

ANNUAL TECHNICAL REPORT ON TRADEMARK ACTIVITIES
1998
prepared by
THE PATENT OFFICE OF THE REPUBLIC OF POLAND

I. Evolution of registration activities

1. Application filing procedure, as well as registration procedure remained unchanged in 1998 with respect to the previous year.
2. In 1998, 15153 decisions were taken relating to trademark registrations under the national procedure and justness of recognition in Poland of 7494 international registrations was examined.
The total number of decisions taken in respect of trademarks amounted to 22647, which makes the increase of 14,1% in comparison with 1997.
There were 17813 positive decisions in 1998.
3. The number of trademark registrations in force on 31.12.1998 amounted to 54943 under the national procedure and to 37807 under the Madrid Agreement (92750 in total).

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

1. Information on applications

In 1998, the Polish Patent Office received in total 24248 trademark applications, including 14405 trademark applications filed under the national law (of them, 11265 were filed by Polish subjects) and 9843 foreign applications filed under the Madrid System (notifications of international registrations with the designation of Poland), which makes a 6,5% total increase, comparing the 1997 data;

In the period under review, of 312 received requests for international registration of Polish trademark applications under the Madrid System,

213 were transmitted to WIPO.

2. Storage and distribution of trademark information

Trademark information is stored on paper carrier and in machine-readable form (hard discs and CD-ROM), and is made accessible to:

2.1. the outside users:

- on the premises of the Polish Patent Office in the Office's Library, in the form of indices of trademark applications and indices of registered trademarks on paper. The Polish Patent Office publishes trademark applications only as an information material to enable making initial searching before filing an application. Indices of trademark applications are not official.
- within telecommunication access:
 - from a workstation installed in the Office's Library for performing retrieval on the data bases containing complete data on trademarks protected in Poland under the Madrid System /MARMAD/ and under national law /MARPOL/. (National applications are available on the MARPOL data base three months after the filing date);
 - from a user's computer, after he has acquired an appropriate authorization (through a telephone line or through INTERNET);
- in the local mode:
 - from a terminal in the Informatic Center of the University of Warsaw (CIUW) directly by a user or with the help of an operator of the CIUW.
 - in the Polish Patent Office, for retrieval on the data bases contained on

CD-ROM (ROMARIN, TRACES, DEMAS).

2.2. the experts of the Polish Patent Office:

- in-house data bases BAZPAT and ROMARIN accessible in the network from experts' workstations.

The BAZPAT data base contains all data on trademarks filed and registered under national law, including data on the current stage of processing of each case.

3. Publishing techniques.

Information on registered trademarks is published in the monthly official gazette „Wiadomosci Urzedu Patentowego” („Communications of the Patent Office „) - WUP. WUP is printed in offset, basing on the data contained in the BAZPAT data base, and is prepared for print with the use of DTP (VENTURA Publisher) system.. Laser printouts are the basis for the montage. In 1998, the office issued 12 Nos of WUP (10.015 copies).

III. Classifying, reclassifying and indexing of trademark information

The Polish Patent Office applies the Nice Classification for goods and services and the Vienna Classification for figurative elements of trademarks. An applicant performs preliminary classification.

Classification symbols are verified and corrected at the stage of registration procedure. In 1998, the Office published the Polish version of „The International Classification of Goods and Services”, 7th edition, vol. I and II /600 copies each volume/.

IV. Trademark manual search file establishment and upkeep

At present, traditional methods of searching trademarks are not used in the Polish Patent Office.

V. Activity in the scope of computerized trademark search systems

1. In 1998, the Patent Office continued building up of the computerised trademark data base for internal purposes connected with filing, examination and registration of trademarks. The base includes four data bases accessible in the network system:

- verbal trademark data base (BAZSLO), containing trademark applications and registrations under the national procedure;
- figurative trademark data base (BAZGRA), containing trademark applications and registrations under the national procedure;
- international trademark registrations data base (ROMARIN);
- pesticide data base.

The above mentioned data bases have been used for searching trademark information.

2. The following search tools are used for retrieval and search proposes:

2.1. bibliographic data:

- name of trademark (word in the mark, word beginning and word ending)
- application number
- registration number
- application date
- registration date
- priority date
- country name
- owner of mark (name or word contained in the name)
- Nice Classification
- Vienna Classification

2.2. phonetic similarities.

3. Administrative management systems

Information stored in the data base supports administrative functions. The computerised trademark data base has been exploited for filling in

registration cards and other kinds of printed matter used by a respective department and for correspondence with an applicant, e.g. prints of decisions, refusals, corrections and changes, decisions concerning collisions, decisions on registration and certificates of protection. Statistical returns (including statistics for the WIPO) are prepared automatically. Legal status information is daily recorded in the network.. System of fees' administration is also in operation.

4. Data bases containing verbal and figurative data on trademarks protected in Poland are rendered accessible for the needs of the outside users, i.e.:

4.1. in the Informatic Center of the Warsaw University /CIUW/:

- MARMAD data base, containing data on trademarks filed and protected in Poland under the Madrid System, and
- MARPOL data base, containing data on trademarks filed and registered in the Polish Patent Office under national law.

Access to the bases is possible through remote connections and from a workstation in the Office's Library.

4.2. on the INTERNET:

- ARSTM data base, containing data on all trademarks filed and protected in Poland under national law.

5. At the second half of 1998, works were undertaken in connection with launching, on the INTERNET, of information service containing, among others, current numbers /beginning from 1999/ of our official monthly

gazette „Communications of the Patent Office” /WUP/, where data on trademarks registered in Poland are contained.

