

SCIT.ATR.TM.2003.UA

Annual Technical Report 2003 on Trademark Information Activities submitted by Ukraine (SCIT/ATR/TM/2003/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 (according to the national procedure) with respect to the previous year:

Applications filed:

in 2002 – 11322, in 2003 – 13772, i.e. 22% more with respect to the previous year.

Registered:

in 2002 – 6642, in 2003 - 7706, 16% increase.

Trends and areas experiencing rapid changes with respect to the previous year (after the Nice classification): Class 35 (Advertising; business management...) – 17%; Class 16 (Paper, cardboard and goods made from these materials...) – 6%; Class 30 (Coffee, tea, cocoa...) – 5,7%.

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

Information concerning the issue of Ukrainian certificates for the registered marks for goods and services (bibliographic data of the registered marks with the INID codes, graphic images) is published in the corresponding part of the official gazette "Promyslova Vlasnist" ("Industrial Property").

Beginning with issue No.7/2003 the official gazette "Promyslova Vlasnist" includes the part "Information on the validity in the territory of Ukraine of the marks for goods and services registered under the Madrid Agreement Concerning the International Registration of Marks".

In every issue of the "Promyslova Vlasnist" gazette the current classification and numerical indexes of marks for goods and services are published. Besides the above-mentioned, the Annual Index to the gazette also comprises the numerical index of applications and the name index of trademark owners.

In the year 2003 works on the development of the electronic official gazette "Promyslova Vlasnist" on CD-ROM were carried out.

During 2003 the official gazette "Promyslova Vlasnist" was delivered free of charge to the State Scientific and Technical Library, the Ukrainian Institute of Scientific, Technical and Economic Information and 22 Scientific, Technical and Economic Information Centres in different regions of Ukraine. This edition was also disseminated by subscription.

In the year 2003 the publication of the scientific and practical periodical "Intelektualna Vlasnist" ("Intellectual Property") continued. Therein theoretical and practical issues on the legal protection of intellectual property were elucidated, the official information, normative documents and comments on them, consultations of experts were placed. The periodical is published in Ukrainian, its contents and, starting with issue No.12 /2003, annotations of the articles, also in Russian and English.

A technology of producing the CD-ROM "Marks for Goods and Services Registered in Ukraine" was developed in 2003.

A notification on the sources of information on marks for goods and services available in Ukraine was presented in the separate section "Information Resources" of the website of the State Department of Intellectual Property (www.sdip.gov.ua).

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

The Ukrainian language version of the 8th edition of the International Classification of Goods and Services for the Purpose of Registration of Marks (the Nice Classification) was used for the classification of marks.

For indication of goods and services applicants are required to use the pre-defined terms, which are used in the Nice Classification (the 8th edition).

No reclassification of goods and services according to the 8th edition of the Nice Classification was carried out in respect of the applications examined during 2003.

IV. Trademark manual search file establishment and upkeep

The trademark search file is composed of the "Znaky dla Tovariv i Poslug" ("Marks for Goods and Services") automated system database and the ROMARIN international registration automated system database on CD-ROM, which is produced by the International Bureau of the World Intellectual Property Organization (WIPO).

V. Activities in the field of computerized trademark search systems

In the year 2003 a universal software tool was developed aiming at the improvement of the AS "Znaky dla Tovariv i Poslug" ("Marks for Goods and Services") which permits to implement the current changes in the legislation and to extend the functional possibilities of the AS. In particular, a software complex was created for the carrying out of the function of the improved formation and printing of the protection documents for the marks for goods and services; software was developed for the reference and search subsystems of the AS "Znaky dla Tovariv i Poslug". A software tool for checking the list of goods and services as filed with the application as to their compliance with the 8th edition of the Nice Classification was developed and incorporated into the procedure of the application processing. This tool has eliminated the tedious manual operation and accelerated the processing of the applications at the stage of the formal examination. Software for the automated forming and printing out of the corresponding parts of the master copy of the Annual Index to the official gazette "Promyslova Vlasnist" was improved. Software was developed for the introduction of the 5th edition of the International Classification of the Figurative Elements of Marks (the Vienna Classification) for the identification of the images of the marks in the AS "Znaky dla Tovariv i Poslug"; for automated control of the conclusions on the compliance of the designation to the conditions of the grant of legal protection based on the results of the substantive examination; for preparation for the publication of the information about the validity in the territory of Ukraine of marks for goods and services registered under the Madrid Agreement Concerning the International Registration of Marks. A centralized database "Information about the International Registration of Marks Granted Legal Protection in Ukraine" for the purposes of examination and publication was created. During the year 2003 the "Marks for Goods and Services" automated system database was replenished with the data of 13772 applications and by December 31, 2003 comprised data of 78476 applications for marks for goods and services. The interactive database "Marks for Goods and Services Registered in Ukraine" has been in the process of development; it will be connected to the Internet with the purpose of providing access to the information for the wide range of users.

VI. Administration of trademark 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)

In the Public Fund of Patent Documentation (the patent library available to the public) readers were able to use the "Promyslova Vlasnist" official gazette, as well as the official bulletins of 42 foreign industrial property offices, which include announcements on trademarks on paper carriers or on CD-ROM, the WIPO bulletin "WIPO Gazette of International Marks" (on paper carriers and on CD-ROM), the DEMAS CD-ROM containing information about German marks for goods and services and the Russian product "Trademarks of Russia". The Ukrainian language version of the eighth edition of the Nice Classification on paper carriers, as well as on CD-ROM, was used. Extracts from the Ukrainian State Register of Certificates for Marks for Goods and Services were issued on request.

VII. Matters concerning mutual exchange of trademark documentation and information

In the framework of international exchange the official bulletins containing trademark information from 37 foreign industrial property offices were received. Besides, WIPO sent its bulletin "WIPO Gazette of International Marks" on paper carriers and on CD-ROM, as well as the publications of international marks on CD-ROM "ROMARIN"; the German Patent and Trademark Office provided, in addition to its bulletin, its CD-ROM product "DEMAS" and Rospatent – its CD-ROM "Trademarks of Russia". The Offices that are our exchange partners received the "Promyslova Vlasnist" official gazette containing publications on marks for goods and services registered in Ukraine.

VIII. Matters concerning education and training including technical assistance to developing countries

One of the tasks of the State Department is the coordination of activities concerning the development, improvement and functioning of the system for training of intellectual property specialists in Ukraine. Today 12 institutions of higher education in Ukraine hold license for specialist's and master's degree training in the field of intellectual property with the total license capacity of 500 persons per year. The most important educational institution in the field of intellectual property is the Institute of Intellectual Property and Law (IIPL). The IIPL is the basic institution for training and raising the skill level of the professionals in the field of intellectual property and the lecturers, and also for developing curriculums, training programs and teaching and methodical literature, in particular on the subject "Intellectual property basics" for secondary education institutions. In 2003 the State Department organized, conducted and participated in 13 conferences and seminars concerning the protection of intellectual property rights. In particular, the State Department took part in the work of the Interstate trade exhibition of industrial technologies, means of production, goods and services of the CIS countries which was held in Kyiv. At the exhibition were presented the Internet stock-exchange of intellectual property, the specialized database "Vynakhody v Ukraini" ("Inventions in Ukraine"), the information products on CD-ROM produced by the Centre of Innovatics and Patent Information Services.

IX. Other relevant matters