

CWS/ATR/ID/2021/EA

Annual Technical Report on Industrial Design Information Activities in 2021 submitted by EAPO

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

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

Informing of third parties and the general public about submitted for registration and registered industrial designs is one of the key principles of the Eurasian system of legal protection of industrial designs. Mandatory publication of both lodged and registered industrial designs is provided for by the Protocol on the Protection of Industrial Designs to the Eurasian Patent Convention of September 9, 1994, adopted on September 9, 2019 (hereinafter referred to as the Protocol). On the website of the Eurasian Patent Office (EAPO) www.eapo.org free access is granted to:

- EAPO Gazette "Industrial Designs (Eurasian Applications and Eurasian Patents)", available under section "Applications and Patents" of the website;
- Eurasian Publication Server, section "Information resources" of the website.

The Eurasian Publication Server has been used since 2014 as one of the official publications of the EAPO. It is a tool designed to store and to provide online access to published Eurasian IP documents (patents and applications, including those related to industrial design) and information about them. The server is a kind of a "single entry point" to all information published over the years on Eurasian applications and patents. The Eurasian Publication Server also allows to search among published applications and patents.

The Eurasian system of legal protection of industrial designs was launched on June 1, 2021 (the acceptance of applications began starting from this date). In this regard, the Eurasian Publication Server contains information on industrial designs since June 2021.

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

- putting into production operation a set of automated information systems (AIS) of the EAPO to enable the filing, registration, examination of Eurasian industrial design applications, the grant of Eurasian industrial design patents, registration of legal status changes and publication of Eurasian industrial design applications and patents;
- Development of a new cross-platform EAPO application for mobile devices that provides access to open EAPO industrial design resources.

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

The system has been operating since June 1, 2021. Comparative indicators, practice for the previous years is not available.

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

The Eurasian industrial design system has been operating since June 1, 2021. Comparative indicators, practices for previous years are not available.

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

Legal information on industrial designs: normative acts (in Russian): <https://www.eapo.org/ru/?documents=designs>

Annual Report of the Eurasian Patent Office (contains data on industrial designs since the launch of design applications filing on June 1, 2021): https://www.eapo.org/ru/publications/reports/report2021/index_ru.

II. SERVICES AND ACTIVITIES RELATED TO INDUSTRIAL DESIGN 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

In 2021, the office held the following events for a wide audience in order to raise awareness of the Eurasian system of legal protection of industrial designs. Detailed information about the events is available at www.eapo.org, "News and Press Releases" section.

On November 24-25, 2021, EAPO, together with the Eurasian Economic Commission (EEC), held via a videoconference a regional seminar on the Eurasian system of legal protection of industrial designs. Audience: representatives of national patent offices of the member states of the Eurasian Patent Organization, national and international law firms, patent attorneys, IP experts from state organizations and business, as well as other interested persons working in the field of legal protection of industrial designs. Representatives of the World Intellectual Property Organization (WIPO) and the European Union Intellectual Property Office (EUIPO) took part in the seminar as lecturers and presented the practice of industrial design examination under The Hague and the EU systems, respectively.

On December 8, 2021, representatives of the EAPO took part in the round table "Industrial Designs in Development", organized by the national group of the International Federation of Intellectual Property Attorneys (FICPI Russia) in the format of a videoconference. During the event, detailed information was provided on the filing of Eurasian applications for industrial designs.

On November 24, 2021, representatives of the office took part in the annual "Topical Issues of Protection and Enforcement of Intellectual Property Rights" research and practical conference organized by the Chamber of Patent Attorneys of the Russian Federation.

Information related to the filing of Eurasian industrial design applications is available at www.eapo.org / section "Documents" / subsection "Legal Protection of Industrial Designs" (in Russian only):

- 1) Patent Regulations under the Eurasian Patent Convention (Part II. Industrial Designs);
- 2) Statute on Fees of the Eurasian Patent Organization for Legally Significant and Other Actions Performed in Relation to Applications for the Grant of Eurasian Industrial Design Patents and Eurasian Industrial Design Patents;
- 3) Rules and Requirements Related to the Application for the Grant of a Eurasian Industrial Design Patent;
- 4) Procedure for Completing the Request Form for the Grant of a Eurasian Industrial Design Patent;
- 5) Procedure for Completing Web Forms for Filing Eurasian Industrial Design Applications;
- 6) Procedure for Granting Eurasian Industrial Design Patents;
- 7) Procedure for Maintenance of the Register of Eurasian Industrial Design Patents

Availability of the application dossier in electronic form

The Eurasian regional system of legal protection of industrial designs supports application filing and the registration procedure administration in electronic form. Eurasian applications are submitted electronically through the EAPO-ONLINE system. This tool allows to:

- 1) promptly capture the date of receipt of the application;
- 2) view the current procedural status of the application;
- 3) receive notifications about the receipt of new correspondence from the EAPO (in case the Agreement on the receipt of correspondence from the EAPO in electronic form is concluded).

