

# CWS.ATR.TM.2010.CZ

## Annual Technical Report 2010 on Trademark Information Activities submitted by Czech Republic (CWS/ATR/TM/2010/CZ)

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 with respect to the previous year

National trademark applications 8 444 in 2010 + 6% compared to 2009 (7 892)  
- submitted by domestic applicants 7 793 in 2010 + 8% compared to 2009 (7 234)  
- submitted by foreign application 651 in 2010 - 1% compared to 2009 (658)  
International trademarks with designation of CZ according to Madrid Agreement and the Protokol 2 595 in 2010 - 20% compared to 2009 (3 246)  
- according to the Madrid Agreement 7 in 2010 + 17% compared to 2009 (6)  
- according to Protokol 363 in 2010 - 12% compared to 2009 (411)  
- according to the Madrid Agreement  
and to the Protokol 2 225 in 2010 - 21% compared to 2009 (2 829)  
National trademarks registrated 6 288 in 2010 - 10% compared to 2009 (7 019)  
Grant of protection relating to international trademarks 2 940 in 2010 - 34% compared to 2009 (3 498)

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

In 2010 the average registration procedure time period was 9,5 months from the date of submitting the trademark registration application. This time period included formal and substantive examination of the applications, technical procedure concerning the preparation for publication, three month statutory time limit for opposition and registration time. Thanks to shorter procedure time there has been a decrease in the number of pending applications untill 2009. While in 2004 there were on average 8 817 pending applications, in 2005 there were 7 732 and in 2006 there were only 6 906, in 2007 there were 6490, in 2008 there were 5 652 and in 2009 there were 4 674. In 2010 there was an increase in the number of pending application and there were 5085 of them.

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

Since 2000 the Annual Reports and statistics have been available at the Office's website:  
<http://www.upv.cz/en/publications/annual-report/annual-report.html>

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

#### Publishing, printing, copying techniques

The trademarks information is accessible in the Official Bulletin of the Industrial Property Office of the Czech Republic. Starting from 2007 this is published weekly in an electronic form only. The paper version has been discontinued.

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

The Bulletin is published on a weekly basis (updated every Wednesday) instead of the monthly basis as it was before. The files are downloadable free of charge with no prior registration / subscription needed. The Acrobat Reader viewer enabling you to open, view and print PDF files. The information as published shall be the authentic one for legal purposes. As from No. 1/2000, the Official Bulletin has been available at the web site of the IPO CZ as an electronic book in PDF format. You can find it here:  
<http://www.upv.cz/en/publications/ipo-bulletin.html>

The Bulletin contains the following types of announcements:

Survey of the INID codes for identification of bibliographic data  
Survey of the chapters  
Codes of the states  
Refused or partially refused trademark applications before publication  
Survey of the published trademark applications  
Published trademark applications  
Refused or partially refused trademark applications after publication  
Rejected oppositions  
Survey of the trademark registrations without change in relation to published applications  
Registrations of trademarks without change in relation to published applications  
Survey of the trademark registrations with change in relation to published applications  
Registrations of trademarks with change in relation to published applications  
Recording of license contracts concerning trademarks  
Recording of license contracts concerning internationally registered trademarks  
Trademarks cancelled and declared invalid  
Survey of the renewals of trademark registrations  
Renewals of trademark registrations  
Laps of trademarks due to expiration of the period of protection  
Surrender of the right to the trademark  
Changes in the wording/reproduction of the trademarks and in the list of goods and services  
Changes in the ownership of the trademarks  
Changes in the ownership of the trademarks for a part of goods and services  
Amendments in the data concerning trademark holders  
Excuse of failure to comply with a time limit  
Other relevant data and official rectifications  
Appellations of origin/geographical indications  
Survey of the published applications of the coloured trademarks

### **Mass storage media and microforms used**

Used mass storage media are hard discs, magnetic tapes for backup and paper.

### **Word processing and office automation**

Trademarks are searchable in the public database. It provides a range of search options including name of applicant or holder or licensee, previous holder, representative, pledge, Vienna classes, Classes of goods and services and names of goods and services, application filing date, priority date, publication and registration date, application and registration number, TM wording and date of termination of validity. Representation of trademarks is also available in form of a gallery. The public database is updated daily and automatically from database of the IPO. The public database contains trademarks (IPO CZ, OHIM, WIPO, WIPO-EU) valid in the Czech Republic.

