CWS/ATR/TM/2022/RU

Annual Technical Report on Trademark Information Activities in 2022 submitted by Rospatent

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

Annual Report 2022 https://rospatent.gov.ru/content/uploadfiles/otchet-2022-ru.pdf (in Russian)

https://rospatent.gov.ru/content/uploadfiles/otchet-2022-en.pdf (in English) (hereinafter referred to as the "AR").

AR chapter 2, pp.65

Goals, objectives and plans of the Rospatent are published in the section "Plans" of the Office website (in Russian): https://rospatent.gov.

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

AR par.2.1, pp.66-67

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

AR par.2.1, pp.67 - 68

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

AR par.1.2, pp.18-20

https://rospatent.gov.ru/ru/about/stat (in Russian)

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

Annual Report 2022: https://rospatent.gov.ru/content/uploadfiles/otchet-2022-en.pdf

Rospatent facts & figures 2022 (summary of the AR)

https://rospatent.gov.ru/content/uploadfiles/annual-report-2022-short-version.pdf (in Russian)

The following pages of the Office website contain:

Rospatent News: https://rospatent.gov.ru/en/news

- Legal information in the Trademarks, Service Marks and Appellations of Origin section Regulation section (in Russian): https://www.fips.ru/to-applicants/trademarks/tovarnye-znaki-znaki-obsluzhivaniya-i-naimenovaniya-mest-proiskhozhdeniya-tovarov-normativnye-dokume.php
- Information notices in the Trademarks, Service Marks, Geographical indications and Appellations of Origin section (in Russian): https://www.fips.ru/to-applicants/trademarks/
- Regional brands of Russia (in Russian): https://rospatent.gov.ru/ru/sourses/regional-brands

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

AR pp.91 "Information Services Provided on the Basis of SPC"

The web pages of Office websites providing information on filing applications are as follows:

- Users of the FIPS website have access to user and technical documentation on setting up and operating an electronic application filing service for registering trademarks and service marks, and electronic correspondence: https://www.fips.ru/podacha-zayavki/podacha-zayavki-na-tovarnyy-znak/index.php
- State registration of trademarks, service marks, and collective marks, and the issuance of certificates for trademarks, service marks, and collective marks, and duplicates thereof (in Russian): https://rospatent.gov.ru/ru/stateservices/gosudarstvennaya-registraciya-tovarnogo-znaka-znaka-obsluzhivaniya-kollektivnogo-znaka-i-vydacha-svidetelstv-na-tovarnyy-znak-znak-obsluzhivaniya-kollektivnyy-znak-ih-dublikatov

- Recognition of a trademark, or a designation used as trademark, as a well-known trademark in the Russian Federation (in Russian): https://rospatent.gov.ru/ru/stateservices/priznanie-tovarnogo-znaka-ili-ispolzuemogo-v-kachestve-tovarnogo-znaka-oboznacheniya_
- Access to documents of applications for State registration of trademarks, service marks, and collective marks, and issuance of copies of such documents (in Russian):
- Section "Forms of documents" (in Russian):https://rospatent.gov.ru/ru/documentforms
- Filing Applications section/ "Filing an application for an invention, utility model, geographical indications, trademark, appellation of origin" rubric (in Russian):https://www.fips.ru/podacha-zayavki/
- Fees section: https://rospatent.gov.ru/en/activities/dues
- Fee calculator (in Russian): https://www.fips.ru/podacha-zayavki/kalkulyator-poshlin/index.php
- Frequently Asked Questions section (in Russian): https://rospatent.gov.ru/ru/fag/chto-takoe-tovarnyy-znak-i-znak-obsluzhivaniya
- On the Office website there is an opportunity to file an application for industrial designs online and to maintain correspondence regarding such an application through the user's personal account (in Russian): https://www.fips.ru/podacha-zayavki
- Applications can also be filed from the user's personal account on the Public Services Portal (in Russian): https://www.gosuslugi.ru/
- 2. Availability of the application dossier in electronic form

Within the electronic document management system for trademarks, access is provided to the primary materials of applications received in paper and / or electronic form, lists of goods and / or services, designations applied for registration, bibliographic data on applications and versions of documents - incoming and outgoing correspondence signed electronic signature.

