

# CWS/ATR/TM/2022/MD

## Annual Technical Report on Trademark Information Activities in 2022 submitted by the State Agency on Intellectual Property of the Republic of Moldova (AGEPI)

Please provide links to your website where the requested information can be found in English, French, or Spanish. Alternately, you may provide text responses instead of URLs if desired. If the information is not available on your website in an ATR language, then please provide text.

URLs in responses should meet the following requirements:

- Link to pages with information in English, Spanish, or French
- The URL will remain stable over time (at least three years, preferably more)
- Goes to the specific information requested, not to a general homepage
- If the URL goes to a long PDF document such as an annual report, please indicate which sections or pages contain relevant information.
- Provide additional instructions for using the URL if needed. For instance, if the page requires the user to login first, or if the requested information requires selecting certain options or filters on the page that can not be included in the URL.

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

Information on the following topics is desired:

1. **Outline of main policies and plans aimed at development of trademark information activities and expected time frames for their realization**
2. **New projects launched or resumed this year in the context of the policies and plans mentioned above, short description: aims, partners, tasks**
3. **Main areas of trademark information activities and related information and communication technology (ICT) practices which were in the focus of attention last year**
4. **Statistics: changes in terms of application filings and registrations with respect to previous year; trends or areas experiencing rapid changes**
5. **Other matters and useful links (URLs): annual report of the Office, news page, statistics, etc.**

During the year 2022, the State Agency on Intellectual Property of the Republic of Moldova (AGEPI) received 4507 trademark registration applications, with 546 (11%) less than in the previous year. Of the total number of applications, by national way entered 1704 (38%) and by international way 2803 (62%). On the whole, 71 percent of the total applications proceeded from foreign applicants and 29 percent – from national ones. On 31 December 2022, the total number of trademark registration applications received throughout the AGEPI activity amounted to 148740 including 54955 applications (37%) filed by national way and 93785 (63%) by international way.

The number of applications filed by national applicants is a decrease by 22,8% and foreign applicants by 4,9 %, as compared with the previous year. The ratio in the case of applications filed under the national procedure, where most of the applications – 1292 applications (76%) came from applicants from the Republic of Moldova, and 412 (24%) from foreign ones.

Most applications filed by the national applicants 73% (942) proceed from a natural or legal person with the domicile or headquarters in Chisinau, 9% from ATU Gagauzia and Ialoveni, Straseni, and the rest of 18% of applications to applicants from other units administrative-territorial of the country.

Under the national procedure were filed applications from 44 countries. An increased interest in the Republic of Moldova showed the applicants from the United States of America, who filed 4% of applications.

Under the Madrid System procedure applications proceeded from 63 contracting parties, most of them - from Russian Federation (13%), European Union Intellectual Property Office (EUIPO) (13%), China (9%), Switzerland (7%), United States of America (6%), Bulgaria (5%), Turkey (5%), etc.

Altogether, trademark registration applications filed with AGEPI in 2022 proceed from applicants from 79 countries (in 2021 – from 83 countries), the largest share belonging to those from the Republic of Moldova.

In the applications filed by the national way, the most requested classes of the International Classification of Goods and Services (ICGS) remain to be:

class 35 (advertising, business management services, etc.) in 603 applications;

class 05 (drugs, pharmaceuticals, etc.) in 242 applications; class 33 (alcoholic beverages) – in 232 applications;

class 41 (education, entertainment, sporting activities) – in 229 applications; class 30 (sugar, flour, preparations made from cereals, etc.) in 172 applications;

class 43 (services for providing food and drink; temporary accommodation) – in 171 applications;

class 09 (various apparatus and instruments, calculating machines, etc.) in 148 applications, etc.

Under the international procedure, on top of preferences remains class 09 (various apparatus and instruments, calculating machines, etc.) in 727 applications, and class 05, requested in 632 applications; 35 (advertising, business management services, etc.) – in 550 applications; class 41 (education, entertainment, sporting activities) – in 393 applications; class 42 (Scientific and technological services and research and design relating thereto...) – in 388 applications; class 03 (bleaching preparations and other substances for laundry use) – in 359 applications, etc.

During the reporting period, 4933 trademark registration applications were examined (by about 1,7% more compared with the previous year), including 2309 applications filed under the national procedure and 2624 – under the international one.

