

CWS.ATR.TM.2010.PL

Annual Technical Report 2010 on Trademark Information Activities submitted by Poland (CWS/ATR/TM/2010/PL)

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 terms of IT changes, during 2010 trademark on-line filings served applicants. The facility is available under the Polish Patent Office's Online Services Portal (<http://ipu.uprp.pl>)

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

In 2010, the Polish Patent Office received in total 14,986 trademark applications under national procedure (increase of 6.0% in comparison with 2009) and 10 applications under international procedure.

In 2010, the Patent Office received from domestic applicants:

- 309 applications for international registration of Polish trademarks under the Madrid Agreement and the Protocol to that Agreement.
- 24 applications for Community trademark, which were transmitted to the OHIM.

After completing formal examinations the Office issued 1,449 negative decisions concerning the grant of trademark protection rights under national procedure. The PPO experts made 2,489 search reports for OHIM and acknowledged 3,603 registrations concerning protection on the territory of Poland.

The number of trademark registration rights in force on 31 December 2010 was 233,081 (121,662 under national procedure and 115,798 under international procedure).

In terms of IT changes virtualization of servers and personal workstations based on the blade-type servers was performed.

Brand-new PPO's website to launch in 2011.

Works on the MS Sharepoint Services solution for the Intranet purposes were completed.

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

Statistics are accessed at the following URLs:

- <http://www.uprp.pl> (Annual Reports)
- Detailed statistics may be bespoke provided (write to: <http://ipu.uprp.pl/portal/web/guest/kontakt>)

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

Publishing, printing, copying techniques

Pending and registered trademarks (national and international designating Poland) are published in the Office's Official Gazettes on paper carrier and in PDF format on the PPO's Online Services Portal.

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

Both parts of the Polish Patent Office's Official Gazettes ("Biuletyn Urzedu Patentowego": national trade mark applications and "Wiadomosci Urzedu Patentowego": registered national trademarks and international registrations of trademarks approved in Poland) containing announcements regarding trademarks are forthwith available free of charge in PDF format on the PPO's Online Services Portal (<http://ipu.uprp.pl/portal/web/guest/publikacje>).

In 2010, there were 14,589 announcements on trademark applications and 11,700 announcements on registered trademarks.

Announcements regarding non-procedural matters, but coupled with the Office's activity like: general information on the PPO's tasks, references, organizational structure, HR matters are published on the Internet version of "Biuletyn Informacji Publicznej" which falls under the official PPO's web site. Many non-regular, important announcements are immediately published within the content of the website.

Mass storage media and microforms used

Online filled trademark applications are immediately directed to the electronic treatment and dissemination. Paper cases are turned into electronic files. Although paper has a gradual decrease as a carrier, paper files are also kept for each application.

Word processing and office automation

Word processing is carried out using MS 2007 Office and the MS Windows XP is commonly used.

All examiners have access to the internal and external on-line databases.

All staff has access to the Internet and Intranet and enjoys the MS 2007 Outlook variety of facilities through the networked PCs which are connected to a local area network.

The public reading-room is equipped with terminals and 24-inch monitors, and the Office's conference and training rooms is furnished with modern audiovisual means.

The online filings in the online system effectively works, enabling the electronic trademark filings under the national procedure.

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

The constantly modernized publication system enables production of the Office's publications on its own. The publishing process is based on the DTP system and covers preparation of data contained in the Office's databases, text editing in MS Word programme and picture processing in Adobe Photoshop CS3. Final typesetting is made in InDesign CS3 programme. Printing is performed on the offset machine and digital reproducer. The text of patent specifications is scanned in OCR technique and pictures are scanned in Adobe Photoshop CS3 programme. Then, the text is combined with the pictures and the first page with bibliographic data. Finally, the patent specification is proof-read and printed in Ms Word programme. Printing is performed on the digital reproducer.

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

- Online Services Portal with access to official gazettes, classifications (Nice, Vienna), e-filings and patent attorney's directory: <http://ipu.uprp.pl>
- IP information on trademarks: <http://www.uprp.pl/English/PPOs+databases>

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 Polish Patent Office uses the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) 9th edition as well as International Classification of the Figurative Elements of Marks (Vienna Classification) 5th edition. During the procedure, the Office's staff amends the goods and services classes.

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

Checking the classification symbols is possible through the Online Services Portal of the PPO and also through the OHIM's EUROCLASS resources.