As part of the paperless industrial designs document management system, access to the documents of Eurasian applications is provided in the relevant personal accounts.

Information on the applications filed is available at www.eapo.org:

- EAPO Gazette "Industrial Designs (Eurasian Applications and Eurasian Patents)" under section "Applications and Patents" of the website;
- Eurasian Publication Server under section "Information Resources" on the main page of the site. <https://www.eapo.org/en/publications/publicat/publicat.php>

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

In 2021, the EAPO examiners used the 13th edition of the International Classification for Industrial Designs (ICID), which entered into force on January 1, 2021.

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)

Name of publication or information resource	Content	P u b l i c a t i o n f o r m
EAPO Gazette "Industrial Designs (Eurasian Applications and Eurasian Patents)" https://www.eapo.org/ru/?publs=desbull	Bibliographic data (Eurasian application number; date of filing of the Eurasian application; ICID class; publication date, document kind code; number and date of filing of national application established by the patent office of the State party to the Protocol on the Protection of Industrial Designs and WIPO Standard ST.3 code of this state; information about the applicant(s); information about the creator(s); information about the representative(s); numbers of industrial designs) Information about each industrial design (industrial design number; ICID class; title of the industrial design, indication of the product(s), images of industrial designs)	E l e c t r o n i c

Eurasian Publication Server https://www.eapo.org/ru/publications/publicat/publicat.php	Bibliographic data (Eurasian application number; date of filing of the Eurasian application; ICID class; publication date, document kind code; number and date of filing of national application established by the patent office of the State party to the Protocol on the Protection of Industrial Designs and WIPO Standard ST.3 code of this state; information about the applicant(s); information about the creator(s); information about the representative(s); numbers of industrial designs) Information about each industrial design (industrial design number; ICID class; title of the industrial design, indication of the product(s), images of industrial designs)	Electronic
Published industrial design applications https://www.eapo.org/ru/publications/publicat/deslist.php	Eurasian application number; publication date, document kind code; information about the applicant(s); the first image of an industrial design The application number is clickable and linked to the Eurasian Publication Server containing more detailed information on the application	Electronic
Register of Eurasian Industrial Design Patents https://www.eapo.org/ru/?patents=despat	Bibliographic data (Eurasian patent number; Eurasian application number; date of publication and grant of patent; ICID class; information about the applicant(s); information about the creator(s); information about the patent owner(s); information about the representative(s); numbers of industrial designs) Information about the industrial designs protected by the Eurasian patent (industrial design number; ICID class; country codes of states in whose territory the industrial design (industrial designs) is protected; title of the industrial design; indication of the product(s); images of industrial designs)	Electronic
Annual Report of the Office https://www.eapo.org/ru/publications/reports/report2021/index_ru.html	Statistics on Eurasian applications for industrial designs Eurasian design patent statistics	Electronic

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

EAPO Gazette "Industrial Designs (Eurasian Applications and Eurasian Patents)" is published monthly. At the same time, the actual publication of industrial designs in the Gazette is carried out instantly, industrial designs ready for publication are placed in the corresponding Gazette according to the date of publication (from the first to the last day of the month).

In 2021, the EAPO published the following procedural notices in the field of information on industrial designs in the EAPO Gazette:

Applications:

BZ1L EURASIAN APPLICATIONS FOR INDUSTRIAL DESIGNS (25)

Patents:

FG4L EURASIAN PATENTS FOR INDUSTRIAL DESIGNS (16)

Filed for registration and registered industrial designs published in the EAPO Gazette "Industrial Designs (Eurasian Applications and Eurasian Patents)" can also be found through:

- Eurasian Publishing Server;
- Register of Eurasian Patents for Industrial Designs.

Access to all the above information resources is provided on the website of the Office www.eapo.org.

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

If necessary, examiners of the Office use free available web resources containing information on industrial designs. However, during the examination, information search for the purpose of determining the novelty and originality of industrial designs is not carried out. Compliance of each industrial design declared in the Eurasian application with the patentability criteria "novelty" / "originality" shall be verified to the extent of the information contained in the opposition to the grant of a Eurasian patent filed due to the fact that the industrial design is not new and (or) original.

