

CWS/ATR/ID/2020/EE

Annual Technical Report on Industrial Design Information Activities in 2020 submitted by the Estonian Patent Office

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Where URLs are requested below, it is preferred that either URLs which are likely to remain stable over time (three years or more) are provided, or home (main) page URLs are provided with a short explanation of how to access the corresponding information.

The expression "industrial designs" covers industrial designs and models.

Offices which issue design patents should report their design patent information activities in this series of Annual Technical Reports.

I. GENERAL OVERVIEW OF RECENT DEVELOPMENTS IN INDUSTRIAL DESIGN INFORMATION ACTIVITIES CARRIED OUT BY THE OFFICE

In Estonia, the protection of industrial designs can be applied for on the grounds of the Industrial Designs Protection Act that entered into force on 11 January 1998. From 1 May 2004, legal acts concerning Community designs, including the Council Regulation 6/2002/EC of 12 December 2001 on legal protection of the Community Designs, are also valid in Estonia.

Pursuant to the Regulation, all industrial designs disclosed to public in the territory of the European Union automatically have a 3-year protection against copying as well as other existing possibilities for registration.

Estonia acceded to the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs on 23 December 2003. Common Regulations of the Geneva Act of the Hague Agreement Concerning the Deposit of Industrial Design entered into force on 1 April 2004. To protect an industrial design via the Hague system, an application in English or French should be filed with the International Bureau of WIPO in Geneva, designating the countries where protection is wanted.

In Estonia, industrial designs are registered by formal registration system. The Estonian Patent Office does not examine the industrial design as to its novelty, individual character, industrial applicability or the right of a person to file the application.

Outline of main policies and plans aimed at development of industrial design information activities and expected time frames for their realization

New projects launched or resumed this year in the context of the policies(plans) mentioned above, short description: aims, partners, tasks

Main areas of industrial design information activities and related information and communication technology (ICT) practices which were in the focus of attention last year

Statistics: changes in terms of application filings and grants (registrations) with respect to previous year; trends or areas experiencing rapid changes

In 2020, the Patent Office received 40 industrial design registration applications, i.e. approximately the same amount as last year (37 applications). Everyone looking to register an industrial design were from Estonia, citizens from other countries did not submit any applications to the Estonian Patent Office. However, there is a significant rise in the number of applications filed by Estonian applicants with the EUIPO – 186 (130 in 2019). Applications filed like that will acquire protection in the whole territory of the European Union, including Estonia.

The number of applications for international registration of industrial designs filed under the Hague Agreement has also increased. In 2020, 36 applications were filed this way (21 in 2019). Unfortunately, however, the record for recent years, which was 88 applications in 2017, remained unattainable.

By the end of 2020, there were 19 national applications and 27 international applications pending. On 31 December 2020 there were in total 388 industrial designs in the Estonian register of industrial designs, and 1,152 international registrations of industrial designs had been granted legal protection in Estonia.

Other matters and useful links (URLs): annual report of the Office, news page, statistics, etc.

<https://aastaraamat.epa.ee/en>

<https://www.epa.ee/en/additional-info/statistics>

II. SERVICES AND ACTIVITIES RELATED TO INDUSTRIAL DESIGN INFORMATION CARRIED OUT BY THE OFFICE

The extraordinary year also generated more interest than usual in registering industrial designs. In the first half of the year, applicants had a strong interest in protecting all kinds of personal protective equipment, in particular the external design of face masks. The greater interest of applicants in the registration of industrial designs was clearly evident and is reflected, in particular, in the large number of telephone calls and in the very positive feedback. Video-related consultations were also justified: by sharing their screen, the applicant can receive the same information as on spot in the Patent Office. More opportunities for more convenient consultations will certainly have a positive impact on the overall growth of awareness.

It is also noteworthy that the unexpected situation in the first half of the year meant a rather modest receipt of applications for registration of industrial designs, but when the new reality had become more habitual, the number of applications also increased dramatically. Of the 40 applications filed, 22 – more than half – were filed in the fourth quarter of the year. In addition, it is more reasonable for many applicants to file their industrial design applications directly to the European Union Intellectual Property Office, both on the basis of a business strategy and economically, and an increase in the number of applications can be noticed in that area too.

Workshops on copyright and product design by Zoom have also been successful and problem-free. A significantly larger public can take part in the webinars than in the classroom seminars. As a negative, it may be pointed out that the format makes it more difficult to have discussions. However, it is good to know that, even if the overall situation normalises and workshops can again be organised in the new classroom of the Patent Office, there will always be the capacity and experience to organise video seminars as a backup.

The year 2021 may be welcomed rather optimistically. New forms of consultation and the possibilities for organising seminars have justified themselves, and there is an increase in people's interest in creating something in domestic conditions and protecting their rights. It is also clear that applicants addressing the Patent Office with a request for consultation have done a strong preliminary work in advance.

Information and support provided by the Office to applicants regarding filing on paper and/or e-filing (instructions, seminars, etc.) - URLs

<https://www.epa.ee/et/seminarid>

Availability of the application dossier in electronic form

<https://www.epa.ee/et/metoodilised-valjaanded/valjaanded-toostusdisainilahendusest>

<https://www.epa.ee/et/kuidas-saada-toostusdisainilahendusele-kaitset/kuidas-saada-toostusdisainilahendusele-kaitset-eestis>

Classification and reclassification activities; classification system used, e.g., International Classification for Industrial Designs (Locarno Classification), other classification

<https://www.epa.ee/et/toostusdisainilahendused/toostusdisainilahenduste-rahvusvahelise-klassifikatsiooni-klasside-ja>

Other activities

III. SOURCES OF INDUSTRIAL DESIGN INFORMATION PROVIDED BY THE OFFICE

Main types of publications in the field of industrial design information, outline of the content (industrial design applications, design patents, registrations, etc.) and medium (on paper, on CDs, online - URLs)

<https://www.epa.ee/en/additional-info/publications>

Official Gazettes: main types of announcements, frequency of publication, medium (on paper, on CDs, online - URL), etc.

