

**WIPO**



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**STANDING COMMITTEE ON INFORMATION TECHNOLOGIES**

**ANNUAL TECHNICAL REPORT**

**1999**

**ON TRADEMARK INFORMATION ACTIVITIES**

submitted by the

**OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET  
(TRADE MARKS AND DESIGNS)**

An annual series of reports on the trademark information activities  
of members of the Standing Committee on Information Technologies



## **I. Evolution of registration activities**

### **- Changes experienced in terms of application filings and registrations with respect to 1998**

In 1999, 41.242 CTM applications were filed compared to 31.572 in 1998 making an increase of 32 %.

In the four years until the end of 1999, the total number of applications reached 143.000 and the total number of CTM registrations stood at 60.000.

### **- Trends or areas experiencing rapid changes with respect to 1998**

The EUROMARC system underwent further developments with a view to making it operational at certain advanced stages of the trade mark registration process, particularly concerning entries in the Register, opposition, cancellation and appeals.

## **II. Matters concerning the generation, reproduction, and distribution of secondary sources of trademark information, i.e., trademark gazettes:**

### 1. Community Trade Marks Bulletin (Paper edition)

This is still the Office's "flagship" publication. The two weekly Bulletins are accompanied by the publication of an annual Vademecum and index. The 1999 index is due to be released on CD-ROM in PDF format.

### 2. Community Trade Marks Bulletin on CD-ROM

The purpose of this product is to provide storage and search facilities using the WIPO's GTI-TM software.

### 3. EUROM

This is the cumulative publication of trade marks published in the Bulletin, following the example of the WIPO's ROMARIN, the German National Office's DEMAS or the CD-ROM for Benelux trade marks. Its combined use with the Bulletin on CD-ROM provides a complete picture of published trade marks.

### **- Publishing, printing, copying techniques**

The Community Trade Marks Bulletin (paper and CD-ROM) is produced by Jouve in France.

- **Main types of announcements of the Office in the field of trademark information**

1. Community Trade Mark Applications (part A)

This is currently the largest part of the publication with approximately 800 CTM applications being published each week.

2. Registered Trade Marks (part B)

CTM registrations are published by making reference to the original publication of the application. In other words, only new elements (and any which have been modified since publication of the application) are published in addition to the date, Bulletin number and page of the publication of the original CTM application.

3. Entries in the Register of the Community Trade Marks (part C)

Entries in the Register of the Community Trade Marks will be published in part C of the Bulletin. Only elements directly concerning the entry will be republished, along with the reference or references to previous publications.

4. Renewals, Conversions and *Restitutio in Integrum* (parts D, E and F).

These parts will be added to the Community Trade Marks Bulletin in the future.

5. Public Notification

Notifications by public notice (rule 66 IR) are also published in the Community Trade Marks Bulletin.

6. Any Other Business

When necessary, information of a general nature may be included in the Bulletin (e.g. change of the telephone number system in Spain in 1998, warnings, change of practice in publication<sup>1</sup>.)

- **Mass storage media and microforms used**

There are no microforms.

- **Word processing and office automation**

Exchange of Data between the Various Parties:

All data for publication is exchanged between the OHIM, the OPOCE, and the printer JOUVE in SGML format.

A DTD was created and developed by the OHIM specifically for the needs of the Bulletin publication. This DTD is partly based on the MECA DTD proposal of the WIPO.

The exchanges are carried out by means of files compressed and transmitted via ISDN.

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<sup>1</sup> See Bulletins 27/98, 28/98 and 29/98 as example.

- **Techniques used for the generation of trademark information (printing, recording, photocomposing, etc.)**

The Bulletin is produced by Jouve, using the latest technology in the printing field, either on paper or electronically.

### **III Matters concerning classifying, reclassifying and indexing of trademark information**

- **Classification and reclassification activities; Classification systems used**

The OHIM used both the Nice and Vienna Classification.

- **International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification)**

Article 28 CTMR and Rule 2 establishes that goods and services in respect of which Community trade marks are applied for shall be classified in conformity with the Nice Agreement by the applicant. In case of error or of non-classification, the OHIM classifies without charging additional fees.

### **International Classification of the Figurative Elements of Marks (Vienna Classification)**

Around 15.000 logos have been classified with this tool during 1999 with the help of an electronic tool.

### **IV Trademark manual search file establishment and upkeep**

There are no manual search files.

- **Documentation from other offices maintained and/or considered part of the available search files**

National search reports are archived separately but they belong to the trademark file and are manually searchable. However, since they are irrelevant for the CTM registration procedure, they do not belong to the search file.

### **V Activities in the field of computerised trademark search system**

#### **In-house systems**

The in-house electronic system, developed exclusively for the OHIM, was installed in 1998. The OHIM carried out 39.500 Community trade mark searches in 1999 which consisted of 26.500 verbal and 14.000 figurative.

## **External databases**

There are no external databases.

## **Administrative management systems**

For administrative functionality, the search system provides the Statistics module and different Tool modules (Keywords management, Notebook management, Applications Management, etc..).