In the year under review, 1730 applications were examined for compliance with the conditions for filing, of these 1571 applications (91%) were entered in the National Register of Trademark Registration Applications, and 159 applications (9%) did not meet the conditions for filing set by the Law.

In 2022, AGEPI, as the office of the country of origin, checked and sent to WIPO 91 applications for international registration of trademarks, including 72 new applications and 19 – for territorial extension. In the applications for international registration filed by national applicants, most frequently are designated: Romania (37 applications), Ukraine (29 applications), Belarus, Russian Federation (22 applications), Turkey (21 applications), Germany (18 applications).

Simultaneous with the new applications, there were also filed trademark registration renewal applications, it was sought the renewal of 3919 trademarks (by 212 (5,7%) more than the previous year). Most renewals 3501 (89%) were requested by foreign owners, including 3034 under the international procedure and 467 under the national one. National owners requested the renewal of 418 (11%) trademarks.

In the year under review, 1682 trademark registration certificates were issued, with 263 (18,5%) more than in 2021, national owners obtaining 1134 certificates (67%) and foreign ones – 548 (33%).

In 2022, 855 trademark registration renewal certificates were issued, of which 414 (48%) to national owners and 441 (52%) to foreign ones. Compared with the previous year, the number of issued renewal certificates increased by 55 (6,9%).

From the start of its activity and until 31 December 2022, AGEPI issued 39086 trademark registration certificates, valid being 22690 certificates, including 95570 – renewed. The significant difference between the number of applications for registration and the number of issued certificates is explained by the fact that AGEPI does not issue certificates of registration for international trademarks.

The most important office notices and news regarding the trademarks and other IP objects are provided directly on our website with free access [www.agepi.gov.md](http://www.agepi.gov.md). Detailed information on trademarks could be found by accessing the following link: <http://agepi.gov.md/en/trademarks/presentation>.

As regard the general information about IP objects, their protection and related events organized in the view to promote them on the national and international level, the statistics data and their impact to the national economy, could be found in the Annual Report, published by AGEPI every year and distributed on the official web page <http://agepi.gov.md/en/publication/50>.

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

Information on the following topics is desired:

1. **Information and support provided by the Office to applicants regarding filing on paper and/or e-filing (instructions, seminars, etc.) - URLs**
2. **Availability of the application dossier in electronic form**
3. **Matters concerning classifying**
  - a. **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**
  - b. **Use of electronic classification systems and pre-defined terms of the classification applied**
4. **Matters concerning processing of different types of non-traditional marks (e.g., three-dimensional, motion, hologram, color mark, etc.)**
5. **Other activities**

All the information regarding the requirements for the application materials is provided by AGEPI at <https://agepi.gov.md/en/trademarks/requirements>.

AGEPI also has a Call-center and a consultancy office, which offer consultations, information and support for the applicants by phone or in person.

For online filing of Intellectual property object applications was elaborated an Electronic service e-AGEPI (access to the platform is on <https://e-servicii.agepi.gov.md/en>). It also contains "Guides for completion", "Video guide", "User guide", "Quick reference guide", "Legislation" and "Terms and Conditions" compartments.

During the year under review, the AGEPI trademarks' examiners have applied during their activity the following classifications:

The 11th edition of the International Classification of Goods and Services (Nice Classification) starting on 1st January 2022(NLC (11-2022));

The 8th edition of the International Classification of the Figurative Elements of Marks (Vienna Classification), starting on 1st January 2018;

The electronic classification systems check the classification symbols furnished by the applicant and which are contained in the lists of goods and /or services;

The electronic classification system offered by WIPO.

Starting with October 23, 2017, the State Agency on Intellectual Property (AGEPI) joined the TMclass search tool provided by the European Union Intellectual Property Office (EUIPO).

Non-traditional trademarks are protected in the Republic of Moldova under the Law 38/2008 on the protection of trademarks. The requirements for non-traditional trademarks are the same as those for the traditional trademarks. Any graphically re-presentable designations may be registered as trademarks and may serve to distinguish the goods and/or services of one natural person or legal entity to be distinguished from the goods and/or services of other natural persons or legal entities (in the Republic of Moldova on the national were registered two sound marks and more than a thousand of three-dimensional trademarks).