- 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

https://rospatent.gov.ru/en/products_services/classifications

AR par.4.5, pp.67-68

In 2022, the international registration systems department participated in activities to improve the International Classification of Goods and Services for the registration of Marks (Nice Classification, hereinafter 'NCL'), with the aim of establishing conditions for the use of the new WIPO standards in the Federal Service for Intellectual Property and improved international classification for the purposes of the Registration of Marks:

- preparation of the official translation into Russian of terms used in the 12-th edition of the 2023 version of NCL, NCL (12-2023);
- -translation into Russian of terms used in NCL (12-2023) for WIPO supporting tool "Madrid Goods & Services Manager" and transferring of materials to WIPO;
- -the terms of NCL (12-2023) have been prepared in Russian in a special format for downloading into a software package for efiling of applications for trademark registration by applicants with Rospatent, as well as into a software package for electronic record-keeping when examining trademark registration applications at Rospatent;
- preparation of proposals concerning amendments to the NCL (12-2023) for the 33-th session of the Committee of Experts on the Nice Classification of Goods and Services for the Purposes of the Registration of Marks.
- b. Use of electronic classification systems and pre-defined terms of the classification applied

Since 2011, a procedure of automatic electronic classification of the figurative elements of the input stream of images of national trademark and Madrid registration applications submitted from the WIPO International Office, under the sixth edition of the International Classification of Figurative Elements (Vienna Classification) of Trademarks, has been used. This was made possible in 2006 when the SILOIZ system of linguistic description and search for similarities in figurative elements was introduced, itself a sub-system of the automated system, Trademarks in force in the Russian Federation (S TM RF).

The results of classification as an additional service are provided to experts when examining claimed trademark designations.

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

The Trademarks and Registration Division participates in the regulatory and method-related settlement of issues in the consideration of applications for registration of non-traditional trademarks, and the publication of corresponding information. Moreover, information received through Rospatent's involvement in the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications is widely used.

III. SOURCES OF TRADEMARK INFORMATION PROVIDED BY THE OFFICE

Information on the following topics is desired:

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

AR par.2.3.4, p.80

The web pages of the Office websites providing information concerning Office publications are as follows:

- Official Publications section: https://new.fips.ru/publication-web/?lang=en

https://www1.fips.ru/publication-web/bulletins/UsrTM?lang = en

- Patent Information Products section: https://rospatent.gov.ru/en/products_services/patent_information_products
- 2. Official Gazettes: main types of announcements, frequency of publication, medium (on paper, on CDs, online, URL), etc.

In 2022 the following types of notifications on national and international trademark registrations are published.

The forms of notifications on trademarks published in the Rospatent Official Gazette, Trademarks, Service Marks and Appellations of Origin, are listed below (national registration):

- · Change in the denomination, first name, surname or patronymic of a rights owner and/or place of business or residence
- Change of correspondence address
- · Reduction of the list of goods and/or services for which a trademark is registered, for the information of the rights owner
- · Change to the individual elements of a trademark, which do not alter its essential features
- State registration of an agreement on alienation of the exclusive right in a trademark for all goods and/or services
- State registration of an agreement on alienation of the exclusive right in a trademark for part of the goods and/or services
- Segregation of the separate registration of the trademark
- Changing the range of persons having the collective sign right of use
- Acknowledgement the trademark's being well-known in Russian Federation
- · Replacement the national registration with international one
- Replacement the national registration with international one for separate classes
- Converting trademark to collective mark
- Converting collective mark to trademark
- Termination of the trademark legal protection due to the trademark exclusive right expiration
- Fully invalidated trademark protection
- Partially invalidated trademark protection
- Full early trademark protection termination
- · Partial early trademark protection termination
- Trademark exclusive right term extension
- Granting trademark certificate copy
- State registration of trademark exclusive rights transfer without a contract
- State registration of trademark exclusive rights pledge (subsequent pledge) under contract
- State registration of trademark right of use granting under contract
- State registration of changes concerning trademark exclusive rights under contract alienation
- State registration of changes concerning trademark right of use under contract granting
- · State registration of changes in the contract
- · State registration of changes concerning trademark exclusive rights pledge (subsequent pledge) under contract
- State registration of trademark right of use under contract termination
- State registration of the contract termination
- State registration of the trademark exclusive rights pledge (subsequent pledge) under contract termination
- Correcting the obvious and technical errors in the entries of the State Register of Trademarks and Service Marks of Russian Federation and/or in the bulletin publications
- Other changes related to registered trademarks

Forms of notification on international registrations:

- State registration of granting trademark right of use protected in Russian Federation due to international registration, under contract
- State registration of pledge (subsequent pledge) of trademark exclusive rights protected in Russian Federation due to international registration, under contract
- State registration of changes concerning granting trademark right of use protected in Russian Federation due to international registration, under contract
- State registration of changes in the contract
- State registration of changes concerning pledge (subsequent pledge) of trademark exclusive rights protected in Russian Federation due to international registration, under contract
- State registration of termination the trademark right of use protected in Russian Federation due to international registration, under contract
- State registration of the contract termination
- State registration of termination of the pledge (subsequent pledge) of trademark exclusive rights protected in Russian Federation due to international registration, under contract
- Correction of obvious and technical errors in Gazette publications relating to notifications concerning trademarks protected in the Russian Federation by virtue of international registration;
- Other changes relating to registered trademarks protected in the Russian Federation by virtue of international registration.

