

PROCEDURAL LAW			
	Subject	Articles and Rules	Key Topics
H	Procedure		
H1 1h	General introduction to procedure before EPO		<ul style="list-style-type: none"> <li>• Substantive law versus procedural law</li> <li>• Overview EPC procedure</li> </ul>
H2 2h	The European patent application	Art. 78, 79, 85 and 118 EPC  Rules 41-43, 45-50 and 138 EPC	<ul style="list-style-type: none"> <li>• Filing a European patent application               <ul style="list-style-type: none"> <li>- Content application</li> <li>- Filing, search and page fee</li> <li>- Request-for-grant form</li> <li>- Claims fees</li> <li>- Drawings</li> <li>- Abstract</li> <li>- Prohibited matter</li> </ul> </li> <li>• Designation of States               <ul style="list-style-type: none"> <li>- Designation fee</li> <li>- Extension fees</li> <li>- How to designate</li> <li>- Withdrawal of designations</li> </ul> </li> </ul>
H3 2x3h	Filing the application, accordance of a date of filing and formalities examination	Art. 75-77, 80, 90 EPC  Rules 1-2, 25, 31-34, 35-40, 52-54, 55-60 and 152 EPC	<ul style="list-style-type: none"> <li>• Filing a European patent application               <ul style="list-style-type: none"> <li>- Where to file</li> <li>- How to file</li> <li>- Filing divisional application</li> </ul> </li> <li>• Accordance of date of filing               <ul style="list-style-type: none"> <li>- Invitation to correct deficiencies</li> <li>- Consequences</li> </ul> </li> <li>• Missing parts of description or missing drawings               <ul style="list-style-type: none"> <li>- Re-dating of the application</li> <li>- Missing parts based on priority</li> <li>- Consequence of non-compliance</li> </ul> </li> <li>• Examination as to formal requirements               <ul style="list-style-type: none"> <li>- Translation</li> <li>- Request for grant</li> <li>- Claims</li> <li>- Abstract</li> <li>- Filing and search fee</li> <li>- Designation of inventor</li> <li>- Priority claim and documents</li> <li>- Representation</li> <li>- Drawings</li> <li>- Physical requirements</li> <li>- Sequence listing</li> </ul> </li> <li>• Ensurance of loss of rights</li> <li>• Requirements for further documents</li> </ul>
H4 2h	Search, search opinion and search report	Art. 92 EPC  Rules 61-66 EPC	<ul style="list-style-type: none"> <li>• Basis of the European search</li> <li>• Extended European search report               <ul style="list-style-type: none"> <li>- European search report</li> <li>- Search opinion</li> <li>- Transmittal to applicant</li> </ul> </li> <li>• Multiple independent claims during search</li> <li>• Incomplete search               <ul style="list-style-type: none"> <li>- Statement indicating subject-matter to be searched</li> <li>- Consequence of non-compliance</li> </ul> </li> <li>• Lack of unity</li> <li>• Definite content of abstract</li> </ul>

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	Subject	Articles and Rules	Key Topics
H5 1h	<b>Publication of the patent application</b>	Art. 93 EPC  Rules 67-69 EPC	<ul style="list-style-type: none"> <li>• When is the patent application published               <ul style="list-style-type: none"> <li>- Content and form of publication</li> <li>- Types of publication</li> <li>- Technical preparations</li> </ul> </li> <li>• Information about publication</li> <li>• Withdrawal of application</li> <li>• Deferred publication</li> <li>• Invalid publication</li> <li>• Legal effect of publication</li> </ul>
H6 3h	<b>Request for examination and substantive examination</b>	Art. 94 EPC  Rules 70-70b, 71(1)-(2), 138 and 141 EPC	<ul style="list-style-type: none"> <li>• Request for examination               <ul style="list-style-type: none"> <li>- When to file the request for examination</li> <li>- Examination fee</li> <li>- Effect of non-payment</li> </ul> </li> <li>• Response to search opinion               <ul style="list-style-type: none"> <li>- Compulsory response</li> <li>- Consequence of non-compliance</li> </ul> </li> <li>• Invitation to provide search results</li> <li>• Substantive examination               <ul style="list-style-type: none"> <li>- Objections examiner</li> <li>- Response from applicant</li> <li>- Auxiliary requests</li> </ul> </li> <li>• Different claims, description and drawings for different States</li> <li>• Information on prior art               <ul style="list-style-type: none"> <li>- Search results of priority applications</li> </ul> </li> </ul>
