

SCIT.ATR.TM.2006.RU

Annual Technical Report 2006 on Trademark Information Activities submitted by Russian Federation (SCIT/ATR/TM/2006/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

The Office procedures for filing and examining trademark registration applications did not change in 2006.

For the purposes of enhancing activities relating to the examination of trademark and service mark applications (hereinafter trademarks), and the issue of trademark certificates and registration of related agreements, in 2006 reorganization was conducted aimed at optimizing the use of the potential offered by the organizational and technological resources of the structural subdivisions of the Federal Institute of Industrial Property (FGU FIPS), in view of the forecast growth in the receipt of trademark applications.

The result of the reorganization was the formation of a Trademarks and Registration Division, which performs all functions relating to the examination of trademark registration applications, the entry of trademarks in the State Register of Trademarks and Service Marks of the Russian Federation, registration of agreements relating to protectable trademarks and the examination of appeals of judicial and law-enforcement agencies, relating to the legal protection of trademarks.

In order to reduce the amount of work done in carrying out an examination and create the preconditions for transition to electronic document exchange with WIPO in relation to the international registration of marks, basic forms were agreed with WIPO and brought into operation, intended for prosecuting the international registration of marks, in particular the decisions of Rospatent in relation to international registrations (a decision on the preliminary refusal of protection, confirmation or withdrawal of a decision concerning preliminary refusal of protection).

As in the previous year, the term of examination for applications was on average about a year. FGU FIPS implemented a series of measures aimed at enhancing examination processes, including reducing their labor-intensive nature by means of computerization, resolving the problem of providing access to electronic documents within the Trademarks and Registration Division from the workstation of the person in charge of a specific sector.

The settlement of the problem of enhancing the quality of trademark examination was facilitated by the operation of an open register of national trademark applications received by Rospatent from January 1, 2005 onwards, allowing the public not only to be informed of trademark applications received for examination, but also to receive operational information from interested persons on the possibility of conflicts arising between a claimed designation and previously registered trademarks.

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

Table I (attached below) shows that the number of trademark registration applications filed in the Russian Federation in 2006 increased by 12.52 per cent compared to 2005.

[Table1](#)

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

Statistical information on all forms of industrial property is provided on the Office site in the About Rospatent section, Reports, Reviews, Statistics subsection:

- archive of statistical information
http://www.fips.ru/ruptoru/reports_archiv.htm;
- Rospatent Annual Reports, statistical information
<http://www.fips.ru/ruptoru/reports.htm>

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

Publishing, printing, copying techniques

During the reporting period the following were published in Official Gazettes:

- 18,161 announcements of trademark registration;
- 22 announcements of registration of appellations of origin.

Documents providing protection were prepared and sent to rightsowners in relation to all forms of industrial and intellectual property subject matter.

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

Rospatent trademark publications are cited in Table 2 (attached below).

In 2006, annual indexes were issued for the following gazettes from 2005:

- The Trademarks, Service Marks and Appellations of Origin Official Gazette on paper – three parts.
- The Trademarks, Service Marks and Appellations of Origin Official Gazette on electronic CD-ROM carrier with a search system and the corresponding paper gazette are distributed by subscription. The last two Gazettes are available on the Rospatent site.

[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

As part of the program of comprehensive modernization of the automated systems of Rospatent, the following work was completed in 2006:

- experimental operation of the new automated trademark examination 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" database and organization of interaction between the two automated systems;
- software was fully introduced for the first version of the "TM-ADMIN" automated electronic document exchange management system for conducting trademark examinations, work was done to integrate the "TM-EXAM-SEARCH" and "TM-ADMIN" Automated Systems with the automated systems existing for trademarks and newly incorporated additions (Patent Attorneys of the Russian Federation, Agreements and Judicial Decisions Automated Systems), and a strategy was devised for gradual transition from the existing Russian Federation Trademarks Automated System to a new solution;
- the Judicial Decisions Automated System was devised and introduced, as an electronic document-exchange system, linked to procedures for participation in court hearings and the implementation of court decisions on different forms of intellectual property subject matter. The Automated System allows a database of judicial decisions to be set up and serves the purposes of recording precedents of legal proceedings. The integration of the Judicial Decisions Automated System with Rospatent's existing processing systems, and also with systems for the publication and keeping of State registers, is planned;
- a single automated system for processing agreements (Agreements Automated System) has been introduced for all forms of intellectual property subject matter;
- the Prosecution of International Trademark Registrations Automated System (RPMECA) has been brought into operation;
- paperless technology for preparing and transferring data for the official publication of trademark data on CD-ROMs and the Internet has been devised and introduced.