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

Applicants should classify the goods and services properly, but there is no obligation for applicants to use pre-defined terms.
For figurative marks the PPO uses the Vienna Classification system.

Bibliographic data and processing

The trademark bibliographic data is processed within procedural tasks and obligations and is afterwards utilized in many PPO's activities including the in-house searches, decision makings, exchange and dissemination, among others.

IV. Trademark manual search file establishment and upkeep

File Building

A paper file is kept for each trademark application. Information is stored on our internal databases and within the file.

Updating

- Published trademark applications on search systems are updated fortnightly (applications are disclosed after 3 month-period following the date of filing).
- Registered trademarks on search systems are updated monthly.

Storage, including mass storage media

The Office uses mass storage media: hard disks, disk arrays, CD-ROMs, DVDs, paper (until complete replacement by the electronic storage).

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

Community Trade Marks and WIPO resources are considered, thus the CTM-Online system and the ROMARIN system are respectively consulted.

V. Activities in the field of computerized trademark search systems

In-house systems (online/offline)

The Office uses ACSEPTO - the primary search and examination system for trademarks - a tool that integrates many types of IT resources to conduct searches of trademarks.

The Office has its own internal search and retrieval systems: MARPOL, MARMAD, CTM SEARCH REPORTS and TULIPAN with access restricted exclusively to examiners. The systems offer procedural data concerning national trademarks (MARPOL), regional trademarks (CTM SEARCH REPORTS) and international trademarks (MARMAD) in the course of the whole procedure.

External databases

Both the Office's website and the Online Services Portal offer facilities for accessing Polish trademarks and designations to Poland made through the Madrid Protocol. Functionality is offered to customers to receive periodic information, information on procedure and fees and procedural information from the PPO's databases. Links to statutory searches within procedure databases including ROMARIN (WIPO), MADRID EXPRESS (WIPO), CTM Online (OHIM), EUROCLASS (OHIM), TMVIEW (OHIM) and the INN (WHO) among others are provided. Commercial search services are offered by Austrian Patent Office and Hungarian Patent Office through the CETMOS Project (details at <http://www.cetmos.eu>), for which our Office prepares search reports, and for OHIM through the CTM Search Report System. The Office's website is linked to WIPO trademark and OHIM trademark online search facilities.

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

- Workstations run under Windows XP environments, and server's operational systems are Microsoft Windows Server 2003, SUSE Linux Enterprise Server 10 and Debian 5 GNU/Linux. The SAN mass storage network was configured in order to make disk-arrays available to the computing systems. All of workstations are secured by McAfee antivirus and antispam system. All network connections are based on CISCO and Alcatel equipment with 20 Mb access to the Internet.

Server infrastructure for the Online Portal includes 9 application servers; 5 database servers; 10 TB build-up array; back-ups for Tivoli Storage Management, Fujitsu FI-5900C scanner, 125 packages for the purposes of qualified signatures. On-Line Portal servers are supported by local UPSs and they are also hooked to Main power supply unit for the PPO.

- Back office hardware located in secured/zoned Data Centre with fire alarm and CTV system, redundant air-conditioning and technical floor.

- Modernization of the software edge firewall. In 2010, the upgraded version of Microsoft Forefront Threat Management Gateway was installed which has new jobs in protection and inspection of malicious software from infected systems.

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)

The PPO's registry extracts are available to every person who applies for such a registry and pays the required fee.

As for the official publications containing trademark information, they are available at the Office's library and on the Internet through the Online Services Portal of the PPO:

- in "Biuletyn Urzedu Patentowego" (first level Official Gazette),
- in "Wiadomosci Urzedu Patentowego" (second level Official Gazette).

The PPO database was rendered accessible for the outside users from many workstations installed in the Office's library to perform retrievals. This database is accessible from the user's computer via the Internet.

Trademark information services for users were performed by the Information Unit of the Office and at the library where customers may obtain assistance within procedural information and the retrieval and searching techniques.

Excerpts, duplicates and certificates officially confirming the specified entries in the trademark register were delivered under payment on user's demand.

Planning, administration, automation, security

Applications for trademarks registration can be made electronically, by post, by fax or in person at the Office's premises.

Both paper and electronic collections are located in our main building and are therefore secure.

Collection management, preservation

Collections are regularly fed in a persisting and electronic mode, and preserved accordingly.

