

CWS.ATR.TM.2011.CZ

Annual Technical Report 2011 on Trademark Information Activities submitted by Czech Republic (CWS/ATR/TM/2011/CZ)

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. Evolution of registration activities

Changes experienced in terms of application filings and registrations with respect to the previous year

National trademark applications 8 870 in 2011 + 5% compared to 2010 (8 444)
- submitted by domestic applicants 8091 in 2011 + 4% compared to 2010 (7 793)
- submitted by foreign application 799 in 2011 + 23% compared to 2010 (651)
International trademarks with designation of CZ according to Madrid Agreement and the Protokol 2 447 in 2011 - 6% compared to 2010 (2 593)
- according to the Madrid Agreement 1 in 2011 0 in 2010
- according to Protokol 2161 in 2011 - 3% compared to 2010 (2235)
- according to the Madrid Agreement and to the Protokol 285 in 2011 - 20% compared to 2010 (358)
National trademarks registered 6 324 in 2011 + 0,5% compared to 2010 (6 288)
Grant of protection relating to international trademarks 2 341 in 2011 - 20% compared to 2010 (2 940)

Trends or areas experiencing rapid changes with respect to the previous year

In 2011 the average registration procedure time period was 9,7 months from the date of submitting the trademark registration application. This time period includes formal and substantive examination of the applications, technical procedure concerning the preparation for publication, three month statutory time limit for opposition and registration time.
Due to austerity measures launched by the Office and owing to steadily growing number of trademark applications during the years 2009 (7892), 2010 (8444), 2011(8870), the average registration procedure time period has been slightly extended (in 2010 it was 9,5 months) and the number of pending application has increased. In 2009, there were on average 4674 pending applications, in 2010 there were 5085 and in 2011 there were 5955 pending applications.

URLs of web pages of the Office's website that provide statistics related to trademarks

Since 2000 the Annual Reports and statistics have been available at the Office's website:
<http://www.upv.cz/en/publications/annual-report/annual-report.html>

II. Matters concerning the generation, reproduction, and distribution of secondary sources of trademark information, i.e., trademark gazettes

Publishing, printing, copying techniques

The trademarks information is accessible in the Official Bulletin of the Industrial Property Office of the Czech Republic. Since from 2007 this has been published weekly in an electronic form only and the paper version has been discontinued.

Main types of announcements of the Office in the field of trademark information

The Bulletin is published on a weekly basis (updated every Wednesday) instead of the monthly basis as it was before. The files are downloadable free of charge with no prior registration / subscription needed. The Acrobat Reader viewer is needed to open, view and print PDF files. The information as published shall be the authentic one for legal purposes. As from No. 1/2000, the Official Bulletin has been available at the web site of the IPO CZ as an electronic book in PDF format. You can find it here:
<http://www.upv.cz/en/publications/ipo-bulletin.html>

The Bulletin contains the following types of announcements:

Survey of the INID codes for identification of bibliographic data

Survey of the chapters

Codes of the states

Refused or partially refused trademark applications before publication

Survey of the published trademark applications

Published trademark applications

Refused or partially refused trademark applications after publication

Rejected oppositions

Survey of the trademark registrations without change in relation to published applications

Registrations of trademarks without change in relation to published applications

Survey of the trademark registrations with change in relation to published applications

Registrations of trademarks with change in relation to published applications

Recording of license contracts concerning trademarks

Recording of license contracts concerning internationally registered trademarks

Trademarks cancelled and declared invalid

Survey of the renewals of trademark registrations

Renewals of trademark registrations

Laps of trademarks due to expiration of the period of protection

Surrender of the right to the trademark

Changes in the wording/reproduction of the trademarks and in the list of goods and services

Changes in the ownership of the trademarks

Changes in the ownership of the trademarks for a part of goods and services

Amendments in the data concerning trademark holders

Excuse of failure to comply with a time limit

Other relevant data and official rectifications

Appellations of origin/geographical indications

Survey of the published applications of the coloured trademarks

Mass storage media and microforms used

Mass storage media used are hard discs, magnetic tapes for backup and paper.