6. In 1998, works were carried out, involving enlargement of net retrieval of information from optical discs, directly from expert workstations, /in the InfoWare system/ and the launch in that system of the access to the ROMARIN data base containing data of trademarks registered under The Madrid Agreement.

Additional virtual servers were put into operation, aimed at enhancing servicing of a parallel access to data bases containing information on trademarks applied for protection and protected in Poland under the national procedure /MARPOL/ and under the international procedure /MARMAD/, installed in the Information Center of the Warsaw University.

7. We continued works connected with creation of the data base of international pharmaceutical names (in the REVELATION tool system). Its implementation will follow the reception of a complete input data file from international organizations. The performed works been loaded – searching information at the stage of registrability examination of trademark applications.

8. We continued cooperation with the European Patent Office and patent offices of Hungary, Czech Republic, Slovak Republic, Romania and Bulgaria in relation with the resumption of production /discontinued on the turn of 1997/ of the TRACES CD-ROM optical disc, containing

data on protected /verbal and figurative/ trademarks of said countries and Poland.

9. Equipment used

- Computer Local Area Network (Lan) with PC workstations
/55 pieces/;
- The carriers are network discs (hard discs and CD- ROM's)
supported by Novell's NetWare system (the total capacity of discs
for trademarks: 9 GB);
- A new server, received free of charge from WIPO, for the
ROMARIN system;
- IN-house developed software in the tool systems:
 - Revelation system - bibliographic data,
 - FoxPro system - figurative data;
- CD.-Connection software for network access to the ROMARIN data
base.

VI. Trademark services available to the public

1. The following publications containing trademark information are accessible in the Office's Public Library on paper:

- A bulletin „Wiadomosci Urzedu Patentowego” („Communications of the Patent Office”) - WUP, containing the following information on registered trademarks:
 - registration number
 - application date

- application priority date or exhibition priority date with the country code
 - name and seat of the trademark owner with the country code
 - list of goods and services to be marked by the given mark
 - product classes
 - the registered trademark
 - classification of figurative elements
 - colours claimed.
- Alphabetical index of trademark applications (in the form of computer printouts) for the last several years, supplemented monthly and containing :
 - trademark name
 - application number
 - application date
 - kind of trademark (verbal, figurative or mixed)
 - product class, service class
 - applicant's name
 - applicant's city and country.
 - Alphabetical index of registered trademarks covering the period 1924-1998 (in the form of computer printouts), supplemented quarterly and containing data as in the above mentioned index, application number being replaced by a registration number.

2. The MARPOL and MARMAD data bases (characterised more precisely in paragraph V.4 above) are accessible in the Informatic Center of the Warsaw University (CIUW) in a remote on-line mode on IBM-ES/900 mainframe. In the period under review, 3287 searches were carried

out, against payment, in the above mentioned trademark data bases.

3. Data in the bases are updated monthly. The bases are accessible locally from a terminal in the CIUW directly by a user (or with the help of a operator of the CIUW) or in remote on-line mode from:
 - a terminal installed in the Office's Library;
 - a user's computer, through a telephone line or through INTERNET.
4. Information on services performed by the Office for users within the scope of trademarks has been contained on the www home page of the Patent Office and is periodically contained in a monthly information brochure „ Patent Office's News „ .
5. Information services for the users, with respect to trademark protection, have been performed by the General Information unit of the Office and in the Public Library where customers may also receive payable help within the retrieval and searching procedures.
6. Excerpts, duplicates and certificates confirming specified entries in the trademark register have been delivered against payment on request of an interested user.

VII. Exchange of documents and information

1. Within mutual exchange between offices, in 1998, our Office sent 631 copies of the „Communications of the Patent Office” (WUP) to 39 foreign offices and to 1 international organization, receiving in exchange from the majority of them their official gazettes, containing, among others, trademark information.

Thus, in the period under review, documentation files of the Polish Patent Office enlarged of official gazettes (on paper) from 39 foreign patent offices and from 2 international organizations.

2. On CD.-ROM, we received trademark data from the USA (17 discs) and from Germany (5 discs).

Totally, in 1998, the files of the Office enlarged of 22 discs with trademark data.

3. In the period under review, data necessary for production of the TRACES disc were prepared and transmitted in electronic form. In 1998, within the framework of popularisation of the TRACES data base, the countries covered by the RIPP Programme were provided, free of charge, with 39 sets /disc + manual/ of that product, while in the country 40 sets of the disc were sold on individual orders, mainly to patent attorneys ' offices and to the libraries of various universities.
4. Under the Madrid System, the Office received 11 sets of optical discs ROMARIN with applications of international trademarks.

5. In 1998, the Office received 25 numbers (200 copies) of the WIPO bulletin „WIPO Gazette of International Marks”, free of charge.

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

1. In 1998, between March 23 and April 3, 2 persons of the Office’s staff took part in a training course organized in Newport /Great Britain/ within the Know How Fund. The subject of the course related to procedures concerning trademark applications, functioning of the International Trademarks Section and the System of monitoring the document flow in an office.
2. Also in Newport, 3 employees of the Office participated in an autumn training course on trademarks. The scope of the training covered trademark examination with particular regard to international trademarks, as well as keeping trademark registers.
3. In November 1998, 2 of our experts participated in a seminar on trademarks, international agreements and classification systems, organized in Prague.
4. In November 1998, within a technical assistance mission /for the offices of the EPO member countries/, a training course on a Community Trademark was organized in our Office for 31 employees

of 2 of our departments. The training was carried on by Mr. Javier Rujas from the Office for Harmonization of Internal Market in Alicante.

(End of document)

Information collected and prepared in the Polish Patent Office,
Warsaw, 1999