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

CD-ROMs containing official gazettes are printed by a firm which specializes in publishing such products.

The paper gazette is printed on an FGU FIPS polygraphic base, by polygraphic means using a Romajor-314 printing machine and on a Docutech 6100 operational printing system by electrographic means.

All materials for printing are transferred electronically in PDF format.

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

Web page addresses on the Rospatent site provide access to:

- Official Gazettes on line - Trademarks and Appellations of Origin subsection in the Electronic Gazettes section www.fips.ru/el_bl/default.htm
- other trademark information sources, including the downloading of the main array of trademark data – in the Information Search System section of the:
Databases subsections <http://www.fips.ru/russite/dbs/dbs.htm>;
Classifications <http://www.fips.ru/russite/classificators/classificators.htm#tz>;
Register of Russian Trademarks and Service Marks http://www.fips.ru/cdfi/reestr_ruttm.htm;
Register of Russian Appellations of Origin http://www.fips.ru/cdfi/reestr_rugp.htm;
List of Trademarks Well Known in Russia http://www.fips.ru/cdfi/reestr_wktm.htm;
Register of International Trademarks with the Indication Russia http://www.fips.ru/edfi/reestr_rom.htm; and the
Register of Russian Trademark and Service Mark Applications http://www.fips.ru/edfi/reestr_rutmap.htm

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 International Classification of Goods and Services (hereinafter ICGS) is used for examination purposes, intended for the registration of marks. In 2005 and 2006 the eighth edition of the ICGS was used, published in 2001.

The figurative elements of trademarks are classified by the Office in accordance with the Vienna Agreement Establishing an International Classification of the Figurative Elements of Marks.

The WIPO Standard (ST 60) 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

The accuracy of the classification of the goods and services indicated in a trademark registration application is verified according to the electronic version of the ninth edition of the ICGS. The electronic version of the LEXINTU classifier (an extension of the ICGS) is also used, which includes ICGS goods/services, grouped together in terms of similarity and originality, together with a large number of terms not contained in the ICGS but included by Russian and foreign applicants in their applications.

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

For the unambiguous evaluation of the scope of rights of registered trademarks in descriptions of goods/services, applicants are recommended to avoid using undefined or general expressions and to use the terminology of the current edition of the ICGS.

For the correct classification of each specific good or service, applicants are recommended to use directly lists of goods and services, and the corresponding explanations for each class, since class headings indicate in general terms only the fields to which goods and services may in principle relate and do not contain the names of specific goods or services.

Applicants are not, however, obliged to use only the terms indicated in the ICGS or LEXINTU.

Bibliographic data and processing

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

As a result of the trademark search system being computerized, the Office no longer maintains the manual trademark search collection.

V. Activities in the field of computerized trademark search systems

In-house systems (online/offline)

For the purposes of searching verbal and figurative elements of trademarks, a search subsystem of the Russian Federation Trademarks Automated System is used. A search is conducted in three stages (offline): preparation of the search model of a trademark and search specification; launch of search specifications on the server; and review of search results by an examiner.

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.

In 2006, access was granted via the Internet on the Rospatent site to:

- registers of Russian patent documents on all types of industrial property and a register of trademark applications filed in 2005-2006;
- official Rospatent gazettes: Trademarks, Service Marks and Appellations of Origin.

Rospatent's Internet resources include the following databases:

- a database of Russian trademarks (contains information on 237,000 Russian trademark certificates from 1925 to 2006 inclusive; updated twice monthly);
- a database of international trademarks with the designation Russia (contains information on 149,000 international trademarks with the designation Russia from 1980 to 2006, updated weekly) – for trademark database subscribers;
- an Appellations of Origin database – for trademark database subscribers;
- Trademarks Well Known in Russia database;
- A database of trademark applications filed in 2005-2006 (contains information on 73,000 applications; updated daily);
- An ICGS database.

