

# CWS/ATR/TM/2021/GB

## Annual Technical Report on Trademark Information Activities in 2021 submitted by the United Kingdom Intellectual Property Office

### I. GENERAL OVERVIEW OF RECENT DEVELOPMENTS IN TRADEMARK INFORMATION ACTIVITIES CARRIED OUT BY THE OFFICE

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

The Office completed work on the transitional arrangement for leaving the EU allowing people with a pending EU designation on 1 January 2021, to apply to register a UK trade mark with a filing deadline of 30 September 2021. The deadline has now passed, and the office has examined all cases applied for under Article 59 of the withdrawal agreement.

The office has implemented AI technology as part of the pre-apply for a trade mark process. The pre-apply tool is available on the UK IPO website and allows customers to carry out checks on the mark they wish to apply for before formally applying. The process is currently being improved for our customers. The pre-apply is currently averaging 250 users per day who are using the tool and we will be monitoring how many of those go onto apply using the same information going forward.

The main priority in trade marks was to reduce the backlogs which built up in 2020, to get back to our service standards of ten days to examination. We have successfully cleared the backlog of cases and are now examining within our service standards.

As demand increased post Brexit the office saw an increase in input for trade marks both domestic and international. Due to the increase, we recruited 105 additional trade mark examiners to cope with the rising demand.

The office increased the size of the weekly journal in order to publish more cases each week as the demand grew, we needed to increase the capacity of cases that we could publish.

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

The transformation project has launched which will transform our services. This is progressing well and is due to be implemented in trade marks in 2024/5.

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

See above information relating to transitional arrangements for leaving the EU and implementing AI technology.

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

##### Domestic Filings

2016 61681

2017 75121 (increase of 22%)

2018 84064 (increase of 11.9%)

2019 90449 (increase of 7.6%)

2020 118791 (increase of 31.3%)

2021 163992 (increase of 38.1%)

##### International Registrations

2016 4029

2017 8863 (increase of 120%)

2018 13294 (increase of 38.2%)

2019 17076 (increase of 27%)

2020 18247 (increase of 6.9%)

2021 32647 (increase of 78.9%)

##### International Applications

2016	2215
2017	2618 (increase of 18.2%)
2018	2842 (increase of 8.6%)
2019	2978 (increase of 4.8%)
2020	3551 (increase of 17.5%)
2021	4418 (increase of 24.4%)

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

Statistics related to Trademarks at the Intellectual Property Office can be accessed through the annual reports, annual reviews and facts and figures at: <https://www.gov.uk/government/statistics?departments%5B%5D=intellectual-property-office>

## II. SERVICES AND ACTIVITIES RELATED TO TRADEMARK INFORMATION CARRIED OUT BY THE OFFICE

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

Domestic filings - information regarding filing on paper and/or e-filing can be found at: <https://www.gov.uk/how-to-register-a-trade-mark>

International filings – information regarding filing an International Application (can only file via paper) can be found at: <https://www.gov.uk/government/publications/protecting-your-uk-intellectual-property-abroad/protecting-your-trade-mark-abroad>

**Availability of the application dossier in electronic form**

Trade marks can be searched by application number, owner, keyword, phrase or image at: <https://www.gov.uk/search-for-trademark>

**Matters concerning classifying**

**Classification and reclassification activities; classification systems used, e.g., International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification), International Classification of the Figurative Elements of Marks (Vienna Classification), other classification**

**Use of electronic classification systems and pre-defined terms of the classification applied**

Information regarding classifying can be found at: <https://www.gov.uk/guidance/how-to-classify-trade-marks>

**Matters concerning processing of different types of non-traditional marks (e.g., three-dimensional, motion, hologram, colour mark, etc.)**

Information regarding types of marks which can be registered can be found at: <https://www.gov.uk/how-to-register-a-trade-mark/what-you-can-and-cant-register>

Guidance on different types of non-traditional marks can also be found at: <https://www.gov.uk/guidance/trade-marks-manual/the-examination-guide>

**Other activities**

The IPO is an active participant in WIPO's Standing Committee on the Law of Trade Marks, Industrial Designs & Geographical Indications and meets with other participating offices at WIPO during Madrid Working Group.

## III. SOURCES OF TRADEMARK INFORMATION PROVIDED BY THE OFFICE

**Main types of publications in the field of trademark information, outline of the content and medium (on paper, on CDs, online - URLs)**

Trade Marks Journal is published every week on a Friday and contains accepted applications for UK Trade Marks and International Trade marks that include the UK: <https://www.gov.uk/check-trade-marks-journal>

Trade Marks Act 1994 makes up part of the trade mark legislation in the UK: <https://www.gov.uk/government/publications/trade-marks-act-1994>

Trade Mark Rules: <https://www.gov.uk/government/publications/trade-marks-rules>

Manual of Trade Mark Practice sets out guidance on the Intellectual Property Office work practices: <https://www.gov.uk/government/publications/manual-of-trade-marks-practice>

Practice Amendment Notices (PAN) announces changes to our practice, such as how we interpret a provision of the law, or how we handle applications:

<https://www.gov.uk/government/collections/practice-amendment-notice-pan>

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

The Trade Marks Journal is published every week on a Friday and contains accepted applications for UK Trade Marks and International Trade Marks that include the UK:

<https://www.gov.uk/check-trade-marks-journal>

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

Examiners use the Manual of Trade Marks Practice, the Trade Marks Act 1994, Trade Mark Rules, case law and research trade mark applications on the Internet. They also liaise with Patent Examiners if the trade mark is of a technical nature.

