

Annual Technical Report on Industrial Design Information Activities in 1998

Industrial Property Office of the Czech Republic

I. Evolution of registration activities:

The number of applications filed in 1998 was 803, what represents an decrease in comparison with 1997 when 813 applications were filed. The Industrial Property Office carries out the examination of industrial design applications.

In 1998, 1017 industrial designs were registered, what represents an increase by 17 % in comparison with 1997, when 868 designs were registered.

The productivity of industrial design applications procedure increases, the procedure was shortened on 9 months.

II. Matters concerning the generation, reproduction and distribution of industrial design documents and of secondary sources of industrial design information, i.e., official gazettes.

The Czech Republic carries out the substantive examination of industrial design applications. That is, the procedure is terminated positively by the part of filed applications only what means that the applicant becomes the owner of the granted exclusive right to the industrial design. The procedure can be terminated also negatively. Procedure is terminated by the refusal of the application in case that the subject matter does not fulfil legal conditions of registration. Procedure is terminated by the suspension in case that the applicant revokes the application or he does not comply with the invitation of the Office to remove the formal defects of the application. The subject matter of an application (representation or description) is not published in the course of the procedure. If the application is settled negatively, the subject matter is also never published.

In case of positive termination of the procedure, the industrial design is recorded in the register and the applicant receives the certificat of this registration. As from the moment of the registration the legal effect of the exclusive industrial right is falling and the applicant becomes the owner of the right.

At the moment of registration, the representation (and/or description) of the industrial design is made available to the public, i.e. it is included in the Office's collection open to the public in the Office's building (Description of the collection see chapter III and IV).

Subsequently, the representation of the subject matter of the industrial design together with bibliographic data is published in the Official Gazette (after a delay corresponding to the term of production). Outside the reading room, industrial design information is distributed and accessible in this printed form only.

Official Gazette of the Industrial Property Office (Vestník UPV) is issued monthly in 300 copies, in two parts. Part A contains inventions, utility models, industrial designs and topographies of semiconductor products. Part B contains trademarks and appellations of origin.

The Official Bulletin of the Industrial Property Office is issued also on CD-ROM. It is produced by an external firm in law number of copies for the circle of concrete interested peoples. The Bulletin on CD-ROM is issued monthly - as its paper original, but it is issued in the cumulative manner (similar as the CD-ROM ROMARIN for trademarks). Each new disk contains all data from the number 1/1996 together with data accession of last month. Searchability of the part of industrial designs is insufficient for the time being, because it is not yet possible to carry out searching according to the Locarno Classification of industrial designs.

The standard contents of the chapter „Industrial Designs“ in the Part A are following:

- List of registered industrial designs (numerical series with classification symbols)
- Registered industrial designs arranged according to the classes of the Locarno Classification (announcement contents a representation and bibliographic data)
- List of owners of registered industrial designs provided with the number of the registration and its classification
- Official decisions and announcements such as:
 - = lapse of industrial designs by expiration of the term of validity
 - = assignments of rights and other changes of owners
 - = extension of the term of validity of the industrial design registration
 - = cancellations or partial cancellations of industrial designs
 - = licence contracts registered in the register by the registered industrial designs

Since 1986 industrial design data elements are recorded in the computer database. The database does not content image information. It is used, besides other, to make actual listing of the industrial design register. This register contains legal status of industrial designs valid on 31.12.1992 (as from 1.1.1993 former Czechoslovakia divided into the Czech Republic and Slovak Republic) or registered in the register after this date.

III. Matters concerning classifying, reclassifying and indexing of industrial design information according to the classification systems applied:

The Czech Republic started to apply the Locarno Classification (6th edition) at 1.1.1995. Before this date the national classification was used, more detailed then the Locarno Classification.

The transition from the national to the Locarno Classifications was based on following principles:

- all the applications filed after 1.1.1995 are classified according to the Locarno Classification; respective data elements are recorded in the database by application initial data recording
- all the applications filed before 31.12.1994 incl., of which the procedure is terminated (negatively or by registration) after 1.1.1995 are reclassified according to the Locarno Classification and the respective change in the database is made
- all the applications whose procedure was finished before 31.12.1994 remain and will remain classified according to the original national classification.

