

CWS.ATR.TM.2010.BG

Annual Technical Report 2010 on Trademark Information Activities submitted by Bulgaria (CWS/ATR/TM/2010/BG)

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

The Bulgarian Law on Marks and Geographical Indications was amended in 2010 and a change of the examination procedure is foreseen to take place as from 10 March 2011 with the introduction of opposition procedure. The full examination (absolute grounds examination and ex-officio search and examination of earlier rights) will be changed to examination of absolute grounds only and a possibility for the owners of earlier rights to file oppositions against the registration of trademark applications in a 3-month period after their publication.

Applications:

- submitted under the national route - 4860 (4335 from Bulgarian applicants and 525 from foreign applicants) which is 5% decrease with respect to 2009 (5140).
- submitted under the Madrid Agreement and the Madrid Protocol - 2235 which is 22% decrease with respect to 2009 (2853).

Registrations:

- National route – 3975 which is 15% decrease with respect to 2009 (4671).
- Madrid Agreement and the Protocol – 2490 which is 9 % growth with respect to 2009 (2265).

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

Compared to 2009, in 2010 there was a tangible decrease in application activity, especially in the number of applications submitted under the Madrid Agreement and the Madrid Protocol. The decrease is mainly due to the extension of the Community trade mark (CTMs) on the territory of the Republic of Bulgaria after its accession to the EU on 01.01.2007 and the influence of the global financial and economic crisis.

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

http://www1.bpo.bg/index.php?option=com_content&task=view&id=23&Itemid=150=en (link to Annual Reports section)

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

Publishing, printing, copying techniques

The Patent Office of the Republic of Bulgaria (BPO) publishes applications for national trademarks and registered national trademarks, and international trademarks designating the territory of the Republic of Bulgaria in the Official Bulletin which is a monthly edition. As from April 2009 the paper version has been discontinued and the bulletin is published exclusively in electronic form – CD ROM, and on the Office's official web site simultaneously.

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

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 (as from March 2011). Besides, the bulletin contains the announcements concerning all entries in the State Trademark Register - legal status changes, renewals, modifications, cancellations, transfers of rights, license agreements and etc.

Mass storage media and microforms used

The bibliographic data and images are stored in our administrative management system Common Software (CS). The Office maintains a complete history of its trademark files in paper form (dossier) and parts of it such as bibliographic information in electronic form.

Word processing and office automation

Windows XP, MSWord 6.0, MSWord 2000, Page Maker 6.5 plus. National trademarks and applications are searchable through our on-line tool "BPO On-line". 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. This on-line search tool is in constant relation with the administrative system and database CS.

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

A publishing system with a HP Scan Jet scanner, a laser printer HP Laser Jet, PC Intel Pentium Based with Windows XP as OS and Page Maker 6.5 plus. All data including figurative elements are extracted from our administrative management system CS.

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

- Official Bulletin of the Patent Office of the Republic of Bulgaria -http://www1.bpo.bg/index.php?option=com_content&task=view&id=167&Itemid=269
- Online search tool - BPO On-line - http://212.122.185.80:8080/bpo_online

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)

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.

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

N.A.

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

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

Bibliographic data and processing

BPO maintains on-line searchable bibliographic data for applications and registered trademarks via internet tool "BPO On-line".

IV. Trademark manual search file establishment and upkeep

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 (dossier) and only some of them in electronic form in the administrative management system CS.

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

ROMARIN CDs, DVDs from WIPO and Community Trademarks Bulletin on CDs from OHIM are received regularly.

V. Activities in the field of computerized trademark search systems

In-house systems (online/offline)

Common Software (CS) v. 3.30 - administrative management system;

Accepto v. 7.0.6.7 - search system for examiners;

Romarin, DVD collection - International Trademark Information Database

BPO On-line - web-based service for public access to information of the applications and registered trademarks in BPO.

