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News from the EPO

New and improved post grant data in the EP legal status

(Updated)

The three older EP 25 codes will cease to exist INPADOCDB. They are being deleted from the file.

EP25	LAPSED IN A CONTRACTING STATE ANNOUNCED VIA POSTGRANT (INFO FROM NAT. OFFICE TO EPO)
EPR25	LAPSED AS TO RULE 92 1 P (CORRECTION) LAPSED AS TO RULE 92 1 P (CORRECTION)
EPD25	LAPSED IN A CONTRACTING STATE (DELETED)

They will be replaced with new records with the following legal status codes:

EPPG25	LAPSED IN A CONTRACTING STATE ANNOUNCED VIA POSTGRANT INFORM. FROM NAT. OFFICE TO EPO
EPPGRI	POSTGRANT: PATENT REINSTATED IN CONTRACTING STATE

This "post-grant" data has been taken from the fee administration service of the EPO, whose job it is to collect the EPO's share of the annual patent renewal fees from member states once the patents are granted and pass into the responsibility of the member states of the EPO.

The existing information of lapses in the national countries after the grant of an EP patent will be replaced with data containing additional details such as:

- lapse because of non-payment of due fees
- lapse because of failure to submit a translation of the description or to pay the fee within the prescribed time-limit
- lapse because of expiration of protection
- lapse because the applicant renounces
- failure to indicate a domicile in the country of residence
- annulments by decisions of a national authority

In addition to the "lapse" data, records for the reinstatements (LS code EPPGRI) will also be included so far as the national offices inform the EPO of them. The data will contain the date of reinstatement and the country for which the reinstatement was made.

Additionally, fee payment data with the following code will be included:

EPPGFP	POSTGRANT: ANNUAL FEES PAID TO NATIONAL OFFICE
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The reinstatements indicate the validity of a European patent in the EP member states and will complement the "negative information". These records will contain the following information:

- The day of payment of fees
- The year that the payment was made for, e.g. "12" for the 12th year
- The country for which the payment was made

Around 3.6 million new EP post-grant lapse records (new code: EPPG25) will be added, and approximately 2.2 million records with the older "EP25" codes will be deleted. The reason for the discrepancy between the numbers of the deleted and the new records is due to the fact that for many years, only those lapses that occurred during the nine month opposition period were recorded. Under the new arrangements, all lapses notified to the EPO by the national offices will appear in the legal status database.

The loading process will begin with the most recent post grant records. New data will be included on a monthly basis.

The effective date LSDF in the records of the back-file is also copied to the data field LSD so back-file records can easily be distinguished as such.

Please note that your search profiles for lapses in EP member states will have to be amended accordingly.

The effect will be that the old code (EP 25) and the new code (EP PG25) are in the database for an intermediary time period. After finishing the exchange the old EP25 codes will be deleted.