

SCIT.ATR.TM.2005.RU

Annual Technical Report 2005 on Trademark Information Activities submitted by Russian Federation (SCIT/ATR/TM/2005/RU)

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

In the reporting period, work continued to enhance the quality and improve the examination and registration procedures for trademarks. For this purpose, in 2005 a number of normative documents were produced, aimed at producing uniform approaches to the application by examiners of the rules contained in the Law of the Russian Federation on Trademarks, Service Marks and Appellations of Origin concerning the requirements relating to trademarks. In particular, documents were prepared on:

the application of the criteria for evaluating the presence in a designation of an acquired distinguishing feature;

explanatory approaches to the conduct of an examination relating to designations that are subjects of an author's or a personal non-proprietary right (or containing elements of such);

the attribution of a designation to the categories of false or misleading for a user in relation to a good or its manufacturer.

A reduction was achieved in the labor-intensive nature of examination procedures by improving the technology used to prosecute applications and implementing a procedure for the insertion of changes in application documents.

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

In 2005, the number of applications received increased in comparison to 2004 by more than 15 per cent owing to an increase in filings by Russian and foreign applicants (see Table 1 attached).

[table1](#)

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

Publishing, printing, copying techniques

In 2005, 20,271 announcements of trademark registration and 21 announcements of the registrations of appellations of origin were published.

Starting in 2005, the Official Gazette Trademarks, Service Marks and Appellations of Origin was published on CD-ROM, with 24 issues per year. In addition to the Official Gazette, a paper version is also published as well as one on the Internet.

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

From January 2005 onwards, Rospatent started to publish the Official Gazette Trademarks, Service Marks and Appellations of Origin on an electronic CD-ROM carrier with a search system.

The Gazette contains information on:

- well-known trademarks;
- trademark and service mark registration (bibliographical data, illustrations or descriptions);
- registration and the grant of the right to use an appellation of origin (bibliographical data etc.);
- announcements concerning changes in the legal status of certificates;
- the corresponding audio and video data are included for sound trademarks.

The Gazette is distributed together with the software IPS MIMOSA. In addition, a presentation of all the information is included in PDF format.

In 2005, the following trademark publications were issued:

- Trademarks, Service Marks and Appellations of Origin on CD-ROM – 24 issues;
- Trademarks, Service Marks and Appellations of Origin on paper – 24 issues;
- An annual index to the Trademarks, Service Marks and Appellations of Origin Official Gazette on paper – three volumes;
- A set of retrospective information on trademarks for the period 1991-2004 on DVD – one disk;
- An open register of national trademark applications received by Rospatent as of January 1, 2005.

Table 2 shows the number of orders in 2005 for annual sets of official publications, with current acquisitions and retrospective collections.

[table2](#)

Mass storage media and microforms used

Data are stored on paper, diskettes and optical disks, as well as in the form of databases or files.

Word processing and office automation

In the Russian Federation Trademarks Automated System, since 2005 a search system has been in operation in relation to the identity and similarity of graphic elements of the designations of trademarks based on a linguistic module — the SILOIZ — version 1 system.

As part of the comprehensive program to modernize the automated systems of Rospatent, in 2005 the following work was done:

work was finalized and approval commenced of the new automated trademark examination search system (AS "TM-EXAM-SEARCH"), with the migration of data from the current automated system (Russian Federation Trademarks Automated System) to the AS "TM-EXAM-SEARCH" environment and interaction between the two automated systems;

software was devised for the first iteration of the automated "TM-ADMIN" electronic document flow management system for the purposes of trademark examination;

the Processing of International Trademark Registrations Automated System (RPMECA) was devised, guaranteeing the automated processing of trademark applications according to the international (Madrid) registration procedure;

a series of work was completed on the international MECA project (electronic exchange of notifications within the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement), with the production of paperless technology for the exchange of data with WIPO concerning international (Madrid) trademark applications;

the Electronic Publication of Rospatent Editions concerning Industrial Property Subject Matter was introduced, assuring the transition to the paperless official publication of, inter alia, trademark data, on CD-ROM and the Internet;

the creation of an open register of national trademark applications received by Rospatent, commencing January 1, 2005, was completed;

the Automated Subsystem Trademark Applications was introduced, providing search functions for various types of national trademark application data with filing dates beginning January 1, 2005.