Word processing and office automation

Trademarks are searchable in the public database. It provides a range of search options including name of applicant or holder or licensee, previous holder, representative, pledge, Vienna classes, Classes of goods and services and names of goods and services, application filing date, priority date, publication and registration date, application and registration number, TM wording and date of termination of validity. Representation of trademarks is also available in form of a gallery. The public database is updated daily and automatically from database of the IPO. The public database contains trademarks (IPO CZ, OHIM, WIPO-CZ, WIPO-EU) valid in the Czech Republic.

URLs of web pages of the Office's website that provide access to online trademark gazettes and to other sources of trademark information, including download of bulk trademark data

The Official Bulletin URL

<http://www.upv.cz/en/publications/ipo-bulletin.html>

The public database URL:

<http://www.upv.cz/en/provided-services/online-databases/trade-mark-databases.html>

III. Matters concerning classifying, reclassifying and indexing of trademark information

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 (please indicate whether goods and services for the registration of marks and whether the figurative elements of marks are classified by your Office and, if so, which classification(s) is (are) used)

The 10th edition of the Nice Classification of Goods and Services for the Purposes of the Registration of Marks has been used since January 01, 2012 for the purposes of trademark filing and registration.

Every trademark application shall contain a list of goods or services for which the mark is to be registered. Goods and services are listed in sequence of classes of the Nice Classification and the appropriate number of this classification is mentioned.

The 6th edition of the Vienna Classification of the Figurative Elements of Marks has been used.

In order to assist the applicants in the orientation in the above mentioned trademark classifications, classification systems are displayed on the web site of the IPO CZ (<http://www.upv.cz/en.html>), too.

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

<http://www.upv.cz/en/publications/classssification-systems/classification--trade-marks.html>

Obligation for applicants to use pre-defined terms of the classification applied

To use pre-defined terms of the classification applied is only recommended.

Bibliographic data and processing

Trademarks are searchable by name of applicant or holder or licensee, previous holder, representative, pledgee, Vienna classes, classes of goods and services and names of goods and services, application filing date, priority date, publication and registration date, application and registration number, TM wording and date of termination of validity. Representation of trademarks is also available in form of a gallery.

IV. Trademark manual search file establishment and upkeep

File Building

Since 1996 a manual search file has neither been maintained nor used. The IPO is currently using 'SyPP' automation system (industrial property rights system) for trademarks for file building. Public databases are updated automatically only. Trademark register is kept in an electronic form only.

Documentation from other offices maintained and/or considered part of the available search file

Trademark bulletins of foreign offices in an electronic or paper version and ROMARIN DVDs from WIPO are received regularly. WIPO and Community Trademarks Bulletin are available in electronic version via Internet (new volumes) and in CD/DVD or paper version (previous volumes).

V. Activities in the field of computerized trademark search systems

In-house systems (online/offline)

The Office maintains an in-house search database of national applications and registered trademarks. The database is not accessible to the public but its structure corresponds to the public database.

External databases

The Office provides free access to the database comprising the data concerning not only the Czech national trademarks but also the international trademarks valid in the territory of the Czech Republic and the Community trademarks registered by the Office for Harmonization in the Internal Market at the IPO CZ website <http://www.upv.cz/en/provided-services/online-databases/trade-mark-databases.html>.

The Office and users can also perform searches in the publicly accessible databases provided freely on the Internet by the other national offices. The Office also regularly uses the "CTM Online" database (maintained by OHIM) which provides access to the registered Community trademarks and the "ROMARIN" databases (maintained by WIPO) which contains the international trademarks. The links to these databases are provided at the Office's web site (<http://www.upv.cz/en.html>)

Last but not least is the commercial database "EDITAL" which is used by the Office under contract and the access is paid.