### **URLs of web pages of the Office's website that provide access to online trademark gazettes and to other sources of trademark information, including download of bulk trademark data**

The Official Bulletin URL

<http://www.upv.cz/en/publications/ipo-bulletin.html>

The public database URL:

<http://www.upv.cz/en/provided-services/online-databases/trade-mark-databases.html>

## **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 indicate 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 9th edition of the Nice Classification of Goods and Services for the Purposes of the Registration of Marks has been used since January 01, 2006 for the purposes of trademark filing and registration.

Every trademark application shall contain a list of goods or services for which the mark is to be registered. Goods and services are listed in sequence of classes of the Nice Classification and the appropriate number of this classification is mentioned.

The 6th edition of the Vienna Classification of the Figurative Elements of Marks has been used.

In order to assist the applicants in the orientation in the above mentioned trademark classifications, classification systems are displayed on the web site of the IPO CZ (<http://www.upv.cz/en.html>), too.

### **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**

<http://www.upv.cz/en/publications/classssification-systems/classification--trade-marks.html>

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

To use pre-defined terms of the classification applied is only recommendation.

## **Bibliographic data and processing**

Trademarks are searchable by name of applicant or holder or licensee, previous holder, representative, pledgee, Vienna classes, Classes of goods and services and names of goods and services, application filing date, priority date, publication and registration date, application and registration number, TM wording and date of termination of validity. Representation of trademarks is also available in form of a gallery.

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

### **File Building**

Since 1996 a manual search file has neither been maintained nor used. The IPO is currently using 'SyPP' automation system (industrial property rights system) for trademarks for file building. Public databases are updated automatically only. Trademark register is kept in an electronic form only.

Trademark bulletins of foreign offices, ROMARIN CDs, DVDs from WIPO and Community Trademarks Bulletin on CDs from OHIM are received regularly.

### **Updating**

The data is updated daily.

### **Storage, including mass storage media**

The data is stored electronically (official databases, hard discs, magnetic tapes for backup) and in a paper version.

### **Documentation from other offices maintained and/or considered part of the available search file**

Official bulletins of foreign offices are available in an electronic form or in a paper version.

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

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

The Office maintains an in-house search database of national applications and registered trademarks. The database is not accessible to the public but its structure corresponds to the public database.

### **External databases**

The Office provides free access to the database comprising the data concerning not only the Czech national trademarks but also the international trademarks valid in the territory of the Czech Republic and the Community trademarks registered by the Office for Harmonization in the Internal Market at the IPO CZ website <http://www.upv.cz/en/provided-services/online-databases/trade-mark-databases.html>.

The Office and users can also perform searches in the publicly accessible databases provided freely on the Internet by the other national offices. The Office regularly uses also the "CTM Online" database (maintained by OHIM) which provides access to the registered Community trademarks and the "Romarin" databases (maintained by WIPO) which contains the international trademarks. The links to these databases are provided at the Office's web site (<http://www.upv.cz/en.html>)

Last but not least is the commercial "Questel-EDITAL" database which is used by the Office under contract and the access is paid.

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

The Office uses the internal information system (IS SyPP) to proceed the applications of patents, supplementary patent certificates, utility models, industrial designs, geographical indications and trademarks. The system is flexible and applicable enough to maintain the official registers of all the industrial property rights. The system archives all incoming and outgoing communications of the Office, provides the information on the state of proceeding, legal status of registrations and statistical data. The system is integrated with Document Management System (DMS) of the Office. The system also processes international trademarks with designation of the Czech Republic and international trademark applications, where the IPO is office of origin pursuant to Madrid agreement and Protocol. The data are transferred to the electronic Official Bulletin and to the public search database. Starting from November 2002, the system has been compatible with electronic filing recognizing authorized electronic certificates. The on-line filing system was launched in August 2006, the current version of on-line filing system was released in September 2009. Starting from January 2008, the system produces automatic electronic extracts from registers upon online request.

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

Workstations - HP, processor Intel Pentium 4, Core2Duo, Core I3 and Core I5, RAM 1- 4 GB, HDD 160 - 250 GB. 300 workstations connected in the Office network are of the Office staff direct service. Thereof 50 computers connected in the Office network are intended for the clients of the Office and staff training service. The Office uses the ETHERNET network and computers run WINDOWS XP and WINDOWS Seven operating systems, MS OFFICE - 2003/2007 software and the ORACLE 10.1 database. The Office uses CD, DVD and magnetic tapes as data mediums.

## **VI. Administration of trademark information products and 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)**

### **Planning, administration, automation, security**

Applications for trademarks registration can be filed by post, in person, by fax, via data box or electronically (with electronic signature) to the Office. Wide range of other communications may be submitted electronically via user-friendly interface.

