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Annual Technical Report 2007 on Industrial Design Information Activities submitted by Republic of Moldova (SCIT/ATR/ID/2007/MD)

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 expression "industrial designs" covers industrial designs and models. Offices which issue design patents should report their design patent information activities in this series of Annual Technical Reports.

I. Evolution of registration activities

393 applications for the registration of 1471 industrial designs were filed with the AGEPI in 2007. Of these, 85 (21.6%) applications were filed under the national procedure, including 353 (24%) industrial designs, and under the Hague Agreement – 308 (78.4%) applications with 1118 (76%) industrial designs. The number of applications decreased by 50 (11.3%), compared with the previous year, including by 28 (24.8%) – under the national procedure and by 22 (6.7%) – under the Hague Agreement procedure, and that of industrial designs included in these applications decreased by 104 (6.6%), respectively – by 60 (17%) and by 44 (4%). In the period under review, the national applicants filed 66 applications (17 per cent of the total number), with 294 (20%) industrial designs covered therein, being attested a decrease of 30 per cent in the number of applications and of 17 per cent in the number of industrial designs, compared with the previous year. The absolute majority – 64 (97%) applications with 276 (94%) industrial designs – was filed by these applicants under the national procedure and only 2 applications (3%) with 18 (6%) industrial designs – under the Hague Agreement procedure.

The foreign applicants filed 327 (83%) applications and 1177 (80%) industrial designs of the total of filed ones, respectively, by 6.3% and by 3.7% less than in 2006. Most of them – 306 applications (93.6%) with 1100 (93.5%) industrial designs were filed under the Hague Agreement procedure, whilst under the national procedure – 21 (6.4%) applications including 77 (6.5%) industrial designs. The weight of the latter constitutes, respectively, 24.7% and 1.8% from the total numbers relating to the national procedure. As in the previous years, the absolute majority of applications filed under the national procedure - 75% - proceeds from the national applicants and the absolute majority of applications filed under the Hague Agreement – 99% - from the foreign ones.

During the year 2007 there were subjected to substantive examination 104 applications covering 443 industrial designs, filed under the national procedure. Of these 9 applications (9% from the number of examined applications) and 103 industrial designs (23% from the number of examined ones) were rejected for lack of novelty. The substantive examination of 300 applications with 1033 industrial designs, filed under the Hague Agreement, resulted in the rejection for lack of novelty of only 2 (0.2%) industrial designs. 104 certificates of registration of 294 industrial designs were issued in the year under review, by 26 and, respectively, 36 per cent less compared with 2006. In 2007 there were registered 1011 industrial designs included in 297 international applications filed under the Hague Agreement.

Parallel to the applications for registration, 554 applications for the renewal of registration of 1644 industrial designs were filed in 2007, respectively, by 33.2% and 32.5% more than in the previous year. The absolute majority of renewal applications – 517 (93.3%) proceeds from foreign applicants, of these 511 proceeding under the Hague Agreement.

In 2007 there were renewed 58% (453 from 781) of the international registrations and circa 32% (34 from 108) of the national certificates of which term of validity expired in 2007, for these there being issued 34 certificates of renewal (by 38% less than in the previous year) of 91 industrial designs. Of the sum total of 928 industrial design certificates registration issued by the AGEPI during the entire period of its activity, 611 (66%) were valid on December 31, 2007, including 183 renewed, which constitutes 30% of the valid certificates. 453 international registrations including 1347 industrial designs were renewed in 2007. Although the number of renewed registrations increased by 17% compared with 2006, the number of industrial designs included therein remained approximately the same.

Statistical information on industrial designs is provided on the AGEPI site: <http://www.agepi.md/en/statistica/desene.php>

The year under review was notable for finishing of works of harmonizing the national legislation with the legislation of the European Union and adoption of the Law 161-XVI of 12.07.2007 on the Protection of Industrial Designs, in force from 30.11.2007.

II. Matters concerning the generation, reproduction, and distribution of industrial design documents and of secondary sources of industrial design information, i.e., official gazettes

The most important publications in the field of industrial design documentation are the following:

- The Official Bulletin of Industrial Property Protection (BOPI) – monthly publication (PDF format);
- The National Industrial Designs Register;
- The National Industrial Designs Applications Register.