IV. Search file establishment and upkeep

Industrial design search file of the IPO comprises the industrial design collection of the Czech Republic and Czechoslovakia and official gazettes of foreign offices containing registered industrial designs.

A. The file of industrial designs of the Czech Republic and Czechoslovakia

The file comprises backfile from 1964. Until 1992 the file comprises industrial designs from Czechoslovakia. From 1993 it comprises industrial designs from Czech Republic. Information unit (the card) contains basic bibliographic data of the industrial design in the moment of decision concerning application and representation of the industrial design or its description if there is any.

B. The file of official gazettes (containing industrial design information) of foreign - offices

On the base of international exchange the IPO receives gazettes contained industrial design information from following countries (international organizations):
Germany, Austria, USA, Slovakia, Poland, Norway, Sweden, Russia, Spain, China, Hungary, Bulgaria, Romania, Estonia, Yugoslavia, France, Switzerland.

The IPO buys the official gazette issued by the WIPO, in the framework of the international registration of industrial designs according to Haag Agreement.

Gazettes are at disposal for the public and examiners in the Office's reading room.

Practical use of the Gazettes for search purposes is relatively low. The mostly usable is the German Gazette where the section of registered industrial designs containing their representations is arranged according to Locarno Classification.

V. Activities in the field of computerized search systems for industrial designs:

The Czech IPO has not at disposal a computer system containing image information of industrial designs. Occasionally the on-line access to the external database QUESTEL is used, containing bibliographic data on industrial design applications filed according to the Hague Agreement.

The existing database system of industrial designs contains data since 1986. Bibliographic data concerning applications, procedure and decisions are recorded in this system.

This database contains the legal status and it is updated immediately after a change.

Data are searchable according to the application number or the protection document number. The database administrator and the authorized qualified users are able to dump statistical data.

Application for industrial designs is operated on the IBM technology, operation system OS/2, database ORACLE used, operated on-line in the Token-Ring network. It contains a database of the industrial design application register, registered industrial design register, register of the application procedure protocol.

This application provides printouts for the correspondence with applicants and for the Gazette of the IPO, passed on data carriers.

The text editor used is WORD. The searches can be carried out in the industrial design applications register, registered industrial designs register, applicants and owners register and authors register. There is also possible to carry out searches according to titles.

From the above mentioned database partial output are used for printing of the IPO Gazette. For this production are scanned representation of the registered industrial designs. Since 1996 these digital representations are kept for the planed project of a searchable database of industrial designs which will include the pictorial information. In 1998 scanning of the retrospective representation of registered industrial designs from 1995 and olders was started. At the end 1998 were scanned the representation of industrial designs registered in 1992.

VI. Administration of industrial design services available to the public (relating to facilities, e.g. for lodging applications to register designs, for assisting clients on searching procedures, for obtaining official publications and registry extracts):

An information center functions during the hours of work of the IPO. It provides the public with general information concerning industrial property protection and the applicants with necessary information.

In the public reading room, open practically during the hours of work, there are available for the public the industrial design collections, described under chapter IV. Some gazettes are available to the users by selfservice, the other are supplied on order. Personal assistance and consultations for beginners are carried out by the reading room staff. The register section supplies legal status information.

The public can order the searches made by the Office's experts as the paid service.

The subscription of the IPO Gazette or its study in the regional technical libraries are actually the possibilities to receive industrial design information out of the Office. There are about 280 subscribers of the Gazette.

VII. Matters concerning mutual exchange of industrial design documentation and information:

The countries, from which we receive the Gazette see chapter IV.

The Gazette of the Czech IPO is sent to these countries to the offices and other institutions and to interested parties in 32 countries.

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

The Czech IPO staff is educated in the Institute being the part of the Office. This Institute organizes also two years and short term courses for the public.

The Czech IPO issues the magazine Industrial Property.

The trainees received in the Czech IPO in the scope of the WIPO developing programme are acquainted with the industrial design matter.

IX. Other relevant matters

Nothing to report.