H7 3h	<b>Amendments and correction of errors</b>	Art. 123 EPC  Rules 137 and 139-140 EPC	<ul style="list-style-type: none"> <li>• Amendments               <ul style="list-style-type: none"> <li>- Opportunity</li> <li>- Own volition</li> <li>- Indication of basis of amendment</li> <li>- Lack of unity</li> <li>- Extension of subject-matter</li> <li>- Disclaimers</li> <li>- Amendment during opposition</li> </ul> </li> <li>• Corrections               <ul style="list-style-type: none"> <li>- R.139, first sentence</li> <li>- R.139, second sentence                   <ul style="list-style-type: none"> <li>o Immediately evident</li> </ul> </li> <li>- Correction of errors in decisions</li> </ul> </li> </ul>
H8 3h	<b>Decision to grant the European patent or to refuse the patent application</b>	Art. 97 and 98 EPC  Rules 71(3)-(11) and 72-74 EPC	<ul style="list-style-type: none"> <li>• Grant               <ul style="list-style-type: none"> <li>- Approval text</li> <li>- Amendments or correction</li> <li>- Translation of priority document</li> <li>- Mention of grant</li> <li>- Patent specification</li> <li>- Technical preparations and form of publication</li> <li>- Effects of grant</li> </ul> </li> <li>• Refusal of patent application               <ul style="list-style-type: none"> <li>- Reasoned decision</li> <li>- Possibility of filing appeal</li> </ul> </li> </ul>

PROCEDURAL LAW			
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H9 2x3h	Opposition; request for limitation or revocation	Art. 99–105, 105a–105c and 123(3) EPC  Rules 75, 76-87, 88, 89 and 90-96 EPC	<ul style="list-style-type: none"> <li>• Notice of opposition               <ul style="list-style-type: none"> <li>– Who may file</li> <li>– Where to file</li> <li>– Language</li> <li>– Payment opposition fee</li> <li>– Parties to opposition proceedings                   <ul style="list-style-type: none"> <li>o Inter-partes proceedings</li> </ul> </li> </ul> </li> <li>• Extent of opposition</li> <li>• Grounds for opposition               <ul style="list-style-type: none"> <li>– Separate grounds</li> </ul> </li> <li>• Indication of facts and evidence</li> <li>• Examination of opposition               <ul style="list-style-type: none"> <li>– Notice of opposition deemed to have been filed</li> <li>– Admissibility of opposition</li> <li>– Substantive examination of opposition</li> </ul> </li> <li>• Decision in opposition proceedings               <ul style="list-style-type: none"> <li>– Rejection of opposition</li> <li>– Revocation of patent</li> <li>– Patent maintained in amended form</li> <li>– Interlocutory decision</li> </ul> </li> <li>• Continuation of own motion</li> <li>• New specification</li> <li>• Apportionment of costs</li> </ul> <hr/> <ul style="list-style-type: none"> <li>• Intervention               <ul style="list-style-type: none"> <li>– Payment opposition fee</li> <li>– Treated as opposition</li> </ul> </li> <li>• Intervention in appeal proceedings</li> </ul> <hr/> <ul style="list-style-type: none"> <li>• Limitation/Revocation procedure               <ul style="list-style-type: none"> <li>– Subject of proceedings</li> <li>– Competence of the Examining Division</li> <li>– Requirements of the request for limitation or revocation</li> <li>– Precedence of opposition proceedings</li> <li>– Decision on the request for limitation or revocation</li> <li>– Publication of the amended specification of the European patent</li> </ul> </li> </ul>

PROCEDURAL LAW			
	Subject	Articles and Rules	Key Topics
H10 3h	Appeal and Petition for Review	Art. 21, 22, 23 and 106–112 and 112a EPC  Rules 97-103 and 104-110 EPC	<ul style="list-style-type: none"> <li>• Appealable decisions</li> <li>• Suspensive effect</li> <li>• Who is entitled to appeal               <ul style="list-style-type: none"> <li>– Adversely affected party</li> <li>– Parties to appeal proceedings</li> </ul> </li> <li>• Reformatio in peius</li> <li>• Termination of appeal</li> <li>• Notice of appeal               <ul style="list-style-type: none"> <li>– Where to file</li> <li>– Payment appeal fee</li> </ul> </li> <li>• Statement setting out grounds for appeal</li> <li>• Interlocutory revision</li> <li>• Assessment of appeal               <ul style="list-style-type: none"> <li>– Notice of appeal deemed to have been filed</li> <li>– Admissibility of appeal</li> <li>– Substantive examination of appeal</li> </ul> </li> <li>• Decision of Board of Appeal               <ul style="list-style-type: none"> <li>– Binding nature</li> </ul> </li> <li>• Reimbursement appeal fee               <ul style="list-style-type: none"> <li>– Substantial procedural violation</li> </ul> </li> <li>• Intervention in appeal proceedings</li> </ul>