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

Our main office is located in Newport, Wales, where the public can file applications and discuss possible IP protection with an IPO Advisor over the phone or in person via appointment. In addition, we also have a front office in London where customers can file any correspondence for the attention of the Office.

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

The legal status is contained on the UK Register and may be searched by application number, owner, key phrase or word: <https://www.gov.uk/search-for-trademark>

**Other sources**

Nothing to report.

## **IV. ICT SUPPORT TO SERVICES AND ACTIVITIES RELATED TO TRADEMARK INFORMATION CARRIED OUT BY THE OFFICE**

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

Acsepto – stand-alone search system used by examiners to search for earlier Trade Marks. We are currently looking to upgrade from Acsepto version 9 to Acsepto version 11.

**Hardware used to supporting business processes of the Office**

Staff access a Windows 10 desktop via Microsoft Surface Pro devices, which are connected to two 24 inch widescreen monitors or one 32 inch monitor via a dock.

**Internal databases: coverage, updates, interlinks with external sources**

UKTM – database used to process domestic applications.

MPS – database used to process International Applications and Registrations.

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

New applications and amendments to existing UK Trade Marks are published to our search repository every 10 minutes and are available using our Trade Mark Number and/or Owner electronic search services. New or amended images can take up to 24 hours to appear as they are processed overnight on a daily basis.

The keyword, phrase or image search service utilises information stored in our Acsepto search tool which is updated on a daily basis.

Information relating to EU Trade Marks is updated daily and International Marks on a weekly basis from data feeds provided by the EUIPO and WIPO respectively: <https://www.gov.uk/search-for-trademark>

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

Management information is produced from UKTM and MPS.

#### **Other matters**

Nothing to report.

## **V. PROMOTION ACTIVITIES AIMED TO SUPPORT USERS IN ACCESS AND EFFICIENT USE OF TRADEMARK INFORMATION**

Information on the following topics is desired:

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

The Patlib Network was founded by the European Patent Office but PATLIB UK is autonomous and driven by its members and the UK Intellectual Property Office (IPO).

PATLIB UK is a network of 16 libraries around the UK that offer help and support on intellectual property as well as other business topics. They are based in local libraries and therefore open to any member of public that wishes to attend.

One of the key offerings of the network is access to support in intellectual property searching. All centres have a minimum requirement to supply assisted searches to businesses.

Training to deliver these services has been supplied by the IPO through the IP Master Class programme as well as ongoing individual training sessions as needed.

In addition to the guided searches some Patlib centres also offer a commercial trade mark searching service. This is at a low cost and is available to anyone; it is regularly used by businesses and individuals as well as IP Professionals.

As the centres are located within local libraries they make the most of free databases and due to lack of funding do not pay for any additional databases or tools. Our office, through the PATLIB UK Network and the British Library, takes part in numerous exchange programmes with other patent libraries around the world as in previous years.

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

Our main office is located in Newport, Wales, where the public can file applications and discuss possible IP protection with an IPO Advisor over the phone or in person via appointment. In addition, we also have a front office in London where customers can file any correspondence for the attention of the Office.

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

Our Business Outreach continues to raise awareness of IP, helping businesses reach an informed decision on how to use, manage, and enforce their IP to its full potential. This is done via a portfolio of business tools including mobile and online resources, seminars, workshops/training and working with partners to deliver broader dissemination and understanding of IP: <https://www.gov.uk/government/publications/intellectual-property-for-business>

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

We continue to communicate IP awareness to young people from primary through to secondary school. We have developed a range of curriculum-linked education resources to raise awareness of innovation, creativity and intellectual property in partnership with UK Music, Aardman Animations and the Industry Trust.

Campaigns are supported through <https://www.tes.com/partners/cracking-ideas> an online hub to support UK and devolved Governments' curriculums plus advice and guidance for schools on intellectual property. We have introduced a new online tool for Universities (IP Tutor) helping students and lecturers understand intellectual property rights: <https://www.gov.uk/government/publications/ip-in-education/ip-in-education>

#### **Other activities**

All marketing and PR is carried out within the External Communications team and we are achieving great coverage particularly on our social networking platforms.

## **VI. INTERNATIONAL COOPERATION ACTIVITIES IN THE FIELD OF TRADEMARK INFORMATION**

#### **International exchange of trademark information in machine-readable form (e.g., Official Gazettes)**

The Trade Marks Journal is published every week on a Friday and contains accepted applications for UK Trade Marks and International Trade marks that include the UK: <https://www.gov.uk/check-trade-marks-journal>

Trade marks can be searched by application number, owner, key phrase or word at: <https://www.gov.uk/search-for-trademark>

#### **Participation in international or regional activities and projects related to trademark information**

The IPO is an active participant in WIPO's Standing Committee on the Law of Trade Marks, Industrial Designs & Geographical Indications and meets with other participating offices at WIPO during Madrid Working Group.

#### **Assistance to developing countries**

Hosted Examiners from Trinidad & Tobago, Cyprus and Vietnam and gave an overview of UK law and practice.

#### **Other activities**

The IPO provide reports to World Trade Organisation on [TRIPS Agreement](#), TRIPS responses details work done with other offices and relate to all areas of IP, reporting on activities around technology transfer and technical cooperation.

## **VII. OTHER RELATED MATTERS**

Nothing to report.