

CWS.ATR.TM.2009.UA

Annual Technical Report 2009 on Trademark Information Activities submitted by Ukraine (CWS/ATR/TM/2009/UA)

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

Statistical evolution concerning:

Applications filed (national route):

in 2008 - 22371, in 2009 - 17866, i.e. 20% less than the previous year.

Registered (national route):

in 2008 - 15357, in 2009 - 15137, i.e. 1,4% less than the previous year.

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

In 2009, the highest percentage of applications were filed according to the following classes of the Nice Classification:

Class 35 "Advertising; business management..." (18,0%); Class 41 "Education; providing of training..." (6,4%); Class 05 "Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes..." (6,3%); Class 33 "Alcoholic beverages (except beers)" (6,2%).

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

http://www.sdip.gov.ua/ua/plans_reports.html

http://www.sdip.gov.ua/en/plans_reports.html

<http://www.ukrpatent.org/ua/statistics.html>

<http://www.ukrpatent.org/en/statistics.html>

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

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

Information concerning marks for goods and services is published in the Official Bulletin "Promyslova Vlasnist" ("Industrial Property") in the following sections of its Book 2: "Information about the Issue of Certificates of Ukraine for Marks for Goods and Services", "Information about Well-Known Marks in Ukraine", "Information about the Marks Registered According to the Madrid Agreement on the International Registration of Marks and/or the Protocol to the Madrid Agreement on the International Registration of Marks which were Granted Protection in Ukraine", "Colour Representations of Marks for Goods and Services", in the Indexes to each section and the "Notifications" section.

The Official Bulletin "Promyslova Vlasnist" was issued both on paper and electronic carriers with the same frequency – twice a month.

Besides, information about marks for goods and services is also available on the national CD-ROM "Marks for Goods and Services Registered in Ukraine". In 2009 it was delivered to 35 organizations of Ukraine on subscription and to Rospatent (the Russian Patent Office) in the framework of international exchange.

A cumulative optical DVD "Marks for Goods and Services Registered in Ukraine" is also issued by the State Enterprise "Ukrainian Industrial Property Institute" (the Institute). It contains information about all the registrations of marks for goods and services recorded in Ukraine since January 1993 to the completion of the current registration.

The official web-portal of the State Department of Intellectual Property (the State Department) (<http://www.sdip.gov.ua>) and the web-site of the Institute (<http://www.ukrpatent.org>) contain a number of interactive databases (DB) and information and reference systems (IRS) on marks for goods and services accessible via the Internet:

- DBs: "Electronic Version of the Cumulative Official Bulletin "Promyslova Vlasnist"; "Marks for Goods and Services Registered in Ukraine";

"Information about International Registration of Marks Legally Protected in Ukraine"; "Information about Well-Known Marks in Ukraine";

"Information about Marks for Goods and Services the Certificates for Which Have Lost Effect or Have Been Invalidated";

- IRSs: "Information about the Processing State of Applications for Marks for Goods and Services", "International Classification of Goods and Services for the Purposes of the Registration of Marks (the Nice Classification). Ninth Edition. Second, amended, edition", "International Classification of the Figurative Elements of Marks (The Vienna Classification). Sixth Edition".

Information concerning marks for goods and services is published in the following scope: bibliographic data, images of marks, indexes and notifications. Notifications contain information about the legal status of marks, transfer of rights and licence contracts, change of name, title and/or address.

Mass storage media and microforms used

Mass storage media for information about marks for goods and services in the Institute are the servers of electronic databases. To ensure safe storage of backup copies, a scaled highly productive data storage system NAS (Network Attached Storage) was built in the Institute. Information is stored on disc RAID-arrays (Storage). Backup copies of data on DVDs and magnetic tapes are produced for long-term storage.

Word processing and office automation

The whole set of operations connected with text processing and automation of processing applications for marks for goods and services was carried out by the tools of the "Marks for Goods and Services" automated system (AS). In 2009 mechanisms were developed in the environment of the "Marks for Goods and Services" AS enabling automated updating of the Internet databases:

- "Marks for Goods and Services Registered in Ukraine";
- "Marks for Goods and Services Applications Processing State".

A set of works were completed and a search database on the international registration of marks for goods and services for the purposes of examination was put into commercial operation.