Bibliographic details of applications are entered into SyPP manually if the application is filed in paper or automatically if the application is filed via online filing facility. The applicants receive confirmation of filing via post upon their request or electronically if application is filed online. The application file can be inspected after publishing the registration via the Office's web site (URL: <http://isdv.upv.cz/portal/pls/portal/portlets.rejst.formular?lan=en>)

### **Collection management, preservation**

Extended safety is secured via SSL.

Backing up of data changes is done twice a week. Full back up of data is on weekly basis. Backed up files are preserved for 4 weeks.

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

The information centre and help desk operate during the working days. They provide the public with general information concerning design protection.

Trademark information services for the public are provided within the Trademark Information Center (information concerning trademark applications filing, telephone queries, procedure information etc), in the public reading room (various kinds of trademark searches), common questions can be addressed to the helpdesk (<mailto:helpdesk@upv.cz>) or on the basis of orders (trademark searches). In 2010, 821 trademark searches for public were carried out.

The Office provides full range of brochures and guides free of charge. They can be downloaded in PDF format from the Office's web site, picked up in the office headquarters or sent upon request. The Office publishes its own books and the Industrial Property Journal (6 issues per year) reflecting the current issues of IP rights.

### **URLs of web pages of the Office's website for electronic filing of trademark applications**

<http://www.upv.cz/en/provided-services/on-line-filing.html>

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

Information on business procedure related to trademarks:

<http://upv.cz/en/ip-rights/trade-marks.html>

Element of proceedings:

<http://isdv.upv.cz/portal/pls/portal/portlets.rejst.formular?lan=en>

Fees and payments:

<http://www.upv.cz/en/provided-services/fees.html>

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

The Office's website:

<http://www.upv.cz/en.html>

Information on Services:

<http://www.upv.cz/en/provided-services/information-services.html>

Publications:

<http://www.upv.cz/en/publications.html>

Trademark databases:

<http://www.upv.cz/en/provided-services/online-databases/trade-mark-databases.html>

Trademark classification system:

<http://www.upv.cz/en/publications/classssification-systems/classification--trade-marks.html>

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

### **International or regional cooperation in the exchange of trademark information, e.g., in the form of official gazettes**

The Official Bulletin of the Industrial Property Office of the Czech Republic is published exclusively electronically as of the beginning 2007. The Official Bulletin is published on a weekly basis (updated every Wednesday) instead of the monthly basis as it was before. The paper version has been discontinued.

Electronic version of the Official Bulletin is available since 2000 (Czech version, English version is available since 2007) and accessible at the Office's web site:

<http://www.upv.cz/cs/publikace/vestnik-upv.html> (Czech version)

<http://www.upv.cz/en/publications/ipo-bulletin.html> (English version)

Various courses and seminars were organized for the students and representatives of SMEs or research institutions; Groups of university students were accepted in the premises of the IPO CZ.

## **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)**

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

The Office presented its information activities and products at the following exhibitions and trade fairs:

International Engineering Fair (Brno, CZ)

FOR INDUSTRY 2010 (Prague, CZ)

TENDENCE 2010 (Prague, CZ)

AMPER 2010 (Prague, CZ)

Innovation 2010 (Prague, CZ)

IENA - Exhibition of Inventions and Innovations (Nurnberg, DE)

The Industrial Property Journal is published six times a year.

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

The Czech IPO regularly organizes wide range of training courses and seminars – such as Role of Intellectual Property, in particular Trademarks and Geographical Indications, in Creating, Developing and Strengthening a National Brand, National (CZ) and International Trademark Protection, Trademark Jurisdiction (administrative and judicial issues), Enforcement of Intellectual Rights, Protection of IP Rights in China, Searches in the National and Foreign Trademark Databases. All the educational activities were organized for public mainly the students, academic staff of universities, representatives of SMEs or research institutions, IP professionals. University students are also regularly invited for excursions and guided tours in the Office's premises.

Every year, a two-year course of industrial property rights begins within the Industrial Property Training Institute - Office's own educational facility.

The Office cooperates with Regional Patent Information Centers (PATLIBs) on providing training and education.

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

The fourteen-day training for 5 – 6 participants is hosted by the Office every year.

## **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 trademarks**

<http://www.upv.cz/en/legislation.html>

### **contain the Annual Report of the Office**

<http://www.upv.cz/en/publications/annual-report/annual-report.html>

## **X. Other relevant matters**