BOPI includes Sections VI with information on industrial designs, from January 2000 onwards are available online via our AGEPI web site at www.agepi.md in portable document format (PDF).

Section VI contains:

- FF4L Registered industrial designs (bibliographic data and graphic reproduction);
- FG4L List of industrial design certificates issued in ...(date of issuing);
- FG4L List of renewal industrial designs;
- FG4L Numerical Index of industrial designs registered in the Republic of Moldova according to the Hague Agreement;
- FG4L Subject Index of industrial designs registered in the Republic of Moldova according to the Hague Agreement;
- NZ4L List of industrial designs renewed in the Republic of Moldova according to the Hague Agreement.

Section VII contains various types of notices referring to all amendments occurred to the legal status of the protected industrial property objects (List of amendments, List of assignment agreements, Errata, MK4L List of industrial design certificates the term of validity of which expired, etc), etc.

As from 2002, searches related to industrial designs, registered in the Republic of Moldova and published in BOPI, can be performed on-line via our web site www.agepi.md. The Collection contains graphic reproductions of the industrial designs and bibliographic data of the products.

III. Matters concerning classifying, reclassifying and indexing of industrial design information according to the classification systems applied

Republic of Moldova became a state party to the Locarno Agreement Establishing an International Classification for Industrial Designs (1968) on December 1, 1997.

The Agency uses the International Classification for Industrial Designs since 1994. All the documents are classified according to the Locarno Classification. The full texts (Romanian and Russian) of the Locarno Classification were published in BOPI.

The classification symbols (the 8th edition of the Classification) of an application are allotted by the applicant. It is up to the Agency to afterwards check, and eventually to correct, the classification symbols.

The classification is used for the novelty examination, for search purposes and for statistics.

IV. Search file establishment and upkeep

At the disposal of examiners in their daily practice, there are the following databases:

- National automated searchable database "Industrial Design", supporting a number of search fields;
- International applications received in the International Design Bulletin (paper form and CD-ROM);
- Card - files of industrial designs grouped by categories of the Locarno Classification, of the following countries: BY, BG, HR, MK, LT, TJ, UZ;
- Collection of FI, RO, RU, UA, HU, SK, GE, SI, EE, CZ applications received in the Design Bulletins (paper form, CD-ROM and searchable database); OHIM, UK (searchable database).

The searches cover a period of 14 years for the collection of industrial designs registered under the national procedure and - 19 years for the collection of industrial designs registered under the Hague Agreement.

Moreover, the manual paper search files consist of special books, periodicals, booklets, and a number of other lists and sources.

The examiner's search files are updated on a regular basis.

V. Activities in the field of computerized search systems for industrial designs

In the period under review the AGEPI elaborated and improved the following products:

- Program for management of the procedure for database "Industrial Designs" according to the new Law on the Protection of Industrial Designs, available in Romanian, English and Russian. At present, the "Industrial designs" Data Base contains information on the applications filed from 1993 up to date and on the registered objects. The users have access to the bibliographic data, images of industrial designs, for which the decision to register the industrial design has been taken.

All examiners have access to the Internet at their desks.

In 2004 up to 2007, a Data Base, including the international applications filled under the Hague system and designating the Republic of Moldova was elaborated. At present, this data base does not contain images, thus it is used as a register and for examination procedure without being used for examination novelty.

VI. Administration of industrial design information products and services available to the public (relating to facilities, e.g., for lodging applications, registering designs, assisting clients with search procedures, obtaining official publications and registry extracts)

The office library functions simultaneously as an in-house and public library. The AGEPI library is open to the public during 5 days (except Saturday and Sunday) from 9:00 to 16:00.

The Library Soft "IRBIS", for acquisition processes automation, formation of electronic catalogue "Books" and library administration, continue to be implemented in the AGEPI Library.

The Library Soft "IRBIS" formation of card index "IP ART" of actual articles in the field of IP from periodicals.

Due to new acquisitions, the electronic catalog of the Library collection was completed in 2007 with bibliographic descriptions of 367 books (DB "BOOKS"), 305 articles from periodical editions in the intellectual property field (DB "IP ART") and 86 scientific reports (DB "Scientific Results"), it reflecting by the end of the year under review with 6582 materials (4302 books, 1560 articles, 720 scientific reports).

