

# CWS.ATR.TM.2011.SE

## Annual Technical Report 2011 on Trademark Information Activities submitted by Sweden (CWS/ATR/TM/2011/SE)

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

The Swedish Patent and Registration Office (PRV) play an important role in economic policy. This is also clear from the Office's official document on appropriations, where the output goal is to "promote sustainable growth and increased employment through measures aimed at increased competitiveness and more, growing companies". The output goal is then supplemented with an operational goal, which states: "PRV must supply efficient and appropriate systems for the registration of industrial rights, as well as work to improve the conditions for enterprise and entrepreneurship through appropriate and qualitative information and service on matters relating to intellectual property."

The operational goal clearly shows that intellectual property rights rest on two foundations: registration and information.

PRV has successfully managed the first of these by supplying efficient and appropriate systems for testing and registering applications for legal protection. The second foundation, which is also important from a growth perspective, has previously had to take a back seat, in particular on those occasions where the focus has been on redressing the balance of applications. During the past year, PRV has drawn up a strategic plan which clearly specifies that active efforts regarding increased awareness of intellectual property rights (IPR) are an essential element in achieving the output goal that applies to the operation.

The strategic plan also presents PRV's vision:

- PRV is the natural centre for intellectual property rights in Sweden.
- PRV is internationally respected and an energetic, customer-oriented authority.

In order to achieve this vision, PRV needs to focus on a number of strategic cornerstones. These are:

- PRV markets and makes IPR available
- PRV is customer-oriented
- PRV is an energetic authority
- PRV is an internationally recognised player

The fact that the processes and procedures maintain a high level of quality was documented through the ISO 9001 certification that the Office underwent for a couple of years ago.

The delivery times are specified as objectives in the official document on appropriations and are an important parameter in the internal planning and following-up. The objectives have been tightened up over the years, usually at PRV's own initiative.

The Designs and Trademarks Department handles PRV's assignment to be the central administrative authority for applications regarding trademarks, designs, personal names (surnames and first names), as well as keeping a register of periodicals and municipal coats of arms.

The output goals in the official document on appropriations mean that the activities within those areas that are organised within the Designs and Trademarks Department are targeted at:

- satisfying the operational goals according to the official document on appropriations
- providing high quality, rapid service within the relevant areas
- supplying information about the content of the operation's various registers in an effective manner
- monitoring international developments
- conducting a dialogue with users regarding how the department's various operations can be developed

The operational goals are very tight, and for 2011 they are about the same as for 2010. PRV's starting point has consequently been to calculate delivery times that, with a strong focus on pure application production, have just been deemed possible to achieve at the end of the year.

In order to satisfy the demand and to be able consistently to achieve the operational goals regarding national applications, the Trademarks unit has worked with the internal processes and to create a flexible organization. The department has also commenced an expansion of skills amongst employees in order to be able to use the resources more flexibly within the department.

One clear international trend is that it has become increasingly important for businesses to protect their intellectual property assets. At the same time, this has resulted in being many times more protective rights valid for Sweden than there were ten years ago. The existence of several parallel protection systems makes it easier for applicants to obtain protective rights that correspond to their own needs, but at the same time is increasing the "competition" between national and international systems. There are still a great many applicants who only want to operate on a local market, and for whom a simple application procedure and proximity to the registration authority are important.

National trademark, received applications

1997 11,440  
1998 9,600  
1999 9,500  
2000 9,600  
2001 8,000  
2002 8,500  
2003 7,700  
2004 8,700  
2005 9,900  
2006 10,100  
2007 11,300

2008 11,700  
2009 10,400  
2010 10,600  
2011 9,900

International trademark, received applications

1997 3,400  
1998 5,750  
1999 6,300  
2000 7,400  
2001 7,000  
2002 5,800  
2003 5,800  
2004 5,300  
2005 5,000  
2006 4,200  
2007 3,700  
2008 3,300  
2009 2,400  
2010 2,200  
2011 2,100

National trademark, received renewals

1999 4,200  
2000 5,200  
2001 6,800  
2002 9,900  
2003 6,300  
2004 6,800  
2005 7,300  
2006 8,100  
2007 6,300  
2008 5,100  
2009 4,300  
2010 6,000  
2011 6,500

National trademark, changes in databases

1999 6,400  
2000 8,100  
2001 7,400  
2002 7,000  
2003 6,000  
2004 6,700  
2005 8,000  
2006 6,300  
2007 7,100  
2008 7,100  
2009 5,900  
2010 6,400  
2011 6,100

The potential to carry out an electronic trademark application including electronic payment has been a great success. During the year 2011, 73 percent of all national applications were submitted in this way.

During the year, the volume of international applications (applications under the Madrid Protocol) continued to decrease. The potential to apply throughout the (whole of the) EU is probably the reason for this reduction.