			<ul style="list-style-type: none"> <li>• Enlarged Board of Appeal               <ul style="list-style-type: none"> <li>– Referral by Board of Appeal: decision                   <ul style="list-style-type: none"> <li>o Binding nature</li> </ul> </li> <li>– Referral by President EPO: opinion</li> </ul> </li> </ul>
			<ul style="list-style-type: none"> <li>• Petition for Review by the Enlarged Board of Appeal               <ul style="list-style-type: none"> <li>– Fundamental procedural defects</li> <li>– Criminal acts</li> <li>– Obligation to raise objections during appeal proceedings</li> <li>– Contents of the petition for review</li> <li>– Examination of the petition</li> <li>– Procedure</li> <li>– Reimbursement of the fee for petitions</li> </ul> </li> </ul>
H11 3h	Common provisions governing procedure	Art. 113–119, 124 and 125 EPC  Rules 4, 111, 113, 114, 115-116, 117-124, 125-130 EPC	<ul style="list-style-type: none"> <li>• Decisions               <ul style="list-style-type: none"> <li>– Right to be heard</li> <li>– Text agreed by applicant/proprietor</li> </ul> </li> <li>• Own motion</li> <li>• Observations by third parties</li> <li>• Oral proceedings</li> <li>• Taking of evidence</li> <li>• Unity of application/patent</li> <li>• Notification</li> <li>• Reference to general principles</li> </ul>
H12 3h	Periods	Art. 120 and 51(2) EPC  Rules 131-134, 14(4), 78(1) and 142 EPC	<ul style="list-style-type: none"> <li>• Periods               <ul style="list-style-type: none"> <li>– Calculation of periods</li> </ul> </li> <li>• Periods specified by the EPO               <ul style="list-style-type: none"> <li>– Extension upon request</li> </ul> </li> <li>• Late receipt of documents</li> <li>• Extension of periods</li> <li>• Interruption of periods               <ul style="list-style-type: none"> <li>– Suspension of proceedings</li> <li>– Interruption of proceedings</li> </ul> </li> </ul>

<b>PROCEDURAL LAW</b>			
	<b>Subject</b>	<b>Articles and Rules</b>	<b>Key Topics</b>
H13 3h	<b>Further processing and re-establishment of rights</b>	Art. 121 and 122 EPC  Rules 112, 135 and 136 EPC	<ul style="list-style-type: none"> <li>• Loss of rights communication <ul style="list-style-type: none"> <li>- Application for decision</li> </ul> </li> <li>• Further processing <ul style="list-style-type: none"> <li>- Requirements</li> <li>- Periods exempt from further processing</li> </ul> </li> <li>• Re-establishment of rights <ul style="list-style-type: none"> <li>- Requirements</li> <li>- Cause of non-compliance</li> <li>- All due care</li> <li>- Periods exempt from re-establishment of rights</li> </ul> </li> </ul>
H14 3h	<b>Fees</b>	Art. 33(2)(d), 39(1), 51, 78(2), 79(2), 86, 99(1), 105a(1), 108, 112a(4) and 141 EPC  Rules 36(3)-(4), 38-39, 45, 51, 71, 82(2), 88(3), 89(2), 135(1) and 136(1) EPC  Rules relating to Fees Arrangements for Deposit Accounts (ADA) Arrangements for the Automatic Debiting Procedure (AAD)	<ul style="list-style-type: none"> <li>• Fees for applications</li> <li>• Renewal fees</li> <li>• Rules relating to fees <ul style="list-style-type: none"> <li>- 10-day fail-safe arrangement</li> <li>- Insufficient payment</li> <li>- Refund of fees</li> <li>- Reduction of fees</li> </ul> </li> <li>• Deposit accounts <ul style="list-style-type: none"> <li>- Replenishment</li> </ul> </li> <li>• Automatic debiting <ul style="list-style-type: none"> <li>- Excluded fees</li> </ul> </li> </ul>
<b>I/J</b>	<b>Revocation and national rights</b>		
I 1h	<b>Revocation</b>	Art. 2(2), 138 and 139 EPC	<ul style="list-style-type: none"> <li>• Grounds for revocation</li> <li>• Proceedings for revocation</li> <li>• Partial revocation</li> </ul>
