

# SCIT.ATR.ID.2006.EE

## Annual Technical Report 2006 on Industrial Design Information Activities submitted by Estonia (SCIT/ATR/ID/2006/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

The Industrial Design Protection Act entered into force on 11 January 1998. On 1 April 2004 the Geneva Act of the Hague Agreement Concerning the International Deposit of Industrial Designs entered into force. Community design rights, including the Council Regulation 6/2002/EC on legal protection of Community designs of 12 December 2001. Besides the existing ordinary possibilities for registration all industrial designs disclosed to the public within the territory of the European Community a 3-year protection against imitation (copying) shall be granted automatically under the Geneva Act of the Hague Agreement.

In Estonia industrial designs are registered by publication or registration system. The Estonian Patent Office does not examine the industrial design as to its novelty, inventiveness and 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.

The term of protection of an industrial design is 5 years from the filing date of the registration application; after that the owner of the right may, by paying the state fee, renew the term of protection four times for periods of 5 years each, up to a maximum of 25 years.

The number of industrial designs entered in the State Register of Industrial Designs in Estonia on 31 December 2006 was 847. The number of international registrations of industrial designs granted legal protection in Estonia was 355 and in addition to them there are Community design registrations (see <http://oami.europe.eu/en/office/stats.htm>) and Community designs not registered.

Industrial design registration applications filed with the Estonian Patent Office in 2006 numbered 137, which 47% more than in 2005. Domestic industrial designs made up 66% of the applications (51% in 2005). 128 international industrial design registrations were received under the Hague Agreement, as a result of the distribution of the application their number increased to 192 by 31 December.

The volume of the examination of industrial designs in the Estonian Patent Office increased significantly in 2006. 367 decisions on registration were made in 2006. 37 notifications of refusals were sent to the WIPO, as there is a requirement in Estonia that an application may include only one industrial design, variants of an industrial design or a set of industrial designs. Refusal can be avoided by distributing an international registration into separate applications meeting this requirement in Estonia.

At the end of 2006 the number of pending domestic registration applications was 97 and pending international registration applications was 127.

The average duration of the processing of an industrial design registration application is 1 to 2 months.

The most popular designed products at registration of industrial designs were watches in 2006 (105 international registrations of industrial designs by Swiss applicants). Protection was mainly sought for jewelry (81) and communication equipment (34).

[Design2006](#)

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

The official publication of the Estonian Patent Office is the Estonian Industrial Design

The Estonian Industrial Design Gazette comprises of the following parts:

- 1) Registered industrial designs,
- 2) Renewal of term of industrial design,
- 3) Change in data relating to the registration of industrial design,
- 4) Transfer of rights of proprietor of industrial design into usufruct,
- 5) Deletion of industrial design registration,
- 6) Issue of a duplicate of industrial design certificate,
- 7) Lists,
- 8) Legal acts and information.

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>):

Editing and printing is done with PCs, including the certificates and preparation for the printing of the Industrial Design Gazette.

#### Databases and office automation

## **DATABASE OF INDUSTRIAL DESIGNS**

<http://www2.epa.ee/Patent/design.nsf/SearchEngl?OpenForm>

The database contains information on industrial designs registered and on industrial design registration applications filed in the Republic of Estonia since 11 January 1998 to the extent specified in the Industrial Design Protection Act.

The database does not contain industrial designs registered in the International Register according to the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs, for which legal protection is applied or which have been granted legal protection in the Republic of Estonia. 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 information is updated weekly, on Sundays during 1 a.m. to 7 a.m.

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.

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

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.

### **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**

The Estonian Patent Office maintains a computerised in-house database (applications, registered designs, international registrations).

The search database of industrial designs which is available via the Internet are regularly updated, use is free of charge. The database contains information on industrial designs registered and on industrial design registration applications filed in the Republic of Estonia since 11 January 1998 to the extent specified in the Industrial Design Protection Act. The database does not contain industrial designs registered in the International Register according to the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs, for which legal protection is applied or which have been granted legal protection in the Republic of Estonia. Information on the international registrations of industrial designs is available in a bulletin accessible at the web page of WIPO.

### **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 computerised Estonian industrial designs database can be exploited at the reading room of the Estonian Patent Library. The searches are carried out at the request of the users and the customers pay a moderate price for the computerised services.

**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=445](http://www.epa.ee/client/default.asp?wa_id=445)

**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), industrial design databases, etc.), as well as information on how to access and utilize them**

[http://www.epa.ee/client/default.asp?wa\\_id=445](http://www.epa.ee/client/default.asp?wa_id=445)

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

The Estonian Patent Library receives gazettes containing the information on industrial design from 31 IP offices, 30 titles are acquired by exchange and 1 titles by purchase.

At present information concerning the Estonian industrial design on machine-readable carriers is not being forwarded to our exchange partners.

### **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)**

OHIM

A seminar "Industrial property protection in EU" in Estonian Chamber of Commerce and Industry: library (3 participants)

Others

Estonian Academy of Arts seminar on Design and sustainable way of thinking, Viinistu, 03.11.2006: library (1 participant), office (2 participants)

Customer training activities of the Estonian Patent Library in 2006.

Since 2002 the Estonian Patent Library holds training courses on industrial property information among entrepreneurs, specialists, students etc. in its special computerized public room for training courses. Also IP information users can work online here individually.

In 2006 3 training courses concerning IP information were carried out among entrepreneurs and specialists, 4 training courses among students.

The subject matter of these courses is constantly revised and modified.

The aim of these training courses is to highlight the impact of the use of information concerning patents, trademarks and industrial designs and they are arranged in the library or in centres of entrepreneurship.

OHIM

3.-28.07.2006 Summer Academy , (1 participant)

USPTO

13.-24.02.2006 Study visit (2 participants)

Language courses

1. Advanced English language learning courses (3 participants)

2. Advanced French language learning courses (6 participants)

3. Advanced Finnish language learning courses (1 participant)

4. Advanced computer courses (46 participants)

## **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/default.asp?id=498#acts>

**contain the Annual Report of the Office**

<http://www.epa.ee/ul/doc/valjaanded/aasta2006.pdf>

**contain industrial design-related news regarding the Office**

[http://www.epa.ee/news.asp?wa\\_site\\_id=2](http://www.epa.ee/news.asp?wa_site_id=2)

## **X. Other relevant matters**

Every Monday from 14:30 to 16:30 the Estonian Patent Office offers consultations about the registration and legal protection of industrial designs. Registration in advance is required. Consultations are free and targeted at designers, small business owners and self-employed individuals.