

CWS/ATR/TM/2018/BG

Annual Technical Report on Trademark Information Activities in 2018 submitted by the Patent Office of the Republic of Bulgaria

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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

In the framework of the process of harmonization with the new EU legislation in the field of trademarks the Patent Office of the Republic of Bulgaria (BPO) has done significant work during 2018 to prepare and implement changes in the industrial property legislation. The draft amendments to the Law on Marks and Geographical Indications has been prepared. The transposition of the Directive is complete. The National law was published for comments and interdepartmental reconciliation. The next step is submission to the Council of Ministers of Republic of Bulgaria. The bill will then be submitted for vote to the National Assembly of the Republic of Bulgaria.

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

As for 2018 Bulgarian Patent Office still uses databases as follows:

- **BPO On-line** – online tool for searching national trademarks and applications. It provides a range of search options including name of applicant or holder, Nice classes, Vienna classes, application filing date, registration date, application and registration number, TM denomination etc. It is in constant relation with the administrative system and database;
- **IPAS** – administrative management system storing the bibliographic data and images of national trademarks. All the documents are scanned and attached to the electronic dossier of the trademark;
- **MADRID MONITOR** – database to search detailed information on all international marks recorded under WIPO's Madrid System;
- **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;
- **Publications of information for Small and Medium Enterprises (SMEs)** – the purpose of this section is to raise SMEs' awareness of industrial property and the institutions related to its protection; to promote the experience of SMEs (Bulgarian and foreign) for the active use of the industrial property system and to stimulate the innovation activity of SMEs in order to increase their competitiveness in national and international terms.

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

With the support of the EUIPO, Patent Office of Republic of Bulgaria the prepared in 2017 6 new e-services for the Industrial property representatives are now available.

The Office will begin publishing decisions in PDF format.

In 2018, continued the maintenance of the registers and information systems of the Bulgarian Patent Office.

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

Activities related to the improvement of the IT infrastructure of the Office are also ongoing. The Office is working on a new Back office system.

The content of the Office's website, which includes more than 120 items, is currently maintained. Information materials were published – official announcements, news related to the activity of the Office, statistical information, information on the state of various projects in which the Office participates, information related to the protection of industrial property and other useful information.

The Office is working on a new website.

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

In 2018, the Bulgarian Patent Office received in total 4344 trademark applications under national procedure. The applications from domestic applicants are 3967 and 379 are from foreigners.

The BPO has sent 181 applications for international registration of Bulgarian trademarks under the Protocol to Madrid Agreement and 17 applications for designations subsequent to registration.

In 2018, the Bulgarian Patent Office received in total 374 oppositions, 336 are against national registrations and 38 against international registrations designating Bulgaria.

After completing formal examinations the Office issued 3784 positive decisions concerning the grant of trademark protection rights under national procedure. The Office issued 1532 final decisions concerning the grant of protection of international registrations designating Bulgaria.

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

Statistics are accessed at the following URLs:

http://www.bpo.bg/index.php?option=com_content&task=view&id=23&Itemid=150

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 BPO information and support options in 2017 included:

1. Via website: www.bpo.bg
2. via telephone: (+359 2 9701 321);
3. via e-mail: services@bpo.bg.
4. via BPO On-line

Availability of the application dossier in electronic form

Customers using the BPO On-line have access to the application files sent by them electronically to the BPO. Also all the documents related to the application can be seen electronically by the applicant.

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

Goods and services for the registration of marks and the figurative elements of marks are classified by our Office using the Nice International Classification of Goods and Services and the Vienna International Classification of the Figurative Elements of Marks in their latest editions. They are maintained and used both on paper and electronically. During the procedure, the Office's staff amends the goods and services.

The use of pre-defined terms of the Nice classification is only recommendation when applying for registration of marks and geographic indications.

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 2018, the following publications were issued:

- The Official Gazette – The Patent Office of the Republic of Bulgaria (BPO) publishes applications for national trademarks and registered national trademarks as well as international trademarks designating the territory of the Republic of Bulgaria in the Official Bulletin. From October 2017, the Official Bulletin of the Office is published two times a month. As from April 2009 the paper version of the Bulletin has been discontinued and nowadays it is published exclusively in electronic form on the Office's official web site.

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

The publications in the Official Bulletin comprise bibliographic data and images (in color, if claimed) of national trademark applications and registrations as well as international trademarks registrations designating Bulgaria. Besides, announcements concerning all entries in the State Trademark Register - changes in the legal status, renewals, modifications, cancellations, transfers of rights, license agreements etc., have been published regularly in the Bulletin. For the year 2018 24 Official Bulletins were published with a total of 84 218 pages.

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

Internal databases (online/offline):

- **IPAS** – administrative system and database
- **Accepto** v. 10.3.2.20 – search system for examiners;
- **BPO On-line** – web-based service for public access to information of the applications and registered trademarks in BPO.

