

# **CWS.ATR.ID.2013.EE**

Annual Technical Report 2013 on Industrial Design Information Activities submitted by Estonia (CWS/ATR/ID/2013/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 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. GENERAL OVERVIEW OF RECENT DEVELOPMENTS IN INDUSTRIAL DESIGN INFORMATION ACTIVITIES CARRIED OUT BY THE OFFICE**

In Estonia the protection of industrial designs can be applied for on the grounds of the Industrial Designs Protection Act that entered into force on 11 January 1998. From 1 May 2004 legal acts of the European Community concerning industrial designs, including the Council Regulation 6/2002 /EC of 12 December 2001 on legal protection of the Community Designs, are also valid in Estonia.

Pursuant to the Regulation all industrial designs disclosed to public in the territory of the European Union automatically have a 3-year protection against copying as well as other existing possibilities for registration.

Estonia acceded to the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs on 23 December 2003. Common Regulations under the 1999 Act, the 1960 Act and the 1934 Act of the Hague Agreement entered into force on 1 April 2004. To protect an industrial design via the Hague system an application in English or French should be filed with the International Bureau of WIPO in Geneva, designating the countries where protection is wanted.

On 18 April 2008 an amendment entered into force, according to which it is also possible to file international applications via the Estonian Patent Office.

In Estonia industrial designs are registered by formal registration system. The Estonian Patent Office does not examine the industrial design as to its novelty, individual character, industrial applicability or the right of a person to file the application. The rights of the owner of the registered industrial design may be contested in court.

On 4 December 2008 the Estonian Patent Office started electronic receipt of applications for registration of industrial designs via a portal of electronic filing of applications for legal protection of industrial property.

The industrial design registration application can be sent online to the Patent Office only after it has been digitally signed by the applicant or a patent attorney. The Patent Office accepts other documents related to the application electronically, but they have to be digitally signed also. Upon request the Patent Office issues a notification of the acceptance of the industrial design application. The notification can be saved or printed. 21% of the applicants used the possibilities of e-filing in 2013.

In 2013 the Patent Office received 52 industrial design registration applications, including one application by division (i.e. one industrial design was divided into 2 different designs). The total number of applications was 53 (51 were filed by Estonian applicants), which is 33 applications less than in 2012. 22 applications and 63 divided applications were filed under the Hague Agreement. It makes the total of 85 international industrial design registrations (17 in 2012).

38 people were given altogether 22 hours of consultations in the Patent Office (37 people in 2012). In addition many more received advice by phone or e-mail. Besides that, lectures presentations were made for SME-s in the counties.

At the end of 2013 there were 13 national and 68 international applications pending. The average processing time of an industrial design is 1–2 months.

On 31 December 2013 there were in total 552 industrial designs in the Estonian register of industrial designs. 784 international registrations of industrial designs had been granted legal protection in Estonia. In addition there were 725, 964 industrial designs registered and disclosed to public by the European Community, including 549 from Estonia, and unregistered Community designs.

In 2013 the most popular designed products at registration of industrial designs were packages and containers for the transport or handling of goods (32%), articles of adornment (16%), building units and construction elements (14%), lighting apparatus (5%), clocks and watches and other measuring instruments, checking and signalling instruments (6.6%).

By country the majority of applications and international registrations were filed from Estonia (69%), France (19%) and Turkey (3%), followed by Belgium, Norway, Switzerland etc. (1%).

## TOP 2

Industrial designs registered in 2013

Estonia 56  
Lithuania 1

## TOP 5

International registrations of industrial designs entered into force in Estonia in 2013

France 14  
Turkey 5  
Norway 2  
Belgium 1  
Italy 1

## TOP 5

Registrations of industrial designs valid in Estonia, 31.12.2013

Estonia 417  
Finland 29  
Germany 13  
Sweden 13  
Denmark 13  
TOP 5

International registrations of industrial designs valid in Estonia 31.12.2013

Switzerland 637  
Germany 35  
France 31  
Turkey 12  
Hungary 8

## II. SERVICES AND ACTIVITIES RELATED TO INDUSTRIAL DESIGN INFORMATION CARRIED OUT BY THE OFFICE

**Information and support provided by the Office to applicants regarding filing on paper and/or e-filing (instructions, seminars, etc.) – URLs**

<http://www.epa.ee/en/industrial-designs/what-industrial-design>

<http://www.epa.ee/en/industrial-designs-databases/database-estonian-patent-office>

[http://www.epa.ee/sites/www.epa.ee/files/elfinder/dokumendid/toostusdisaini\\_oigusaktide\\_kogumik\\_2013.pdf](http://www.epa.ee/sites/www.epa.ee/files/elfinder/dokumendid/toostusdisaini_oigusaktide_kogumik_2013.pdf)

<http://www.epa.ee/en/additional-info/free-consultations>

**Classification and reclassification activities; classification system used, e.g., International Classification for Industrial Designs (Locarno Classification), other classification**

<http://www.epa.ee/en/how-protect-industrial-design/how-protect-industrial-design-estonia>

### **III. SOURCES OF INDUSTRIAL DESIGN INFORMATION PROVIDED BY THE OFFICE**

**Main types of publications in the field of industrial design information, outline of the content (industrial design applications, design patents, registrations, etc.) and medium (on paper, on CDs, online – URLs)**

