CWS/ATR/TM/2016/PL

Annual Technical Report on Trademark Information Activities in 2016 submitted by the Patent Office of the Republic of Poland

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

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

A number of projects were established within the Cooperation Fund, a lot of them have already been implemented but still on some of them the work is carried out. The Cooperation Fund covers work in collaboration between EUIPO and national offices. Main goals of this project are: harmonization of practices, adaptation to the digital environment, barrier removal, improvement of technical system. Such objectives create a good strategy especially in order to adapt to the competitive internal European and digital market. That's why here in Poland, the Office decided to participate in all of the 20 CF projects. PPO is still using developed databases. In 2016, EUIPO launched European Cooperation Programme aiming at enhancing the cooperation between the national IP offices. PPO trademarks examiners are members of the Search Image for TM and Major Improvements to Back Office working groups.

As for 2016 Polish Patent Office still uses databases as follows:

- Register Plus for trademarks - in order to ensure easy and widespread access to data on polish trademarks, the Patent Office of Republic of Poland provides the users with Register Plus
- TMview - online trade mark search tool, is an online consultation tool allowing any Internet user to search, free of charge, for national, international and community trademarks of all trade mark offices involved in the initiative.
- TMclass - Free online tool to search, translate or classify goods and services when applying for trademarks. TMclass is a central point from which it is possible to access the terms that appear in the classification databases of each of the offices participating in the initiative.
- Quality Standard for Trade Marks and Designs - Transparent and harmonized information about services and quality standards provided by participating offices.
- Common User Satisfaction Survey - Harmonized User Satisfaction Survey - a Cooperation Fund project, the Common User Satisfaction Survey allows for a common approach to carrying out surveys across participating IP offices. The project also allows for the cross-linkage of other CF projects, like Quality. An analysis of the completed survey will allow the participating office to: measure customer satisfaction draw attention to areas for improvement plan future work of the office.
- eLearning - tool providing online training for Small and Medium Enterprises (SMEs) on the importance of Intellectual Property Rights (IPRs). This e-Learning tool is divided into two main sections: "Why is Intellectual Property important", where you can find information about Intellectual Property throughout the different stages of production, and "What and How to protect" where you can find information targeted towards Small and Medium Enterprises (SMEs), covering the different types of Intellectual Property rights.
- Enforcement Database - an up to date database to help enforcement agencies to better identify counterfeit goods. The tool holds data on registered IP rights, contact information, supplementary product information and logistics. This information can be used by enforcement authorities in order to detect counterfeit products.
- Anti – Counterfeiting Intelligence Support Tool - with this tool enforcement authorities can see how counterfeited goods are moving within the internal market so that they can use their resources more efficiently. The system enables end users (enforcement authorities, the EUIPO Observatory, etc.) to upload the relevant data via a user friendly interface.

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

In 2016 the new project was launched, concerning development of Electronic Services Platform (PUEUP). The main object of the project is to deliver one platform to provide electronic services to customers.

In 2016 PPO was active in the field of e-administration services, taking part in the development of functionalities related to the use of governmental Electronic Platform of Public Administration Services (ePUAP). PPO has dealt with maintaining of the existing forms in terms of their functionality and reliability and has redefined the process of exchanging documents between ePUAP and Electronic Document Management system (EZD).

PPO has carried out the development of the Register Plus system for trademarks. The scope of data presented has been extended for national trademarks.

In 2016 BackOffice system for trademarks and industrial designs was further developed and has been adapted to new opposition procedure for the trademark examination.

Under the Innovative Economy Programme project, the PPO has continued the development of main search engine of industrial property items, based on the SharePoint 2013.

The new search system Document Library UPRP platform has been made available to all interested parties. It has been prepared for full text search in the texts of descriptions and publications.

PPO has continued the development of an intranet platform on SharePoint 2013: new versions of personal pages, updating and ordering official documents, launching the search of documents and adding other new functionalities.

Under the Software Package project, PPO has implemented eServices interactive forms, published on the PPO website, simplifying the preparation of documents for changing of owner and trademarks renewals.

