

# Letter of Motivation

Dear Sir/Madam,

I am very honoured to present my application to the post of President of the European Patent Office.

I would like to share with you what are, in my view, the key challenges that the European Patent Organisation (EPO) is facing and the added value that I believe I could bring to the Organisation.

## **EPO's role and importance**

In a context of global competition, investments in innovation are often the best vector to improving competitiveness, creating value and better remunerated jobs. Europe, as a global player, must rely on an efficient and effective patenting system in order to secure the results of its investments in Research and Development.

More than four decades have passed since the creation of the EPO. With the strength of its 38 Members States, its 7 000 highly qualified, experienced, multi-lingual staff, and with the support of its users, the EPO is unquestionably a success story.

It has built a reputation of delivering high quality patent rights and it has become a key actor in terms of standards and tools, both of which are commonly used by patent offices worldwide. The EPO has the mandate by the European Union to implement the Unitary Patent Protection, a clear sign of trust of the EU and its Member States in the Office's capacity to deliver high quality products and services in the patent area.

In recent years, the EPO has been able to improve its performance considerably, both at the operational and financial levels. Nevertheless like in any other success story, there is always room for further improvements and fine-tuning, particularly in the current challenging economic and social context. Undeniably, organisations are living organisms that must always adapt to their environment to ensure their continued evolution.

## **The challenges ahead**

I identify essentially 3 challenges in the coming years where the EPO's leadership efforts should focus.

The first one relates to efficiency and effectiveness. The regular increases in the number of patent applications and prior art, coupled with the growing complexity in examination of inventions dependent on multiple technological fields, challenge the ability of patent offices to deliver high quality products and services in a timely manner. To avoid this risk, the EPO should enhance its capacity to attract, train, retain and manage highly specialised talent. The EPO should also position itself at the forefront of digital transformation, through further enhancing highly secure automation, and further expanding or integrating new technologies, such as automatic translation, or big data analytics. Furthermore, the EPO should improve, when needed, the patent granting procedure in close consultation with users and Member States. All these initiatives would be pivotal in ensuring quality and efficiency gains, which would in turn allow the EPO to keep its competitive edge across the world.

However, ensuring that the right things are done at the right time is not enough, they must also be done in the right manner, leading to effectiveness. The EPO should work towards increased effectiveness, while continuing to be perceived as the international public service that grants high, if not the highest quality patent rights in the world. It must be also acknowledged that the EPO will be facing in the future increased exposure to public scrutiny, which is particularly true for an organisation that operates at the edge of human creativity. This public scrutiny should be fully integrated in the EPO's operations. Increased accountability and transparency through regular and clear communication with the public authorities, the users, the media and the public at large, should become an essential attribute in the Office's activities.

The overall financing of the EPO should not be achieved through Member States financing, nor through fee increases, as this would be detrimental to the attractiveness and accessibility of the patenting system, in particular for SMEs and universities. Instead, the operational sustainability of the Office should be sought by obtaining efficiency gains that would allow for further investment whilst ensuring the viability of the long-term financial liabilities linked to the pension system.

The second challenge is linked to cooperation. Organisations are like living organisms but do not live in isolation. The European Patent Network, with its 38 Member States and patent offices, should be reinforced and given a more pronounced user focus. Areas such as front and back office e-tools, secondment of national experts, awareness, technology transfer particularly focusing on Universities and SMEs, could be envisaged. A cooperation fund based upon the definition and delivery of high value projects, operating in close cooperation with Member States and users could be set up. The cooperation financial criteria could be revisited in order to ensure the highest number of project implementations to the benefit of National Offices and users. All should be done working jointly with the EUIPO and the WIPO

to enhance synergies and avoid duplication of efforts. Moreover, further developments of the cooperative work in the IP5 remit should remain a focus area as should cooperation with the EU Institutions within the forum of the Unitary Patent framework.

The third challenge lies in increasing the levels of staff engagement. The two first challenges can only be successfully met with the full commitment of the EPO's staff. Attracting, training, developing and retaining talent must be at the heart of EPO HR policies, as should be nurturing fairness, gender and nationality balances. The EPO should provide its staff with a clear understanding of its strategic goals, making their contributions more meaningful and thus developing a clear sense of professional purpose. Merit must be rewarded and celebrated. Team work, and teleworking, where appropriate, should be developed. Untapped talent should be identified, and the working environment adapted to the needs. Managers should be called upon to improve their communication skills, and through communication, ensure a better alignment within the organisation.

Social dialogue must be renewed and tensions eased, through the development of a culture that favours compromise, not losing sight of the EPO's long term sustainability. To this extent, I am sincerely committed to reach and hold common ground with the EPO's social partners.

### **My pledge**

Since my pledge to the organisation I presently serve remains relevant to the challenges ahead for the EPO, I would like to repeat them: “to meet these challenges, I commit to pursue the work well done, to improve what should be improved and to revise what should be revised. I commit myself to do this with the active contribution and supervision of the Member States represented in the Administrative Council, in close consultation with the users and, it goes without saying, with the contribution and commitment of all those who work at the EPO. I strongly feel that continuous dialogue and increased transparency will be of enormous benefit for the EPO and its users”.

I will also pay the highest attention to ensure that all Contracting States, whether members of the EU or not, are treated equally within the organisation. The EPO is an inter-governmental organisation, built on equal voting rights and status: a fundamental element of governance that must be preserved.

In the past 20 years I have served public services dedicated to Intellectual Property, first by leading the Portuguese Industrial Property Office and also by representing my country in administrative boards and councils of European IP Organizations; today I serve as the Executive Director of the European Union Intellectual Property Office. I have grown in intellectual property knowledge and in experience managing international and multicultural organizations. If elected I stand ready to lead the European Patent Office as from the first of July 2018.

Yours sincerely,

António Campinos