The web pages of the Office website providing access to online publications:

- "Trademarks Official Bulletins" in the "Official Publications" section: https://www.fips.ru/publication-web/bulletins/UsrTM?lang=en
- International Classification for Goods and Services: https://www.fips.ru/publication-web/classification/mktu?view=index
- Open Registers of Russian Patent Documents (in Russian): https://www.fips.ru/registers-web/

From the above page, a user may refer to the following resources by means of the appropriate link:

Register of Trademarks and Service Marks of the Russian Federation

Register of Trademarks Well Known in the Russian Federation

Register of geographical indications and Appellations of Origin of the Russian Federation

Register of International Trademarks

Register of Russian Federation Trademark and Service Mark Registration Applications

Register of Applications for the Registration of Appellations of Origin of the Russian Federation

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

In 2022, access was provided to the texts of international classification and national publications related to classification of goods and services via the Internet:

- International Classification of Goods and Services (NCL, 11th edition, version 11-2022) in Russian;
- Lexical and semantic identifier of goods and services (LEXINTU 2022), 14th edition, with changed and corrected names of subsumption groups, in Russian;
- Lexicographical information Gazette of goods and services (LEXINFORM 20 -2022), in Russian.

In the course of work relating to the processing of applications for trademark registration, examiners use the following databases and supporting tools available from internal sources:

- Official Publications section https://new.fips.ru/publication-web/?lang=en
- Open Registers of Russian Patent Documents (in Russian) https://www.fips.ru/registers-web/

From the above page, examiner may refer to the following resources:

- · Register of Trademarks and Service Marks of the Russian Federation
- Register of Trademarks Well Known in the Russian Federation
- Register of Russian Federation Trademark and Service Mark Registration Applications

Resources available from external sources:

- WIPO IP PORTAL https://ipportal.wipo.int/ that is included different databases and supporting tools for searching, monitoring information related to trademarks:
- Madrid Monitor https://www3.wipo.int/madrid/monitor/en/ to track the status of an international applications or registrations,
- Madrid Manager of Goods and Services https://webaccess.wipo.int/mgs/ to compile a list of goods and services for trademark applications,
- Fee Calculator https://madrid.wipo.int/feecalcapp/?Lang=E to estimate the cost of filing an international application and managing an international registration,
- Madrid System member profiles https://www.wipo.int/madrid/memberprofiles/selectmember to lean all about the laws and practices of IP Offices of Madrid System members.
- 4. Information products (coverage, medium, etc.) and services available to external users; conditions of access (e.g., free of charge, subscription, etc.)

AR par.2.3 – 2.4, pp. 74-76

The web pages of the Office website containing information on information products and services provided by the Office:

- Information on subscribing to patent information products – in the Patent Information Products section: Catalogue of Publications and Databases: https://www.fips.ru/en/informational-resources/information-products-and-services.php

https://www.fips.ru/vse-uslugi/patentno-informatsionnye-produkty

- Trademarks, Service Marks and Appellations of Origin Official Gazette in the Official Publications section: https://www.fips.ru/publication-web/bulletins/UsrTM?lang=en
- how to carry out a search in the Search System section: https://www.fips.ru/en/informational-resources/information-retrieval-system/

https://www.fips.ru/publicationweb/publications/UsrTM?inputSelectOIS=TM,CKTM,AOG,ERAOG,TMIR&tab=UsrTM&searchSortSelect=dtPublish&searchSortDirection=true

Information on how to access and use resources – in the Search System section:

- Instructions for Using an Internet resources FIPS (in Russian): https://www.fips.ru/upload/medialibrary/Doc_Content/guide-ips.pdf
- Support (in Russian):https://www.fips.ru/elektronnye-servisy/informatsionno-poiskovaya-sistema/podderzhka-polzovateley-informatsionno-poiskovoy-sistemy.php

Free access to TM databases of the Russian Federation and Internet sources is carried out in a computer room of VPTB FIPS.

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

On the FIPS website, users can have access to the information about the legal status of trademarks, that is updated daily.