PPO has maintained the searchable *Patent Attorneys and Applicants List*. Adjustments to the data structure and adaptation of the system to the current legislation were made.

Due to the requirements of the Patent Attorneys Act, patent attorneys and applicants data for the public courts has been made available in the system-to-system mode. For this purpose a comprehensive requirement analysis was carried out and a "list of patent attorneys and applicants" webservice service was implemented.

The PPO has joined the data providers group at DanePubliczne.gov.pl website and has implemented automatic mechanisms for public data publication processed by the Office, concerning industrial property protection, publications provided by the Office, information about patent attorneys, etc.

The adaptation works and implementation of the necessary changes in Publication's system were carried out due to the division of BUP into two separate publications for trademarks and inventions and utility models.

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

The Register Plus software application for trademarks was further developed and enhanced in 2016. The quality of data was improved and a wider range of presented data was introduced.

Updating with Polish data the search system for trademarks – TMView.

Maintenance and updating the search system for trademarks – Acsepto® containing bibliographic data and images of national, international trade marks and Community trademarks.

As a continuation of work on the main search engine of industrial property items in the year 2016 there were introduced amendments requested by users, aimed at improving the functionality of the search engine. It is linked to other search systems, which are in the portfolio of the Office (Register Plus, etc.).

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

In 2016, the Polish Patent Office received in total 14,808 trademark applications under national procedure.

In 2016, the Patent Office received from domestic applicants 13,854 trademark applications and 2,775 applications from foreigners, including 954 under national procedure and 1,821 under Madrid Agreement.

The PPO received 315 applications for international registration of Polish trademarks under the Madrid Agreement and the Protocol to that Agreement and 9 applications for Community trademark, which were transmitted to the EUIPO.

After completing formal examinations the Office issued 12,288 positive decisions concerning the grant of trademark protection rights under national procedure.

The number of trademark registration rights in force on 31 December 2016 was 227,304 (139,536 under national procedure and 87,768 under international procedure).

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

Statistics are accessed at the following URLs:

http://www.uprp.pl (Annual Reports' box)

Detailed statistics may be bespoke provided (write to http://www.uprp.gov.pl/Text01,205,161,1,index,pl,text).

News page: http://www.uprp.pl/aktualnosci/Menu01,16,7,index,pl/

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

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

The PPO information and support options in 2016 included:

1) Via website: http://www.uprp.pl/przedmioty-wlasnosci-przemyslowej/Menu02,12,4,index,pl/ (all information about patents, trademarks, designs, etc. and instructions e.g. "How to patent an invention or utility model to protect? ");

2) via telephone: (+48 22 579 05 55);

3) via e-mail: http://www.uprp.pl/Text01,205,161,1,index,pl,text/.

Management of the contacts in 2016 (phone + mail) was performed through a software:

1)   Personal contacts (CRM system);

2)   Within Register IP Info Center customer contacts (OSCC, CRM systems);

-         864 emails were received

-         26,639 calls were answered and performed (including the call back)

-         2,639 meetings took place with examiners and at the center of information

3)   Identification and differentiation of customers (OSCC, CRM systems);

4) Carrying out customer satisfaction surveys (CRM system) - level of satisfaction 93 %;

5) Analyses of the contacts (analyses, statistics - CRM, OSCC systems);

6) Keeping records and transferring customer requests (satisfaction, complaints, suggestions for improvement) (TRX system).

The CRM system is shared between 11 departments in contact with the public. A change of version was introduced for :

- independent work with the contact, regardless of the fact who established the contact and possibility to change/edit the contact data;

- interfacing with other applications (Computer Telephony Integration, callback, meetings time and visits) to facilitate the customer relation management. Tool for measuring the customers' satisfaction.

In 2016, IP Info Center has implemented a non-verbal communication system to improve information service for deaf and hard of hearing customers.

Availability of the application dossier in electronic form

Customers using the ePUAP have access to the application files sent by them electronically to the PPO.

Matters concerning classifying
(i) 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
(ii) Use of electronic classification systems and pre-defined terms of the classification applied

The Polish Patent Office uses the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) 10th 2016 edition as well as International Classification of the Figurative Elements of Marks (Vienna Classification) 7th edition.