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

Technological equipment allowing ready printed copies to be produced in the form of printed editions and facsimile (photo) copies is used to prepare for printing and production. This equipment comprises machines for printing processes, printing information in facsimile form, microfilming and printing microfilms (microfiches).

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)

Since January 1, 2002, Rospatent has used the Eighth Edition of the International Classification of Goods and Services (ICGS) to classify goods and services.

The International Classification of Figurative Elements of Marks is used to classify figurative elements.

The WIPO Standard (ST60) is recommended for indexing bibliographical data.

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

In order to check classification symbols used by an applicant in a list of goods and/or services, electronic classification systems are used allowing each term presented by an applicant to be checked against the ICGS and a decision to be taken for examination purposes.

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

In application documents, applicants must use the terms of the ICGS.

Bibliographic data and processing for search purposes

Bibliographical data are processed for search purposes with the aid of a number of automated search systems (ASS) as part of the Russian Federation Trademarks Automated System.

IV. Trademark manual search file establishment and upkeep

File Building

The collection of trademark gazettes, published separately, is arranged alphabetically by country name and, for individual countries, in chronological order.

The trademark manual search collection is arranged on the basis of the following information files:

- a collection of designations claimed as trademarks in the Russian Federation and filed directly with Rospatent (national procedure);
- a collection of trademarks registered in accordance with the national procedure;
- a collection of international marks claimed and registered under the Madrid Agreement;
- a collection of figurative elements of trademarks;
- a collection of literary information sources.

Updating

The trademark manual search collection is updated by adding trademark applications filed both under the national procedure and the Madrid Agreement, newly arrived literature, and new acquisitions of official publications of Rospatent and the WIPO International Bureau.

Machine-readable data arrive on a daily basis by electronic communication means, relating to international applications covering the whole of the territory of the Russian Federation, and the information is inputted without a keyboard, for subsequent multipurpose use within the Russian Federation Trademarks Automated System.

Storage, including mass storage media

Data are stored on paper, diskettes and optical disks, as well as in the form of databases or files.

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

Optical disks received from WIPO and also countries such as Germany, Japan, Republic of Korea, the United States of America and so on are used as part of the search collection.

V. Activities in the field of computerized trademark search systems

In-house systems (online/offline)

Rospatent uses a database of published trademarks on optical CD-ROMs entitled trademarks of Russia, in which an enhanced version of the software MIMOSA 5.0 is used.

Software has been devised for work with the trilingual version of ICGS-8, integrated with the Russian Federation Trademarks Automated Examination System.

Rospatent's Internet resources include the following databases:

- a database of Russian trademarks (contains information on 219,000 Russian trademark certificates from 1925 to 2005 inclusive; updated twice monthly);
- a database of international trademarks with the designation Russia (contains information on 123,000 international trademarks with the designation Russia from 1980 to 2004) – for trademark database subscribers;
- an Appellations of Origin database – for trademark database subscribers;
- a database of Trademarks Well-Known in Russia;
- a database of trademark applications filed in 2005 (contains information on 34,000 applications; updated daily);
- an ICGS database.

External databases

Examiners use external databases freely available on the Internet, through WIPO and INN.

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

As part of the comprehensive program to modernize the automated systems of Rospatent, in 2005:

- operational testing was completed for the prototype of the automated trademarks search system (TM-EXAM-SEARCH system - version 2); the system was deployed with the daily migration of data from the existing Russian Federation Trademarks Automated system to the TM-EXAM-SEARCH - version 2 environment, and the system operated in the production environment for the processing of the operational features of the future system with the structural solution devised;
- the specific features of an automated system for the electronic processing and management of electronic document flow for trademarks (TM-ADMIN system) were produced, and the concept of the system's safety was devised and approved.

In 2005, automated processing systems were devised for the examination of applications concerning:

- the insertion of amendments, extension, premature termination of the effect of trademark registration (brought into operation on a trial basis);
- international registrations on the territory of the Russian Federation (brought into operation on a trial basis);
- the registration of agreements, including international registrations.

Data on changes in registrations from the systems listed above are published and are also used in different search systems.

