

CWS.ATR.PI.2009.EE

Annual Technical Report 2009 on Patent Information Activities submitted by Estonia (CWS /ATR/PI/2009/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 term "patent" covers utility models and Supplementary Protection Certificates (SPCs). Offices which issue design patents should report their design patent information activities in their Annual Technical Reports on Industrial Design Information Activities.

I. Evolution of patent activities

Changes experienced in terms of application filings and grants with respect to the previous year

Inventions can be protected by patents or utility models under the Patents Act and the Utility Models Act, which entered into force on 23 May 1994.

The number of national patent applications has fallen due to Estonia's accession to the EPO. In 2003 the number dropped by 15%, in 2004 by 80%, in 2005 by 95%, in 2006 by 94%, in 2007 by 91%, in 2008 by 90% and in 2009 by 87% compared with 2001 and 2002. On 31 December 2009 there were 1,143 patents valid in Estonia, 57 of which belonged to Estonian entrepreneurs.

TOP 5 countries
Patents granted in 2009

Germany 32
Sweden 23
USA 14
Estonia 12
Finland 8
Italy 8

TOP 5 countries
Patents valid on 31 December 2009

Sweden 310
USA 222
Germany 204
Finland 140
France 105

The European patent valid in Estonia is legally equal to the Estonian patent. The Estonian Patent Office keeps the register of the European Patents valid in Estonia.

TOP 5 countries
European patents validated in Estonia in 2009

Germany 223
USA 202
Switzerland 132
France 99
Italy 61

TOP 5 countries
European patents valid in Estonia on 31 December 2009

Germany 707
USA 481
Switzerland 381
France 333
Italy 232

Only new inventions involving an inventive step and capable of industrial application may be protected by utility model. In the course of processing a registration application of a utility model, the Estonian Patent Office solely examines the compliance of the application with the formal requirements. The applicant for a utility model registration is responsible for the novelty and industrial applicability of the invention. If the invention is not new or industrially applicable, any person may file an action in court for revocation of the registration.

TOP 5 countries
Utility models registered in 2009

Estonia 84
Russia 3
Finland 2
USA 1
Denmark 1

TOP 5 countries
Registered utility models valid on 31 December 2009

Estonia 388
Finland 17
Russia 14
Denmark 2
Sweden 2

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

The Estonian Patent Office started electronic receipt of patent applications and utility model registration applications for legal via a portal of electronic filing. The address of the portal is <http://online.epa.ee/>.

The Estonian ID card is required for the entry into the portal.

More and more applications are filed with the Estonian Patent Office via the electronic portal.

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

http://www.epa.ee/client/default.asp?wa_id=565&wa_object_id=1&wa_id_key=

II. Matters concerning the generation, reproduction, distribution and use of primary and secondary sources of patent information

Publishing, printing, copying (main types of publications of the Office in the field of patent information, etc.)

The Estonian Utility Model Gazette – a quarterly, published since October 1994;
The Estonian Patent Gazette – 6 issues annually, published since December 1995;

Since 1 January 2003 the official gazettes of the Estonian Patent Office are available also electronically (in pdf-format, <http://www.epa.ee/default.asp?id=512> and <http://www.epa.ee/default.asp?id=513>):

Techniques as recording, microfilming and photocomposing are not in use.

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

An Annual Report and Statistics were published on paper and they were made available also electronically on our homepage. Informative pamphlets were issued.

The Estonian Patent Office homepage at www.epa.ee was currently updated. Rss-reader was added. The homepage enables access to patent, utility model, industrial design, trademark and geographical indication registration information both in Estonian and English. It also contains all legal acts (Estonian legal acts are in Estonian), regulations and international agreements by the Government of the Republic and Minister of Economic Affairs, and other legislation as well as material on legal protection of industrial property, relevant links, current news and the public databases of subjects for legal protection of the Estonian Patent Office, EPO, WIPO, OHIM.