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 Office continues to offer its services on trademarks via Online Services Portal at: <http://ipu.uprp.pl>
- Data bases: <http://www.uprp.pl/English/PPOs+databases>
- Nice and Vienna classifications are continually offered at: <http://ipu.uprp.pl/>

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

<http://ipu.uprp.pl>

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 filings, post-registration procedure, opposition and appeal procedures, etc. are in detail described within specific sections of our web site which is also linked to our search services and databases.

<http://www.uprp.pl>

A variety of guides and other information materials are offered in PDF format through the Office website.

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

Description of information products and services is announced in relevant parts of our website, and users are then directed to our services where the description continues, either in editorial part, or in help files. See also information directly above.

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

n/a

Exchange of machine-readable information

Community Trademark information is downloaded using the XML data which is then passed to our search systems. XML trademark files are downloaded from WIPO and are also passed to our search systems.

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.)

In 2010, within industrial property protection the PPO organised or participated in the following events:

- Conference "Women's Innovation and Creativity for Economic Growth" organized in Warsaw by the Patent Office in cooperation, with WIPO, among others.
- Conference on World Intellectual Property Day "Protection of Geographical Indications" organised in Warsaw in cooperation with WIPO and Ministry of Agriculture and Rural Development.
- 6th International Symposium "Industrial Property in Innovative Economy" in Krakow.
- Annual "Scientific Picnic" of the Bis Radio and Copernicus Science Centre in Warsaw (the PPO's informational - promotional stand).
- International Fairs in Poznan (the PPO's informational - promotional stand).
- International Conference "Inter-regional experts meeting on traditional knowledge in countries in transition" organised in cooperation with WIPO.
- International Conference and Fairs "Oil and Gas 2010" held in Warsaw (informational - promotional stand).
- Fairs of Industrial Technology, Science and Innovation "Technicon Innovations 2010" in Gdansk (informational - promotional stand).
- International workshops "Intellectual Property and Effective Management of its Assets" organised in cooperation with WIPO on the premises of the Patent Office.
- Ceremony of prize award in the 8th edition of the competition for the best artistic poster as well as post-doctoral, doctoral, master's and student's theses on the subject of industrial property organized by the Patent Office.

Within the scope of promotional activities the Polish Patent Office continued participation in the IPeuroAware project which is part of the EU Framework Programme "Competitiveness and Innovation - 2007-2013". The following promotional activities, to name a few, were completed:

- Information about Poland's IP was available online on the project's site: www.innovacess.eu.
- Two seminars entitled "How to Protect Intellectual and Industrial Property" promoting the project, were held in Bydgoszcz and Bialystok.
- Signposting directory was developed in English, including contact data of entities in the scope of intellectual property.
- A brochure was prepared promoting the project in the number of 500 copies for distribution among Small and Medium-Sized Enterprises.

Under agreement with the National Economic Chamber, the PPO also published and distributed the following publications aimed at the promotion of knowledge on the importance of Intellectual Property Protection:

- "Industrial Property Protection at a Glance" - 28,000 copies.
- "Copyright" - 27,000 copies.

Training courses for national and foreign participants

Every year, the Polish Patent Office organises trainings to raise professional skills of its staff.

In 2010, after completing two-year training, 13 Office's employees obtained examiner's qualifications and 9 employees, who completed their training and passed the qualifying examinations, obtained assistant examiner's qualifications.

Additionally, language courses for PPO employees (languages: English, French, German, Spanish, Italian) were organised.

Within the framework of the training program for the PPO employees and patent attorneys 5 lectures for 70 participants were given by external experts in innovation and industrial property.

Moreover, 240 staff members benefited from many specialist training courses organised by professional educational centres such as: National School of Public Administration, Institute of Accountancy and Taxes, Mazovian Voivodeship Centre for Personnel Training to name a few. The subject matter of the trainings included the issues of public procurement, administrative proceedings management, finances, information technologies and labour law.

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

n/a

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

Legislation: <http://www.uprp.pl/>

contain the Annual Report of the Office

Annual Reports (the content has both EN and PL versions): <http://www.uprp.pl/>

if necessary, provide further information related to the topics referred to in the current ATR

n/a

provide open source codes related to trademark information systems

n/a

contain trademark-related news regarding the Office

<http://www.uprp.pl> (News)

X. Other relevant matters

In 2010, the incident and assistance managing system to users of our IT system was effectively carried out by the ServiceDesk solution - consistent with the ITIL practice.