Phasing out fax

Platform Formalities Officers – EPO The Hague

Phasing out fax

1. Project goal

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3. Overview of current fax use

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6. Faxing in other organisations
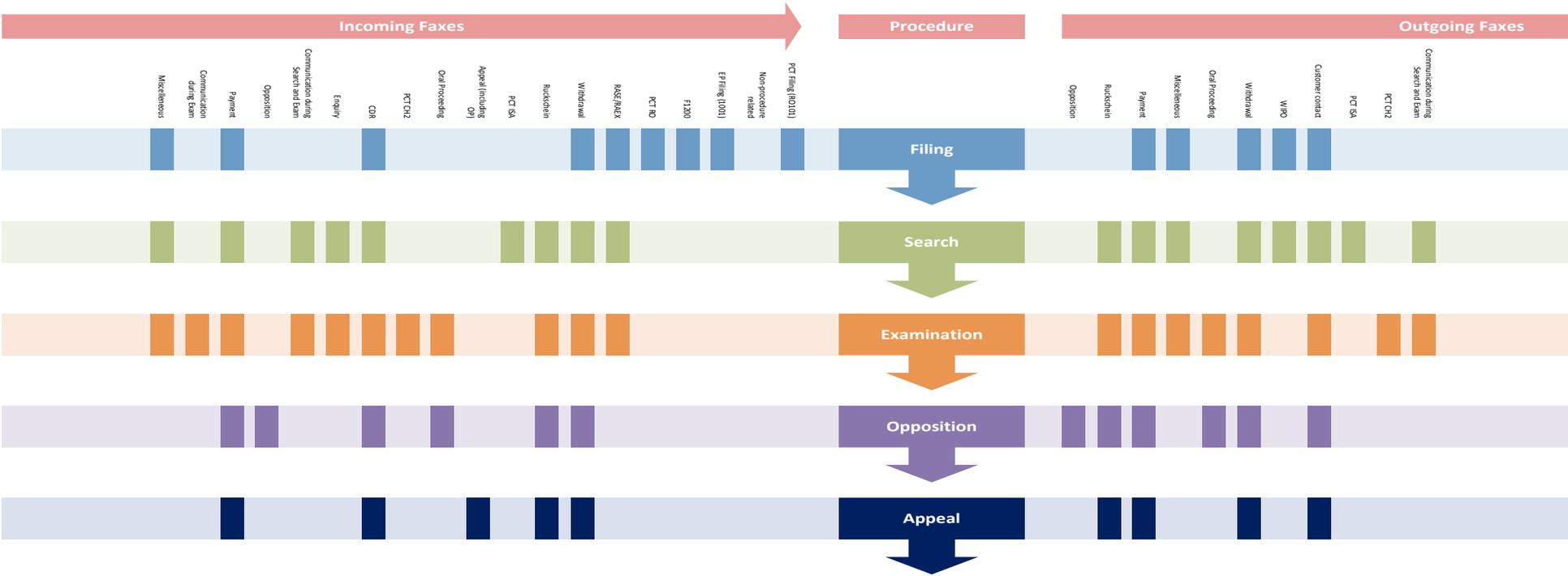
7. First steps

8. Q&A

1. Project goal

- The ultimate objective of the Phasing out fax project is to gradually discontinue all fax use within the Patent Grant Process (from filing up to and including appeal), publication (A+B), all 'Nebenverfahren' (e.g. fee payments) and the Unitary Patent

- Fax will only be phased out after the implementation of easy to use, stable alternatives both on the customers' and on the EPO's side

2. Why phase out fax

- Uncertainty of correct transmission

- Poor quality documents are submitted

- OCR: higher risk of errors due to quality issues

- Duplicated documents on file (Online Services + fax)

- Labour-intensive in case of multi-paged documents

- Customers are also gradually moving away from fax

- Phasing out fax supports the EPO's move towards the overall strategic objective of a full electronic workflow

EPO – Incoming and Outgoing Faxes in EPO Patent Grant Processes

Incoming Faxes → Procedure → Outgoing Faxes

Incoming fax categories: Miscellaneous, Communication during Exam, Payment, Opposition, Communication during Search and Exam, Enquiry, CDR, PCT Ch2, Oral Proceeding, Appeal (including OP), PCT ISA, Rückschein, Withdrawal, RASE/RAEX, PCT RO, F1200, EP Filing (1001), Non-procedure related, PCT Filing (RO101)

