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**WORLD INTELLECTUAL PROPERTY ORGANIZATION**  
GENEVA

**STANDING COMMITTEE ON INFORMATION TECHNOLOGIES**

**ANNUAL TECHNICAL REPORT**

**1999**

**ON TRADEMARK INFORMATION ACTIVITIES**

submitted by

**GEORGIA**

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

**WIPO**  
**Mr. K.-P. Wittig**  
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**34,chemin des Colombettes**  
**1211 Geneva 20, Switzerland**

**Re: Task No 24 of the SCIT Work Program:**  
**Annual Technical Reports on Trademark Information Activities in 1999**

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Dear Sir,

With respect to your letter of March 16, 2000, C. SCIT 2488.06 we are sending you herewith the Annual Technical Report on Trademark Information Activity in 1999 of the Georgian Intellectual Property Center.

Sincerely yours,

D. Gabunia

Director-General

## **ANNUAL TECHNICAL REPORT ON TRADEMARK INFORMATION ACTIVITIES IN 1999**

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

#### **Changes experienced in terms of application filings and registrations with respect to the previous year;**

In accordance to enactment from September 1, 1999 of The Law on Trademarks of Georgia of May 25, 1999 and Regulations on Filing and Registration Proceedings for Trademarks:

1. The trademark data, for which a decision of substantive examination on a trademark registration has been taken are published in the Official Bulletin of the Industrial Property within one month since the date of issue. (The Law on Trademarks of Georgia, Art. 15)

2. Within three months period following the date of publication of the trademark data in the Bulletin, any party concerned has right to bring an action to the Chamber of Appeals against the decision of the examination on the registration. (The Law on Trademarks of Georgia, Art. 16, paragraph 4)

3. It is admissible to register as a collective mark, such a sign which designates the place of geographical origin of the goods. (The Law on Trademarks of Georgia, Art. 31)

4. Registration of Trademark takes place in three months after publication of application, if the decision of substantive examination on a trademark registration has not been opposed before the Appeal Chamber.

5. Within a year from the expiration of the trademark registration term or by the request of the applicant the re-registration of this mark is prohibited, except the cases when the registration is requested by the last holder of this trademark. (The Law on Trademarks of Georgia, Art. 21)

6. The trademark registration shall be canceled by the Court at the request of the third party if within a continuous period of five years the trademark has not been put to use in connection with the goods in respect of which it is registered in Georgia. (The Law on Trademarks of Georgia, Art. 27, paragraph 2, subparagraph a).

7 The substantive examination is carried out within six months period from ending the examination as to form. (The Law on Trademarks of Georgia, Art. 14, paragraph 1).

8. The applicant is entitled to file a request about extension of the term for presentation of additional documents - the answer to notification-demand and of the term for payment the fee for examination as to substance, for which he must pay the stated fee. (Regulations, Art.6, par 2b; Art.10, par.5; Art.16, par.4; art.18, par.4).

9. The applicant is entitled to request reinstatement of the case for application, for which the proceeding was stopped under his request or due to breach of the procedure terms, for which he must pay the stated fee. (Regulations, Art.14, par 4).

**- Trends or areas experiencing rapid changes with respect to the previous year.**

In 1999 2487 applications were filed, thereof 1678 - under the Protocol Related to the Madrid Agreement, 809 under the national procedure that is 33,3% less than in the year 1998. From this number the local applications amount to 214 that is 31% more compared to 1998.

Year	Applications	Registrations
1998	1404	3310
1999	2487 (809 national procedure, 1678 under Madrid Protocol)	1703

The increase in filing activity is due to acceding to the Protocol to the Madrid Agreement Concerning the International Registration of Marks.

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

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

During the reported period Sakpatenti published 13 Official Bulletins of Industrial Property.

Main types of publication were amended with respect to the new Law on Trademarks. We prepared the new formats which uniquely identify Trademark documents. These formats are partially used in our Official Bulletins both on paper and machine-readable documents and will be implemented in full volume from the year 2000.

(260) AM 1999 00252 A AM - application for trademark laid open,  
1999 - the year of publication,  
00252 - publication number,  
A - first publication.

(111) M 1999 11233 R M - trademark,  
1999 - the year of publication,  
11233 -registration number,  
R - publication of registered trademark.

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

The Official Bulletin contains bibliographic data and images of the registered marks arranged in the numerical order. The images are printed in colors upon necessity. The following bibliographic data are contained in the Official Bulletin:

- the date of filing of the application,
- the filing number,
- the serial number of the application,
- the applicant,
- the applicant's address,
- a reproduction of the trademark,

-a list of goods and services, arranged according to the classes of International Classification (Nice Classification),

- classes of Figurative Elements (Vienna Classification),
- country code,
- priority date and number,
- patent attorney.

All the bibliographic data are provided with INID codes (St.60).

The Bulletins also contain numerical index.

During the reported period the new structure of the Official Bulletin was prepared in view of the new Trademark Law. The new announcements introduced to the Bulletin reflect all the amendments of the new law. The publication of the new Bulletin will start in the year 2000.

**- Mass storage media and microforms used;**

The Bulletins are issued on paper and stored in the library and in the computer database. The database contains verbal and figurative pending applications.