Productivity at the Trademarks unit has increased a little. The reason for this could derive in a big change of the internal organization and the work with reduction of costs and labour staff. All this work has result in that positive development.

The available resources in 2011 were 4 person-years less than in 2010.

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

The official gazette "Trademark Gazette" is issued every week. This gazette contains the announcements of the official data concerning new registrations, modifications, renewals, cancellations and corrections. At the end of every year a complete, bounded, gazette is published containing every change during the year.

The gazette is produced in an automatic way and all information is coming from the IT-system and the database. The gazette is available through our homepage.

An electronic newsletter is published. The newsletter contains information about official reports, reporting and development in the office.

A complete annual "Trademark Gazette" is also produced.

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

Trademarks are classified according to the Nice Classification of Goods and Services, 9th edition.

Applicants have to state the classifications according to the Nice system. The specifications must be specified and not in terms of "all available goods for the class". The employees in the Department then convert the information into actual class. By doing this we use the computer system.

When customer makes electronic filing, they have to use the official Classification of Good and Services before e-filing the application to the PRV.

That information is correct when receiving into the office. The result will be easier and more rapidly examination in the office. This is one way to stimulate the business companies.

The figurative elements of trademarks are classified according to the Vienna Classification 6th edition.

Bibliographic data used for search purpose are Nice class number, goods and services respectively, name of applicant/holder and name of counsel.

#### **IV. Trademark manual search file establishment and upkeep**

The Department have scanned all the national figurative marks. The Department continued the process by building up an electronic database consisted of all the figurative marks.

The figurative marks are now kept in a database and reachable by use of the IT-system. All manual work for searching is closed.

All paper documents related to national and international applications are kept in a paper-built archive. The Department is moving to an electronic way in the daily working but this process will take time. So far all outgoing correspondence is available within the IT-system for national trademarks. For international trademark we now have stopped nearly all production of paper document. Nearly all correspondence with and from Wipo is made in an electronically way.

The process continued to change from manual to electronic search file. Since many years an electronic search file system is up and running for the national figurative marks.

The department continued to store also international applications and EU-applications in the same database. Nowadays a modern database is upheld and consists of all relevant trademark applications including images.

#### **V. Activities in the field of computerized trademark search systems**

The Department is connected to the system Internet and to E-mail. All employees have their own e-mail address and there is also official e-mailaddresses for the Department. Every employee has his own p.c., which is connected in a local area network with two local NTservers. By an ATM communication-line the Department in the city Söderhamn then is connected with the IBM mainframe and other servers in Stockholm.

The examination system (Ptolemy) has been very important tool for the Department in the ambition to streamline the process and reduce the examination time. This system is tight connected with the search system (Acsepto).

Since 2006 the same IT-system was expanded and it became possible to register and examine also design applications.

#### **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)**

PRV's business development includes close and ongoing contacts with its customers.

All processes in the department have been charted, analysed and updated and are now available via PRVision under The way we work (VSAA).

The areas of improvement are the same for all the business branches – information and processing. In the survey, it emerged that approximately 60 percent of the respondents would have submitted applications via PRV's website if this service had been offered, and that approximately 40 percent wished to monitor their applications via the website. During the year 2011 we have continued to work with these important areas.

An intensive quality work has been conducted throughout the entire authority, resulting in ISO certification. An external organisation made follow-up revisions with good result for PRV. The system has been upgraded to the standard ISO 9001:2008 mostly because of improvements in the areas of development, education, taking care of reactions from clients, project management and document management.

In order to improve quality, quality checks are now carried out for trademark applications and also for renewals and changing of diaries. Since the beginning the checks relating to trademarks commenced have been inspected as regards quality. The result of this is that the processes have been successively improved since the examination results are leading to process analyses.

Within the Trademarks area there is a marked increase in demand for preliminary investigations. 259 preliminary investigations were produced 2010 compare with 238 for year 2009.

Demand for international searches has increased. At present, these are performed in the national authorities' databases.

On the whole, all assignments are conducted within PRV InterPat, although in order to maintain expertise and the potential for backup in the event of illness and holiday, an exchange takes place between the Designs and Trademarks Department and PRV InterPat.

The international work is continuing with the establishment of an IT standard for communication and the transfer of information relating to application and registration details. Collaboration is taking place with WIPO and OHIM.

The IT system was approved and commissioned also for the processing of design applications. The business branches Trademarks and Industrial Designs therefore employ the same system, which has created good opportunities for co-ordination benefits.

#### **VII. Matters concerning mutual exchange of trademark documentation and information**

PRV has drawn up a strategic plan for the period 2011–2012. Within the strategic plan, the focus has to a great extent been placed on marketing and on making intellectual property rights (IPR) available. The background to this is the conviction that IPR is a central competitive tool for the Swedish export industry, as well as the insight that awareness and knowledge of intellectual property rights systems in Swedish business are at a worryingly low level.

