

CWS.ATR.PI.2010.EE

Annual Technical Report 2010 on Patent Information Activities submitted by Estonia (CWS /ATR/PI/2010/EE)

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.

The term "patent" covers utility models and Supplementary Protection Certificates (SPCs). Offices which issue design patents should report their design patent information activities in their Annual Technical Reports on Industrial Design Information Activities.

I. Evolution of patent activities

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

Inventions can be protected as patents or utility models on the grounds of the Patents Act and the Utility Models Act, which entered into force on 23 May 1994.

97 patent applications were filed in 2010, including 7 PCT applications, 263 decisions on patent applications were issued and 120 patents were granted, 166 utility model registration applications submitted, 120 decisions on utility models were issued and 107 utility models registered. Estonian applicants filed 84 patent applications and 158 applications for registration of a utility model. Estonian applicants filed 18 international patent applications for forwarding to WIPO.

On 31 December 2010 the number of pending applications was 491 patent and 179 utility model registration applications.

From the patent applications received in 2010 87% were from Estonian applicants, 9% from the member states of the European Union (excluding Estonia) and 1% from USA.

By fields the largest number of patent applications filed by Estonian applicants were related to physics and electronics (including IT) – 12, medical products and medical science – 7, construction – 7 and agriculture – 5.

Inventions can be protected by the European patent in Estonia since 1 July 2002, when Estonia became a full member of the European Patent Organisation (EPO). Starting from that date Estonia can be designated in the European patent application as a state where an European patent is intended to be validated. Besides, Estonian and foreign applicants can file a European patent application via the Estonian Patent Office to the EPO.

To validate an European patent in Estonia the proprietor should file a translation of the patent specification into Estonian with the Estonian Patent Office within 3 months from issuing a notification of the grant of the patent by the EPO and pay the prescribed fee for making it available to the public. Upon payment of an additional state fee the term for submitting the translation can be extended by 2 months.

The European patent valid in Estonia is legally equal to the Estonian patent. The Estonian Patent Office keeps the register of the European patents valid in Estonia.

To keep an European patent valid in Estonia the proprietor has to pay a renewal fee for each year of validity, starting from the second year after the EPO has notified of the grant of European patent. The state fee can be paid up to 6 months before the due date for payment or, in case of paying the supplementary fee, up to 6 months after the due date for payment. The due date for payment is the last day of the calendar month in which the year of validity of the European patent starts. The first European patents entered into force in Estonia in 2004. By the end of 2010 there were in total 3997 European patents valid in Estonia. The number of European patents to be validated in Estonia shows a slow, but constant rise. By the end of 2010 no European patent applications to be forwarded to the EPO had been filed with the Estonian Patent Office.

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

From the patent applications received in 2010 87% were from Estonian applicants, 9% from the member states of the European Union (excluding Estonia) and 1% from USA.

By fields the largest number of patent applications filed by Estonian applicants were related to physics and electronics (including IT) – 12, medical products and medical science – 7, construction – 7 and agriculture – 5.

From the utility model applications received in 2010 95% were from Estonian applicants and 1% from the member states of the European Union (excluding Estonia).

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

http://www.epa.ee/client/default.asp?wa_id=565&wa_object_id=1&wa_id_key=

II. Matters concerning the generation, reproduction, distribution and use of primary and secondary sources of patent information

Publishing, printing, copying (main types of publications of the Office in the field of patent information, etc.)

The Estonian Utility Model Gazette – a quarterly, published since October 1994;
The Estonian Patent Gazette – 6 issues annually, published since December 1995;

Since 1 January 2003 the official gazettes of the Estonian Patent Office are available also electronically (in pdf-format, <http://www.epa.ee/default.asp?id=512> and <http://www.epa.ee/default.asp?id=513>):

Techniques as recording, microfilming and photocomposing are not in use.

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

The Estonian Patent Office homepage at www.epa.ee was currently updated. Rss-reader was added. The homepage enables access to patent, utility model, industrial design, trademark and geographical indication registration information both in Estonian and English. It also contains all legal acts (Estonian legal acts are in Estonian), regulations and international agreements by the Government of the Republic and Minister of Economic Affairs, and other legislation as well as material on legal protection of industrial property, relevant links, current news and the public databases of subjects for legal protection of the Estonian Patent Office, EPO, WIPO, OHIM.

URLs of web pages of the Office's website that provide access to online publication of patent documents and gazettes, and to other primary and secondary sources of patent information, including patent publication servers and download of bulk patent data

http://www.epa.ee/default.asp?wa_id=512

http://www.epa.ee/default.asp?wa_id=513

Databases: http://www.epa.ee/client/default.asp?wa_id=915&wa_object_id=1&wa_id_key=

III. Matters concerning abstracting, classifying, reclassifying and indexing of technical information contained in patent documents

Abstracting, reviewing, translating

Translation of the IPC into Estonian is available on the Internet at the address <http://wipo.int/classifications/ipc/ipc8/>

Classification¹, preclassification² (if applicable), and reclassification³ activities; Classification system used, e.g., International Patent Classification (IPC), other classification (please indicate whether or not patent documents are classified by your Office and, if so, which classification is used)

Applications are classified in accordance with the International Patent Classification, core level.