During the procedure, the Office's staff amends the goods and services classes.

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

n/a

III. SOURCES OF TRADEMARK INFORMATION PROVIDED BY THE OFFICE

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

In 2016, the following publications (periodicals) were issued:

- "Biuletyn Urzdu Patentowego" (Bulletin of the Patent Office - bi-weekly) 26 numbers, i.e. 2,660 copies;

- "Wiadomoci Urzdu Patentowego" (Communications of the Patent Office - monthly) 12 numbers, i.e. 1,170 copies;

- 2015 Annual Report of the Patent Office of the Republic of Poland – 972 copies.

Most publications are available on the PPO's website: http://uprp.pl - and continue at http://portal.uprp.pl/wydawnictwa.html (Online Services Portal)

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

Both parts of the Polish Patent Office's Official Gazettes ("Biuletyn Urzdu Patentowego": national trademark applications and "Wiadomosci Urzdu Patentowego": registered national trademarks and international registrations of trademarks approved in Poland) containing announcements regarding trademarks are forthwith available free of charge in PDF format on the PPO's Online Services Portal (http://portal.uprp.gov.pl /wydawnictwa.html).

In 2016, there were 13,568 announcements on trademark applications and 9,443 announcements on registered trademarks.

Announcements regarding non-procedural matters, but coupled with the Office's activity like: general information on the PPO's tasks, references, organizational structure, HR matters are published on the Internet version of "Biuletyn Informacji Publicznej" which falls under the official PPO's web site. Many non-regular, important announcements are immediately published within the content of the website.

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

In 2016 the following information products were available to examiners:

- Online Services Portal with: IP information on trademarks, access to classifications, e-filings and patent attorney's list: http://portal.uprp.pl

- Register Plus for trademarks (free of charge) available at:

http://regservtd.uprp.pl/register/regviewer

The Polish Patent Office uses external databases, such as:

• MedNet - INN database (International Nonproprietary Names) available on the pages http://mednet.who.int/inn, free of charge;

• E-Bacchus is a database which: consists of the Register of designations of origin and geographical indications protected in the EU in accordance with Council Regulation (EC) No 1234/2007, lists non-EU countries' geographical indications and names of origin protected in the EU in accordance with bilateral agreements on trade in wine concluded between the EU and the non-EU countries' concerned, lists the traditional terms protected in the EU in accordance with Council Regulation (EC) No 1234/2007. Database is available on the page: http://ec.europa.eu /agriculture/markets/wine/e-bacchus/index.cfm?event=pwelcome&language=PL, free of charge;

• The DOOR - Database of Origin and Registration database includes product names for foodstuffs registered as PDO, PGI or TSG as well as names for which registration has been applied. Database is available on the page: http://ec.europa.eu/agriculture/quality/door/list.html; jsessionid=pL0hLqqLXhNmFQyFl1b24mY3t9dJQPflg3xbL2YphGT4k6zdWn34!-370879141, free of charge;

• E-SPIRITS-DRINKS - is a database on geographical indications protected
in the European Community for spirits originating in Member States and third countries. Database is available on the page: http://ec.europa.eu /agriculture/spirits/, free of charge

• NATIONAL PLANT VARIETY PROTECTION - COBORU (www.coboru.pl), free of charge;

• COMMUNITY PLANT VARIETY PROTECTION - CPVO (www.cpvo.europa.eu), free of charge.

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

PPO provides access to trademark data in the reading room where external users can also search free of charge in online databases and databases on CD and DVD.

Information provided upon payment include:

- bibliographic data of trademark applications and registered trademarks

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

In order to make entries on the legal status of exclusive rights protected on the territory of Poland, the trademark register is held. The register includes information necessary to establish the subject and scope of protection (f. ex. date of filing, title), entity (or entities) entitled to rights concerning a given subject of protection (f. ex. holders, licensees, securities, seizure) and other useful information (f. ex. applications for revocation). Every person who submits relevant application and pays a fee to the account of the Office can obtain excerpts from the register.