Administrative management systems (e.g., register, legal status, statistics and administrative support)

The Office uses the internal information system (IS SyPP) to proceed the applications of patents, supplementary patent certificates, utility models, industrial designs, geographical indications and trademarks. The system is flexible and applicable enough to maintain the official registers of all the industrial property rights. The system archives all incoming and outgoing communications of the Office, provides the information on the state of proceeding, legal status of registrations and statistical data. The system is integrated with Document Management System (DMS) of the Office. The system also processes international trademarks with designation of the Czech Republic and international trademark applications, where the IPO is office of origin pursuant to Madrid agreement and Protocol. The data are transferred to the electronic Official Bulletin and to the public search database. Since November 2002, the system has been compatible with electronic filing recognizing authorized electronic certificates. The on-line filing system was launched in August 2006, the current version of on-line filing system was released in September 2009. Since January 2008, the system has been producing automatic electronic extracts from registers upon online request. Since 2011 has launched programming of a new version of IS SyPP which will be more flexible, based on Oracle Forms with easier maintaining and more flexible data structure. Data will be stored in xml format including the history, which means higher security. The system will be more user-friendly. The system will be connected with central registers of the Czech Republic (ISZR). The new IS SyPP is co-financed by the European fund for regional development within the EU project Enforcement of Industrial Property Rights.

Equipment used (hardware, including the types of terminal and network used, and software), carriers used

Workstations - HP, processor Intel Pentium 4, Core2Duo, Core I3 and Core I5, RAM 1- 4 GB, HDD 160 - 250 GB. 300 workstations connected in the Office network are of the Office staff direct service. Thereof 50 computers connected in the Office network are intended for the clients of the Office and staff training service. The Office uses the ETHERNET network and computers run WINDOWS XP and WINDOWS Seven operating systems, MS OFFICE - 2003/2007/2010 software and the ORACLE 10.1 database. The Office uses CD, DVD and magnetic tapes as data mediums.

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VI. Administration of trademark information products and services available to the public (relating to facilities, e.g., for lodging applications, registering trademarks, assisting clients with search procedures, obtaining official publications and registry extracts)

Planning, administration, automation, security

Applications for trademarks registration can be filed by post, in person, by fax, via data box or electronically (with electronic signature) to the Office. Wide range of other communications may be submitted electronically via user-friendly interface.

Bibliographic details of applications are entered into SyPP manually if the application is filed in paper form or automatically if the application is filed via online filing facility. The applicants receive confirmation of filing via post upon their request or electronically if application is filed online. The application file can be inspected after publishing the registration via the Office's web site (URL: <http://isdv.upv.cz/portal/pls/portal/portlets.rejst.formular?lan=en>)

Collection management, preservation

Extended safety is secured via SSL.

Backing up of data changes is done twice a week. Full back up of data is on weekly basis. Backed up files are preserved for 4 weeks.

Information services available to the public (including computerized services and search files contained in libraries remote from your Office and trademark information posted by your Office on the World Wide Web)

The information centre and help desk operate during the working days. They provide the general information concerning the industrial property.

Trademark information services for the public are provided within the information centre, in the public reading room, common questions can be addressed to the helpdesk (helpdesk@upv.cz) and search requests to the search section. The Office received 930 trademark search requests in 2012.

The Office provides full range of brochures and guides free of charge. They can be downloaded in PDF format from the Office's web site, picked up in the office headquarters or sent upon request. The Office publishes its own books and the Industrial Property Journal (6 issues per year) reflecting the current issues of IP rights.

URLs of web pages of the Office's website for electronic filing of trademark applications

The Office web sites <http://www.upv.cz/en.html> are the rich source of information.

Electronic filing of trademark applications:

<http://www.upv.cz/en/provided-services/on-line-filing.html>

Element of proceedings:

<http://isdv.upv.cz/portal/pls/portal/portlets.rejst.formular?lan=en>

Search service:

<http://www.upv.cz/en/provided-services/online-databases/trade-mark-databases.html>

Fees and payments:

<http://www.upv.cz/en/provided-services/fees.html>

Information on business procedure related to trademarks:

<http://upv.cz/en/ip-rights/trade-marks.html>

URLs of web pages of the Office's website that provide a description of information products and services offered by the Office (e.g., trademark search service(s) and trademark databases), as well as information on how to access and utilize them