The Statistics module allows a permanent control by:

- Giving the number of verbal and/or figurative applications coded according to their coding status (checking required, automatic coding, needs checking and checked).
- Giving the number of applications searched according to their search status (not searchable, assigned, not classified, classified, completed).
- During a given period, presenting the number of applications coded by users and the number of searches performed by users, together with the average use of question-words, figurative codes, operators codes, figurative hits, verbal hits and selections included in the report.
- During a given period, presenting the number of applications searched by users, together with all information about searches: creation, execution, report and cut-off dates ; type of search (verbal, figurative or combined).
- Giving the usage of each Vienna code.
- Giving the average of Vienna codes per application.

## **VI. Administration of trademark services available to the public (relating to facilities, e.g., for lodging applications, registering trademarks, assisting clients with search procedures, obtaining official publications and registry extracts)**

- **Planning, administration, automation, security;**

The platform used for CTM-ONLINE, CTM-DOWNLOAD and CTM-AGENT is the current OHIM Web site, in conjunction with a new server to host a copy of the EUROMARC database. The new host is set-up according to the INTERNET security guidelines. Additionally, a safe procedure has been put in place in order to be able to update the new host with the latest EUROMARC details on a regular basis.

## OAMI-ONLINE

During 1999, the OHIM's web site, which was launched in mid-October 1998, improved in quantity and quality. For instance, at the beginning of 1999, it comprised a total of 6.250 files, where as at the end of the year there were 8.700 files, representing a 30% increase. The number of hits per day increased from around 3.000 a day in January 1999 to over 8.000 in December, representing an increase of over 150% in one year.

Several paper publications have been placed on the website, in part or in full, in PDF format:

- Most of the texts published in the OJ (decisions and communications of the President, forms, directives, opposition decisions and appeals, etc.)
- OAMI-NEWS
- Brochure for the general public
- Annual Report

The content of other paper publications is also summarised on the web site in database form:

- CTM-AGENT (which will now replace the paper edition of the Directory of Professional Representatives).

Finally, the site is used to provide trade mark information services on-line such as:

- CTM-DOWNLOAD
- CTM-ONLINE
- **Collection management, preservation**

The web site is updated weekly.

- **Information services available to the public (including computerised services and search files contained in libraries remote from your Office and trademark information posted by your Office on the WWW).**

### 1. CTM-ONLINE

CTM-ONLINE is a new service available since December 1999, which provides on-line access to Community trade mark data.

The users are provided with a search screen, with the following options:

- Trade mark
- Application number

The search engine will retrieve a trade mark based on the application number and/or words contained within the trade mark itself. The trade mark data will be displayed in the form of a series of screens which can be easily viewed and printed as desired.

Based on criteria entered, the user will be provided with a set of results (result list), with each result containing pertinent trade mark details. The information provided derives from the key data contained in the EUROMARC database and depends on the mode selected by the user.

Data is up-dated on a weekly basis.

## 2. CTM-DOWNLOAD

From the outset, it was decided to make available all the data on Community trade marks received by the Office to the National Offices of the EU Member States, so that they would be able to fulfil their legal duties. In addition, this data is available by means of a license.

This data is provided in the form of a CD-ROM publication which has been produced for this purpose since July 1996, but is due to be phased out during the year 2000 when all the Office's partners will be ready to use the new CTM-DOWNLOAD version, which will replace it.

CTM-DOWNLOAD provides updates on Community trade mark data on the Internet, from which data can be directly downloaded by the National Offices and licensees.

In spring 2000, at the request of several National Offices and licensees, Version 2 of CTM-DOWNLOAD is due to come into production. This new version provides additional information, namely on the corresponding Vienna codes and further details on the publication of trade marks in the Bulletin.

## 3. CTM-AGENT

CTM-AGENT is a data base available through OAMI-ONLINE. It offers the possibility to consult the list of OHIM professional representatives and associations of representatives.

The user is provided with a standard search screen with the following search criteria: Surname, Town/City, Country, and Nationality. Based on the user's search criteria, a result list is returned. Upon selection of a name, further details of this agent shall be displayed as follows: Type of representative (OHIM professional representative or association), Nationality, Name, Address, Telephone, Fax, and e-mail. The data is available in a secure environment outside the OHIM's internal network to avoid any possible intrusion.

#### 4. CTM-APPLICATION

The Office is also preparing to receive trade mark applications on-line. For this, the CTM-APPLICATION project is underway. A feasibility study was carried out in August 1999 and the programme is currently being developed.

#### **VII. Matters concerning mutual exchange of trademark documentation and information**

- **International or regional cooperation in the exchange of trademark information, e.g., in the form of official gazettes;**

In the course of 1999, OHIM extended its publication exchange to more countries in Asia, Africa and South America.

- **Exchange of machine-readable information**

Not applicable.

#### **VIII. Matters concerning education and training including technical assistance to developing countries**

- **Promotional activities (seminars, exhibitions, visits, advertising, etc.)**

Participation in Europartenariat in Vienna and Potsdam

- **Training courses for national and foreign participants;**

In 1999, there was a continued increase in bilateral cooperation with national offices of non-member countries. Regarding the EU candidate countries, a seminar on the Community trade mark was organised in Alicante for officials from Slovenia, and another one for Estonian officials in Tallinn. In addition, several study visits were organised in Alicante for officials from Asian and Latin American countries.

There were also several Memoranda of Understanding signed in the course of 1999 between the OHIM and the national offices of Argentina, Brazil, Estonia, Paraguay, Taiwan, Uruguay, as well as with ARIPO, the MoU being the starting point for bilateral cooperation.