

CWS/ATR/ID/2022/EA

Annual Technical Report on Industrial Design Information Activities in 2022 submitted by the Eurasian Patent Office (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.

Taking into account the fact that the Eurasian system of legal protection of industrial designs was launched relatively recently - from June 1, 2021, the EAPO IT strategy in this area in 2022 was in the course of developing and improving the new procedure for patenting Eurasian industrial designs.

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

In 2022, in accordance with the development of the Eurasian procedure for patenting industrial designs, the development of the set of automated information systems of the EAPO continued. This set of tools provides electronic environment for filing, registration, examination of industrial design applications, granting of Eurasian industrial design patents, registration of changes in legal status and publication of applications and patents.

The EAPO information systems reflected all the innovations within the framework of the Eurasian system of legal protection of industrial designs; further automation and scaling at certain stages of the procedure was ensured.

With a view to revamp the existing information systems and to ensure the further digitalization of the office as a whole, the creation and rollout of the Eurasian Patent Organization's Integrated Information System began in 2022. In the reporting year, the technical design specification for this system were prepared, which included support for all stages of the EAPO's activities in the field of industrial designs. The project provides for the phased introduction of the new system by the end of 2025.

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

In the reporting year, the Eurasian Patent Office offered applicants the option to submit digital 3D models as part of the files of applications for inventions and industrial designs. Operations with 3D models are supported at all stages of the Eurasian patent procedure, beginning with online filing via the EAPO-ONLINE system and ending with official publication using the information services of the EAPO website.

Patents for inventions and industrial designs have been granted in electronic form since May 1, 2022. Electronic patents are available in EAPO-ONLINE Personal Accounts and the registers of Eurasian patents on the EAPO website.

In 2022, the functionality of the Eurasian publication server regarding industrial designs was updated with the following features:

- advanced search mode allowing to find publications on the basis of different criteria;
- support for new types of announcements;
- improved view modes for designs included in Eurasian industrial design applications and patents.

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 for previous full years are not available. In general, month-to-month statistics show an increase in the filing of Eurasian industrial design applications.

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

Legal information on industrial designs: selected normative acts (in English):

<https://www.eapo.org/en/?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/en/publications/reports/report2022/index.html>

Industrial Designs section of the Annual Report 2022:

<https://www.eapo.org/en/publications/reports/report2022/designs.html>

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 2022, 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:

expert session "Unity of industrial design - change of approaches. Examination VS opposition" at the international educational conference Distant & Digital;

round table "Legal protection of designs" as part of the international conference "Intellectual potential of Russia: legal and resource support";

master class for Kazakstani entrepreneurs under the auspices of the National Chamber of Entrepreneurs "Atameken" of the Republic of Kazakhstan;

round tables and seminars organized by the Russian State Academy of Intellectual Property;

master class "Registration of pharmaceutical packaging" within the framework of the conference IP Eurasia-2022;

round table "Industrial design as an effective tool for the protection of intellectual property" within the framework of the XXVI international scientific and practical conference of Rospatent;

round table "Intellectual property in fashion and design industry" at the Patent Congress - 2022;

webinar "Management of rights to the intellectual activity results in the context of the digital economy" of Plekhanov Russian University of Economics;

forum of creative territories, organized by the Ministry of Industry and Trade of the Russian Federation and the Government of the Nizhny Novgorod Region of the Russian Federation.

Documents related to the filing of Eurasian industrial design applications and regulating other aspects of the patent procedure are available at www.eapo.org / section "Documents" / subsection "Legal Protection of Industrial Designs" (in Russian only, unless otherwise stated):

- 1) Patent Regulations under the Eurasian Patent Convention. Part II. Industrial Designs (translation into English is available);
- 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 (translation into English is available);
- 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).

All documents related to each particular industrial design application are available to EAPO examiners in ePHOENIX electronic dossier system. Applicants have access to the same set of documents related to their applications in the relevant personal accounts of EAPO-ONLINE tool.

For the third parties the information on the filed design applications is available at the EAPO website as part of the following products:

- EAPO Gazette "Industrial Designs (Eurasian Applications and Eurasian Patents)" under section "Applications and Patents";
- Published industrial design applications under section "Applications and Patents";
- 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 2022, the EAPO examiners used the 13th edition of the International Classification for Industrial Designs (ICID), which was in force until January 1, 2023.