External databases

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

Examiners also use the following databases:

- Madrid Express (<http://www.wipo.int/ipdl/en/search/madrid/search-struct.jsp>)
- Romarin (<http://www.wipo.int/romarin/>)

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

The Office uses the following prosecution systems in the field of trademark information:

- The Russian Federation Trademarks Automated System for prosecuting applications for trademarks and appellations of origin;
- The unified Agreements Automated System for prosecuting agreements on industrial property subject matter, relating to the powers of the Office, including in relation to trademarks;
- The Amendments to Trademark Registrations Automated System for prosecuting applications received after trademark registration (for example, extension, change of owner, termination of validity).

- The Prosecution of International Registrations Automated System.

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

Compaq DL380 Server – 8 units (OM-2GB, processors – 2, external memory - 200GB)

Compaq DL580 Server – 2 units (OM-8GB, processors – 4, external memory – 300GB)

Compaq 586, P MMX, PII, P4, Fujitsu-Siemens workstations – 520 units

Switching equipment:

SmartSWITCH 6000, 3Com CoreBuilder 3500; Cisco

Software: SINIX, Windows 2000 and Windows XP operating systems.

Media used: SDLT magnetic tapes.

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)

Collection management, preservation

The trademarks collection is held at the All-Russian Patent Technology Library (VPTB) both on paper and optical disk, and includes:

- Rospatent Trademarks, Service Marks and Appellations of Origin Official Gazettes;
- patent gazettes from foreign countries and international organizations, both special gazettes and also general industrial property gazettes with sections devoted to trademarks;
- databases including trademark information from foreign countries and international organizations;
- collections, both on paper and electronic carriers, are organized along geographical, systematic and numerical lines, i.e. arranged in alphabetical order 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 2006, the number of trademarks gazettes issued for all countries constituted more than 38,000 storage units on paper and approximately 30,500 optical disks were viewed by users.

Access for external users to full-text trademark databases is granted by agreement.

External users are granted free access to the following related to trademarks:

- Databases containing documents published in the previous two Trademarks, Service Marks and Appellations of Origin Gazettes,
- The Trademarks Well Known in Russia database;
- The ICGS database.

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.

- In the Industrial Property section; Trademarks subsection, <http://www.fips.ru/ruptoru/trmark.htm>

- In the About Rospatent section, Fees subsection, Regulations on fees for the patenting of inventions, utility models, industrial designs, registration of trademarks, service marks and appellations of origin, and grant of the right to use appellations of origin
<http://www.fips.ru/potr/poshl.htm>

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), trademark databases, etc.), as well as information on how to access and utilize them

- In the Information Resources section; in the Services subsection <http://www.fips.ru/russite/uislugi/podp.htm>
- In the About Rospatent section; FIPS Services and Tariffs subsection; tariffs for services relating to trademarks, service marks and appellations of origin <http://www.fips.ru/potr/tarif03.htm>.

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 2006, 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 VPTB Division receives trademark information both in the form of special gazettes and also sections of general industrial property gazettes from 46 countries and three international organizations.

In 2006, the following were received on all types of carriers: special gazettes – 1,236 copies; general industrial property gazettes with sections devoted to trademarks – 311 copies.

Exchange of machine-readable information

In 2006, 1,051 copies of trademark gazettes and sections with trademark information in industrial property gazettes from WIPO, Germany, Japan, the Republic of Korea, United States of America and other countries were received on optical disks and downloaded from the Internet.

Electronic communications are exchanged with the International Bureau of WIPO as part of the MECA international registrations project (Madrid Agreement and Protocol Relating Thereto).

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 2006, ten seminars held in the different regions of Russia were devoted to trademark registration problems, in particular:

- the Conference and Round Table as part of the Archimedes-2006 Ninth International Exhibition at Sokol'niki, devoted to current issues of theory and practice of the protection and use of intellectual property subject matter.
- Representatives of the All-Russian Society of Inventors and Rationalizers (VOIR), Moscow Chamber of Trade and Industry, Parliamentary Center attached to the State Duma of the Russian Federation, Moscow, Moscow Region, Saint Petersburg, Astrakhan', Izhevsk, Krasnoyarsk, Stavropol', Tambov, Tver', Rostov-on-Don and other cities in the Russian Federation, participated in the work of the Conference and round table, together with representatives of the patent offices of Armenia, Moldova and Romania. Conference participants included patent attorneys, representatives of industry, scientific organizations and the press.
- The tenth scientific and practical conference on the situation of and prospects for legal protection, defense and use of intellectual property subject matter, held in the premises of Rospatent and FGU FIPS.

