

CWS.ATR.ID.2012.EE

Annual Technical Report 2012 on Industrial Design Information Activities submitted by Estonia (CWS/ATR/ID/2012/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. Evolution of registration activities

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

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 this 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. In 2012 20% of the applicants used the possibilities of electronic filing.

In 2012 the Patent Office received 86 industrial design registration applications (actually all of them from Estonian applicants), which is 34 more than in 2011. 17 international industrial design registrations were filed under the Hague Agreement (17 also in 2011). So proceeding from the number of filed applications we can notice that interest in the protection of industrial designs has increased.

37 people were given altogether 22 hours of consultations in the Patent Office (34 people in 2011). In addition many more received advice by phone or e-mail.

Besides that, lectures on industrial designs were persistently given, presentations were made at the entrepreneurship days in the counties and at the seminars for SME-s and in the framework of celebrating Intellectual Property Day. At the end of 2012 there were 20 national and 8 international applications pending. The average processing time of an industrial design is 1–2 months.

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

On 31 December 2012 there were in total 709 industrial Designs in the Estonian register of industrial designs. 759 international registrations of industrial designs had been granted legal protection in Estonia. In addition there were 690, 042 industrial designs registered and disclosed to public by the European Community, including 406 from Estonia, and unregistered Community industrial designs. In 2012 the most popular designed products at registration of industrial designs were packages and containers for the transport or handling of goods (22.31%), furniture (13.22%), graphic symbols and logos, surface patterns, ornamentations (10%), lightning apparatus (7.5%) and household effects (6.6%). By country the majority of applications and International registrations were filed from Estonia (83.4%), France (7.7%), Switzerland (1.9%), followed by Croatia and Italy (0.9%).

Industrial designs registered in 2012

Estonia 92
Lithuania 2

International registrations of industrial designs entered into force in Estonia in 2012

Switzerland 12
Germany 4
Croatia 3
France 2
Greece 2

Registrations of industrial designs valid in Estonia, 31.12.2012

Estonia 415
Finland 176
Sweden 14
Germany 13
Denmark 13

International registrations of industrial designs valid in Estonia 31.12.2012

Switzerland 637
Germany 35
France 17
Spain 8
Hungary 8

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

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

II. Matters concerning the generation, reproduction, and distribution of industrial design documents and of secondary sources of industrial design information, i.e., official gazettes

Publishing, including printing, copying techniques and electronic printing

The official publication of the Estonian Patent Office is the Estonian Industrial Design Gazette. The Estonian Industrial Design Gazette is published 4 times a year. Since 1 January 2003 The Estonian Industrial Design Gazette of the Estonian Patent Office are available also electronically (in pdf-format, <http://www.epa.ee/default.asp?id=515>)

Main types of announcements of the Office in the field of industrial design information

The Estonian Patent Office homepage at www.epa.ee was currently updated. The homepage enables access industrial design registration information both in Estonian and English. It also contains all legal acts, 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 designs, relevant links, current news and the public databases.

Databases and office automation

Database of Industrial Designs at <http://www2.epa.ee/Patent/design.nsf/SearchEngl?OpenForm> contains data on registered industrial designs and industrial design registration applications filed in the Republic of Estonia and international registrations of industrial designs filed for registration according to the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs since 11 January 1998 to the extent specified in the Industrial Design Protection Act.

The data on industrial design registration applications filed in the Republic of Estonia for registration according to the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs is available in the database as on the date the International Bureau sent the copy of the publication of the international registration to the Estonian Patent Office. The database does not include changes made later in the international registration. Information on the international registrations of industrial designs is available in a bulletin accessible at the web page of WIPO.

Information on industrial design registration applications is presented as filed by the applicants.

The numbers of applications contain 10 digits (e.g. D200300045) and the numbers of registrations contain 5 digits (e.g. 00581).

Search in the database is free. The user needs a browser supporting JavaScript (Netscape 4.08, Microsoft Internet Explorer 4.0 or more recent versions).