The Office's website:

<http://www.upv.cz/en.html>

Information on Services:

<http://www.upv.cz/en/provided-services/information-services.html>

Publications:

<http://www.upv.cz/en/publications.html>

Trademark databases:

<http://www.upv.cz/en/provided-services/online-databases/trade-mark-databases.html>

Trademark classification system:

<http://www.upv.cz/en/publications/classification-systems/classification--trade-marks.html>

VII. Matters concerning mutual exchange of trademark documentation and information

International or regional cooperation in the exchange of trademark information, e.g., in the form of official gazettes

International or regional cooperation in the exchange of machine-readable information, e.g., bibliographic data, abstract and/or full text information. The Official Bulletin of the Industrial Property Office of the Czech Republic has been published exclusively electronically since the beginning

2007. The Official Bulletin is published on a weekly basis (updated every Wednesday) instead of the monthly basis as before. The paper version has been discontinued.

Electronic version of the Official Bulletin has been available since 2000 (Czech version, English version has been available since 2007) and accessible at the Office's web site:

<http://www.upv.cz/cs/publikace/vestnik-upv.html> (Czech version)

<http://www.upv.cz/en/publications/ipo-bulletin.html> (English version)

Various courses and seminars were organized for students and representatives of SMEs or research institutions; Groups of university students were accepted in the premises of the IPO CZ.

VIII. Matters concerning education and training, including technical assistance to developing countries (please indicate URLs of web pages of the Office's website wherever appropriate)

Promotional activities (seminars, exhibitions, visits, advertising, etc.)

The Office presented its information activities and products at the following exhibitions and trade fairs:

International Engineering Fair (Brno, CZ)

FOR INDUSTRY 2011 (Prague, CZ)

TENDENCE 2011 (Prague, CZ)

AMPER 2011 (Prague, CZ)

Innovation 2011 (Prague, CZ)

39th International Exhibition of Inventions (Geneva, CH)

IENA - Exhibition of Inventions and Innovations (Nürnberg, DE)

The Industrial Property Journal is published six times a year.

Training courses for national and foreign participants

The Czech IPO regularly organizes wide range of training courses and seminars –such as IP Protection and National (CZ) and International Systems of IP Protection in particular PCT, Intellectual Property Protection in Business (SMEs), Technology Transfer, Enforcement of Intellectual Rights, IP Jurisdiction (administrative and judicial issues), Trademarks and Designs - National and International Legal Protection, Searches in the National and Foreign Patent Databases. All the educational activities are organized for public mainly the students, academic staff of universities, representatives of SMEs or research institutions, IP professionals. University students are also regularly invited for excursions and guided tours in the Office's premises.

Every year, a two-year course of industrial property rights begins within the Industrial Property Training Institute - Office's own educational facility.

The Office cooperates with Regional Patent Information Centres (PATLIBs) on providing training and education.

14 days lasting training for 5 – 6 participants is hosted by the Office every year.

IX. Other general information related to the Office that is available on the Internet -- URLs of web pages of the Office's website that:

if necessary, provide further information related to the topics referred to in the current ATR

The helpdesk <mailto:helpdesk@upv.cz>

The Bulletin:

<http://www.upv.cz/en/publications/ipo-bulletin.html>

Office's website that provides statistics related to trademarks:

<http://www.upv.cz/en/publications/annual-report/annual-report.html>

The Office web sites:

<http://www.upv.cz/en.html>

Use of electronic classification systems to check the classification symbols classified by an applicant and contained in the lists of goods and/or services:

<http://www.upv.cz/en/publications/classification-systems/classification--trade-marks.html>

Electronic filing of trademark applications:

<http://www.upv.cz/en/provided-services/on-line-filing.html>

Element of proceedings:

<http://isdv.upv.cz/portal/pls/portal/portlets.rejst.formular?lan=en>

Search service – trademark database (IPO, WIPO, OHIM) (basic search/advanced search):

<http://www.upv.cz/en/provided-services/online-databases/trade-mark-databases.html>

X. Other relevant matters