our support and experience in promoting a culture of integrity and good governance,” it added.

But in a letter sent to EPO staff on September 12, also seen by *WIPR*, the CSC went further, saying the AC had continued to “cloak itself in silence”.

The CSC added that the EPO sets its own financial regulations, independent from national or European law. It said that adherence to these rules is controlled by a board of auditors, appointed by and reporting to the AC.

“Their reports tend to be rather mild and the (few) critical comments are routinely ignored,” the CSC said.

According to the CSC, the most recently-appointed auditor was a former close co-worker of EPO President Benoît Battistelli from his time at the French Patent Office.

“The lack of transparency and the lack of truly independent, financial and political control would seem to pose a serious risk for the integrity of the EPO and consequently for the European patent system,” the CSC said.

It added that this was “particularly worrying” at a time when the EPO is to be given additional responsibilities for the soon-to-be implemented unitary patent.

“Transparency International has reacted to the letter of the CSC. It has offered its support,” the letter adds.

TI examines how national political systems around the world address corruption risks and recently carried out a study of various other EU institutions.

The organisation did not respond immediately to a request for comment.

The AC is one of the two organs of the European Patent Organisation, the other being the EPO. It acts as the EPO’s [supervisory body](#) and consists of representatives from EU member states.

Earlier this year, *WIPR* [reported](#) that staff at the Munich-based EPO were angry after they were denied what would have been their third strike in as many months.

The EPO did not respond immediately to a request for comment.