

CWS/ATR/TM/2017/PL

Annual Technical Report on Trademark Information Activities in 2017 submitted by the Patent Office of the Republic of Poland

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Where URLs are requested below, it is preferred that either URLs which are likely to remain stable over time (three years or more) are provided, or home (main) page URLs are provided with a short explanation of how to access the corresponding information.

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, many of them have already been implemented but on some of them the work still 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 cooperation between national IP offices. PPO trademarks examiners are members of the Search Image for TM and Major Improvements to Back Office working groups. In 2017 activities related to the ECP project continued.

As for 2017 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 – a 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 2017, PPO actively developed the project of the new electronic services platform (PUEUP). The main aim of the project is to provide a new platform for providing electronic services to customers. In 2017, basic requirements for a new project were prepared to determine the scope of future work and requirements of end users.

In 2017, PPO was active in the field of e-administration services, taking part in the development of functionalities related to the use of the 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). The most important activity was the preparation of new formularies allowing for faster data collection and elimination of access errors.

In 2017, PPO took actions in order to improve and extend the functionalities of the PPO Industrial Properties Search System. The mechanisms for collecting patent data from the main processing systems were improved and new analysis mechanisms were prepared, including the collection of data search queries and the possibility of exporting data for PPO employees to make a different analysis.

After the implementation of the newly prepared Intranet system, above search systems were reinstalled on the new SharePoint 2013 platform.

PPO has continued the maintenance of the Register Plus system for trademarks.

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 have 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" web service was implemented.

PPO continues to provide data at DanePubliczne.gov.pl website concerning the protection of industrial property, publications provided by the Office, as well as information on patent attorneys, etc.

Changes in the publication system, implemented in 2017, have been maintained. In all systems there are separate publications of BUP for trademarks, 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

In 2017, BackOffice system for trademarks and industrial designs was maintained, implementing only minor changes requested by end users. In the second half of the year, according to new Polish regulations, new samples of BackOffice documents were added to the system. Additionally, preparations to start the implementation of European Regulations to present the trademarks were conducted. New formats of MP4 and mov. files were integrated with the version of TMView system that allows transferring sounds and video files to the system.

The Register Plus software application for trademarks was further developed and enhanced in 2017. The quality of data was improved and a wider range of presented data was introduced.

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

Additionally, access to the old license of Romarin trademarks database was cancelled and replaced by access to Madrid Monitor, a new database received from WIPO. Also, during the whole year, the maintenance and updating of the search system for new trademarks were carried out – Acepto contains bibliographic data and images concerning national, international and community trademarks.

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

In 2017, the Polish Patent Office received in total 14,764 trademark applications under national procedure.

In 2017, the Patent Office received from domestic applicants 13,739 trademark applications and 3,256 applications from foreigners, including 1,025 under national procedure and 2,231 under Madrid Agreement.

PPO received 309 applications for international registration of Polish trademarks under the Madrid Agreement and the Protocol to that Agreement and 10 applications for Community trademark, which were transmitted to the EUIPO.

After completing formal examinations the Office issued 15,378 positive decisions concerning the grant of trademark protection rights under national procedure.

The number of trademark registration rights in force on 31 December 2017 was 234,792 (148,177 under national procedure and 86,615 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 2017 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 2017 (phone + mail) was performed through a software:

- 1) Personal contacts (CRM system);
- 2) Within the IP Protection Information Center customer contacts (OSCC, CRM systems);
 - over 2,700 emails were received
 - over 28,000 calls were answered and performed (as well as 800 call backs)
 - approx. 300 meetings took place with examiners and the Point of Meetings received 2466 customers;
- 3) Identification and differentiation of customers (OSCC, CRM systems);
- 4) Carrying out customer satisfaction surveys (CRM system) - level of satisfaction 96%;
- 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.

Availability of the application dossier in electronic form

Customers who use ePUAP have access to the application files sent by them electronically to 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) 11th 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

Other activities

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 2017, the following publications (periodicals) were issued:

- "Biuletyn Urzdu Patentowego. Znaki towarowe" (Bulletin of the Patent Office. Trademarks) – weekly (available only in electronic form on the Office's website), 52 numbers;
- "Wiadomosci Urzdu Patentowego" (Communications of the Patent Office) – monthly, 12 numbers, i.e. 903 copies;
- 2016 Annual Report of the Patent Office of the Republic of Poland – 1,052 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 Polish Patent Office's Official Gazettes ("Biuletyn Urzdu Patentowego. Znaki towarowe" (Bulletin of the Patent Office. Trademarks) for national trademark applications and "Wiadomosci Urzdu Patentowego" (Communications of the Patent Office) on 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 2017, there were 13,305 announcements on trademark applications published in "Bulletin of the Patent Office. Trademarks" and 13,461 announcements on registered trademarks published in "Communications of the Patent Office".

