Expedited Examination Programs of IP Offices

European Patent Office (EPO)

A notice dated 16 December 2025 concerning the programme for accelerated prosecution of European patent applications (“PACE”) was published in the Official Journal of the EPO (OJ EPO 2025, A69). It informed of changes to the PACE programme which will require SCP/35/6 to be updated.

The following updates to SCP/35/6 are proposed, where the highlighted text is added text and the deleted text is in red and strikethrough:

European Patent Office (EPO)

Applicants at the European Patent Office (EPO) who require fast-track, i.e. expedited patent procedure, can request accelerated prosecution of European patent applications free of charge, regardless of the field of technology. At the EPO an expedited patent procedure is possible irrespective of special/exceptional grounds or rationales.

Programme for accelerated prosecution of European patent applications ("PACE")

EPO applicants requiring faster examination can request to have their applications processed under PACE.[1]

Objectives & Goals: PACE enables applicants who want their applications processed rapidly to obtain, the first examination report and any communication under Rule 71(3) EPC within tight deadlines.

Conditions & Fees: Accelerated examination can, in principle, be requested at any time once responsibility for the application has passed to the examining division.[2] For international applications under the PCT entering the European phase where the EPO did also act as (S)ISA, accelerated examination can, in principle, be requested at any time.

Accelerated prosecution of European patent applications occurs only upon written request. Applicants are required to use the dedicated request form (EPO Form 1005), which must be filed online. The EPO will issue an acknowledgment of receipt promptly. It will not process requests filed informally, i.e. without using the dedicated form, and/or on paper.

A request for participation in the PACE programme (PACE request) may be filed only once in examination, and for one application at a time.

[1] A detailed overview of the applicable PACE conditions is set out in the Notice from the EPO dated 16 December 2025 (OJ EPO 2025, A69), available at: https://www.epo.org/en/legal/official-journal/2025/12/a69

[2] See Rule 10 EPC and Guidelines for Examination in the EPO, C-II, 1.

Accelerated prosecution under PACE can be provided only where practically feasible, and subject to the workload of examining divisions. In certain technical fields, there may be constraints due to the numbers of incoming PACE requests. Applicants requesting accelerated prosecution for all or most of their applications will, as a rule, be required by the Office to limit the number of their PACE requests by making a selection.

An application will be removed from the PACE programme if:

(i) the PACE request has been withdrawn;

(ii) the applicant has requested an extension of time limits;

(iii) the application has been refused;

(iv) the application has been withdrawn; or

(v) the application is deemed to be withdrawn.

In such cases, it will not be possible to restore the application to the PACE programme, i.e. a second request for that application will not be processed. Additionally, accelerated prosecution will be suspended in the event of failure to pay renewal fees by the due date stipulated in Rule 51(1) EPC.

Reduced Pendency: When accelerated examination is requested, the Office makes every effort to issue its next action within three months of the examining division’s receipt of the application, the applicant’s response under Rule 70a or 161(1) EPC or the request for accelerated examination (whichever is latest). The EPO strives to produce subsequent examination communications within three months of receipt of the applicant's reply, provided that the application is still being processed under the PACE programme.