

# SCIT.ATR.TM.2003.GB

## Annual Technical Report 2003 on Trademark Information Activities submitted by United Kingdom (SCIT/ATR/TM/2003/GB)

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

#### National Applications

2002 Applications: 27,525 Classes: 32,540

2003 Applications: 26,524 Classes: 31,846

#### International designations

2002 8,488 Classes: 11,715

2003 7,220 Classes: 8,905

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

Both national applications and additional classes show a slight reduction in 2003. International applications during 2003 show a reduction of 15% compared to 2002.

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

The weekly Trade Marks Journal is published weekly in electronic form only. The Journal is produced and edited via networked PCs by the JEEPS system using BroadVision QuickSilver desk top publishing software. Bibliographic data for the Journal is transferred from the mainframe OPTICS system with figurative data being taken from the IBIS (Integrated Bibliographic and Image System). Once published marks face a three months period where opposition may be filed before registration is achieved.

Designations made under the Madrid Protocol are also published in the Trade Marks Journal for opposition purposes.. Bibliographic and figurative data are obtained from the specialised TMAD system.

Both national and Madrid Protocol designation areas of the Journal are searchable by agent, proprietor, mark or image.

A downloadable pdf version of the Journal is also available from our web site and version are available for a subscription on CD.

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

The electronic journal also contains lists of announcements relating to trade mark applications and registrations. This is called the Journal Backpart. Announcements include changes to names & addresses, marks entered on to the register, marks removed from the register, assignment of marks and details concerning licensees.

Notices regarding changes of practice, office procedures, names and contact details of office officials and other changes are published on our web site. [www.patent.gov.uk](http://www.patent.gov.uk).

#### Word processing and office automation

All staff in the UK Trade Marks Registry are equipped with networked Pentium 4 PCs which are connected to a local area network running IntraNetWare 6. Standard office automation products available to all staff include Microsoft Office products such as Word and Novell GroupWise for e-mail.

An object orientated system is available for generating examination reports. This uses DAIS, a CORBA compliant object request broker, to manage the acquisition of bibliographic data from the OPTICS mainframe and the image data and its inclusion in a WordPerfect report. This system is known as TERN. The image database system IBIS is based on Documentum but is customised to our own requirements. The IBIS system allows for the viewing of bibliographic information in addition to figurative details.

A PC system called QUALS is available to trade mark examiners via their networked PCs allowing them to view and print details of cases discussed at weekly quality meetings.

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

The main channels for the distribution of trade mark information are:

- a) For individual applications or registrations through the Trade Marks Journal advertisement and through changes notified in the Journal Backpart
- b) Via our web site. This may be specific to trade marks or more generally. Important announcements are highlighted by way of a "Hot Topic" item.
- c) Through the supply of data to commercial information providers on a contractual basis

### **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 state 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)**

The UK uses the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) 8th Edition. Applicants are not obliged to use pre-defined terms but any terms which are not understood or which are unclear will be queried during the examination process. A searchable electronic version of the UK classification listing all the acceptable goods and services terms is available to examiners. This guide is also available via the Internet.

For figurative marks the UK uses a version of the Vienna Classification system. This is consistent with the full version of the system but for some figurative marks the UK does not go below the second level, and for others a number of entries have been amalgamated.

The classification of figurative marks is undertaken by office staff at the time the mark is scanned into the IBIS image system. The classification can be amended subsequently if necessary.

**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**

No electronic classification systems are used to check the lists of goods & services provided by applicants. A searchable database of enhanced acceptable classification terms is available via our web site.

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

There is no obligation for applicants to use pre-defined classification terms. General classification advice can be obtained from our Central Enquiry Unit or from our specialist Classification team who are available via the telephone during office hours or via e-mail, fax or written enquiries. As new terms are deemed acceptable they are added to our classification database available to trade mark examiners and via the Internet.

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

#### **File Building**

Trade mark applications can be made via a paper form or for larger filers electronically via the PaTras system.

Both conventional paper and electronically filed applications are built into paper case files. Case files are kept in examination areas until the application reaches publication stage. Once publication has been achieved the files are despatched to our storage facility.

No manual search file is held.

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

#### **In-house systems (online/offline)**

Two systems are used for word searching. These are the Marksman system developed by the Swedish Patent Office which is the primary system used by trade mark examiners. Word searching can also be undertaken using the OPTICS mainframe system. Figurative searching is undertaken via the IBIS system. The statutory search undertaken covers UK national marks, designations to the UK made through the Madrid Protocol, OHIM marks and the search will include designations made to OHIM through the Madrid Protocol during 2005.

#### **External databases**

No external databases are used for trade mark search. Community trade mark information is downloaded using the OHIM XML data which is then processed in a reception system. This data is then integrated into the search systems OPTICS, MARKSMAN and IBIS.

#### **Administrative management systems (e.g., register, legal status, statistics, administrative support, etc.)**

The OPTICS, IBIS, TERN and TMAD systems produce statistics. The TERN system produces statistics which identify the number of and the results of the examination process. Records are kept of the number of objections taken on absolute and relative grounds.

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

UK Trade Mark staff access the search systems via their networked PCs. Advanced plans are in progress to migrate from Windows NT to Windows XP in 2005.

## **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)**

Applications may be made by post, in person, by fax and electronically through the PaTras system which allows customers to file directly by sending us an xml file or by means of an automatically generated e-mail. A data capture module has been added to the system that allows data to be added, viewed and customised as required by the applicant.

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

The UK national Trade Mark Journal is available via the Patent Office web site. There is no ongoing programme of mutual exchange of trade mark documentation but documentaion is made available on request.

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

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

Patent Office trade mark staff attend events, seminars and exhibitions throughout the United Kingdom. Our Marketing Section also undertake a wide range of activities designed to highlight trade marks.

### **Training courses for national and foreign participants**

Training courses and seminars are undertaken by Patent Office staff on a wide range of topics including current trade mark examination practice and inter partes actions. Speakers are also offered to seminars arranged by other organisations covering topics such as e-business.

Office staff also lecture on trade mark law and practice at a number of UK Universities

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

Office experts have visted a number of countries to offer assistance and visits have been made by staff from several countries.

## **IX. Other relevant matters**