Interaction of the "Marks for Goods and Services" AS with other systems of the Institute in the part concerning the work with incoming documents was implemented.

Techniques used for the generation of trademark information (printing, recording, photocomposing, etc.)

The information arrays for publication are formed by a specialized workstation at the Editorial Division of the Institute. The prepared layout of the publication is forwarded to the printing office for replication.

Special software was used for preparation of the data arrays and their recording on optical discs.

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 on-line publications on marks for goods and services are accessible from the web pages of the web-portal of the State Department and the web-site of the Institute:

<http://www.ukrpatent.org/ua/base2.html>
<http://www.ukrpatent.org/en/base.html>
http://www.sdip.gov.ua/ua/info_resurses.html

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

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

In 2009 the Ukrainian-language version of the Nice Classification (9th edition) was used for classifying marks for goods and services. The Ukrainian-language version of the Vienna Classification (6th edition) was used for classifying the figurative elements of marks.

Within the "Marks for Goods and Services" AS software system for checking the classification symbols is in operation. The system includes reference lists of the classification schemes and specialized software for checking the classification symbols.

The 6th edition of the Vienna Classification and the second, amended, edition of the 9th edition of the Ukrainian-language International Classification of Goods and Services for the Purposes of the Registration of Marks are in operation in the environment of the "Marks for Goods and Services" AS.

Bibliographic data and processing

During the input into the technological database the bibliographical data is processed by the software tools. The database structure allows storage of all bibliographical data and provides extensive search possibilities.

IV. Trademark manual search file establishment and upkeep

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

The search file for marks for goods and services as defined by the order of the State Department, comprises, among other sources, the database of the "Marks for Goods and Services" AS, the ROMARIN database of the international registrations on CD-ROM, the International Classifications and the established list of reference information sources.

V. Activities in the field of computerized trademark search systems

In-house systems (online/offline)

The in-house computerized search systems for marks are the search systems of the "Marks for Goods and Services" AS, the "Incoming Applications Register", the centralized database "International Marks Received from the WIPO International Bureau", the "Indicators" AS.

External databases

The external trademark DBs and IRSs comprise:

- DB "Marks for Goods and Services Registered in Ukraine";
- DB "Information about Well-Known Marks in Ukraine";
- DB "Information about International Registration of Marks Legally Protected in Ukraine";
- DB "Information about the Marks for Goods and Services the Certificates for which Have Lost Effect or Have Been Invalidated";
- IRS "Information about the Processing State of Applications for Marks for Goods and Services";
- IRS "International Classification of Goods and Services for the Purposes of the Registration of Marks (the Nice Classification). Ninth Edition. Second, Amended Edition";
- IRS "International Classification of the Figurative Elements of Marks (the Vienna Classification). Sixth Edition".

The mentioned DBs and IRSs are connected to the Internet.

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

The "Marks for Goods and Services" AS functions in the environment of the local computer network operated by OS Windows 2003 server. The AS software is designed according to the Client-Server technology and placed on Compaq ProLiant ML570 server (4x900Mhz, Xeon, 8Gb RAM). The DBMS is MS SQL Server Standard Edition 2005. To ensure reliability and a high level of availability, data replication on the server with similar parameters is executed.

The means of mass storage of data on marks for goods and services used in the Institute are the servers of the electronic databases, Storage Area Network disc data storage systems, optical DVDs and magnetic tapes.

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)

Collection management, preservation

In the Public Patent Documentation Collection (PPDC) the users had access to information about marks published in the Official Bulletin "Promyslova Vlasnist" (Book 2) and the Official Bulletins of 44 foreign countries and international organizations. The management of the contents, coverage and structure of the document collection was carried out with the due consideration of the users' needs.

During the previous years (including 2009) a large-scale replacement of the information collection hardware by up-to-date computer equipment suitable for operating with the sophisticated software used by patent offices of different countries on CD-ROM and DVD was implemented. The information was transferred from discs and accumulated on the network management server, which significantly accelerated the searching speed. Great attention was paid to the popularization of the collection: a digest of annotations of publications on topical issues of intellectual property rights protection in our country and abroad was published. Publications of prominent specialists from various patent offices – books and magazine articles received to update the collection – were annotated.