<https://www.epa.ee/en/official-gazettes/estonian-industrial-design-gazette>

Information products (coverage, medium, etc.) available to examiners, including external documentation and databases

Information products (coverage, medium, etc.) and services available to external users; conditions of access (e.g., free of charge, subscription, etc.)

<https://www.epa.ee/en/databases/industrial-designs-databases>

Legal status information (kind of information, coverage, medium, etc.)

<https://www.epa.ee/en/additional-info/legal-acts>

Other sources

IV. ICT SUPPORT TO SERVICES AND ACTIVITIES RELATED TO INDUSTRIAL DESIGN INFORMATION CARRIED OUT BY THE OFFICE

Specific software tools supporting business procedures within the Office: general description, characteristics, advantages, possible improvements

Back Office

Hardware used to supporting business processes of the Office

Internal databases: coverage, updates, interlinks with external sources

The purpose of the information system of the Patent Office is to operate the industrial property procedure as a single process on a technological platform. The information system is interfaced with a number of other systems and registers, and the smooth operation of the whole system is essential in the day-to-day work of the Office.

The information system consists of three main components:

- self-service environment;
- procedural software;
- public query portal.

The renewal of the information system of the Patent Office started in 2016 when Back Office, a software package for trade marks and designs, developed by EUIPO, was introduced. Thanks to the new system, it was possible to switch to a paperless procedure in the area of trade marks and industrial designs.

The improvement of the information system continues and, similarly to previous years, we participated as a pilot Office in the ECP2 BO project initiated by EUIPO, which has resulted in keeping the components of the information system up to date, improved user comfort and added new features to the system. The changes made during the pilot project will benefit both the applicants and the examiners. One of the biggest changes in 2020 was the addition of timelines to both the Back Office system and the public database. Timelines provide the applicant with an overview of the progress of the procedure.

The self-service environment was also upgraded in connection with the introduction of the new accelerated procedure service. The new IT solution allows a trade mark applicant to conveniently request an accelerated procedure and complete a reduced-data application.

E-services of the Estonian Patent Office

Self-service environment

online.epa.ee

Electronic filing of a patent application, utility model registration application and an application for the enforcement of a European patent.

teenused.epa.ee

Electronic filing of applications concerning the registration of trade marks and industrial designs, renewal, changes in the data and transfer of rights and ownership.

[Madrid eFiling](#)

Through the portal, you can submit an international e-application under the Madrid Protocol, provided that you already have an Estonian national application or registration for the same trade mark. The application is submitted to the Estonian Patent Office, who will forward it to the World Intellectual Property Organization (WIPO) after the examination and, if necessary, correction of the application.

Public Queries

<https://www.epa.ee/en/additional-info/databases>

Queries can be made on trade marks, industrial designs, inventions and geographical indications valid in Estonia or filed for legal protection in Estonia.

International databases

The Estonian Patent Office transmits data on international design in Estonia to the following international databases.

[Designview](#) – international design search portal

Establishment and maintenance of electronic search file: file building, updating, storage, documents from other offices included in the search file

Administrative management electronic systems (register, legal status, statistics, and administrative support)

Other matters

V. PROMOTION ACTIVITIES AIMED TO SUPPORT USERS IN ACCESS AND EFFICIENT USE OF INDUSTRIAL DESIGN INFORMATION

In 2020, the Estonian Patent Office arranged or helped arrange 10 information events with 258 participants in order to raise the intellectual property awareness of different target groups. As a result of the emergency situation, several events had to be cancelled or organised on a smaller scale on the web. Last year, we discussed mostly trade mark protection, copyright and product design issues.

Traditionally, we participated in the Tallinn Entrepreneurship Day, which was held in a new format this time, and recognised the young inventors with ambitious ideas in the two rounds of the National Contest of Young Inventors. Thinking of the younger audience, we continued to introduce intellectual property on the columns of the economy notebook, which will be distributed free of charge to all learners under the Junior Achievement Economics Programme.

Office's library (if deals with industrial design information): equipment, collection management, network of libraries in the country, cooperation with foreign libraries

Publications related to different business procedures and industrial design information sources available to users, for example, books, brochures, Internet publications, etc.

Cooperation with universities, technology and innovation support centers, etc.

Work has also continued with the patent offices and universities of the Baltic States to establish a regional knowledge transfer network and steps have been taken to strengthen cooperation between the Patent Office and Estonian universities.

Education and training: training courses, e learning modules (URLs), seminars, exhibitions, etc.

<https://www.epa.ee/et/seminarid>

Other activities

VI. INTERNATIONAL COOPERATION ACTIVITIES IN THE FIELD OF INDUSTRIAL DESIGN INFORMATION

In the autumn, a working group of a support project for small and medium-sized enterprises (ECP6) started work under the leadership of EUIPO. The project aims to support small and medium-sized enterprises operating in the European Union by broadening their knowledge of the importance of intellectual property and promoting effective protection of intellectual property rights. There are a number of new measures that should help meet these objectives – for example, Estonian companies will be able to apply for 50% compensation for basic fees for their trade mark and design applications (SME Fund), receive free legal advice from patent attorneys (Pro Bono Service) or receive recommendations for effective dispute resolution.

International exchange of industrial design information in machine-readable form (e.g., Official Gazettes)

Participation in international or regional activities and projects related to industrial design information

Assistance to developing countries

Other activities

VII. OTHER RELATED MATTERS

<https://aastaraamat.epa.ee/en>