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# CMS Patent Formalities Guide: EPO Status Enquiry

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- Once an application has entered into the substantive examination phase, the first office action can be expected to be received from the European Patent Office (EPO) within approximately 36 months and we endeavour to notify clients if a communication from the examiner has not been received within this time frame.
- If there is a specific interest at any stage in enquiring about the progress of an application then a status enquiry can be raised with the EPO. This might be, for example, if no communication is received from the EPO within the 36 month time frame or if commercial interests have changed, a transfer of rights/IP ownership has or will occur, or there are financial elements such as forecast budgeting or fundraising to be considered.
- The EPO has a dedicated enquiry system to obtain an indication of when the next communication can be expected.
- There is no EPO official fee for raising a status enquiry.
- Taking into account the workload in the technical area concerned, the EPO will reply to the request indicating the month in which the next communication can be expected. In our experience, the time period provided by the EPO is accurate.
- Specific circumstances may impact the enquiry handling time. For example, where there has been non-payment of a renewal fee the enquiry will not be processed until such time as payment of the missed fee and any surcharges has been made.
- Raising a status enquiry does not constitute a request to accelerate prosecution of the application. If the time frame indicated in the reply to the enquiry is not satisfactory, prosecution may be accelerated by filing a request to enter the PACE programme (see our separate guide on PACE requests if this is of interest).

**EPO Guidelines on status enquiries can be found [here](#)**

*This guide is for general information only. Please contact your usual CMS contact for advice regarding any specific patent or patent application.*