In the year under review, the digital library consisted of 31 textual databases and 17 bibliographic and reference databases with a volume of 23,74 mln of documents, and the collection of specialized literature included 40252 copies of books, journals, dictionaries, encyclopedias in the technical-scientific, legal, financial-economic, informational fields etc.

On December 31, 2007, the collection of the AGEPI Library counted 23,8 mln of documents on electronic carrier, copies of books, periodical journals, on paper carrier, including: 4728 copies of books and booklets, 39232 copies of serial and periodical publications (journals, newspapers, official bulletins), 23744839 copies of documents on electronic carrier, and 7843 copies of national documents (patent applications, patents, utility models, plant variety).

Rendering of methodological assistance and provision of library-information services constituted priority trends in the activity of the AGEPI Library. The AGEPI Library has a general reading room and a specialized PC room. The total area of the AGEPI Library is 125 sq.m.

Visits to the AGEPI Library and services offered to all categories of readers are free of charge (except copying the documents from CD-ROM /DVD-ROM on paper or on CD / ROM, copying the documents from the Library paper Collection).

In 2007, the AGEPI Library registered 372 new readers, the sum total being of 996 readers, including 193 employees of the AGEPI. The beneficiaries of the AGEPI Library covers inventors, researchers, engineers and managers from different branches of the national economy, professors etc.

VII. Matters concerning mutual exchange of industrial design documentation and information

The AGEPI Library cooperates intensively with 56 territorial Libraries to which the IP information (official bulletins) and other literature in this field is furnished regularly. In the year under review were intensified the relations of collaboration with the university and public libraries. In the IP promotion activity there were mobilized libraries from the district centers situated in different zones of the republic.

By the end of the year 2007, the AGEPI Library concluded cooperation agreements with 32 district libraries, 2 – municipal, 5 – with republican statute, 9 – university and 3 specialized libraries. Alongside of the information assistance, organization and carrying out of IP promotion activities, one of the main trends is creation and systematic completion of the document collections in the IP field of those institutions. In that sense, 15 sets (250 copies) of AGEPI publications were transmitted to them as donation via the Book Foundation.

The AGEPI Library contributed to the dissemination of IP information by organization round tables:

- "Library and Intellectual Property" organized in cooperation with the chair "Librarianship and Informational Assistance" from the SUM, on the occasion of the Librarian's Day;
- "Library and Intellectual Property in the vision of the information promoters";
- Representative exhibition of AGEPI publications and launching of the publication "Official Bulletin of Copyright and Related" at the XVI-th edition of the "International Book Fair";
- Launching of the II-nd edition of the republican Competition "Library – partner in the promotion of intellectual property";

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)

For the space of the year 2007, the AGEPI provided for, independently or in common with other institutions and organizations, the organization of 17 practical-scientific, methodical-information and education symposia, conferences and seminars. On the other hand, in the year under review, the AGEPI personnel participated in the following international events related to industrial designs activity:

1. Seminar "Study cases on application of the trademark rights" and "Protection of community mark and community design", organized by the Romanian State Office for Inventions and Trademarks (Constana),
2. International Seminar on Protection of Community Trademarks and Designs, organized by the State Office for Inventions and Trademarks of Romania (Iai),
3. The 10th session of the WIPO Committee of experts of the Locarno Agreement on the institution of International Classification of Industrial Designs,
4. Seminar on the protection of common trademark and design, organized by the Romanian State Office for Inventions and Trademarks (Suceava),
5. The 17th session of the WIPO Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT);
6. The 18th session of the WIPO Standing Committee on the Law of Trade Marks, Industrial Designs and Geographical Indications (SCT).

Also, in the context of harmonization of the intellectual property system with the community system, were organized working visits to the Community Office for Harmonization of the Internal Market (OHIM), the Community Plant Variety Office (CPVO).

In order to acquaint with the experience of France concerning the creation and provision of the efficient functioning of the system for the protection of geographical indications, appellations of origin and traditional specialties guaranteed in the country and abroad, an AGEPI delegation made a study visit to the National Institute for Origin and Quality (INAO) of Paris.

IX. Other general information related to the Office that is available on the Internet -- URLs of web pages of the Office's website that:

X. Other relevant matters