With the aim to preserve the collection, modern technologies of protecting library holdings from theft, damage etc. are used. Video surveillance, ventilation and air conditioning is continuously in operation, fire safety (fire alarm, fire notification, fire fighting) is ensured.

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 services are made available for the general public from the following DBs:

- DB "Marks for Goods and Services Registered in Ukraine";
- DB "Information about Well-Known Marks in Ukraine";
- DB "Information about International Registration of Marks Legally Protected in Ukraine";
- DB "Information about Marks for Goods and Services the Certificates for Which Have Lost Effect or Have Been Invalidated"

The following IRSs are also operative:

- RS "Information about the Processing State of Applications for Marks for Goods and Services";
- IRS "International Classification of Goods and Services for the Purposes of the Registration of Marks (the Nice Classification). Ninth Edition. Second, Amended Edition";
- IRS "International Classification of the Figurative Elements of Marks (Vienna Classification). Sixth Edition".

All the DBs and IRSs are accessible free of charge.

The above-mentioned information resources can be found at the following addresses:

<http://www.sdip.gov.ua/ua/systems.html>
http://www.sdip.gov.ua/en/publicom_baza.html
<http://www.ukrpatent.org/ua/bases2.html>
<http://www.ukrpatent.org/en/bases.html>

URLs of web pages of the Office's website that provide information on business procedures such as: filing, publication, examination and registration procedures related to trademarks; opposition and appeal procedures related to trademarks; etc.

<http://www.ukrpatent.org/ua/signs.html>;
<http://www.ukrpatent.org/ua/acts.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

<http://www.ukrpatent.org/ua/publications.html>
<http://www.ukrpatent.org/en/publications.html>
<http://www.ukrpatent.org/ua/perelik.html>
<http://www.ukrpatent.org/en/perelik.html>
<http://www.ukrpatent.org/ua/bases2.html>
<http://www.ukrpatent.org/en/bases.html>
<http://www.ip-centr.kiev.ua>

VII. Matters concerning mutual exchange of trademark documentation and information

Exchange of machine-readable information

In 2009, in the framework of international exchange, the Official Bulletins containing trademark information from 19 foreign IP offices and organizations, and TRACES CD-ROM containing information about the marks registered in the countries of the Central and Eastern Europe and the CD "Trademarks of Russia" were received. Our exchange partners were supplied with the Official Bulletin "Promyslova Vlasnist" on DVD and Rospatent was also supplied with the national CD "Marks for Goods and Services Registered in Ukraine";

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)

Assistance to developing countries (sending consultants and experts, receiving trainees from developing countries, etc.)

In the reporting year the educational institutions in Ukraine continued training, upgrading and improvement of qualification of specialists in the sphere of intellectual property. Training for specialist and master educational and qualification degrees in the speciality "Intellectual Property" was carried out by 16 of the country's educational institutions. Altogether 507 such specialists were trained in 2009, including 248 masters and 259 specialists.

The State Department together with the State Institute of Intellectual Property (further – the Institute) paid special attention to the training of intellectual property specialists for the executive bodies and the judicial power authorities. Thus, 73 state employees and 11 judges were enrolled to the Institute in 2009, who made up 42% of the total enrolment for the study (200 persons).

The Institute also continued to support the distance learning programme of the WIPO Academy course DL-101 "General Course on Intellectual Property" (Ukrainian-language modules).

In order to upgrade the skills of scientists in intellectual property field, the Institute, supported by the intergovernmental organization "Ukrainian Scientific and Technological Centre" developed a training programme "Commercialisation of the Results of Scientific Research".

In 2009 the Institute together with the State Department ensured skills upgrading for teachers of institutions of general education, academic teaching staff active in the field of intellectual property and innovative activity, specialists in technology transfer, namely candidates for technology brokers – all in all over 700 persons.

During the reporting year, the Institute published nine titles of textbooks and manuals in speciality "Intellectual Property" with the total circulation of approximately 2500 copies.

The creation of an International Training and Scientific Centre was initiated by the Institute. The aim of this Centre's activity is the realisation of international master's programmes for training specialists in the field of intellectual property, technology transfer and innovative activities, as well as training of specialists from the CIS countries in specialities "Intellectual Property", "Consolidated Information" and "Innovative Activity Management". In 2009 the Ministry of Education and Science of Ukraine issued this educational institution a licence for carrying out educational activities in training foreign citizens in the basic accredited areas (specialities).