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

Equipment used:

Compaq DL380 Server – six units
(M - 2 GB, processors-2, external memory-200 GB)
Compaq DL580 Server – two units
(M – 8 GB, processors - 4, external memory – 300 GB)

Compaq 586, P MMX, PII, P4, Fujitsu-Siemens workstations - 480 units.

Switching equipment:

Equipment for ISDN lines
SmartSWITCH 6000; 3Com CoreBuilder 3500; Cisco

Software:

SINIX, Windows 2000 and Windows XP operating systems.

Media used:

DLTape IV, SDLT magnetic tapes.

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)

Collection management, preservation

The collection of trademark gazettes, published separately, is arranged alphabetically by country name and, for individual countries, in chronological order.

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)

In 2005, issues of trademark gazettes represented about 14,000 storage units on paper carriers, and approximately 30,500 optical disks were viewed by users.

The Federal Institute of Industrial Property (FIPS) issues information on trademarks registered in the Russian Federation, on DVD. Users are provided with annual sets containing complete information in the Trademarks, Service Marks and Appellations of Origin Gazette (including illustrations). Disks are distributed together with the software MIMOSA, which allows searches of bibliographical data, ICGS indexes, a list of goods and/or services, and also a combination thereof, to be made. In addition, in 2005 the Trademarks, Service Marks and Appellations of Origin Gazette was issued on paper, 24 times during the year.

In 2005, users were offered a retrospective set on DVD containing trademark information for the years 1991 to 2004. The set is distributed together with the software MIMOSA.

Through the Internet (www.rupto.ru) Rospatent provides access to a Russian trademarks database which contains information on Russian trademark certificates from 1991 to 2005 inclusive, and which is updated twice per month. In 2005, access was obtained through the Internet to the Appellations of Origin database and also to a database of international trademarks containing the designation Russia (from 1980 to 2005; updated monthly).

In 2005, Rospatent began to publish on the Internet (www.rupto.ru) the electronic Trademarks, Service Marks and Appellations of Origin Gazette, as well as registers of Russian trademarks and service marks, appellations of origin, trademarks well-known in Russia, applications for Russian trademarks and service marks, and international trademarks with the designation Russia and an indication of their legal status.

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

Within the framework of international exchange in 2005, Rospatent sent its Trademarks, Service Marks and Appellations of Origin Official Gazette to foreign countries on optical disks – 57 annual sets to 53 countries.

The All-Russian Patent Technology Library (VPTB) Division receives trademark information both in the form of special gazettes and also sections of industrial property gazettes from 46 countries and three international organizations.

In 2005, the following were received on all types of carriers, including those downloaded from the Internet: special gazettes – 1,523 copies; industrial property gazettes with sections devoted to trademarks – 522 copies.

Exchange of machine-readable information

In 2005, 1,429 copies of trademark gazettes and sections containing information on trademarks in industrial property gazettes were received on optical disks, and downloaded from the Internet, from WIPO and countries such as Germany, Japan, Republic of Korea and the United States of America.

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

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

Various aspects of trademark protection were discussed at events organized in Moscow, either directly by Rospatent or with its active participation:

- a Conference and Round Table as part of the Eighth International Industrial Property Exhibition "Archimedes-2005" at Sokol'niki, devoted to the legal protection of industrial property subject matter in the innovation process;
- a scientific and practical conference on the "Problems of the protection, defense and use of intellectual property subject matter" and, within that framework, three round tables;
- an International Conference on the Problems of the Theory and Practice of Intellectual Property Protection".

Training courses for national and foreign participants

183 specialists underwent training on patenting and entrepreneurs on the programs concerning the "Use of databases available on the Internet for patent searches", "Enforcement of rights in intellectual property subject matter, taking into account the amendments made to the legislation of the Russian Federation. Licensing-agreement relations", and the "International registration of marks in accordance with the Madrid Agreement and the Protocol Relating to the Madrid Agreement".

In addition, in 2005 16 specialists from the patent offices of Ukraine, Belarus and Kazakhstan underwent training based on individual programs at the Federal State Institution (FGU) FIPS.

The retraining program course entitled An A to Z of Trademarks continued at the Russian State Intellectual Property Institute (RGIIS) in 2005.

IX. Other relevant matters