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	Publication form
EAPO Gazette "Industrial Designs (Eurasian Applications and Eurasian Patents)" https://www.eapo.org/ru/?publs=desbull	The Gazette contains information about all official publications relating to Eurasian industrial design applications and patents. The main sections of the Gazette are as follows: <ul style="list-style-type: none"> • Eurasian industrial design applications; • Eurasian industrial design patents; • Republication of Eurasian industrial design patents; • Announcements. Detailed information is provided in the section of this report concerning the Official Gazettes of the office	Online
Eurasian Publication Server https://www.eapo.org/ru/publications/publicat/publicat.php	The Eurasian Publications Server contains information officially published by the Eurasian Office in relation to Eurasian applications and Eurasian patents	Online
Register of Eurasian Industrial Design Patents https://www.eapo.org/ru/?patents=despat	The Register contains information on granted Eurasian industrial design patents and the respective industrial designs protected, as well as information on all legal status changes, license and other types of agreements concluded in relation thereof	Online
Annual Report of the Office https://www.eapo.org/en/?publs=reports https://www.eapo.org/en/publications/reports/report2022/index.html	Statistics on Eurasian industrial design applications and patents	Online

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 online at EAPO website at <https://www.eapo.org/ru/?publs=desbull>. At the same time, the actual publication of industrial designs in the Gazette is carried out instantly (on the daily basis), i.e. industrial design information ready for publication is placed in the corresponding online Gazette on the day when its technical preparation is actually finished.

The EAPO Gazette main sections:

BZ1L – Eurasian industrial design applications (publication of applications);

FG4L – Eurasian industrial design patents (publication of patents);

PB4L – Eurasian industrial design patents, from which certain industrial designs were excluded as a result of the transfer of the exclusive right to industrial designs under an agreement;

TH4L – Republication of Eurasian industrial design patents (correction or amendment of images of an industrial design in a Eurasian patent);

TZ4L – Republication of Eurasian industrial design patents (amendment in the title page);

Announcements

The following announcements are published in the EAPO Gazette:

Announcements related to Eurasian industrial design applications:

FA9L – Withdrawal of a Eurasian industrial design application

FC9L – Refusal to grant Eurasian industrial design patent

HC1L – Change in name of an applicant in a Eurasian industrial design application

HK9L – Corrections to EAPO Gazette "Industrial Designs" related to published Eurasian industrial design applications

HM1L – Change in composition of creators in Eurasian industrial design application

TH1L – Correction or amendment in the Eurasian industrial design application (change of images)

NF9L – Restoration of right in respect of a Eurasian industrial design application

PC1L – Registration of transfer of right to a Eurasian industrial design application under a contract

PD1L – Registration of transfer of right to a Eurasian industrial design application by succession in title

PB1L – Registration of transfer of right to a Eurasian industrial design application in respect of certain industrial designs under a contract

Announcements related to Eurasian industrial design patents:

LC4L – Eurasian industrial design patents for which, pursuant to Rule 116(5) of Patent Regulations, decision of partial grant of opposition was made

LD4L – Eurasian industrial design patents for which a decision of limitation was made on the basis of request filed pursuant to Rule 118(2) of Patent Regulations

MA4L – Revocation of a Eurasian industrial design patent at the proprietor's request

MC4L – Revocation of a Eurasian industrial design patent in full under administrative opposition procedure

MD4L – Opposition filed to granted Eurasian industrial design patent

MF4L – Designated states decision on revocation of a Eurasian industrial design patent in full

MH4L - Designated states decision on revocation of a Eurasian industrial design patent in part

MK4L – Eurasian industrial design patents expired after termination of the term of validity

ND4L – Extension of term of validity of a Eurasian industrial design patent

NG4L – Rejection of opposition to granted Eurasian patent

NZ4L – Discontinuation of processing of opposition to granted Eurasian patent

PB4L – Registration of the transfer of the exclusive right to certain industrial designs in a Eurasian industrial design patent under a contract

PC4L – Registration of transfer of the exclusive right to all industrial designs in a Eurasian patent under a contract

PD4L – Registration of transfer of right to a Eurasian industrial design patent by succession in title

RE4L – Registration of pledge of right to an industrial design

QB4L – Registration of license agreement / sublicense agreement / other agreement in a Contracting State

QZ4L – Amendments and supplements in a license agreement / sublicense agreement / other agreement in a Contracting State

QC4L – Termination of a license agreement / sublicense agreement / other agreement in a Contracting State

QM4L – Decision on invalidation of a license agreement / sublicense agreement / other agreement in a Contracting State

