

## WHY DOESN'T MY ASSIGNMENT DOCUMENT WIN THE HEART OF THE EPO?

### Key considerations when filing transfer of rights documents with the EPO.

By Yahel Contreras

When filing transfer of rights documents with the European Patent Office (EPO), certain elements must be carefully considered. Failure to properly address these elements may result in an invitation to remedy deficiencies in the request under Rule 22 EPC (EPO Form 2503), leading to increased costs or jeopardizing the registration of the transfer of rights.

Here are some **tips** to help you avoid receiving an EPO Form 2503:

**Identify the patent correctly:** Although it may seem obvious, some transfer documents do not accurately reflect the EP number. It is important to provide accurate and specific information to avoid confusion or ambiguity as to the patent involved in the transfer.

**Proper identification of signatories:** Ensure that signatories are clearly identified, including in print their full name and position if acting on behalf of a legal entity.

**Obtain signatures from both parties:** Assignment declarations required to be signed by both the assignor and assignee.

**Avoid misleading signatory titles** (in the case of legal entities): It is advisable for the person signing the document to have an appropriate title, such as CEO, Managing Director, or President. Titles that may cause confusion, such as CFO, HR Officer, Head of Research, Legal Representative, etc., should be avoided.

**Authority to sign:** If the inclusion of misleading titles becomes necessary because the signatories have the authority to sign, it may be helpful to provide documentation of that authority along with the transfer request. This proactive approach may be useful to the EPO and may avoid an unnecessary EPO Form 2503. Please note, however, that the EPO reserves the right to request additional documentation if it has doubts as to whether the person signing the document is authorized to enter into a legally binding agreement on behalf of the relevant parties.

**Non-electronic or digital signatures:** The EPO does not currently accept electronically signed documents for filing under Rule 22 EPC (unless the requirements [here](#) are met). Accordingly, it may be advisable that the document is signed by hand. However, a scanned copy of the signed document may be filed as an electronic copy in support of the request.

Ensuring the accuracy and compliance of transfer documents to the EPO requires a keen eye for detail. It is advisable to seek advice from your European patent attorneys who have the latest knowledge and expertise. By following their advice on the specific requirements, you can reduce the chances of receiving an EPO Form 2503 and avoid unnecessary costs associated with remedying any deficiencies.