Distinguished .....

As national representative of your state in the European Patent Organisation, we strongly ask you to vote *against* the payment of bonuses to the employees of the European Patent Office at the next meeting of the EPO's Administrative Council on 11-12th of December 2012.

According to document CA/98/12, the EPO president proposed a € 4,000 bonus payout to each EPO staff person based on 31% of the € 89.2 million excess in operating result of the EPO in 2011. The proposal was endorsed by the EPO's Budget and Finance Committee, where six states voted against and two abstained. The final decision on bonus payments will be taken by the Administrative Council and requires a majority of three quarters of the votes.

We urge you not to approve the bonus because

-          It contributes to adverse incentive structures and conflicts of interest for the employees of the EPO. In linking the staff's wallet to the Office's surplus, it undermines the efforts to raise the bar in patent examination and fosters a mentality to increase fee revenues for the EPO by granting applications of low quality.

-          It is inappropriate for a public authority to pay out a collective reward to its staff, as the EPO is not a surplus-seeking enterprise.

-          It is insensitive and lacks political awareness of the current state of Europe. In many European countries public servants are losing their jobs, pensions are being sharply cut due to austerity measures, and European integration is in crisis. A bonus for EPO staff will foster public resentment against European civil servants who enjoy high salaries and privileges, and will damage the reputation of the EPO.

-          In accordance with Article 40 of the EPC, the EPO budget must be balanced. The EPO should not celebrate increases in patent filing rates as a success story but react to the worldwide critique of a global overheating of the patent system jeopardizing innovation and the proper functioning of the social contract with society upon which the patent system rests. Temporary surpluses of the EPO should be used for socio-economic impact assessment of the EPO's granting practices, for third party involvement both pre-grant and in opposition, and for EPO's engagement with civil society.

Concerned about ongoing developments, we assure you that we will keep a watch on the EPO's granting practices and on the decisions taken by the EPO's Administrative Council. We call for transparency and public accountability for the vote to be taken on this issue, and would like to remind you about your responsibility for the citizens of Europe.

Yours sincerely

François Meienberg, Berne Declaration (Switzerland)

Beate Koller, Arche Noah  (Austria)

Martin Pigeon, Corporate Europe Observatory (Belgium)

Esther van Zimmeren, KU Leuven - Centre for Intellectual Property Rights (Belgium)

Jean-Pierre Plavinet, Dép. des Sciences économiques, sociales et de gestion AgroParisTech (France)

Gérald Sédrati-Dinet, April (France)

Hervé Le Meur, OGMdangers (France)

Céline Rousset, Enseignement Agricole (France)

Christine von Weizsäcker, Ecoropa, (Germany)

Jörg Schaaber, BUKO Pharma-Kampagne (Germany)

Christof Potthof, Gen-ethisches Netzwerk (Germany)

Luca Colombo, Fond. Italiana per la Ricerca in Agricoltura Biologica e Biodinamica (Italy)

Christina Micheloni, Associazione Italiana per l'Agricoltura Biologica (Italy)

Riccardo Bocci, Rete Semi Rurali (Italy)

Bell Batta Torheim, Development Fund (Norway)

Liliane Spendeler; Amigos de la Tierra (Spain)

JuanMa González y María Carrascosa, Red de Semillas (Spain)

Caroline Morel, Swissaid, (Switzerland)

Florianne Koechlin, Blauen Institut (Switzerland)

Paul Scherer, Schweizerische Arbeitsgruppe Gentechnologie (Switzerland)

Pascale Steck, Basler Appell gegen Gentechnologie (Switzerland)

Luigi D'Andrea, StopOGM (Switzerland)

Johannes Wirz, Sowing the future! (Switzerland)

Thomas Bruderer, Piratenpartei Schweiz (Switzerland)

Ruth Gonseth, Ärztinnen und Ärzte für Umweltschutz (Switzerland)

Anthony Jackson, Genewatch (United Kingdom)

Helena Paul, Econexus (United Kingdom)

Benjamin Bouin, European Coordination Via Campesina (International)

André Rebentisch and the board of the Foundation for a Free Information Infrastructure e.V (International)

Chee Yoke Ling, Third World Network (International)