Moreover, in the pen registers of trademark registration applications, information on the stage of prosecution of applications is provided, which is updated daily. Data on statuses are generated on the basis of RF TM automated prosecution system data.

Information on the legal status of trademarks is published in Rospatent's Official Gazette, Trademarks, Service Marks and Appellations of Origin, posted on the FIPS website.

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

AR par.2.1, pp. 66-67

2. Hardware used to supporting business processes of the Office

Fujitsu M10-4S server

(RAM - 64GB, processors - 16, external memory - 20 TB)

HP DL380 server - 26 units

(RAM - 4GB, processors - 2, external memory - 200 GB)

Server HP DL580 - 8 units

(RAM - 16GB, processors - 4, external memory - 600 GB)

HP, Fujitsu-Siemens workstations - 520 units.

Software: Solaris, Windows 7, Windows 2003 Server, Windows 2008 Server, Windows 2012 Server, Astra Linux operating systems.

Carriers used: LTO-7 magnetic tapes.

3. Internal databases: coverage, updates, interlinks with external sources

The search arrays of the AS "TZ RF" system include applications and registrations (national and international), well-known trademarks.

Currently, for the purposes of TM examination data from such sources as trademarks, appellations of origin, geographical indications and well-known trademarks of the Russian Federation as well as international trademarks (Madrid system) are uploaded to the internal search system.

Within the system development such data sources as official symbols (6ter database, coats of arms, flags and other State emblems), objects of cultural heritage of the Russian Federation and UNESCO, appellations of origin of the Russian Federation (Lisbon database), international non-proprietary names, names of legal entities as well as industrial designs of the Russian Federation and international industrial designs will be additionally uploaded. As data sources for the search, notifications on trademarks, well-known TMs, AOs and IDs of the Russian Federation will be used.

AR par.2.3.2, p.73 - 74

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

AR par.2.4, pp.82-83

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

AR par.1.9, pp. 49-50

Applications for TM, AO, GI are accepted through the e-filing system on the Office website or via the Public Services Portal of the Russian Federation.

The Office uses several filing systems related to trademark information, providing:

- - workflow on applications for TMs, AOs and GIs.
- - workflow on applications related to the registration of a trademark (for example, prolongation, change of ownership, cancellation) of the registered AOs, GIs and well-known TMs.
- -- workflow on international registrations.

The e-filing system of the Office is integrated into the hardware and software environment of the document management system for examination of TM, AO, GI applications.

The international registration system implements electronic data exchange with WIPO for international trademark registrations on MECA technology using the WIPO ST.66 standard. Decisions on provisional and final refusals are ensured to be sent to WIPO in an electronic form.

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

https://new.fips.ru/en/about/vptb/

https://rospatent.gov.ru/en/activities/russian_patent_library

AR par.2.4, pp. 81-85

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

The Rospatent facts & figures 2022 booklet, which contains statistical and analytical materials reflecting the main outcomes of the activities of Rospatent and subsidiary organizations in 2021, as well as plans for development of the intellectual property sphere, is published in the "Electronic Brochures" section.

https://rospatent.gov.ru/en/reports2022

In the "Electronic brochures" section you can download practical manuals on the protection and use of trademarks and appellations of origin (in Russian).

https://rospatent.gov.ru/ru/sourses/publications

Internet publications from the All-Russian Patent and Technical Library Division available on the FIPS website in the State Patent Collection and VPTB Information Products sections at: https://www.fips.ru/en/about/vptb/vptb-information-products.php

Electronic catalogue of patent, legal, scientific and technical literature (fips.ru) (in Russian).

https://irbis.fips.ru/web/index.php?LNG=&C21COM=F&I21DBN=FIPS&P21DBN=FIPS

In the Official Publications section of the FIPS website, information is posted on a daily basis on current registrations of trademarks, service marks, appellations of origin, well-known trademarks, as well as notifications regarding amendments to the State Register of Trademarks:

https://www.fips.ru/publicationweb/publications/UsrTM?inputSelectOIS=TM,CKTM,AOG,ERAOG,TMIR&tab=UsrTM&searchSortSelect=dtPublish&searchSortDirection=true

In the trademarks, service marks, appellations of origin section, the following guidelines can be found on various examination and prosecution issues (in Russian): https://fips.ru/to-applicants/trademarks/metodicheskie-rekomendatsii.php

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

AR par.6.4, pp. 131

AR par.7.3, p. 165

Scientific youth about intellectual property (in Russian) https://www.fips.ru/about/vptb-otdelenie-vserossiyskaya-patentno-tekhnicheskaya-biblioteka/projects/molodezhi-ob-is.php