URLs of web pages of the Office's website that provide access to online publication of patent documents and gazettes, and to other primary and secondary sources of patent information, including patent publication servers and download of bulk patent data

http://www.epa.ee/default.asp?wa_id=512
http://www.epa.ee/default.asp?wa_id=513

III. Matters concerning abstracting, classifying, reclassifying and indexing of technical information contained in patent documents

Abstracting, reviewing, translating

Translation of the classes and subclasses of the sections of the International Patent Classification (IPC) into Estonian continued. We consider it important to enrich and update the Estonian technical language. Section D and C were made print-ready and published in one edition. So translation of the IPC into Estonian, which had started with the publishing of the Methodological Guidelines in 2006, was completed. A voluminous and complicated job has been done, which is a milestone in the development of the Estonian technical language. Translation of the IPC is available on the Internet at the address <http://wipo.int/classifications/ipc/ipc8/>.

The IPC has been translated not only into the official languages of the WIPO (English, Chinese, Spanish, French, Arab and Russian), but also into Czech, Dutch, German, Japanese, Korean, Spanish, Polish and Portuguese, and now into Estonian as well.

Introduction of the full set of the IPC in Estonian was published in the magazine "Inseneeria" and it was introduced also on the Entrepreneurship Day in Jõhvi.

The following in the series of methodological guidelines have been published:

- Jaak Ostrat. Patent Rights Enforcement. Methodological Guide." 2nd revised edition. Tallinn, 2005;
- International Patent Classification. 8th edition. Methodological Guidelines. Tallinn, 2006;
- Raul Kartus, Jaak Ostrat. "Invention and Patent Claim. Methodological guidelines." 2nd revised edition. Tallinn, 2006;
- International Patent Classification. Section A. (Human Necessities). Tallinn 2007;
- International Patent Classification. Section H. (Electricity). Tallinn 2007;
- International Patent Classification. Section G. (Physics). Tallinn 2007;
- Compendium of Legal Acts EPC 2000, Tallinn 2007;
- International Patent Classification. Section B. Performing Operations; Transporting. Tallinn, 2008;
- International Patent Classification. Section E. Fixed Constructions.

Section F. Mechanical Engineering; Lighting; Heating; Weapons; Blasting. Tallinn, 2008.

Classification¹, preclassification² (if applicable), and reclassification³ activities; Classification system used, e.g., International Patent Classification (IPC), other classification (please indicate whether or not patent documents are classified by your Office and, if so, which classification is used)

Applications are classified in accordance with the International Patent Classification, core level.

Bibliographic data and full-text processing

In the Patent Gazette there are published the most important bibliographic data (including patent classification, excluding abstracts and figurative accessories) of the patent applications laid open to public inspection after the lapse of 18 months from the filing date and bibliographic data (including patent classification, abstracts and figurative accessories) of the granted patents. The first pages of patent specifications contain the abstracts in Estonian and in English.

The Estonian Patent Office has used the Common Software in examination procedures already since 1996. The volume of databases is growing every year. Since 2002 the abstracts and drawings have been computerised in the databases of patents and utility models in addition to the input of bibliographical data. Two additional modules have been created – the module of the supplementary protection of patents and the module for registering the data of PCT/EE applications filed with the receiving office. . CS is a system with client server architecture, the engine of the database is Informix. The software has been regularly updated. Now Version 3.3.1 is in use.

IV. Search file establishment and upkeep

File building

The collection of patent documents comprises over 53,9 million documents from 26 different countries and 2 organisations on paper carrier (about 2,1 million), in microfilm or microfiche form (about 6 million) and increasingly also on CD-ROM/DVD-ROM (about 45,8 million) and official patent gazettes from 34 countries and 2 organizations.

The search files are arranged partly according to the IPC and partly according to the number of patent document. Usually it depends on the data arrangement on data carrier (are the data sorted by the document number or IPC).

The library collection includes also monographs and reference literature on industrial property protection as well as non-patent literature.

The stock of the legal, scientific and reference literature is arranged according to the common principles employed in the libraries when dealing with book or journal files.

V. Activities in the field of computerized and other mechanized search systems

In-house systems (online/offline)

The Common Software (CS) is used in the Patent Office for administering the procedures of the examination.

External databases

EPOQUE, Delphion, Esp2cenet, USPTO, Derwent, ROSPATENT, SciFinder, Chem.Abstr., PubMed, EBSCOhost, DEPATISnet, Epoline, Google Patent Search-BETA, PCT Applications, Estonian Patent Applications and Patents, European Patents Validated in Estonia, Estonian Utility Models, Vivisimo.