PRV is continually working to distribute general information about various industrial rights, about its own operations and about the content of relevant databases via various channels. The vision is for all innovators, entrepreneurs and other stakeholders to be aware of the value of patent, trademark and design systems, and to make an active choice when it comes to using intellectual property rights.

PRV's single most important information channel is the external website [www.prv.se](http://www.prv.se). The site had approximately 0.95 million hits in 2011 divided between approximately 0.5 million hits individual visitors (for the whole PRV). A new version was launched. Both people visiting us for the first time and more professional users will benefit from the content, as well as being able to navigate clearly and logically to the desired information or services. For this reason, the users have also been involved in the development work through user tests. PRV's website has essentially also been translated into English.

PRV and twenty-six other patent and trademark offices have been partners in an EU project in the field of intellectual property rights that is targeted at small and medium-sized companies. In addition to authorities, research and innovation organisations with considerable experience of intellectual property rights are included. The purpose is to increase companies' interest in and knowledge about intellectual property rights, as well as to integrate intellectual property rights in innovation strategy and business processes.

PRV is also participating in trade fairs with the aim of increasing knowledge about IPR, primarily among small and medium-sized companies. By attending labour market days at the institutes and universities of technology, students have obtained information about both PRV and the value of IPR. The collaboration with schools and companies enables PRV to reach its customers with information about intellectual property rights.

Information about relevant areas of protection can also be found in a number of brochures that PRV produces and supplies.

PRV also has a library, which is a national source of expertise in the field of intellectual property rights. The library is open during office hours and has a reading room where the general public can obtain qualified assistance.

In order not to exclude customers who currently do not have access to the Internet or who require information or assistance in some other way, there is a separate, PRV-wide customer service operation that is staffed during normal office hours. It receives more than 55,000 calls each year. Common questions include identifying the appropriate form of protection on the basis of a described situation, gaining assistance in finding information in various databases, or obtaining information about the current status of various applications.

PRV has also introduced a systematic system for receiving and processing customer opinions. The system is administered by the customer service function.

## **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)**

Our perception is that knowledge about IPR is still worryingly low, particularly among small and medium-sized companies. On the basis of the strategic plan, PRV has established a market organisation that will be responsible for PRV's aggressive market efforts. The surplus that exists in the operation provides the economic opportunities. PRV will propose increased training efforts as well as assistance and support for innovators.

In the PRVLink portal, the trademark database has had a proper facelift including a number of new search services. Also worthy of mention are the potential to save monitoring profiles, search for figure classes, search for quotes and select between text and figure presentation. The trademark section is the last in the portal to be provided in English. All the databases in the portal have also been provided with a common login, which makes it easier for customers who use several of the databases.

It is now also possible for customers to view the balance in their deposit account via PRVLink.

The national education has been hard hit by the worsening economic situation. Although there are a number of courses conducted focusing on basic courses in the different sites.

Collaboration with the University has begun with a view to developing a web-based training in intellectual property.

Employees from PRV have participated in several national and international working groups, meetings and conferences during the 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:**

The office's website is:  
<http://www.prv.se/>

At the end of the year the department had 82 employees (5 of these are working as national experts at OHIM), corresponding to 72 person-years. 38 person-years were exclusively working with trademark issues. Staff turnover (excluding retirements) amounted to 10 percent.

An annual survey of the physical working environment has been carried out. The purpose was to chart which measures were required in the physical working environment at various levels: individual, per section/unit/department and for shared premises. Action plans including measures have subsequently been drawn up.

The management group at the department was transformed into a strategic management team comprising departmental manager, unit managers, process owner, departmental attorney and business controller.

In the department we are also responsible for the business activities within trademarks and designs. They work with commission and information in tight connection with the trademark- and design unit.

Their business is completely dependent from the customers demand. Essential areas to work with are databases, search tools, high competition, education, business relations, information and finally to find new business areas in the field of industrial designs and trademarks.

During the year, an expansion of skills among the operations in the department has been launched. The expansion of skills is a precondition for a more flexible use of the resources within the department.

Essential projects during 2011 have been to start development of a common IT-system for the whole department, standardisation with Wipo and OHIM, electronically renewals and creation of electronically archive for international trademarks , Euroclass and finally to work with implementation of new trademark law from 1st July 2011.

The income, related to trademark, amounted to SEK 49,3 million, compared with the budgeted figure of SEK 48 million.

The costs, related to trademark, amounted to SEK 49,3 million, compared with the budgeted figure of SEK 50,4 million.

The result was a profit/loss of zero SEK compared with the budgeted figure of SEK -2,4 million.

## **X. Other relevant matters**

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Yours sincerely

Mr Gunnar Lindbom  
Controller  
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