Representatives of the following took part in the work of the Conference: international organizations (WIPO, European Patent Office (EPO), Eurasian Patent Office (EAPO), the European Commission in Russia, International Scientific and Technical Center (ISTC)); patent offices of foreign countries (Finland, Japan, Moldova, People's Republic of China, Poland, Republic of Belarus, Kyrgyzstan, Ukraine); Federal Patent Court of Germany; the Embassies of France, the People's Republic of China and United States of America; a number of State bodies (Federation Council of the Federal Assembly of the Russian Federation, Parliamentary Center of the Federal Assembly of the Russian Federation, Moscow Court of Arbitration, etc.); public organizations and associations (VOIR Republican Council, the Association of Russian Patent Attorneys, Russian Association of Trademark Owners, Russian Authors' Society etc.); Russian Academy of Sciences; higher education institutions and scientific research institutions; industrial firms; administrative and managerial bodies, information centers and other organizations from a number of regions

of the Russian Federation; individual foreign organizations, companies and firms. The leaders and specialists of the central authorities of Rospatent, FGU FIPS, the FGU Chamber on Patent Disputes, Russian State Institute of Intellectual Property (RGIIS) and also RGIIS students were widely represented.

- A seminar on the protection of utility models and industrial designs. Problem issues of trademark registration (the Nizhniy Novgorod Scientific Research Center);
- A seminar on current trademark examination issues (the Perm' Scientific and Technological Research Center).

Training courses for national and foreign participants

FGU FIPS provided training courses in the field of trademark information relating to individual programs for specialists from the patent offices of CIS countries.

These included specialists from the National State Enterprise of the National Institute of Intellectual Property of the Committee on Intellectual Property Rights of the Republic of Kazakhstan, from July 31 to August 4, 2006, and specialists from the National Center of Intellectual Property of the Republic of Belarus, from November 15 to 17, 2006.

In accordance with the training course program, specialists familiarized themselves with trademark application examination procedure, the procedure for conducting searches, processing national trademark applications and also those filed according to the Madrid system for the registration of marks, and attended an open session of the Chamber on Patent Disputes. During the training course, specialists studied the aspects of the registration of trademarks reproducing surnames and the characteristics of the registration of volume trademarks, labels and packaging, and slogans, the procedure for establishing the similarity of marks to the point of confusion, and the practice of determining the originality of goods and services for similar marks.

In December 2006, at the request of the Patent Office of Viet Nam (NOIP) a short training course was held for ten Office representatives at the premises of Rospatent, FGU FIPS and RGIIS. The Vietnamese delegation was headed by the NOIP Deputy Director General, Mr. Hoang Van Tan. The vast majority of members of the delegation had already undergone training at RGIIS a few years previously and many of them had also been postgraduate students. All the recent changes to Russian legislation, law-enforcement practice in the intellectual property sphere and specific issues relating to the examination of applications and trademark registration gave rise to great interest.

In 2006, two distance learning sessions were held in Russian on the WIPO Worldwide Academy Program Foundations of Intellectual Property for Russian citizens and Russian-speaking citizens of other countries, where the basic aspects relating to all forms of intellectual property subject matter were discussed.

According to the results for 2006, of the 1,582 registered persons, 825 successfully completed the training. In comparison with 2005, the number of persons registered for the WIPO Worldwide Academy distance learning course increased by 276. The results of the distance learning are available on the website http://www.fips.ru/ruptoru/Regions/dist_itog.htm.

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

Trademarks, Service Marks and Appellations of Origin subsection in the Normative Documents section <http://www.fips.ru/npdoc/index.htm#3>; the Normative Documents subsection in the Trademarks, Service Marks and Appellations of Origin section <http://www.fips.ru/ruptoru/trmark.htm>

contain the Annual Report of the Office

Reports, Reviews and Statistics section <http://www.fips.ru/ruptoru/reports.htm>

provide open source codes related to trademark information systems

References section <http://www.fips.ru/russite/search/search.html>

contain trademark-related news regarding the Office

Main News section <http://www.fips.ru/rosapatent/index.htm>, News section <http://www.fips.ru/ruptoru/news.htm>

X. Other relevant matters