VI. Administration of the industrial property office library, and information products and services available to the public (relating to facilities, e.g., for lodging applications, for assisting clients on searching procedures, for obtaining official publications and registry extracts)

Estonian Patent Library is an independent library financed from the state budget. It is housed in a building from 1903 originally not meant for library use. During non-business hours it remains locked and is controlled by guards. In addition to that an alarm system was installed in 1996. The Estonian Patent Library provides services to the general public. As the library works in close cooperation with the Estonian Patent Office its main task is to serve the examining and professional staff of the Estonian Patent Office. The library acquires, processes and maintains patent documents, patent gazettes and other patent and non-patent literature. The older part of the collections is on paper, microfilm or microfiche. Now the majority of patent documents are on CD/DVD-ROMs. The library collections are acquired by purchases (the financial resources for it are allocated from the state budget) and by exchange of publications with other industrial property offices under international agreements.

The Estonian Patent Library is the only library that collects and processes patent literature in Estonia. Library participates in the interlibrary lending at the national or the international level. Lending requests are satisfied by e-mail, ordinary mail or by fax.

The patent and trademark gazettes as well as reference literature are kept in the public reading rooms; other materials, i.e. patent documents, are stored in the stock-rooms and are lend at the request of the users. The library also stores the collection of the official gazettes and specifications of the Estonian Patent Office.

The users can carry out searches using CD/DVD-ROMs at 9 workstations.

The following CD/DVD-ROM collections are available:

SPACE ACCESS A and B

SPACE-ACCESS-EPC

SPACE FIRST

SPACE BULLETIN

SPACE LEGAL

SPACE EP

SPACE WORLD

SPACE AT

SPACE CH

SPACE DK (1990-1998)

SPACE FI

SPACE FR A

SPACE UK

German databases:

DEPAROM KOMPAKT

DEPAROM ACT

DEPAROM U

US databases:

US Patents BIB

US Patents Class

US Patents Assist

US Patents & TM Assign

USA App

USA Pat

Other countries:

PAJ Patent Abstracts of Japan

PAJ/INDEX

Patents of Russia (Full specifications)

SPACE-ACCESS-RFD

Utility models of Russia (1994-2004, first pages)

The inventions protected in the Republic of Moldova (1993-2007)

CNPATE-ACCESS

China Patent Applications

The library has the direct Internet access to the INPADOC databases through Open Patent Services interface. In-house online access is established to the commercial databases Derwent Innovations Index and Questel-Orbit via the Internet connection. These databases are charged on the bases of annual fees, Questel-Orbit is also charged on the bases of usage.

The library offers copying services from paper or microforms. The users can order printouts of the documents on CD/DVD-ROMs. These services are offered for a moderate price. Library also offers more advanced services – patent information researches. User can claim for an advanced research in his favourite technical field, results will be printed and analysed and added to research report dossier.

Other services are free of charge: in the reading rooms the readers can use reference materials, monographs, other books and periodicals and carry out searches in patent documents on paper.

URLs of web pages of the Office's website for electronic filing of patent applications

<https://online.epa.ee/>

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

http://www.epa.ee/client/default.asp?wa_id=911&wa_object_id=1&wa_id_key= (in Estonian)

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

http://www.epa.ee/client/default.asp?wa_id=915&wa_object_id=1&wa_id_key=

http://www.epa.ee/client/default.asp?wa_id=823

VII. Matters concerning mutual exchange of patent documentation and information

The Estonian Patent Library has agreements with 25 patent offices and 1 organization on exchange of patent gazettes and with 27 patent offices and 1 organization on exchange of utility model gazettes.

VIII. Other relevant matters concerning education and training in, and promotion of, the use of patent information, including technical assistance to developing countries (please indicate URLs of web pages of the Office's website wherever appropriate)

Training courses for national and foreign participants, use of audiovisual means

The examiners of the Patent Department have organized free consultations to small and medium-sized enterprises as well as natural persons on how to prepare patent and utility model applications. In total 219 hours of consultations were provided to 327 persons in 2009.