Legal status information is also available in Register Plus at:

http://regservtd.uprp.pl/register/regviewer

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

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

ACSEPTO is a primary search and examination system for trademarks, tool that integrates many types of IT resources to conduct searches of trademarks registered through the national route, international registrations, Community Trademarks, appellations of origin, pharmaceutical names, materials under Article 6ter of the Paris Convention.

BackOffice is the main system for managing the procedures for granting and maintaining the rights of trademarks and industrial designs in the Polish Patent Office. BackOffice is the source system for many databases (search engines) and it is linked to other systems in PPO.

Hardware used to supporting business processes of the Office

PPO uses thin clients, workstations and notebooks with *Microsoft Windows XP Professional*, *Microsoft Windows 7 Professional*, *Microsoft Windows 10*; multimedia tablets with *Apple iOS*, *Google Android* and *Microsoft Windows* 10 *Pro*; physical and virtual servers with *Microsoft Windows Server 2003 Standard & Enterprise*, *Microsoft Windows Server 2003 R2 Standard & Enterprise*, *Microsoft Windows Server 2008 Standard & Enterprise*, *Microsoft Windows Server 2008 R2 Standard & Enterprise*, *Microsoft Windows Server 2012 R2 Standard*, *SUSE Linux Enterprise Server 10/11/12*, *CentOS Linux 5/6/7*, *Oracle Linux 5/6/7*, *Debian GNU/Linux 6/7/8* and *Ubuntu Server LTS*; hypervisor servers with *VM ware vSphere* and *Microsoft Hyper-V Server 2012 R2*.

All of thin clients, workstations, notebooks and servers are secured by Symantec antivirus and Forcepoint antispam system.

All network connections are based on *Cisco*, *Forcepoint* and *Extreme Networks* equipment with 300 Mb/s access to the Internet. The availability of services published to the Internet is supported by the Barracuda Load Balancer cluster.

Server infrastructure for the Online Portal includes 9 application servers; 5 database servers; 15 storage spaces. TB build-up array; back-ups for HP Data Protector, Fujitsu FI-5900C scanner, 125 packages for the purposes of qualified signatures. On-Line Portal servers are supported by local UPSs and they are also hooked to Main power supply unit for the PPO.

Main IT infrastructure units are located in a secure server room equipped with fire alarm, CCTV system, redundant air-conditioning and technical floor.

Internal databases: coverage, updates, interlinks with external sources

Trademark data are stored on the specialized, regularly updated internal databases, where image information and bibliographic details are held, for example:

- BackOffice

- databases supporting the process of publication of trademarks.

Most production databases are hosted by *Microsoft SQL Server 2012 Enterprise* and *MySQL Server 4/5/, PostgreSQL 9*

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

CTM, IR and 6ter data are stored and accessed via Acsepto search system.

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

BackOffice, is a workflow-based system for handling trademarks and designs throughout the whole lifecycle of the process, from application to registration and publication. It also streamlines the working process, by helping users to create and monitor correspondence with clients. It is adopted to work together with Electronic Document Management System (EZD) which facilitates processing of incoming and outgoing correspondence. External users have access to register and legal status information via Register Plus system. Settlement Module (MR) is used as a supplementary system for managing fees and payments.

Other matters

PPO has continued implementation of new Intranet site based on *Microsoft SharePoint Server 2013 Enterprise* software.

PPO maintained professional call center service based on *Unify OpenScape Contact Center Enterprise* software and new system of customer relationship management based on *Microsoft Dynamics CRM Server 365* software

EZD system has been integrated with BackOffice in the field of exchange of correspondence and information about entities.

PPO has launched the registers containing lists of requests about public information and public information provided.

PPO has prepared a new version of the list of patent attorneys.

The leading office software used for word processing and spreadsheet is, *Microsoft Office 2007 Standard*, *Microsoft Office 2010 Standard & Professional Plus*, *Microsoft Office 2013 Standard & Professional Plus, Microsoft Office 2016 Standard & Professional Plus* and *Apache OpenOffice 4*.

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

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

n/a

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

Within promotion of knowledge on industrial property the Patent Office issues various publications such as guides, informational-promotional brochures addressed to wide audience, among others to entrepreneurs, students, school youth. Those publications are available free of charge both in electronic version and PDF format as well as on paper on the premises of the Office.