External databases

USA databases on CD-ROM - CASSIS

CTM ONLINE database on OHIM's web-site;

Article 6-ter database on WIPO's web-site;

ROMARIN database on WIPO's web-site;

NIVILO CD-ROM;

TMView database

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

In the field of trademarks, BPO uses Common Software v. 3.30 as an administrative management system.

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

Hardware: Server: HP rp 3400;
Workstations: Intel Pentium based PCs, about 60;
Software:
Server: UNIX 1 l.xx as OS, Informix v. 7.31.FD5 as DBMS
Workstations: Windows XP as OS, MS Office as documents management, etc.;
Carriers used: CDs, DVDs.

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

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 office by On-line search system for Trademarks - "BPO ON-LINE".
The Central Patent Library provides for public access to the Official Bulletins from foreign countries, to the CD collections and Internet databases containing trademark information.
Since 2007 the BPO has been participating in the development and successful implementation of a project in the sphere of examinations of marks, called CETMOS (Central European Trade Mark Observation Service), together with eight other countries: Austria, Poland, Romania, Slovakia, Slovenia, Hungary, Republic of Croatia and Czech Republic. CETMOS is an English language platform which enables the clients to order against payment a trade mark search for the territory of the nine countries (for national and/or international marks as well as for CTMs) by filling in an electronic form. The result of the search is sent to the applicant in electronic form within six weeks. The aim of the project is to help the applicant to choose the proper strategy for the registration of its TM and at the same time the TMs owners to keep up with the TMs infringements or abuse.

Collection management, preservation

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

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)

BPO Online - <http://www1.bpo.bg/index.php?lang=bg>

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

N.A.

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://www1.bpo.bg/index.php?option=com_content&task=view&id=14&Itemid=361=bg

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

BPO-Online - http://212.122.185.80:8080/bpo_online
The BPO was actively involved in the TMView project with a single-handed product and joined the production environment of the system in December 2010.

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

BPO receives by WIPO "The WIPO Gazette of International Marks" on paper and CD and the "ROMARIN" - on DVD. The Bulletin of OHIM - on CD ROM to 41 foreign countries, and more than 60 national institutions including the PATLIB centers and university IP Points.

Exchange of machine-readable information

Export of information in the field of trademarks and geographical indications to Thomson Reuters and to OHIM within the TMView project but for the time being there is not exchange of machine-readable information.

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.)

Activities carried out in execution of the Technical cooperation agreement between OHIM and BPO - 2010:

- Organization of 3 workshops on Community trademark (CTM) and Registered Community design (RCD) systems in 3 different Bulgarian cities;
- Organization and providing of "Days of CTM and RCD" in 4 universities;
- Creation and publication of a Collection including articles, studies and analyses of OHIM's practice in CTM and RCD matters;
- Creation and publication of a Collection including summary of the practice of the Court of First Instance and the European Court of Justice in CTM and RCD matters;
- Maintenance of the created Seniority database.

Interregional Symposium on "Education in intellectual property for the countries in transition", jointly organized by WIPO, BPO and the University of National and World Economy.

Seminar for SMEs on "How to protect the intellectual property objects in our country, in Europe and worldwide?" in execution of Grant Agreement for the project IP Awareness and Enforcement Modular Based Actions for SMEs 2007-2010, jointly organized by BPO, the European Commission.

IP awareness and enforcement modular based actions for SMEs (ipeuropaware).

Training courses for national and foreign participants

Training courses in the field of trademarks and geographical indications for IP representatives.

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

None

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://www1.bpo.bg/index.php?option=com_content&task=view&id=18&Itemid=41

contain the Annual Report of the Office

http://www1.bpo.bg/index.php?option=com_content&task=view&id=23&Itemid=150=bg

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

N.A.

provide open source codes related to trademark information systems

N.A.

contain trademark-related news regarding the Office

<http://www1.bpo.bg/index.php?lang=bg>

X. Other relevant matters