Procedure stages: Filing, Search, Examination, Opposition, Appeal

Outgoing fax categories: Opposition, Rückschein, Payment, Miscellaneous, Oral Proceeding, Withdrawal, WIPO, Customer contact, PCT ISA, PCT Ch2, Communication during Search and Exam

Fax server — Average number of total faxed documents per month (average H1 2015)

17.660 per month
3540, 3213, 2736, 1424, 996, 908, 809, 653, 630, 570, 550, 536, 283, 267, 208, 140, 121, 0, 79

Decentralized Fax machines — Average number of per faxing employee faxed ducuments per month (on the basis of internal survey Sep-Oct 2015)

40 per month (incoming)	Outgoing
95, -, 36, 4, -, -, -, 30, 21, -, -, 8, 22, -, -, -, 2, -	165, 98, 87, 35, 33, 22, 9, 8, 7, 5, 3

5

4. Findings of our internal survey

Responses

- 209 responses from 5 different DGs

Responses per DG

0,5%   0,5%
2,4%
13,9%
82,8%

- DG0
- DG1
- DG2
- DG3
- DG5
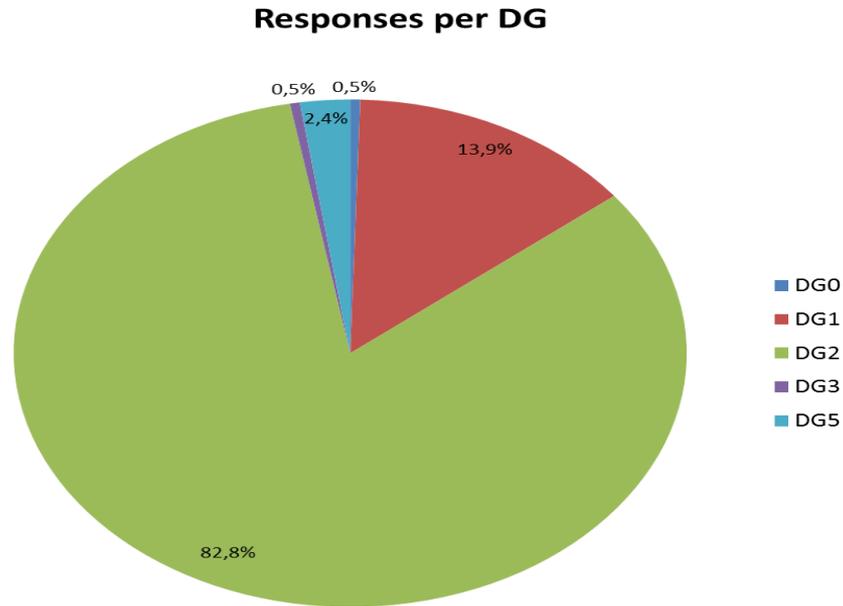
4. Findings of the internal Survey
Why use fax today (1/2)

- E-mail is currently not allowed;

- Urgent information or requests, e.g. last minute communications for Oral Proceedings (for 70% of all OPs faxes are sent);

- Worldwide sending of PCT reports (to specific countries);

- Communication with WIPO;

- Because it is described in the official internal instructions (Fil d'Ariane);

4. Findings of the internal Survey
Why use fax today (2/2)

- Immediate confirmation of receipt;

- Because the examiner has promised an advance copy to the representative;

- Because of PCT and EPC regulations: we should not allow fax as valid means of communication;

- Because the applicant/representative asks something to be sent by fax.

4. Findings of the internal Survey
What should an alternative to fax offer? (1/2)

- More than half of the respondents prefer e-mail as an official way of communication; following requirements are mentioned:
  - The e-mail address of every representative should be registered (master data);
  - Customers can maintain the master data;
  - Use of mailboxes on EPO and applicant side is needed;
  - Official rules have to be changed;

4. Findings of the internal Survey

What should an alternative to fax offer? (2/2)

- − Lay down guidelines and categories about what types of communications are allowed to be e-mailed;

- − Overcome security issues;

- − Introduce/use Digital Signature;

- − Register e-mail as received / delivery date;

- − Sent e-mails should be registered in our systems.