The following may be registered as trademarks: words (including names of persons), letters, figures, drawings, combinations of colors, figurative elements, three-dimensional forms, in particular the form of a product or its package, and any combinations of signs, provided that such signs may serve to distinguish the products and/or services of a natural or legal person from the products and/or services of other persons.

It is not obligatory for applicants to use pre-defined terms of the classification applied but is highly recommended.

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

Information on the following topics is desired:

1. **Main types of publications in the field of trademark information, outline of the content and medium (on paper, on CDs, online - URLs)**
2. **Official Gazettes: main types of announcements, frequency of publication, medium (on paper, on CDs, online, URL), etc.**
3. **Information products (coverage, medium, etc.) available to examiners, including external documentation and databases**
4. **Information products (coverage, medium, etc.) and services available to external users; conditions of access (e.g., free of charge, subscription, etc.)**
5. **Legal status information (kind of information, coverage, medium, etc.)**
6. **Other sources**

The main types of publications in the field of trademark information are:- The Official Bulletin of Intellectual Property Protection (BOPI);

- The Trademark Register;

- National Register of Applications for the Registration of Trademarks.

**The Official Bulletin of Intellectual Property** is a monthly publication, which includes official information on applications for patenting /registration of intellectual property objects (IPO) in the Republic of Moldova and titles of protection granted, to the changes occurred in the legal status of applications and titles of protection of IPO and the results of appeals examination in the Contestation Commission of AGEPI, court decisions on disputes over IPOs, general information. The BOPI is issued in Romanian, English and Russian languages on paper carrier (ISSN 1810-7095), and online on the AGEPI website <http://agepi.gov.md/en/publication/48>.

BOPI is available on the AGEPI webpage and the public has unlimited access to the publication.

There are 2 chapters related to trademarks:

Chapter III contains:

- Applications for registration;

- Examined applications for trademark registration;

- List of registered trademarks;

- List of renewed trademarks.

Chapter VI contains various types of notices referring to all amendments occurred to the legal status of the protected industrial property objects (List of amendments, List of assignment agreements, Errata, etc), the half-yearly subject indexes of registered trademarks.

**The Annual Report** reflects the activity of the AGEPI during the whole year. It includes data on the registration/patenting of intellectual property objects, the most important events organized with the participation of the AGEPI as a partner, implemented projects and goals for the following year. The Publication is issued and distributed to regional IP Offices, national public authorities on the paper carrier and is available online at the following address: <http://agepi.gov.md/en/publication/50>.

The information products available to external users are:

-Public Trademarks Database <http://www.db.agepi.md/marcireprezentanti/Search.aspx> (daily updated). The access is free of charge and doesn't require authentication.

The Database contains such compartments as:

- Issued decisions;

- Expiring trademarks;

- Trademarks in the grace period;

- List of owners with expiring trademarks;

- List of patent attorneys representing owners with expiring trademarks;

- Notorious trademarks;

- List of marks for which a decision of the Commission was issued (use of the official or historical name of the state in a mark)

IP Official Bulletin (BOPI) <http://agepi.gov.md/en/publication/48>. To receive the Official Bulletin of Intellectual Property (BOPI) on paper subscription fee is required.

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

Information on the following topics is desired:

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

2. **Hardware used to supporting business processes of the Office**
3. **Internal databases: coverage, updates, interlinks with external sources**
4. **Establishment and maintenance of electronic search file: file building, updating, storage, documents from other offices included in the search file**
5. **Administrative management electronic systems (register, legal status, statistics, and administrative support)**
6. **Other matters**

AGEPI uses an in-house built IT system to handle national cases. It manages online filing workflow, electronic dossier and electronic archive, data exchange, internal and public search engines, and their daily updates. Microsoft Word is used for various purposes like processing information and documents, generating correspondence letters, publication files and miscellaneous reports.

The office uses workstations and notebooks with Microsoft Windows 10. All devices are connected via the 100 Mb/s or 1Gb/s network into the Microsoft Active Directory Domain. AGEPI has a fiber channel link into the internet with 1 Gb/s. The IT infrastructure is being moved off premises into governmental data centres (MCloud).

The office maintains a complete history of its trademark files in paper and electronic form. Information from the internal databases is available in:

- the in-house developed web search tool for trademarks, GIs, AOs, TSGs and plant varieties;
- [public database](#) (updated daily);
- TMview, GBD and commercial databases, the data being uploaded on a daily or monthly basis;
- [The IT platform for improving enforcement of IPR in the Republic of Moldova](#).