**- Word processing and office automation;**

Text and image data processing is carried out on workstations which are the part of the automated system by means of specific software.

**- Techniques used for generation of trademark information.**

The automated system is based on a fast (100Mbps) local area network which includes the server with 2 processors and 128 RAM and 18Gb hard disc memory. The operating software is Windows NT4.. The hardware used in the network is as follows:

Computers - IBM compatible with processor-Pentium - 5 items;

Compaq with processor-80486 - 2 items;

Printers - EPSON LQ-2170 - 2 items;

- Laser Jet 6L - 3 items;

- Laser Jet 5L - 1 item.

Scanner - Scan jet 6100C - 1 item.

Data carriers:

CD-R - 4 items.

Operating systems used are DOS 6-20, DOS 7-00 and DOS 7-10.

Database managing system - Paradox 4.5.

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

**- Classification and reclassification activities; Classification systems used, e.g., International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification), International Classification of the Figurative Elements of marks (Vienna Classification), other classification;**

Sakpatenti uses International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification), 7th edition and International Classification of the Figurative Elements of Marks (Vienna Classification).

**- Use of electronic classification systems to check the classification symbols furnished by an applicant and which are contained in the list of goods and/or services;**

The electronic classification system for checking classification symbols is not used.

**- Obligation for applicants to use pre-defined terms of the classification applied;**

There is no official Georgian translation existing, so the use of terms is not obligatory, though examiners make recommendation as to the correctness of certain terms.

**- Bibliographic data and processing for search purposes.**

The bibliographic data contained in trademark applications are maintained in the database system. It includes:

- the date of filing of the application;
- the filing number;
- the serial number of the application;
- the applicant;
- the applicant address;
- a reproduction of the trademark;
- a list of goods and services;
- classes of International Classification (Nice Classification);
- classes of Figurative Elements (Vienna Classification);
- country code;
- priority date;
- priority number;
- Representative;
- Patent Attorney.

Bibliographic data and figurative elements are used for search purposes. The search is conducted by means of the special search engine.

**IV. Trademark manual search file establishment and upkeep:**

**- File Building and Updating;**

nothing new to report.

**- Storage, including mass storage media;**

nothing new to report.

**- Documentation from other Offices maintained and/or considered part of the available search file.**

The list of signs protected under Article 6ter of the Paris Convention.

General references, dictionaries, journals, technical handbooks.

**V. Activities in the field of computerized trademark search systems:**

**- In-house systems;**

In 1998 Sakpatenti completed the creation of the computerized search system for trademarks. For this purpose there was created database for internal use which is a part of the LAN. The database enables search in respect to all the data which characterize all the applications filed for registrations, both on the initial stage and all the following stages of the work connected with examination and registration of trademarks.

The net-work system comprises:

- verbal trademarks;

- figurative trademarks

The search can be conducted in respect to the textual and image elements in the respective fields in which the coded description of the marks according to the Figurative Classification of elements are entered.

For the work in the database there exists the password systems of the different levels, defining the level of access for processing the filed application on the different stages.

Except the mentioned database we apply the database (off-line) created according to the Art. 6<sup>ter</sup> of Paris Convention in which the search is also conducted in all the fields.

The Trademark database contains the data of the trademark applications filed for registration on each stage of processing - beginning from its filing date with assigning to it a filing number up to the registration (establishing priority, sending notifications, final decision of examination, etc.)

The Register data are accessible only for viewing. For processing such data there exists the Register database where the further operations concerning the registration are effected.

**- External databases;**

The system of interconnection with the external hosts are not provided.

**- Administrative management systems;**

Information stored in the database supports administrative functions. The computerized Trademark database is used for correspondence with an applicant, statistics including statistics for WIPO legal status, system of fees payment administration is also in operation. The Administrative management system is regulated by the password system. This means that for certain actions and data obtained in the result of such actions the Database Administration and Head of Department are responsible.

**- Equipment used;**

See paragraph II, 4.

## **VI. Administration of trademark services available to the public:**

No services are provided to the public. However the applicants are given some oral consultations free of charge on the questions of preparing and filing applications. The Trademark Bulletins are available to public in the library of Sakpatenti and are also on sale.

No computerized services are available to the public, or those received from other offices or on World Wide Web.

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

Nothing new to report.

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

Our examiners and officials have participated in the seminars and training courses organized by WIPO and EPO: in March of the reported year, the WIPO representatives Mr. B. Khabirov and Mr. D. Kohen conducted the seminar related to the problems of International Registration of Trademarks under the Protocol to the Madrid Agreement. Georgia acceded to

this system in August 1998, but the work has actually began since 1999. The significance of the use of Madrid Protocol for Georgian manufacturers and the country as a whole was once more emphasized.

In May, with participation of the representative of commercial information company Questel-Orbit, Mr. N. Likhodedov in Sakpatenti were carried out theoretical and practical studies on conducting on-line searches in the international databases.

The plan on further cooperation with the European Patent Office together with Sakpatenti leaders was made, which covers training of the staff, extension of financing the courses on English language studying, etc.

The technical assistance to developing countries is not provided.

#### **IX. Other relevant matters.**