Inventors NEXT (in Russian) https://www.fips.ru/about/vptb-otdelenie-vserossiyskaya-patentno-tekhnicheskaya-biblioteka/projects /izobretateli-next.php

Technology and innovation support centers (in Russian) https://www.fips.ru/about/tspti-tsentr-podderzhki-tekhnologiy-i-innovatsii/index.php

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

AR par.7.2 - 7.3 pp. 165 -169

The web pages of the Office's site containing information about training, seminars and conferences:

- "Training" section (in Russian): https://www.fips.ru/about/deyatelnost/obuchenie/index.php
- "Scientific Conferences" section: https://rospatent.gov.ru/en/activities/scientific conferences
- "Conferences, webinars" section (in Russian): https://rospatent.gov.ru/ru/activities/conferences
- Training videos (in Russian): https://rospatent.gov.ru/ru/sourses/multimedia/video#training-video.
- Plan of thematic meetings of Rospatent and FIPS with business community introducing new by-laws for 2022 (in Russian): https://fips.ru/about/vptb-otdelenie-vserossiyskaya-patentno-tekhnicheskaya-biblioteka/tematicheskie-vstrechi/plan-provedeniya-tematicheskikh-vstrech-2022.php

In 2022, 4 thematic webinars were held with the FIPS participation for applicants, representatives of the business community on the issues of filing applications for trademarks: "Specifics of the state registration of disposition of exclusive right to trademarks", "Madrid System of International Registration of Trademarks. Filing International Trademark Application (overview of common mistakes). The Effective Use of the Nice Classification and WIPO Madrid Goods and Services Manager database for compiling a list of goods and services", "Changes in trademark legislation in 2022 and prospects for 2023", "Some issues of GIs registration in the Russian Federation".

Webinar recordings are available on the FIPS website (in Russian): https://fips.ru/about/vptb-otdelenie-vserossiyskaya-patentno-tekhnicheskaya-biblioteka/tematicheskie-vstrechi/plan-provedeniya-tematicheskikh-vstrech-2022.php

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)

AR p.83

Within the international exchange of trademark information, FIPS places official bulletins of Rospatent including information about trademarks on the FIPS FTP-server and provides access thereto via login and password to patent Offices of 45 foreign countries and 3 international organizations.

In 2022, 130 copies of trademark bulletins from 4 countries were included in the State Patent Fund: 12 paper bulletins; 12 bulletins on optical disks and 106 bulletins downloaded from the foreign patent Offices websites.

2. Participation in international or regional activities and projects related to trademark information

AR par.4.5, p.65

As part of its participation in international and regional activities and projects relating to trademark information, representatives of the international registration systems department took part in the following events:

- the 32nd session of the WIPO Nice Union Committee of Experts (WIPO headquarters in Geneva, April 25 to 29, 2022): https://www.wipo.int/meetings/ru/details.jsp?meeting_id=68629;
- the 20th session of the World Intellectual Property Organization (WIPO) Working Group on the Legal Development of the Madrid System for the International Registration of Marks on November 7-11, 2022 in Geneva (Switzerland): https://www.wipo.int/meetings/en/details.jsp?meeting_id=72888

https://rospatent.gov.ru/ru/news/20-sessya-wipo-14112022 (in Russian)

- Rospatent delegation, on behalf of the Russian Federation, participated in the 63rd Series of Meetings of the Assemblies of WIPO: https://www.wipo.int/about-wipo/ru/assemblies/2022/a-63/

As part of the other projects, related to trademark information, several thematic webinars were held in Rospatent with representatives of the business community. In particular, on May 24, 2022, a webinar was held on the topic "The Madrid System for the International Registration of Marks. The filing International Application (Overview of common mistakes). The effective use of the Nice Classification and WIPO Madrid Goods and Services Manager database for compiling a list of goods and services".

https://fips.ru/about/vptb-otdelenie-vserossiyskaya-patentno-tekhnicheskaya-biblioteka/tematicheskie-vstrechi/plan-provedeniya-tematicheskikh-vstrech-2022.php (in Russian)

"Conferences, webinars" section (in Russian): https://rospatent.gov.ru/ru/activities/conferences

VII. OTHER RELATED MATTERS

- Section "International Cooperation" on the Office website: https://rospatent.gov.ru/en/activities/international_cooperation
- Subsection "Madrid System of International Registration of Marks": https://rospatent.gov.ru/en/activities/international_cooperation/madrid