Like in the previous years also in 2009 the Small-Sized Enterprise Support Division did cooperation with the developing centres of the counties. Cooperation is essential in order to support the regional development of Estonia and its main goal is to rise the innovation awareness also outside Tallinn. In 2009 the Division arranged an info day on intellectual property in Haapsalu and Pärnu. Besides lecturers from the patent office a local entrepreneur shared his experiences and a patent attorney told about the services patent agencies provide in Pärnu. The audience on both county study days was numerous and questions were sufficient for long consultations.

The Estonian Patent Library arranged 7 classroom seminars on the matter of protection of inventions.

In 2009 the impact of the seminars held in the classroom of the Estonian Patent Office rose remarkably. 5 seminars were held in 2007, 6 in 2008, whereas in 2009 the Division arranged 8 classroom seminars in total (5 seminars on protection of inventions and 3 on trademark registration).

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

In the framework of the Year of Creativity and Innovation a trademark examiner of the Estonian Patent Office introduced registration of trademarks in foreign countries at annual conference of the Year of Creativity and Innovation.

Also cooperation with Tallinn City Enterprise continued successfully. On 7-8 October 2009 a subsequent Tallinn Entrepreneurship Day was arranged, where the Estonian Patent Office participated (already for the second year in cooperation with the Patent Library). On both days the Patent Office was there with an info desk. Interest in the publications of the Estonian Patent Office and the Patent Library was great. The Patent Office arranged a seminar "Protected Inventions - Additional Value and Benefit for the Enterprise" in the framework of Tallinn Entrepreneurship Day.

As in October Entrepreneurship Weeks and Days were arranged also in other towns besides Tallinn the Patent Office was invited to make presentations on the Entrepreneurship Day in Narva, where our examiners disseminated their knowledge on protection of inventions and trademark registration. Interest was extremely big and Russian-speaking population also attended the event (the presentations were translated into Russian).

Traditionally two larger seminars - one in East-Virumaa and the other in Tallinn - were arranged for the small-sized entrepreneurs in Tallinn.

In April an entrepreneurship day "A Wise Deed Brings Benefit" dedicated to the World Intellectual Property Day was arranged in Ida-Virumaa. The Patent Office did cooperation with several partners (e.g. team of Innovation Year 2009, East-Viru Entrepreneurship Centre,

Centre of Registers and Information Systems, Estonian Inventor's Association, Synest Ltd. Etc.). The difference between the previous seminars was that besides lectures also very efficient workshops took place and the event was like a mess (the participants could choose themselves whether and when to listen to the presentations, have coffee or participate in the workshops). The Patent Office made a presentation on the international patent classification at this event. The full classification has been published in Estonian.

In October the division arranged a traditional large-scale seminar for small and middle-sized enterprises in the conference hall of the Viru Hotel. This time it was called "Challenges and Problems at Legal Protection of Intellectual Property". Generally speaking the seminar differed greatly from the previous ones, because relatively specific areas were covered as the training was meant for those, who had already obtained minimal basic knowledge at the seminar held in the classroom of the patent office. The topics were chosen on the basis of the feedback questionnaires.

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 patents

http://www.epa.ee/client/default.asp?wa_id=456&wa_object_id=1&wa_id_key=
(mainly in Estonian)

contain the Annual Report of the Office

<http://www.epa.ee/ul/doc/valjaanded/aasta2009.pdf>

contain patent-related news regarding the Office

http://www.epa.ee/rss.asp?wa_site_id=2

X. Other relevant matters

1.	Classification is allotting one or more classification symbols (e.g., IPC symbols) to a patent application, either before or during search and examination, which symbols are then published with the patent application.
2.	Preclassification is allotting an initial broad classification symbol (e.g., IPC class or subclass, or administrative unit) to a patent application, using human or automated means for internal administrative purposes (e.g., routing an application to the appropriate examiner). Usually preclassification is applied by the administration of an office.

3. Reclassification is the reconsideration and usually the replacement of one or more previously allotted classification symbols to a patent document, following a revision and the entry into force of a new version of the Classification system (e.g., the IPC). The new symbols are available on patent databases.