Publication titles are as follows: Your world of intellectual property, What is intellectual property, Inventor's guide, Trademarks in MSEs activity, Use the past to create future, Industrial protection in a nutshell, Inventions in your house, to name a few.

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

The Patent Office collaborates with various institutions in the scope of promotion of knowledge on Intellectual Property (organisation of conferences, workshops, trainings, granting patronage of the PPO President over numerous initiatives etc.).

In 2016, the Office collaborated with the following entities, to name a few:

- collaboration with universities (Jagiellonian University in Kraków, University of Warsaw, Maria Curie-Skodowska University in Lublin, ód University of Technology, Kielce University of Technology, Warsaw University of Technology, Wrocaw University of Technology, AGH University of Science and Technology in Kraków, etc.);

- collaboration with science and business related institutions, including:, Association of Polish Inventors and Rationalisers, Polish Patent Attorney Chamber; National Information Processing Institute, National Chamber of Commerce, Polish Agency for Enterprise Development, Institute of Industrial Design, etc.;

- collaboration with governmental administration institutions: Ministry of Science and Higher Education, Ministry of Culture and National Heritage, Ministry of National Education, Ministry of Agriculture and Rural Development, Ministry of Regional Development.

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

In 2016, within industrial property protection the PPO organised or participated in the following events:

- International Conference on World Intellectual Property Day "Challenges for intellectual property law in digital economy: Trademarks in the era of hashtags, industrial designs in the world of layouts" organised in Warsaw in cooperation with WIPO;

- 12th International Symposium "Industrial Property in Innovative Economy. Start-ups in innovation world" held in Kraków;

- Scientific Symposium "Trademarks in the European Union" in Warsaw;

- 35th Seminar for Patent Attorneys of Schools of Higher Education in Cedzyna;

- Trainings on industrial property protection for MSEs and business-related institutions;

- PPO competition for a poster, short film and media information in the scope of intellectual property protection;

- 10th International Warsaw Exhibition of Inventions IWIS;

- Workshop "Intellectual property in pharmaceutical-medical sector: Are we innovative?";

- Two seminars "From idea to commercialisation – build your protection strategy";

- 3rd edition of the competition Ambassador of School Innovation;

- 20th Scientific Picnic of the Polish Radio and Copernicus Science Centre;

- Ceremony of prize award in the 14th edition of the competition for the best artistic poster as well as post-doctoral, doctoral, master's and student's theses on the subject of intellectual property organized by the Patent Office;

In 2016 PPO maintained the Internet Educational Platform (http://ipe.uprp.gov.pl) which constitutes compendium of knowledge on intellectual property issues. The target group comprises enterprises (especially MSEs) business related institutions (including schools of higher education) and other entities.

- The Knowledge Zone includes information, publications and other materials addressed both to entities with advanced knowledge on IP issues and those looking for basic information on IP protection, procedures and management.
- Training Zone comprises e-learning course divided into 10 modules on intellectual property protection. Each module ends with a test to verify the acquired knowledge.

PPO has also maintained e-learning platform, IPPanorama, dedicated to broadening and promotion of knowledge about the protection of intellectual property. It is available at http://ippanorama.uprp.pl.

The Patent Information Center Forum has been prepared, a platform for exchanging experiences, knowledge, comments and opinions between Patent Information Centers and the Office.

In 2016 the PPO organised on its premises a series of advisory-informational meetings with renowned experts in the field of intellectual property, which gathered in total 450 guests.

Other activities

Nonverbal communication system was implemented in the form of online sign language translation service. The purpose of the project was removal of communication barriers in communication with people with hearing impairment.

VI. INTERNATIONAL COOPERATION ACTIVITIES IN THE FIELD OF TRADEMARK INFORMATION

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

Community Trademark information is downloaded using the XML data which is then passed to PPO's search systems.

XML trademark files are downloaded from WIPO and are also passed to PPO's search systems.

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

See point I above

Assistance to developing countries

n/a

VII. OTHER RELATED MATTERS