5. Insights from our customers' perspective

- A short survey on fax use was introduced at EPO Online Services events:
  - Training Days
  - User Days
  - OLF (CMS) workshops
- A small number of customers were asked similar questions at face-to-face meetings on their premises
- IPSOS MORI telephone survey including fax questions to over 400 customers across 11 countries.
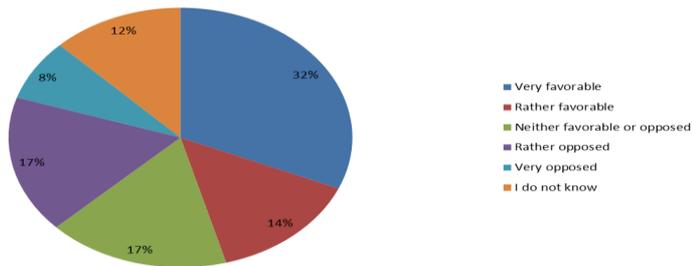
5. Insights from our customers' perspective
Motivation for sending faxes

- Faster to send faxes

  − If only one page, quicker by fax than generating PDF etc.

- eOLF is not a possibility:

  − filings by attorneys outside office hours

  − internet outage

- A safety copy for subsequently filed documents by fax is office policy

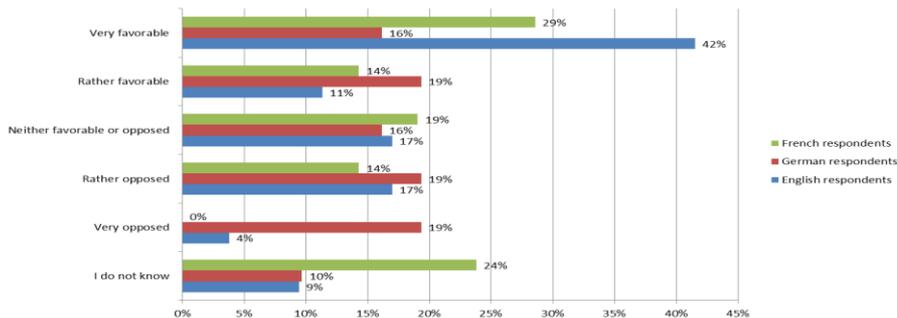- Because it is still allowed by the EPO, no need to change

5. Insights from our customers' perspective

Opinion on EPO phasing out fax (1/3)

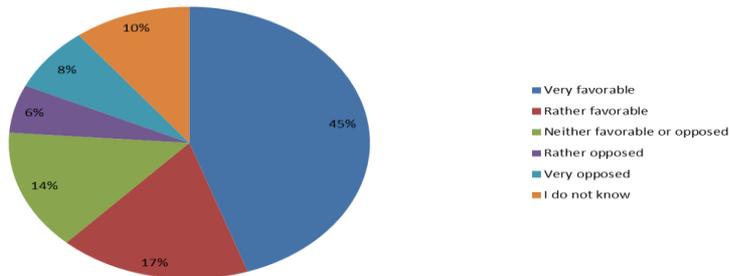To what extent are you in favour or opposed to the EPO phasing out the acceptance of fax?

Very favorable — 32%
Rather favorable — 14%
Neither favorable or opposed — 17%
Rather opposed — 17%
Very opposed — 8%
I do not know — 12%

Division per language

French respondents / German respondents / English respondents

Very favorable — 29% / 16% / 42%
Rather favorable — 14% / 19% / 11%
Neither favorable or opposed — 19% / 16% / 17%
Rather opposed — 14% / 19% / 17%
Very opposed — 0% / 19% / 4%
I do not know — 24% / 10% / 9%

- 46% of the respondents are in favour of the EPO phasing out fax
- 17% are neutral
- 25% are against the phasing out of fax
- 12% have no opinion
- Some users state that fax should stay as an option (with or without a small fee) for various types of communication.

- Looking at the division of the opinion on the EPO phasing out fax, German (speaking) respondents are less in favour whereas the English (speaking) respondents are more supportive.
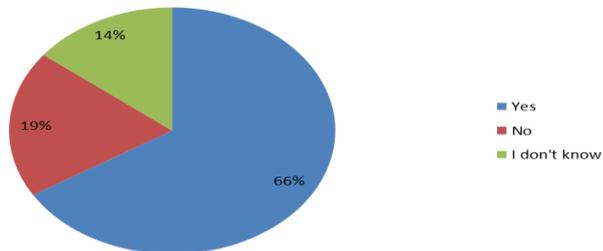
5. Insights from our customers' perspective

Opinion on EPO phasing out fax (2/3)

To what extent are you in favour or opposed to the EPO only accepting fax in emergency situations?