The trademark information is disseminated in WIPO ST.66 or 96 XML formats.

AGEPI also exchanges data with the Madrid System in electronic format, on a weekly basis.

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

Information on the following topics is desired:

1. **Office's library (if deals with trademark information): equipment, collection management, network of libraries in the country, cooperation with foreign libraries**
2. **Publications related to different business procedures and trademark information sources available to users, for example, books, brochures, Internet publications, etc.**
3. **Cooperation with universities, technology and innovation support centers, etc.**
4. **Education and training: training courses, e-learning modules (URLs), seminars, exhibitions, etc.**
5. **Other activities**

AGEPI provides Bibliographic Information Services.

The national collection of documents in the field of intellectual property includes databases (DB) with trademarks, industrial designs of the Republic of Moldova; books and serial publications in the field of IP, etc.

The Collection is annually supplemented with new documents in different fields, which are reflected in the electronic Catalog and in specialized DBs.

Beneficiaries of the bibliographic information services in the field of IP are the experts and other employees of AGEPI, as well as all interested persons outside the institution: researchers, inventors and rationalizers, teaching staff, students, etc.

They benefit from:

- access to the National Collection of patents, patent applications, trademarks, utility models, and new varieties of plants;
- informational assistance in support of their creativity;
- the possibility of using the electronic Catalog of the book collection (DB BOOKS) and that of the articles from the periodical editions in the field of intellectual property (DB ART-IP), as well as access to the electronic databases of AGEPI and offices abroad;
- methodological assistance in information retrieval in electronic DBs;
- information and bibliographic servicing;
- the opportunity to participate in information promotion activities in the field of IP carried out at local and republican level

### Collection

The national Collection of documents in the field of intellectual property owned by AGEPI consists of the following types of documents:

- Databases on electronic support in the field of intellectual property;
- Books in the field of intellectual property, legislative documents, normative acts, international treaties and agreements, dictionaries and encyclopedias in different branches of the economy, official and methodical publications of AGEPI, periodicals;
- In 2011, the "WIPO Depository Library" was established within AGEPI, with the aim of creating a specialized book fund in the field of IP.

### List of specialized journals:

- BOPI
- Intellectus
- Revista român de Proprietate Industrială (CD-ROM)
- Revista român de dreptul proprietii intelectuale
- Contabilitate i audit
- Dreptul muncii
- WIPO Magazine
- Magazine de OMPI etc.

Starting with 01.03.2019, AGEPI launched the e-learning platform that will allow for the uploading of online specialized training courses in the field of intellectual property (IP) for different categories of users: pupils, students, professors, researchers, as well as for public authorities with responsibilities in the enforcement of IP rights, business environment.

With the launch of this platform, the first distance learning course "How to Protect Intellectual Property Rights in the Republic of Moldova" is being launched. It provides an overview of the fundamental principles of intellectual property law and is indispensable for conducting more advanced courses in this specific field.

The course contains several modules:

- Introduction to Intellectual Property;
- Patents;
- Trademarks;
- Industrial designs;
- Copyright and related rights.

Each module is accompanied by a self-evaluation tool to help participants evaluate their level of knowledge and the progress achieved, as well as the ability to apply them. The course also contains a final test that allows the assessment of the knowledge gained throughout the course. In case of successful completion of all course modules, the participant will obtain a confirmatory certificate.

Both the e-learning platform and the launched distance learning course aim to improve and modernize the training process in the field of IP, promoting and disseminating information on the protection of intellectual property in the Republic of Moldova.

Access to the platform is on <http://elearning.agepi.gov.md/>.

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

Information on the following topics is desired:

1. **International exchange of trademark information in machine-readable form (e.g., Official Gazettes)**
2. **Participation in international or regional activities and projects related to trademark information**
3. **Assistance to developing countries**
4. **Other activities**

AGEPI performs an international exchange of information on trademarks with:

- TMView (EUIPO);
- Global Brand Database (WIPO).

During the year 2022, trademark examiners have participated in the following international and regional activities:

- The Working Group on the Legal Development of the Madrid System for the International Registration of Marks (November 7 to 11, 2022, Hybrid);
- *The 46th session of the WIPO Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications, organized from November 21 to 23, 2022, in Geneva, Switzerland.*

## **VII. OTHER RELATED MATTERS**