Bibliographic data and full-text processing

In the Patent Gazette there are published the most important bibliographic data (including patent classification, excluding abstracts and figurative accessories) of the patent applications laid open to public inspection after the lapse of 18 months from the filing date and bibliographic data (including patent classification, abstracts and figurative accessories) of the granted patents. The first pages of patent specifications contain the abstracts in Estonian and in English.

IV. Search file establishment and upkeep

File building

The collection of patent documents comprises over 53,9 million documents from 26 different countries and 2 organisations on paper carrier (about 2,1 million), in microfilm or microfiche form (about 6 million) and increasingly also on CD-ROM/DVD-ROM (about 45,8 million) and official patent gazettes from 34 countries and 2 organizations.

The search files are arranged partly according to the IPC and partly according to the number of patent document. Usually it depends on the data arrangement on data carrier (are the data sorted by the document number or IPC).

The library collection includes also monographs and reference literature on industrial property protection as well as non-patent literature.

The stock of the legal, scientific and reference literature is arranged according to the common principles employed in the libraries when dealing with book or journal files.

V. Activities in the field of computerized and other mechanized search systems

In-house systems (online/offline)

The databases of the office are the core subject of the information system. These databases are administered by the Common Software (CS). CS is a system with client server architecture, based on the database software Informix and operation system UNIX. Automated data entry software SPIRIT-MECA is also integrated to CS. To facilitate trademark examination procedure the software ACSEPTO of figurative and verbal searches is in use. The search base is quite large containing data of trademarks valid in Estonia and Community trademarks, also data of the emblems, official control and warranty signs and names of international intergovernmental organizations under protection in compliance with Article 6ter of Paris Convention for the Protection of Industrial Property. In cooperation with the European Patent Organization there is a direct connection (Patnet2) that enables the examiners to use the databases of EPO in their work.

Several e-services are available at our homepage. The portal of electronic filing of trademarks has been accessible since April 2007, in 2008 software for the electronic filing of patent, utility model and industrial design applications was added, as well as software for filing the Estonian-language patent specifications of the European patents validated in Estonia. So digitally signed applications can be filed without coming to the Office. The portal is available at the address online.epa.ee. In addition, the services of the databases of electronic searches have been available on the web page of the Estonian Patent Office (www.epa.ee) for a long time.

External databases

EPOQUE, Delphion, Esp2cenet, USPTO, Derwent, ROSPATENT, SciFinder, Chem.Abstr., PubMed, EBSCOhost, DEPATISnet, Epoline, Google Patent Search-BETA, PCT Applications, Estonian Patent Applications and Patents, European Patents Validated in Estonia, Estonian Utility Models, Vivisimo.

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

The work area of the Estonian Patent Office requires the use of many information technology facilities. In 2010 the Patent Office had 80 computer workplaces, supplied with the required software, external devices and means for data communication. There were 11 server computers for the common serving of work computers connected to the Internet. These means form a closely integrated system and it is essential in the everyday work of the office that it functions without failures.

VI. Administration of the industrial property office library, and information products and services available to the public (relating to facilities, e.g., for lodging applications, for assisting clients on searching procedures, for obtaining official publications and registry extracts)

Estonian Patent Library is an independent library financed from the state budget. It is housed in a building from 1903 originally not meant for library use. During non-business hours it remains locked and is controlled by guards. In addition to that an alarm system was installed in 1996. The Estonian Patent Library provides services to the general public. As the library works in close cooperation with the Estonian Patent Office its main task is to serve the examining and professional staff of the Estonian Patent Office. The library acquires, processes and maintains patent documents, patent gazettes and other patent and non-patent literature. The older part of the collections is on paper, microfilm or microfiche. Now the majority of patent documents are on CD/DVD-ROMs. The library collections are acquired by purchases (the financial resources for it are allocated from the state budget) and by exchange of publications with other industrial property offices under international agreements.

The Estonian Patent Library is the only library that collects and processes patent literature in Estonia. Library participates in the interlibrary lending at the national or the international level. Lending requests are satisfied by e-mail, ordinary mail or by fax.

The patent and trademark gazettes as well as reference literature are kept in the public reading rooms; other materials, i.e. patent documents, are stored in the stock-rooms and are lend at the request of the users. The library also stores the collection of the official gazettes and specifications of the Estonian Patent Office.

The users can carry out searches using CD/DVD-ROMs at 9 workstations.

