

SUBJECT: Organisational autonomy of the Boards of Appeal of the European Patent Office within the European Patent Organisation - convening a diplomatic conference

DRAWN UP BY: President of the European Patent Office

ADDRESSEES: 1. Administrative Council (for decision)
2. Committee on Patent Law (for information)

SUMMARY

At its meeting in June 2003 the Administrative Council debated the proposal in CA/59/03 to give the Boards of Appeal of the European Patent Office organisational autonomy within the European Patent Organisation as its third organ in order to make their judicial nature more readily apparent.

Further detailed information on the above proposal and a preliminary draft of the requisite amendments to the EPC, together with explanatory notes, were presented to the Administrative Council at its October meeting (see CA/103/03, CA/103/03 Add. 1 and CA/103/03 Add. 2).

The Committee on Patent Law discussed the proposals informally at its meeting on 12 and 13 November 2003.

The Administrative Council is requested to forward the revision proposal to the appropriate Council bodies (Committee on Patent Law, Budget and Finance Committee) for further examination, so that a basic proposal for amendment of the EPC can be drawn up for submission to a diplomatic conference.