Training of patent attorneys and professional intellectual property rights appraisers remained an important task throughout the reporting period.

During the year 7 professional intellectual property rights appraisers and 28 candidates for intellectual property representatives (patent attorneys) were trained.

In 2009 the State Department organized and held 5 conferences, among them 2 international ones, and 14 seminars, including 3 international and 3 regional events, on the current problems related to the acquisition, exploitation and enforcement of IP rights.

In particular, within the framework of the World Intellectual Property Day celebration, a scientific and practical conference "Status and Prospects of Development of the State System of Intellectual Property Rights Protection in Ukraine" was held on April 24, 2009.

From July 20 to July 30, 2009 a two-week WIPO International Intellectual Property Summer School was held on the basis of the Odessa National Academy of Law. This event was initiated by the State Department jointly with WIPO. Its aim was to provide opportunity for senior students and young professionals to improve their knowledge in the field of intellectual property, to demonstrate WIPO's role in the global administration of intellectual property. Students and teachers from 11 countries of the world took part in the training. It was planned that Intellectual Property Summer School would be an annual event in Ukraine.

The XIV International Scientific and Practical Conference "Current Problems of Intellectual Property" was held from August, 31 to September, 4 (Yalta, Autonomous Republic of Crimea). It has become the basic occasion to discuss the scientific, methodological and practical issues in the intellectual property field.

Over 200 specialists from Ukraine, the Russian Federation, the Republic of Kazakhstan, Latvia, the Republic of Slovenia, the Republic of Poland, the USA, the Czech Republic, Hungary and representatives of international organizations - WIPO and the EPO participated in the conference.

The issues discussed included the current status, problems and prospects of development of the State system of intellectual property rights protection in Ukraine; improvement of the legal regulation in this sphere; patent information support of the examination body operation; improvement of the systems of international registration of trademarks and industrial designs; economic aspects of intellectual property rights, their use and protection.

Within the framework of the State purpose-oriented Programme of preparation and conducting the final part of the European Football Championship 2012 in Ukraine, the State Department organized and held a training workshop for the specialists of the Division of Examination of Designations and Industrial Designs entitled "Peculiarities of the Examination of Applications for Trade Marks and Service Marks and Industrial Designs with due consideration of the Requirements of the Law of Ukraine "On Organization and Conducting of the Final Tournament of the European Football Championship 2012 in Ukraine".

The Programme also foresees organisation and holding of seminars, conferences and other events on the matters of acquisition and enforcement of intellectual property rights of the UEFA and its commercial partners. In 2009, in different Ukrainian cities – Kyiv, Donetsk, Kharkiv and Lviv – a number of regional scientific and practical seminars were organized and held on the subject "Acquisition and Enforcement of Intellectual Property Rights of the Union of European Football Associations and its Commercial Partners".

It is worth mentioning that in 2009 the State Department, besides organizing conferences and seminars, carried out significant work on encouraging creativity. Detailed information about all events on the promotion of creative activities can be found in the relevant section of the Annual Report – 2009 of the State Department at its web-portal:

http://www.sdip.gov.ua/ua/year_reports.html

http://www.sdip.gov.ua/en/year_reports.html

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

provide information on legislation related to trademarks

http://www.sdip.gov.ua/en/laws_special_3

http://www.sdip.gov.ua/ua/normative_acts.html

<http://www.ukrpatent.org/en/legislation.html>

<http://www.ukrpatent.org/ua/legislation.html>

contain the Annual Report of the Office

http://www.sdip.gov.ua/ua/year_reports.html

http://www.sdip.gov.ua/en/year_reports.html

In 2009, publication of the Annual Technical Reports on trademark information activities started on the web-portal of the State Department beginning from ATR-2008:

http://www.sdip.gov.ua/ua/year_reports.html

http://www.sdip.gov.ua/en/year_reports.html

contain trademark-related news regarding the Office

The above-mentioned information can be found on the web-sites at:

<http://www.sdip.gov.ua/index.html>

<http://www.ukrpatent.org>

<http://www.ip-centr.kiev.ua>

X. Other relevant matters