The database is informative and does not have legal effect. Search results do not ensure the protectability of industrial designs and are not binding on the Estonian Patent Office in processing the industrial designs. For specifying the data and for the release of information or the issue of official extracts from the files of registration applications and of their processing or from the Register of Industrial Designs, please contact the Receiving Department of the Estonian Patent Office.

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

http://www.epa.ee/default.asp?wa_id=651

III. Matters concerning classifying, reclassifying and indexing of industrial design information according to the classification systems applied

Classification and reclassification activities; Classification system used, e.g., International Classification for Industrial Designs (Locarno Classification), other classification (please indicate whether industrial designs are classified by your Office and, if so, which classification is used)

The Estonian Patent Office uses the International Classification for Industrial Designs (Locarno Agreement). The Republic of Estonia became party to the said Agreement on Oct. 31, 1996.

WIPO Standard St. 80 is used for bibliographic data coding.

Bibliographic data and processing

WIPO Standard St. 60 is used for bibliographic data coding.

IV. Search file establishment and upkeep

The Estonian Patent Office does not use the manual search files.

V. Activities in the field of computerized search systems for industrial designs

In-house systems (online/offline)

The databases of the office are the core subject of the information system. These databases are administered by the Common Software (CS). CS is a system with client server architecture, based on the database software Informix and operation system UNIX. Automated data entry software SPIRIT-MECA is also integrated to CS. To facilitate trademark examination procedure the software ACSEPTO of figurative and verbal searches is in use. The search base is quite large containing data of trademarks valid in Estonia and Community trademarks, also data of the emblems, official control and warranty signs and names of international intergovernmental organizations under protection in compliance with Article 6ter of Paris Convention for the Protection of Industrial Property.

Several e-services are available at our homepage. The portal of electronic filing of trademarks has been accessible since April 2007, in 2008 software for the electronic filing of patent, utility model and industrial design applications was added, as well as software for filing the Estonian-language patent specifications of the European patents validated in Estonia. So digitally signed applications can be filed without coming to the Office. The portal is available at the address online.epa.ee. In addition, the services of the databases of electronic searches have been available on the web page of the Estonian Patent Office (www.epa.ee) for a long time.

External databases

WIPO Gold, RCD-Online

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

Important event of 2012 for the Patent Office was transition from the area of government of the Ministry of Economic Affairs and Communications to the area of government of the Ministry of Justice, where all activities in the field of intellectual property were brought together. In the beginning of 2012 the Information Technology of the Patent Office was consolidated with the the Ministry of Justice related with the processing of the applications for legal protection of industrial property were transferred to the Centre of Registers and Information Systems. Therefore the Patent Office does not deal with the development and improvement of client oriented information technological services (incl. public databases, portal of electronic filing of applications etc.).

VI. Administration of industrial design information products and services available to the public (relating to facilities, e.g., for lodging applications, registering designs, assisting clients with search procedures, obtaining official publications and registry extracts)

The Estonian Intellectual Property and Technology Transfer Centre is a non-profit organization founded by Ministry of Economic Affairs and Communications and Estonian Chamber of Commerce.

The Estonian Intellectual Property and Technology Transfer Centre provides services to the general public. Main target group are small and medium sized enterprises (SME-s). The Estonian Intellectual Property and Technology Transfer Centre acquires, processes and maintains patent documents, patent gazettes and other patent and non-patent literature (the financial resources for it are allocated from the budget) and by exchange of publications with other industrial property offices under international agreements.

The Estonian Intellectual Property and Technology Transfer Centre have a library which is the only library that collects and processes patent literature in Estonia. The Centre participates in the interlibrary lending at the national or the international level. Lending requests are satisfied by e-mail or by ordinary mail.

The patent and trademark gazettes as well as reference literature and other materials, i.e. patent documents, are stored in the stock-rooms and are lent at the request of the users. The Estonian Intellectual Property and Technology Transfer Centre also stores the collection of the official gazettes and specifications of the Estonian Patent Office.

The users of the Centre can carry out searches using CD/DVD-ROMs at 8 workstations.