- Very favorable — 45%
- Rather favorable — 17%
- Neither favorable or opposed — 14%
- Rather opposed — 6%
- Very opposed — 8%
- I do not know — 10%

Would you be in favour if the EPO were to stop using fax to communicate with you?

- Yes — 66%
- No — 19%
- I don't know — 14%

- Most users prefer to only use fax in case of emergency
- Emergency can be experienced differently from EPO and/or user perspective
- Legal remedy on EPO side only, what can be done at the customer's side?

- 66% of the users prefer not to receive fax from the EPO anymore
- Emergency communications are mentioned as sent most often by the EPO by fax – it is felt this should remain the case after fax has been phased out.

5. Insights from customers' perspective
Opinion on EPO phasing out fax (3/3)

Arguments for...

- No paper/paperless office

- 'Belongs to dinosaurs'

- Outdated / newer technology available

- Incomplete submissions by fax

- Time consuming

- Not an option for multiple paged documents

Arguments against...

- Back-up solution to online services/safety net

- After working hours, no administrative support is available for online tools

- Faxing is faster (i.e. for single paged documents)

- Trust in fax is big

6. Faxing in other organisations
City council of Utrecht (1/4)

- 4th largest Dutch city: 335.000 inhabitants

- Since 2015 in a new building and with a large ambition: to become

  a 100% paperless office

  - Minimise fax use (fax is not completely abolished)

  - Introduction of a 'Zaaksysteem' (case based system), which has

    similarities to eDossier
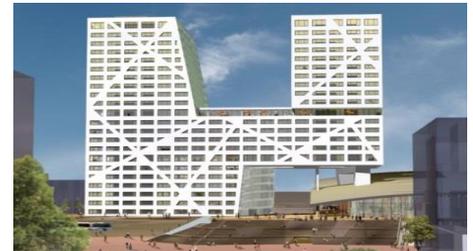
6. Faxing in other organisations
City council of Utrecht (2/4)

- After digitalising, paper dossiers are stored off-site for evidence;

- From 2017 on, the scanned document provides adequate evidence and the paper version is destroyed;

- The national law for Electronic Administrative Information Exchange ('Electronisch Bestuurlijk Verkeer') supports internet and e-mail as valid communication channels.
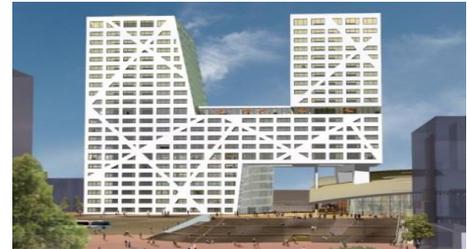
5. Faxing in other organizations
City council of Utrecht (3/4)

- Actively directing channels from paper/fax, to E-forms, to portal (DigiD, state infrastructure):

  − Price differentiation per channel

  − Stimulate preferred channels (emphasising the advantages)

  − Explicitly communicate preferred channels

5. Faxing in other organizations

City council of Utrecht (4/4)

- Incoming e-mail is avoided due to disadvantages:

    - Validation of authenticity of the email address is difficult

    - Manual creation of metadata (for instance the subject)

6. Faxing in other organisations

Other Dutch governmental institutions:

- Belastingdienst (tax authorities) and UWV (Employee Insurance Agency) do not accept emails anymore;

- City council of Nijmegen: provides notification about a communication by letter without any contents. The contents can be accessed by a portal (digitally signed).

8. First steps

- Think Tanks in The Hague and Munich

- Various stakeholders from DG1, DG2, DG3 and DG5

- Brainstorming sessions on alternatives & solutions for outgoing and incoming faxes

- Prioritising of ideas & assessing risks

- Evaluation & recommendations
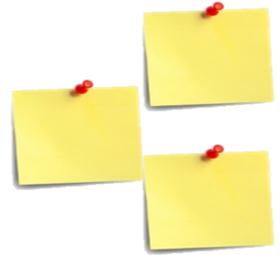
8. First steps

- **Raise awareness:**

  - Internal communications campaign (Formalities Officers etc.)

  - External awareness (Online Services events, SACEPO etc.)

  - Promote existing tools, including Web-Form Filing, the Online European Register and the Register alert

8. First steps

- **Extend the offer of robust alternatives:**

  − Offer 'Print 2fax' option @ the EPO to replace decentralised fax machines

  − Offer 'Print2e-mail' option for non-official communications

  − Enhance Web-Form Filing (e.g. extended Forms offer)

Questions?