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 2017 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>
- Search System of Industrial Properties – trademarks: <https://grab.uprp.pl/PrzedmiotyChronione/Strony%20witryny/Wyszukiwanie%20proste.aspx> (user interface in Polish and English languages)
- Separate Internet applications allow to present Nice and Vienna classifications in Polish version and they are available at: <https://grab.uprp.pl/Klasyfikacje/Strony%20witryny/Klasyfikacje.aspx>.

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=pL0hLqLXhNmFQyFI1b24mY3t9dJQPfIg3xbL2YphGT4k6zdWn34I-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 a 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>

Other sources

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, a tool that integrates many types of IT resources to enable searching 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 *VMware 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.

The 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 the main power supply unit for PPO.

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

Internal databases: coverage, updates, interlinks with external sources

Trademark data are stored in 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

EUTM, IR (designated to EM and PL) and 6ter data are stored and accessed via Accepto search system, IR (designated to PL) are stored and accessed via BackOffice 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 entire 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.

In 2017 PPO was invited to take part in the project entitled "EZD RP – electronic document management in public administration" implemented under Measure 2.2. of the Operational Programme Digital Poland 2014-2020. The PPO representative participates in the Council of EXD RP users. The system is to improve the functioning of the public administration and facilitate the communication between public administration offices. PPO will take part in the pilot launch of the system.

Other matters

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

PPO has maintained a professional call centre service based on *Unify OpenScope Contact Centre Enterprise* software and a 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 exchanging 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*.

In 2017, a new project was initiated in PPO to migrate all Microsoft Office licenses to a new Microsoft Office 2016 standard. The new licenses are to be implemented at all computers and laptops. The new standardizations will allow automatic mechanisms for maintenance of all work stations in the Office to be implemented.

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 2017, the Office collaborated with the following entities, to name a few:

- collaboration with universities (Jagiellonian University in Kraków, University of Warsaw, Maria Curie-Skłodowska University in Lublin, University of Łódź, University of Technology, Kielce University of Technology, Kraków University of Technology, Warsaw University of Technology, Wrocław 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 Federation of Engineering Associations (NOT), Polish Chamber of Patent Attorneys; National Information Processing Institute, National Chamber of Commerce, Polish Agency for Enterprise Development, Institute of Industrial Design, Polish Confederation of Private Employers Lewiatan, Kielce Technology Park, Agency for Industrial Development S.A., 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 Development.

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

In 2017, within industrial property protection PPO organised or participated in the following events:

- 10th International Conference "Innovation and Creativity for Economy" – "Design in Good Form"
- Seminar on the protection of intellectual property – China – Visegrad Group in Chengdu (PRC)

- Science Symposium on the "Protection of Trademarks and Industrial Designs in the European Union"
- 13th International Krakow Symposium – "Intellectual Property in Innovative Economy – Start-ups and What Next?"
- 36th Seminar for Patent Attorneys of Schools of Higher Education organized in Cedzyna
- Nationwide conference on "Protection of the image of Fryderyk Chopin" on the occasion of the World Intellectual Property Day
- 6th edition of the seminars of the Patent Office of the Republic of Poland: "Infringements of intellectual property rights in theory and practice" at Warsaw University of Technology
- A series of 12 regional seminars: "How to effectively protect trademarks in Poland and in the European Union"
- Trainings on industrial property protection for SMEs and business-related institutions;
- "You can become an inventor" – workshops for students run by young inventors as part of the cooperation of the Patent Office of the Republic of Poland with the Educational Foundation "Perspektywy"
- Meeting with young inventors within the framework of Robert Bosch Academy of Inventors
- Ambassador of School Innovation Competition 2017
- 7th edition of the annual competition "Student-Inventor"
- 21st Science Picnic of the Polish Radio and Copernicus Science Centre
- 21st Festival of Science in Warsaw
- "Patent by night 2017" – Night of Museums in the Patent Office of the Republic of Poland
- 15th edition of the annual competition for the best artistic poster as well postdoctoral, doctoral, master's and student's theses on the subject of industrial property protection and the 5th edition of a short movie and press release competition organized by the Patent Office.

In 2017 PPO maintained the Internet Educational Platform (<http://ipe.uprp.gov.pl>) which constitutes the compendium of knowledge on intellectual property issues. The target group includes enterprises (especially MSEs) and businesses related to public institutions (including schools of higher education) and other entities.

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

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

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

Other activities

A non-verbal communication system was maintained in the form of online sign language translation services. The purpose of the project was to remove 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.

PPO maintains its own service to collect Nice classification data from WIPO web service. All changes in Polish version of Nice classifications are implemented in WIPO system and then copied to a special dedicated application to be presented for Polish users.

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

See point I above.

Assistance to developing countries

n/a

Other activities

VII. OTHER RELATED MATTERS