The following CD/DVD-ROM collections are available:

ESPACE ACCESS (until 2009)
ESPACE ACCESS EP-B (until 2011)
ESPACE ACCESS EPC (until 2009)
ESPACE BULLETIN
ESPACE LEGAL
ESPACE EP
ESPACE WORLD (until 2009)
ESPACE AT
ESPACE CH (until 2007)
ESPACE FI
ESPACE FR-A (until 2010)
ESPACE SI
ESPACE UK (until 2011)
German databases:
DEPAROM KOMPAKT (until 2011)
DEPAROM ACT (until 2011)
DEPAROM U (until 2011)
US collections:
USA App (until 2011)
USA Pat (until 2011)
Other countries:
PAJ Patent Abstracts of Japan
PAJ/INDEX
Patents of Russia (Full specifications) (until 2010)
ESPACE ACCESS-RFD (until 2011)
Utility models of Russia (until 2004, first pages)
The inventions protected in the Republic of Moldova (until 2008)
CNPATE-ACCESS

In-house online access is established to the commercial databases PatBase and Global Patent Index (GPI). These databases are charged on the bases of annual fees.

The Estonian Intellectual Property and Technology Transfer Centre offers copying services from paper. The users can order printouts of the documents on CD/DVD-ROMs. These services are offered for a moderate price.

The Centre also offers more advanced services – patent information researches: state-of-the-art search, freedom-to-operate search, technology monitoring, IP audit. User can claim for an advanced research in his favorite technical field, results will be analyzed 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.

URLs of web pages of the Office's website for electronic filing of industrial design 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 registration procedures related to industrial designs; opposition and appeal procedures related to industrial designs; etc.

http://www.epa.ee/client/default.asp?wa_id=395&wa_object_id=1&wa_id_key=
(only 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., industrial design search service(s) and industrial design databases), as well as information on how to access and utilize them

http://www.epa.ee/client/default.asp?wa_id=917&wa_object_id=1&wa_id_key=

VII. Matters concerning mutual exchange of industrial design documentation and information

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.)

Cooperation with Tallinn City Enterprise continued successfully as well. On 2 October there was a subsequent Tallinn Entrepreneurship Day, where this time the formula of success was searched for. Proceeding from that the Small-Sized Enterprise Support Division arranged a seminar "Can Protection of Industrial Property Ensure the Success of the Enterprise? How Does It Work?", where links between protection of inventions and trade marks, and success were highlighted.

Traditionally the Small-Sized Enterprise Support Division arranged two big seminars: in April a seminar "Protection of Industrial Property for Beginners" celebrating the World Intellectual Property Day and in November a seminar on the link between patent protection and business model of the entrepreneur, software patents, business secrets, franchise etc. Theoretical side was illustrated with examples from the practice of industrial design and patent.

Training courses for national and foreign participants

In 2012 like in 2011 the seminars held in the classroom of the Estonian Patent Office were of great importance. In fact the Small-Sized Enterprise Support Division arranged there seven seminars, the main topic in four cases was protection of trade marks and in 3 cases protection of inventions. Need for corresponding seminars was urgent, particularly in the second half of the year.

Cooperation with the developing centres of the counties continued in order to support the regional development of Estonia by rising awareness of industrial property outside the capital. That year in cooperation with Rapla County Development and Enterprise Centre people of Rapla county could get a review of the issues related to protection of trade marks, inventions and industrial designs. Enterprise Estonia was also involved as its representative made a presentation on innovation voucher grant programme.

The Patent Department and the Small-Sized Enterprise Support Division got new experience in training high school teachers during participation in the project initiated by Estonian Research Council. Head of the Chemistry, Medicine and Foodstuffs Examination Division of the Patent Department Anneli Simmul distributed knowledge at student inventor training tutorials for those interested in Tartu and Rakvere.

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 industrial designs

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/client/default.asp?wa_id=922&wa_object_id=1&wa_id_key=

contain industrial design-related news regarding the Office

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

X. Other relevant matters