J1 1h	<b>Relations European and national patents</b>	Art. 139 and 140 EPC	<ul style="list-style-type: none"> <li>• Rights of earlier date or the same date <ul style="list-style-type: none"> <li>- National prior rights</li> </ul> </li> <li>• National utility models and utility certificates</li> </ul>
J2 1h	<b>Conversion to national application</b>	Art. 135 and 137 EPC  Rules 155-156 EPC	<ul style="list-style-type: none"> <li>• Conditions conversion</li> <li>• Procedure conversion</li> </ul>
<b>K</b>	<b>Community Patent Convention and other Agreements</b>		
K1 1.5h	<b>Special Agreements</b>	Art. 142-149a EPC	<ul style="list-style-type: none"> <li>• Switzerland and Liechtenstein</li> <li>• Cooperation on creation of unitary patent protection</li> </ul>
K2 1.5h	<b>International Conventions and the Unitary Patent Project</b>	Strasbourg Convention  TRIPs agreement  Patent Law Treaty  Paris Convention	<ul style="list-style-type: none"> <li>• Strasbourg Convention <ul style="list-style-type: none"> <li>- Substantive patent law</li> </ul> </li> <li>• TRIPs <ul style="list-style-type: none"> <li>- Patentable subject-matter</li> </ul> </li> <li>• PLT <ul style="list-style-type: none"> <li>- Filing date</li> <li>- Representation</li> </ul> </li> <li>• Paris Convention <ul style="list-style-type: none"> <li>- National Treatment</li> </ul> </li> <li>• Cooperation on creation of unitary patent protection</li> </ul>

PATENT COOPERATION TREATY			
	Subject	Articles and Rules	Key Topics
<b>L</b>	<b>The Patent Cooperation Treaty</b>		
L1 3h	<b>Introduction PCT</b>	PCT Art. 1, 2, 9, 10, 27(7), 43-45, 49, 53, 55 and 58  PCT Rules 2, 79-82, 83, 90, 90bis, 91, 92 and 94  Art. 150 EPC	<ul style="list-style-type: none"> <li>• Structure of the PCT</li> <li>• International phase / national phase</li> <li>• International Bureau</li> <li>• General articles and rules               <ul style="list-style-type: none"> <li>- Definition of application</li> <li>- Definition of priority date</li> <li>- Definition of national Office</li> <li>- Applicant</li> <li>- Receiving Office</li> <li>- Seeking certain kinds of protection</li> <li>- Seeking two kinds of protection</li> <li>- Regional Patent Treaties</li> <li>- Right to Practice before International Authorities</li> <li>- Assembly</li> <li>- International Bureau</li> <li>- Periods</li> <li>- Irregularities in the mail service</li> <li>- Agents and common representatives</li> <li>- Obvious errors in documents</li> <li>- Correspondence</li> <li>- Withdrawals</li> <li>- Access to files</li> </ul> </li> </ul>
L2 3h	<b>International application</b>	PCT Art. 3-14  PCT Rules 3-11, 12-13ter, 14-16bis, 17, 18, 19-23, 24-26, 26bis, 26ter, 27-32 and 92bis  Art. 151 EPC  Rule 157 EPC	<ul style="list-style-type: none"> <li>• Filing an international application               <ul style="list-style-type: none"> <li>- Request</li> <li>- Applicant</li> <li>- Where to file</li> <li>- Languages</li> <li>- Agent</li> <li>- Inventor</li> <li>- Signature</li> <li>- Fees</li> <li>- Designation of States</li> <li>- Priority</li> </ul> </li> <li>• Filing date               <ul style="list-style-type: none"> <li>- Right to file international application</li> <li>- Procedure for correction</li> <li>- Filing missing elements or missing parts</li> <li>- Effect on filing date</li> </ul> </li> <li>• Defects in international application               <ul style="list-style-type: none"> <li>- Procedure for correction</li> </ul> </li> </ul>

PATENT COOPERATION TREATY			
	Subject	Articles and Rules	Key Topics
L3 3h	International search, supplementary international search, international publication and international preliminary examination	PCT Art. 15-19, 20-30, 31-38  PCT Rules 33-45, 45bis, 46, 48, 53-78 and 94  Art. 152 EPC  Rule 158 EPC	<ul style="list-style-type: none"> <li>• International search               <ul style="list-style-type: none"> <li>- Competent ISA</li> <li>- Subject-matter not searched</li> <li>- Oral disclosure</li> <li>- Lack of unity and protest procedure</li> <li>- International search report [ISR]</li> <li>- Written opinion of ISA</li> <li>- Filing amendments of the claims</li> <li>- IPRP (Chapter I)</li> </ul> </li> <li>• EPO as ISA               <ul style="list-style-type: none"> <li>- Subject-matter not searched</li> <li>- Limitation US: business methods</li> <li>- Lack of unity and protest procedure</li> <li>- Refund of search fee</li> </ul> </li> </ul>