The following CD/DVD-ROM collections are available:

ESPACE ACCESS A and B

ESPACE-ACCESS-EPC

ESPACE FIRST

ESPACE BULLETIN

ESPACE LEGAL

ESPACE EP

ESPACE WORLD

ESPACE AT

ESPACE CH

ESPACE DK (1990-1998)

ESPACE FI

ESPACE FR A

ESPACE UK

German databases:

DEPAROM KOMPAKT

DEPAROM ACT

DEPAROM U

US databases:

US Patents BIB

US Patents Class

US Patents Assist

US Patents & TM Assign

USA App

USA Pat

Other countries:

PAJ Patent Abstracts of Japan

PAJ/INDEX

Patents of Russia (Full specifications)

ESPACE-ACCESS-RFD

Utility models of Russia (1994-2004, first pages)

The inventions protected in the Republic of Moldova (1993-2007)

CNPATE-ACCESS

China Patent Applications

The library has the direct Internet access to the INPADOC databases through Open Patent Services interface. In-house online access is established to the commercial databases Derwent Innovations Index and Questel-Orbit via the Internet connection. These databases are charged on the bases of annual fees, Questel-Orbit is also charged on the bases of usage.

The library offers copying services from paper or microforms. The users can order printouts of the documents on CD/DVD-ROMs. These services are offered for a moderate price. Library also offers more advanced services – patent information researches. User can claim for an advanced research in his favourite technical field, results will be printed and analysed and added to research report dossier.

Other services are free of charge: in the reading rooms the readers can use reference materials, monographs, other books and periodicals and carry out searches in patent documents on paper.

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

Databases of the inventions: http://www.epa.ee/client/default.asp?wa_id=915&wa_object_id=1&wa_id_key=

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

<https://online.epa.ee/>

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

http://www.epa.ee/client/default.asp?wa_id=970&wa_object_id=1&wa_id_key=

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

http://www.epa.ee/client/default.asp?wa_id=823

VII. Matters concerning mutual exchange of patent documentation and information

International or regional cooperation in the exchange of machine-readable information, e.g., bibliographic data, abstract and/or full text information

We forward data of patents and utility models to the EPO in accordance with publication of the bulletin (espacenet), data of the fees and legal status of the continued validity of European patents to the EPO quarterly.

VIII. Other relevant matters concerning education and training in, and promotion of, the use of patent information, including technical assistance to developing countries (please indicate URLs of web pages of the Office's website wherever appropriate)

Training courses for national and foreign participants, use of audiovisual means

In 2010 the seminars held in the classroom of the Patent Office played an essential role. Namely, the Small-Sized Enterprise Support Division arranged 8 seminars in the classroom (4 on the legal protection of inventions and 4 on registering trademarks). In total 143 people took part in them. Demand for such seminars is also high.

In addition, cooperation with other institutions is still important for the Small-Sized Enterprise Support Division. For example in March a seminar was arranged for the students of Tartu Art College in order to rise their knowledge about intellectual property. 50 people took part in the seminar.

Cooperation with Tallinn City Enterprise continued successfully in 2010. On 6–7 October there was a subsequent Tallinn Entrepreneurship Day where the Patent Office participated in cooperation with the Estonian Patent Information Centre. On both days the Patent Office was there with an info desk, providing materials and publications on intellectual property. The examiners could also be consulted. In the framework of Tallinn Entrepreneurship Day a seminar Invention and Cooperation took place.

Besides the above-mentioned the Patent Office in cooperation with Tartu City Government arranged an info day for entrepreneurs Intellectual Property in Small and Medium-Sized Enterprises in Tartu. The info day took place on 27 April and was dedicated to celebrating the World Intellectual Property Day.

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

Since May 2003 the examiners of the Patent Department have organized free consultations to small and medium-sized enterprises as well as natural persons on how to prepare patent and utility model applications. In total 257 hours of consultations were provided to 257 persons in 2010.

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 patents

http://www.epa.ee/client/default.asp?wa_id=456&wa_object_id=1&wa_id_key=
(mainly in Estonian)

contain the Annual Report of the Office

http://www.epa.ee/client/default.asp?wa_id=922&wa_object_id=1&wa_id_key=

contain patent-related news regarding the Office

http://www.epa.ee/rss.asp?wa_site_id=2

X. Other relevant matters

1.	Classification is allotting one or more classification symbols (e.g., IPC symbols) to a patent application, either before or during search and examination, which symbols are then published with the patent application.
2.	Preclassification is allotting an initial broad classification symbol (e.g., IPC class or subclass, or administrative unit) to a patent application, using human or automated means for internal administrative purposes (e.g., routing an application to the appropriate examiner). Usually preclassification is applied by the administration of an office.
3.	Reclassification is the reconsideration and usually the replacement of one or more previously allotted classification symbols to a patent document, following a revision and the entry into force of a new version of the Classification system (e.g., the IPC). The new symbols are available on patent databases.