External databases:

- **MedNet** – INN database (International Nonproprietary Names) available on the pages: <http://mednet.who.int/inn>, free of charge;
- **MADRID MONITOR** – database to search detailed information on all international marks recorded under WIPO's Madrid System;
- **E-Search Plus** (EUIPO) – <https://euipo.europa.eu/eSearch/>, free of charge;
- **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 (available on page: <https://www.tmdn.org/tmview/welcome?lang=bg>, free of charge);
- **TMclass** – free online tool to search, translate or classify goods and services when applying for trademarks. (available on page: <http://euipo.europa.eu/ec2/>, free of charge);
- **Article 6ter express database (WIPO)** – <http://www.wipo.int/ipdl/en/6ter/>, free of charge;
- **E-Bacchus** – consists of the Register of designations of origin and geographical indications protected in the EU in accordance with Regulation (EU) No 1308/2013, 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 Regulation (EU) No 1308/2013. (available on page: <http://ec.europa.eu/agriculture/markets/wine/e-bacchus/index.cfm?event=pwelcome&language=BG>, free of charge);

- **DOOR** – Database of Origin and Registration which includes product names for foodstuffs registered as PDO, PGI or TSG as well as names for which registration has been applied (available on the page: <http://ec.europa.eu/agriculture/quality/door/list.html?locale=bg>, free of charge);
- **E-SPIRITS-DRINKS** – database on geographical indications protected in the European Community for spirits originating in Member States and third countries (available on the page: <http://ec.europa.eu/agriculture/spirits/index.cfm?event=searchIndication>, free of charge);
- **eAmbrosia** – the EU geographical indications register (<https://ec.europa.eu/info/food-farming-fisheries/food-safety-and-quality/certification/quality-labels/geographical-indications-register/>), free of charge.
- Community Plant Variety Protection – **CPVO** (<http://cpvo.europa.eu/>), free of charge;
- The International Union for the Protection of New Varieties of Plants (**UPOV**) – (<http://www.upov.int/pluto/en/>), free of charge.

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

BPO Online – <https://portal.bpo.bg/>

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

Paid information services on request available to the public through the Patent Office are as follows: Identity and similarity search; Searches related to the legal status; Searches on names; Complex searches, Number search on mark, Search on CTMs and marks under the Madrid Agreement and Protocol; Issuing of certificates for legal status;

All the searches are carried in house and in the available collections of national marks, international marks and CTMs, 6 ter, etc. The security is based on a different level of access.

The trademark information is accessible on the World Wide Web of BPO through the online search system for Trademarks – "BPO ON-LINE".

The Central Patent Library provides to the public access to the Official Bulletins from foreign countries, to the CD collections and Internet databases containing trademark information.

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 Bulgaria, every person should submit relevant application and pay a fee to the account of the Office. People (clients, customers, users) can also obtain excerpts from the register.

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, 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.

IPAS is administrative management system storing the bibliographic data and images of national trademarks. All the documents are scanned and attached to the electronic dossier of the trademark. It is linked to other databases and systems in BPO.

Hardware used to supporting business processes of the Office

Hardware: IBM x3500 M4 in Cluster;

Software: Windows Server with Hyper-V

Workstations: about 32 Intel Pentium based PCs with Windows 7/Windows 10;

Server: UNIX 11.xx and Windows Servers for OS, Informix v.7.31.FD5, Oracle 8i and MS SQL

Internal databases: coverage, updates, interlinks with external sources

The trademarks search file (bibliographic data) is managed in electronic form. Data is extracted and updated simultaneously from our administrative management system IPAS. A structured backup regime is in place to ensure preservation of the information.

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

File Building

The dossiers of the national trademarks are stored, in two separate collections in paper format only: Registered trademarks – in numerical order under the registration number; Refused trademarks – in numerical order under the application number. The dossiers of the international trademarks designating Bulgaria are stored in numerical order under the number of the international registration – MI (marques internationales) documents. The dossiers of the international registrations with a subsequent territorial extension for Bulgaria (so called ET "extension territoriale" documents) are given a separate number forming part of a sequential numbering system and are stored in numerical order.

The dossiers of the trademark applications filed by Bulgarian applicants via the Madrid system are given a separate number forming part of a sequential numbering system and are stored in numerical order. In addition, a correspondence list including the corresponding numbers of the international registrations is available as well.

Updating

The files are regularly updated.

Storage, including mass storage media

BPO maintains all data concerning applications and registered trademarks on paper carrier (dossiers) and only some of them in electronic form in the administrative management system IPAS. All the documents from the year 2017 are available in electronic form in the administrative management system IPAS.

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

In the field of trademarks, BPO uses IPAS as an administrative management system.

Other matters

n/a

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.

In 2018, two newsletters have been published, reflecting the latest developments and projects in the field of trademarks and designs practice in Bulgaria and Europe. 8 information publications were made – 7 related to the Common communication between the Office and EUIPO and one about the new types of trademarks. One flier was released explaining the new electronic services and the changes on TMView and DSView.

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

n/a

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

- 4 seminar on the World IP Day, on the Directive (EU) 2015/2436 of the European Parliament and of the Council and on the importance of Intellectual Property as a whole
- meetings, trainings, demonstrations and discussions about industrial property and promoting new tools aimed at various public groups

Other activities

- 2 conferences on importance of Intellectual Property
- meeting on European Observatory on Counterfeiting and Piracy activity during 2018

VI. INTERNATIONAL COOPERATION ACTIVITIES IN THE FIELD OF TRADEMARK INFORMATION

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

The activity of the Bulgarian Patent Office in terms of international cooperation is directly related to Bulgaria's membership in international organizations in the field of intellectual property protection – the World Intellectual Property Organization (WIPO), the European Union Office for Intellectual Property (EUIPO). Enhanced bilateral cooperation with institutions in the field of intellectual property of other countries has also been carried out.

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

See point V above

Assistance to developing countries

n/a

Other activities

VII. OTHER RELATED MATTERS