			<ul style="list-style-type: none"> <li>• International publication               <ul style="list-style-type: none"> <li>- Languages of publication</li> <li>- Contents publication</li> <li>- PCT Gazette</li> <li>- Preventing/postponing publication</li> <li>- Technical preparations</li> <li>- Provisional protection</li> </ul> </li> <li>• International publication - EPO as designated/elected Office               <ul style="list-style-type: none"> <li>- Provisional protection</li> </ul> </li> </ul>
			<ul style="list-style-type: none"> <li>• Supplementary international search               <ul style="list-style-type: none"> <li>- Supplementary search request</li> <li>- Supplementary search handling fee</li> <li>- Supplementary search fee</li> <li>- Correction of defects</li> <li>- Start, basis and scope</li> <li>- Unity of invention                   <ul style="list-style-type: none"> <li>o Review of opinion of SISA</li> </ul> </li> <li>- Supplementary international search report                   <ul style="list-style-type: none"> <li>o Explanations PCT R.45bis.7(e)</li> <li>o Transmittal to applicant</li> </ul> </li> <li>- ISA competent to carry out supplementary international search (SISA)</li> </ul> </li> <li>• EPO as SISA               <ul style="list-style-type: none"> <li>- Refund of supplementary search fee</li> <li>- Subject-matter not searched</li> <li>- Non-unity and review</li> </ul> </li> </ul>
			<ul style="list-style-type: none"> <li>• International preliminary examination               <ul style="list-style-type: none"> <li>- Filing demand and fee payment</li> <li>- Competent IPEA</li> <li>- Written opinion of IPEA</li> <li>- Response to written opinion</li> <li>- Amendment</li> <li>- Lack of unity and protest procedure</li> <li>- Subject-matter not searched</li> <li>- IPRP = IPER (Chapter II)</li> </ul> </li> <li>• EPO as IPEA               <ul style="list-style-type: none"> <li>- Subject-matter not searched</li> <li>- Limitation US: business methods</li> <li>- Non unity and protest procedure</li> <li>- Filing amendments</li> </ul> </li> </ul>

PATENT COOPERATION TREATY			
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L4 3h	National phase and Euro-PCT application	<p>PCT Art. 22-25, 27, 28, 39-41, 45(1) and 48</p> <p>PCT Rules 47, 49-50, 51- 52, 74, 76 and 82bis</p> <p>Art. 150 and 153 EPC</p> <p>Rules 159-165 EPC</p>	<ul style="list-style-type: none"> <li>• Acts for entry into national phase               <ul style="list-style-type: none"> <li>- Period for entry</li> <li>- Translation international application</li> <li>- Fee payment</li> <li>- Naming of inventor</li> <li>- Priority documents</li> <li>- Representation</li> <li>- Amendment before designated/elected Office</li> <li>- Review and excuse procedure                   <ul style="list-style-type: none"> <li>o EPO: Examining Division competent to take decisions</li> </ul> </li> </ul> </li> <li>• EPO as designated/elected Office               <ul style="list-style-type: none"> <li>- Predominance of PCT over EPC</li> <li>- Acts for entry into EP regional phase                   <ul style="list-style-type: none"> <li>o Translation</li> <li>o Filing and page fee</li> <li>o Designation fee</li> <li>o Search fee for supplementary European search</li> <li>o Request for examination</li> <li>o Renewal fees</li> </ul> </li> <li>- Consequences of non-compliance                   <ul style="list-style-type: none"> <li>o Further processing</li> </ul> </li> <li>- Amendment of the Euro-PCT application                   <ul style="list-style-type: none"> <li>o Mandatory response to written opinion</li> </ul> </li> <li>- Claims fees</li> <li>- Examination of formal requirements                   <ul style="list-style-type: none"> <li>o Designation of inventor</li> <li>o Priority claim and document</li> <li>o Sequence listing</li> <li>o Address/nationality of applicant</li> <li>o Representation</li> </ul> </li> <li>- Non-unity                   <ul style="list-style-type: none"> <li>o Filing divisional application</li> </ul> </li> <li>- Euro-PCT application as prior right</li> <li>- Substantive examination</li> <li>- Inspection of files</li> </ul> </li> </ul>