

# WIPO



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**STANDING COMMITTEE ON INFORMATION TECHNOLOGIES**

**ANNUAL TECHNICAL REPORT**

**2001**

**ON TRADEMARK INFORMATION ACTIVITIES**

submitted by

**ESTONIA**

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

## ANNUAL TECHNICAL REPORT ON TRADEMARK INFORMATION ACTIVITIES

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**ESTONIA**

## I. Evolution of registration activities:

In 2001 1,969 domestic trademark applications were submitted and 4,699 international registrations (where Estonia has been marked) were received. Legal protection was applied to 6,668 trademarks. The total number of decisions made by the Trademark Department of the Estonian Patent Office was 6,174, of which 2,706 were made on domestic applications and 2,468 on international applications. 44 international trademark applications by the Estonian applicants were submitted for forwarding to WIPO. On 31<sup>st</sup> December 2001 8,763 trademark applications were pending, 72% of which were international applications.

In 2001 of the total number of trademark applications 56% were submitted by the applicant from the EU member states, 6% by the USA applicants and 14% by the Estonian applicants. The number of applications submitted by the Estonian entrepreneurs has permanently increased: in 2001 910 registration applications were submitted, i.e. more than 1000 applications more than in 2000.

The most popular classes of goods for which legal protection was applied for in 2001 were class 5 (8% of the applications for medicines), class 9 (7,5%), class 16 (5% publications) and class 3 (4% cosmetics products). In the classes of services the most applications were applied in class 42 (7,5% catering, medicine, beauty treatment, agricultural services, legal services, scientific research) and class 35 (6,5% advertisement, business management, office services).

In 2001 software for trademark applications and processing thereof as well as state periodical statistical reports was worked out. The detailed periodical reports are available at the homepage of the Estonian Patent Office [www.epa.ee](http://www.epa.ee).

Before filing a registration application with the Patent Office it is possible to make inquiries on registered and pending trademarks and to use the database of trademarks on the Internet, which includes international trademarks (where Estonia has been marked) since the end of 2001.

Appeals against decisions on trademarks are settled at the Board of Appeal of Industrial Property and in the court. In 2001 76 appeals on trademark decisions were filed with the Board of Appeal (1,2 of the total number of the decisions made by the experts) and 23 appeals were satisfied. (0,3% the total number of the decisions made by the experts).

Since 2000 the work norms of examiners have been fixed and salaries for efficiency have been established. In 2001 the annual norm of a senior expert was 450 decisions. The first additional norm was 100 decisions made in addition, i.e. 550 decisions per one senior expert and 15% extra pay went with it. The second additional norm was another 100 decisions, i.e. 650 decisions per one senior expert and 30% of extra pay.

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

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The official publication of the Estonian Patent Office is the Estonian Trademark Gazette, published under the Trademark Act. The Gazette contains the text and reproductions of all trademark applications published for opposition, all trademarks that have been registered, all registrations that have been amended, renewed, expired or cancelled.

The Estonian Trademark Gazette comprises of the following parts:

- 1) Trademark for publishing,
- 2) International trademarks for publishing,
- 3) Registered trademarks,

- 4) Lists,
- 5) Changes in the state register of trademarks and service marks,
- 6) Marks that are protected under article 6ter of the Paris Convention for the Protection of Industrial Property,
- 7) Legal acts and information concerning trademarks,
- 8) Registered geographical indications
- 9) Changes in the state register of geographical indications,
- 10) Legal acts and information concerning geographical indications.

The Estonian Trademark Gazette is published 12 times a year.

Mass storage media is not in use yet.

Editing and printing is done with PCs, including the trademark certificates and the Estonian Trademark Gazette.

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

Goods and services are classified according to the Nice Classification of Goods and Services, using an in-house electronic classifier.

Trademark applicants use the assistance of the librarians of the Estonian Patent Library in classifying their goods and services. Once a week trademark experts of the Estonian Patent Office provide consultations for more complicated cases.

The Vienna Classification of Figurative Elements of Marks is used as the code system of figurative elements.

WIPO Standard St. 60 is used for bibliographic data coding.