RH4L – Grant of a duplicate of an industrial design protection certificate

RL4L – Decision of a court or other competent authority in respect of Eurasian industrial design patent

RB4L – Cancellation of registration of transfer of the exclusive right to an industrial design

RF4L – Cancellation of registration of pledge of the exclusive right to an industrial design

TB4L – Change in the composition of creators in a published Eurasian industrial design patent

TC4L – Change in name of a patent proprietor in a Eurasian industrial design patent (without change in its legal status)

TK4L – Corrections to EAPO Gazette "Industrial Designs" related to published Eurasian industrial design patents

TH4L – Republication of Eurasian industrial design patents (corrections or amendments of the images of industrial design in a Eurasian patent)

TZ4L – Correction or amendment in a Eurasian industrial design patent (front page)

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

According to the Part II of the Patent Regulations under the Eurasian Patent Convention, at the examination stage, the compliance with appropriate patentability criterion of each industrial design in the Eurasian application, in respect of which the Eurasian Office has received a notice of opposition on the grounds of novelty or originality, is verified, limited to information contained in the opposition.

If necessary, examiners of the office use free internet resources of information about industrial designs. The examiners also use, if necessary, information from the open registers of trademarks of the States Party to the Protocol on the Protection of Industrial Designs to the Eurasian Patent Convention, available in Russian, as well as information from the WIPO's Madrid Monitor.

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)";
- Register of Eurasian Industrial Design Patents;

- Eurasian Publication Server.

Access to all of the above-mentioned information products is provided free of charge online at the EAPO website www.eapo.org.

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

Information about changes in the legal and procedural status of Eurasian industrial design applications and patents is published in the EAPO Gazette. The list of respective announcements is given in the section "Official Gazettes" of this report.

Similar information about changes in the legal and procedural status of Eurasian applications and patents is available at the Eurasian publication server, which provides users with extensive search capabilities, including search in announcements.

The legal status of Eurasian industrial design patents is also indicated in the Register of Eurasian industrial design patents.

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

No	Software
1	Double-Take
2	Citrix
3	Crystal Reports
4	IBM DB2
5	IBM Http server
6	JIRA
7	1C
8	Microsoft Exchange Server
9	Microsoft SQL Server
10	Windows Server
11	Linux OS

Hardware used to supporting business processes of the Office

Servers similar to HP, Dell, ORACLE, Cisco, Lenovo from 100 to 200 pcs.

Internal databases: coverage, updates, interlinks with external sources

Search among Eurasian industrial design applications and patents based on various criteria is provided at Eurasian publication server (EAPO website: <https://www.eapo.org/ru/publications/publicat/publicat.php>).

If necessary, examiners of the Office use free available web resources providing information on industrial designs, as well as information from the registers of trademarks of the States Party to the Protocol on the Protection of Industrial Designs to the Eurasian Patent Convention, available in Russian.

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

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

The EAPO uses SOPRANO procedure automation tool for industrial designs, linked with ePHOENIX/MADRAS electronic dossiers system.

SAP Crystal Reports is used to generate statistical data.

When claiming priority for a Eurasian industrial design application on the basis of a previous application available in the WIPO DAS digital library, the applicant may submit to EAPO a WIPO DAS access code for this application instead of providing a certified copy of the application on paper.

In addition, EAPO acts in WIPO DAS as a depositing office, placing Eurasian industrial design applications in this digital library based on the applicants' requests.

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

Access to Eurasian industrial design information and the use of this information is invariably included in the topics of EAPO speakers when delivering presentations as part of the promotion activity of the new Eurasian system of legal protection of industrial designs.

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 EAPO constantly interacts with interested parties at the regional and international level to disseminate information about the Eurasian system of legal protection of industrial designs.

Events held by EAPO or in which representatives of EAPO took part with presentations about the Eurasian system of legal protection of industrial designs in 2022 were as follows.

WIPO webinar on the Patent Cooperation Treaty and the Hague System of International Registration of Industrial Designs held for Central Asian, Caucasus and Eastern European countries;

Forum "Intellectual Property in Belarus. NCIP - 30 years";

International scientific and practical conference "Intellectual Rights: Challenges of the 21st Century";

XIII International Economic Summit "Russia - Islamic World: KazanSummit 2022";

Practical training at EAPO for industrial design examiners of the intellectual property offices of the States Party to the Protocol on the Protection of Industrial Designs to the Eurasian Patent Convention.