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

The EAPO Gazette "Industrial Designs (Eurasian Applications and Eurasian Patents)", the Eurasian Publishing Server, the Register of Eurasian Design Patents are public resources.

Access to all the above information resources is provided on the website of the Office www.eapo.org.

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

Both Eurasian applications and Eurasian patents for industrial designs are subject to publication.

Legal status of published Eurasian applications – industrial designs for which a preliminary examination has been completed with a positive result and a substantive examination is carried out. Any person who considers that the claimed industrial design is not new and original, as well as does not meet other criteria of protectability, may file with the Office an opposition against the grant of a Eurasian patent.

Legal status of published Eurasian patents – valid Eurasian patents (industrial design/designs have been granted legal protection in the territory of the States Parties to the Protocol).

The Gazette "Industrial Designs (Eurasian Applications and Eurasian Patents)" publishes:

- information on all changes in the legal status of previously published Eurasian applications and Eurasian patents;
- information on the opposition against the grant of a Eurasian patent;
- information on the withdrawal of the Eurasian application, the restoration of the right to the Eurasian application and the decision to refuse to grant a Eurasian patent;
- information on the registration and invalidation of the registration of the transfer of the right to Eurasian patent;
- information on the objection to invalidate Eurasian patent, filed under the administrative revocation procedure, and the decision taken as a result of its consideration;
- information on the invalidation of Eurasian patent in the territory of the Contracting State;
- information on the term extension of Eurasian patent;
- information on the limitation of Eurasian patent;
- information on the registration and cancellation of the registration of the transfer of the exclusive right to an industrial design;
- information on registration and invalidation of registration of pledge of exclusive right to an industrial design;
- information on registered industrial design license and other agreements entered in accordance with the national laws of the Contracting States;
- information on amendments made to Eurasian patent;
- information on termination, including early termination, of Eurasian patent.

The Gazette is available on the Office's website www.eapo.org.

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

Software

- 1 Linux Suse
- 2 Novell eDirectory
- 3 Double-Take
- 4 Citrix VDI in a box
- 5 Crystal Reports
- 6 IBM DB2
- 7 IBM Http server
- 8 JIRA
- 9 Lotus Notes
- 10 Microsoft Exchange Server
- 11 Microsoft SQL Server
- 12 Windows Servers
- 13 Linux Server

Equipment used to support the business procedures within the Office

Servers similar to HP, Dell, SUN, Cisco, Lenovo from 50 to 100 pcs.

Internal databases: coverage, updates, interlinks with external sources

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

If necessary, examiners of the Office use free available web resources providing information on industrial designs. However, in the course of examination, information search is not carried out in order to determine the novelty and originality of industrial designs. Compliance of each industrial design claimed in the Eurasian application with the patentability criteria "novelty" / "originality" shall be verified to the extent of the information contained in the opposition to the grant of Eurasian patent filed due to the fact that the industrial design is not new and (or) original.

As of December 1, 2021, the Office provides the option to use the World Intellectual Property Organization Digital Access Service (WIPO DAS) for industrial design applications.

When claiming priority to a Eurasian industrial design application based on an earlier application previously uploaded to the WIPO DAS, applicants may, instead of submitting a certified copy of the earlier application, submit an access code to that application to WIPO DAS. The Office also acts as a depositing office in the WIPO DAS, uploading Eurasian industrial design applications to this digital library according to applicants' requests.

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

Filing of Eurasian industrial designs applications is carried out using the EAPO-ONLINE electronic filing system.

The EAPO uses the SOPRANO AIS and on ePHOENIX/MADRAS electronic dossiers system as an administrative system for processing Eurasian industrial design applications.

SAP Crystal Reports is used to generate statistical data.

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

No.

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

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

The Office permanently interacts with the national patent offices of States party to the Protocol. It organizes and supports trainings and education for representatives of national patent offices.

In 2021, the following events were held with the participation of representatives of other patent offices:

1) November 24-25, 2021 – videoconference with representatives of the Eurasian Economic Commission (EEC), the World Intellectual Property Organization (WIPO), the European Union Intellectual Property Office (EUIPO);

2) June 17 – 18, 2021 – webinar on “Exchange of good practices for design examiners” with the European Union Intellectual Property Office (EUIPO).

VII. OTHER RELATED MATTERS

No.