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ANNUAL TECHNICAL REPORT

1999

ON TRADEMARK INFORMATION ACTIVITIES

submitted by

NORWAY

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

Re: Task No.24 of the SCIT Work Program

ANNUAL TECHNICAL REPORT ON TRADEMARK INFORMATION ACTIVITIES
NORWAY - 1999

I. Evolution of registration activities:

- The national applications are still filed on paper, if filed by telefacsimile, the original document must promptly follow in the post.
- The Madrid registrations are downloaded electronically by ISDN-connection.

All applications are kept in our database which also is the official trademark register.

- Madrid registrations represented about 46 % of the total amount of new trademark-matter in 1999, which were 13 647, and a total of 14 303 were examined. The increase in applications as a whole, compared to 1997, was 12 %.

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

-The trademark application journal has been computerized for several years. The information contained therein is partly used for preparing the "Norsk Varemerketidende" [the gazette] text, and produces each week the text entries, which are details as application number and date, names and addresses of applicants and agents, the mark when a word mark, the international classification and the list of goods and/or services. After activities are computerized, a file is produced by Microsoft Word macroes and built in SQL questions. The Wordfile then is imported into Adobe Page Maker where it is merged with figurative elements. Then the RDF-file is transmitted over Extranett (ISDN) to a private company which produces the print pages on a Rank Xerox Docu-Tec machine.

- About 275 copies are made and laid open to public inspection. The "Norsk Varemerketidende" retails at NOK 40 per single issue, and the annual subscription fee is NOK 1600, the annual index included. Subscriptions can be made at the Patent Office and in Narvesen shops, a chain of kiosks, with outlets all over Norway.

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

-Norway uses the International Nice Classification as its trademark classification system. Even the oldest registrations are classified according to this system. In connection with the computerized examination procedure the search is limited primarily to the class number and related class numbers, not the specified goods and services.

However, in the manual searching and examination of applications the complete list of goods and services is examined. This is imperative when the application covers specified goods and/or services and not only the whole classes, since April 1, 1996, it has not been possible to apply for "all the goods in int. class X".

-The Norwegian issue of the Nice Classification is published in a cooperative project between WIPO and the Norwegian Patent Office as an official WIPO document. (WIPO publication numbers 500.1 (N) and 500.2 (N)). A new list according to the seventh edition of the Nice agreement was published in 1997.

-The Office has stored the Nice Classification and all the pre-defined terms in our database which can be used checking the proper classification. This function, however, is not subject to automation.

-There is no obligation to use pre-defined terms in the classification.

-Norway is not a member of the Vienna Agreement for Classification for figurative elements of the trademarks, but is using the system with some national modifications. A copy of the mark is kept on a card (118 mm by 210 mm) in a manually operated file. There is one card for each class or subclass in which the mark has been classified. Each batch of cards contains figurative marks in application number order and registered marks in registration number order. The file comprises valid registrations only.

No additional written, descriptive information is added to the classification information. In addition, stylised word marks - words given a special graphic design - must go through the normal searching and examination process described below.

IV. Trademark manual search file establishment and upkeep:

-The Office has a register of figurative marks, which is updated each week for new registrations. This file consists of cards and is systematized according to their number of registration.

The other file is the manual search file for figurative marks, systematized according to the Vienna Classification. This file consists of either registered and in force marks, or applied for marks, with the necessary references. This file is updated continuously.

There are no manual files concerning word marks, apart from the file of precedent decisions in trademark cases in general.

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

- Firstly, the already mentioned computerized trademark register, which also is our journal, is kept on a server in a local network of PCs, which allows manual searches for similarity. The figurative marks are scanned, and kept on the same server. They are viewable on screen, but the search for similar marks are still manual. Within the end of 2000 we plan to make the search computerized.

- Secondly, the main similarity search, is done by SKRIPTOR AB in Stockholm. Once a week a complete copy of the Norwegian trademarkregister including the non-examined applications,

is forwarded by ISDN to a server located at SKRIPTOR AB. They do a search for similarities between the mark applied for, and earlier applications and registrations. The results of the search are contained in listings and are forwarded by mail to the Norwegian Patent Office. We load the results into our database, and the reports are made available for examination.

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):

-The Norwegian Patent Office is situated in Oslo. The office is open to the public, and is most frequently used by agents/attorneys for information purposes. The official trademark register is open to the public inspection Monday - Friday between 0900 and 1500. A telephone service handling questions about exactly defined trademarks is open Monday - Friday between 0900 and 1500.

In addition to the mentioned services there is a documentation service, where the public may obtain copies of defined registrations from the official registers, copies of the weekly publication, or advice concerning registrations of a defined trademark. For these services a fee is charged.

The Info Centre answer questions and make inquiries and give general information concerning industrial property rights to the public.

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

- The gazette "Norsk Varemerketidende" is distributed to patent offices in about 30 countries. The Norwegian Patent Office receives gazettes from a large number of countries. Samples from the other Nordic countries are circulated weekly among the executive officers at our office.

- During 1999, we began to download data from WIPO, regarding Madrid registration, electronically by an ISDN connection. The download files are interpreted and electronically transferred into our trademark database. This has improved the quality of the data received, and made the process more efficient.

- The Madrid registrations are not printed out here, but are still forwarded by mail.

- We also receive the Romarin CD ROM from WIPO.

- The Office does not forward any machine-readable information.

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

-The Norwegian Patent Office regularly has exhibits at fairs for industry, trade and agriculture in order to promote the use of trademark information and industrial property rights. There has been established a Service which has given 7 courses and 17 lectures and seminars in the field of industrial property law and trademarks. These are attended by professionals working in

industry and trade, or with industrial property rights agencies. In 1999 there was no planned interaction regarding trademarks in developing countries. The staff situation at the Norwegian Patent Office does not allow for the disposal of resources for activities outside Norway, except cooperative Nordic, EFTA and WIPO projects.

IX. Other relevant matters

In 1998 the Norwegian Patent Office set up the SANT programme, a comprehensive project aimed at establishing systems for the electronic handling of documents and procedure. It will also make information on industrial rights electronically accessible to our customers. The project is going according to plan and is estimated to be complete by the end of the year 2001.