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

The Estonian Patent Office uses the following manual search files:

- the card file of trademarks consisting of or including figurative elements in compliance with the Vienna Classification;
- the State Register of Trademarks and Service Marks.

Both files are updated continually.

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

The Estonian Patent Office maintains a computerised administrative database that enables the search of trademarks, enhancing those consisting of or including verbal elements (applications and registered verbal marks).

Estonia is participating in the RIPP Common Software Project.

The in-house database system of the Estonian Patent Office is based on the UNIX IBM RS6000 server and PCs serving as workstations. The computer network is based on TCP/IP protocol and built up by Ethernet Twisted Pair network.

Common Software Version 2.1.5 used for examination procedures was replaced by Version 2.1.8. The examination module of international trademarks as taken into use. The data concerning more than 10,000 international trademarks and their images were downloaded from WIPO server and added to the database of trademarks using SPIRIT-MECA software.

A database of trademark searches including data regarding trademark applications and registered trademarks of the Estonian Patent Office in the Internet has been updated. The search database contains besides data concerning the trademarks registered in the Republic of Estonia, filed applications for trademark registration since 1 October 1992 also a link to data concerning international registrations as prescribed in the Trade Mark Act. International registration means trade marks registered in the international register under the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks for which legal protection is being applied or which have been granted legal protection in the Republic of Estonia. The data concerning applications for trademark registration are in the Database in the form they were filed by the applicant. The search is free of charge and does not presume registration as a user.

Estonian Patent Office has bought in the frains of PHARE project SWORD-developed software ACSEPTO for figurative and verbal search of trademarks. The software will be used in 2002

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 computerised Estonian trademark database contains registered marks and published applications (both national and international) and it can be exploited at the reading room of the Patent Library. Search is carried out by the bibliographer and the customers pay a moderate price for the computerised services.

The Patent Library renders services using the following CD/DVD-ROM databases:

- ROMARIN (WIPO),
- DEMAS (DE),
- US TRADEMARKS BIB,
- US PATENTS & TRADEMARKS ASSIGN,
- US TRADEMARKS ASSIST,
- BENELUX TRADEMARKS,
- TRACES,
- USAMARK,
- EUROM.
- TRADEMARKS OF RUSSIA 1991-2000
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There is a great demand for the computerised trademark services.

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

The Estonian Patent Library has agreements with 33 trademark offices on exchange of trademark gazettes. At present the information concerning Estonian trademark on machine-readable carriers is not being forwarded to our exchange partners.

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

Customer training activities of the Estonian Patent Library in 2001.

In 2001 we have arranged 21 information days on the field of use of information concerning industrial property.

The aim of these days is to highlight the impact of the use of information concerning patents, trademarks and industrial designs and they are arranged in the library or in centres of entrepreneurship.

#### OHIM

1. Ninth Liaison meeting in Alicante "Procedure and practice" (2 participants)
2. Workshop in Alicante "Trademark examination procedure" (2 participants)
3. Workshop "CTM registration" (2 participants)
4. Workshop "Trademark classification and absolute grounds for refusal" (2 participants)
5. Liaison meeting "IT and information" (1 participant)

WIPO

1. The 6th session of Standing Committee (SCT) (1 participant)
2. Participation in the work group of Amending the Guide to the International Registration of Marks under the Madrid Agreement and the Madrid Protocol (1 participant)
3. The 7th session of Standing Committee
4. Extraordinary first session of Standing Committee

Other

1. Swedish Patent and Registration Office – on the job training „Trademark examination“ (2 participants)
2. Norwegian Patent Office – on the job training „Trademark examination“ (2 participants)
3. Danish Patent and Trademark Office – on the job training „Trademark examination“ (2 participants)

In collaboration with the EPO

1. The seminar “CTM – registration procedures” – (10 participants from the Estonian Patent Office and patent attorneys)
2. The seminar ”Industrial property protection” (10 participants from the Estonian Patent Office and patent attorneys)

Language courses

1. English language courses – (6 participants)
2. French language courses – (1 participant)

Fairs

The Estonian Patent Office took part of the fair “Intellektika 2001”, act with the exhibition and gave a lecture

IX. Other relevant matters.

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