<http://www.epa.ee/en/how-protect-industrial-design/how-protect-industrial-design-estonia>

**Official Gazettes: main types of announcements, frequency of publication, medium (on paper, on CDs, online - URL), etc.**

<http://www.epa.ee/en/official-gazettes/estonian-industrial-design-gazette>

**Information products (coverage, medium, etc.) available to examiners, including external documentation and databases**

<http://www.epa.ee/en/databases/industrial-designs-databases>

**Information products (coverage, medium, etc.) and services available to external users; conditions of access (e.g., free of charge, subscription, etc.)**

<http://www.epa.ee/en/databases/industrial-designs-databases>

### **IV. ICT SUPPORT TO SERVICES AND ACTIVITIES RELATED TO INDUSTRIAL DESIGN INFORMATION CARRIED OUT BY THE OFFICE**

**Specific software tools supporting business procedures within the Office: general description, characteristics, advantages, possible improvements**

The information system of processing at the Patent Office consists of six registers (register of trade and service marks, register of patents, register of geographical indications, register of European patents valid in Estonia, register of utility models, register of industrial designs), for the administration of which application software Common Software. The software has been created particularly for carrying out the procedures of legal protection of industrial property and has been modified pursuant the law of Estonia. The information system of processing is connected with the portal of electronic filing of applications for legal protection of industrial property via which the received applications are imported by the interface to the databases. Besides that, the data to be published from the registers are sent to separately located search databases. On the basis of the registers statistics, reports and the official gazettes of the Office are compiled.

To facilitate trade mark examination procedure the software ACSEPTO of figurative and verbal searches is in use. It contains the data of Community trade marks and trade marks valid in Estonia, also data of the emblems, official control and warranty signs as well as the names of international intergovernmental organisations under protection in compliance with Article 6ter of Paris Convention for the Protection of Industrial Property.

Services of the electronic search databases of the Office can be used for making enquiries and searches for information on the website of the Office at [www.epa.ee](http://www.epa.ee).

**Internal databases: coverage, updates, interlinks with external sources**

<http://www.epa.ee/en/databases/industrial-designs-databases>

### **V. PROMOTION ACTIVITIES AIMED TO SUPPORT USERS IN ACCESS AND EFFICIENT USE OF INDUSTRIAL DESIGN INFORMATION**

**Publications related to different business procedures and industrial design information sources available to users, for example, books, brochures, Internet publications, etc.**

[http://www.epa.ee/sites/www.epa.ee/files/elfinder/dokumendid/toostusdisaini\\_oigusaktide\\_kogumik\\_2013.pdf](http://www.epa.ee/sites/www.epa.ee/files/elfinder/dokumendid/toostusdisaini_oigusaktide_kogumik_2013.pdf)

<http://www.epa.ee/sites/www.epa.ee/files/elfinder/dokumendid/eudisain-teavik.pdf>

[http://www.epa.ee/sites/www.epa.ee/files/elfinder/dokumendid/dis\\_voldik2013.pdf](http://www.epa.ee/sites/www.epa.ee/files/elfinder/dokumendid/dis_voldik2013.pdf)

<http://www.epa.ee/sites/www.epa.ee/files/elfinder/dokumendid/kohtulahendid-disain.pdf>

**Education and training: training courses, e learning modules (URLs), seminars, exhibitions, etc.**

20 seminars were arranged either by the Small-Sized Enterprise Support Division or by its attendance in 2013. In fact five seminars on inventions and four on trade marks were held in the classroom of the Patent Office. Besides these seminars, a general seminar celebrating the World Intellectual Property Day was held.

In 2013 as in previous years cooperation with Tallinn City Enterprise and developing centres of the counties continued. Regional seminars outside Tallinn were held in Paide, Pärnu and Kohtla-Järve.

329 people attended informative events arranged fully or partly by the Division in 2013. Out of them 108 attended seminars on inventions, 76 on trade marks and 94 the seminars outside Tallinn.

185 participants in the events in 2013 filled in the feedback sheets, which provided essential information for improvement of the performance of the Division in the future. On the basis of the feedback information received in 2013 a general profile of a participant in an informative event has been compiled by the Division or its participation.

The general profile of a participant in an informative event in 2013 was as follows:

- an entrepreneur/an entrepreneur starting the business (60.5%);
- age 31-50 years (57.8%);
- information about the seminar has been received from the website of the Patent Office (54.1%);
- the participant has not attended a seminar arranged by the Patent Office before (81.1%);
- the participant evaluated the general level of the seminar "we could say good" (49.2%);
- the participant evaluated the contents of the seminar "excellent" (44.9%);
- the participant evaluated the competence level of the lecturers "we could say good" (43.2%);
- the participant evaluated the arrangement (64.9%) and timing (60.0%) of the seminars "excellent";

## **VI. INTERNATIONAL COOPERATION ACTIVITIES IN THE FIELD OF INDUSTRIAL DESIGN INFORMATION**

## **VII. OTHER RELATED MATTERS**

<http://www.epa.ee/sites/www.epa.ee/files/elfinder/dokumendid/aasta2013.pdf>