

CWS/ATR/TM/2014/PL

Annual Technical Report on Trademark Information Activities in 2014 submitted by Patent Office of the Republic of Poland

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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. GENERAL OVERVIEW OF RECENT DEVELOPMENTS IN TRADEMARK INFORMATION ACTIVITIES CARRIED OUT BY THE OFFICE

Outline of main policies and plans aimed at development of trademark information activities and expected time frames for their realization

A number of projects were established within the Cooperation Fund, a lot of them have already been implemented but still on some of them the work is carried out. The Cooperation Fund covers work in collaboration between OHIM and national offices. Main goals of this project are: harmonization of practices, adaptation to the digital environment, barrier removal, improvement of technical system. Such objectives create a good strategy especially in order to adapt to the competitive internal European and digital market. That's why here in Poland, the Office decided to participate in all of the 20 CF projects.

In 2014 Polish Patent Office continued to use new databases as follows:

- TMview - online trade mark search tool, is an online consultation tool allowing any Internet user to search, free of charge, for national, international and community trademarks of all trade mark offices involved in the initiative.
- TMclass - Free online tool to search, translate or classify goods and services when applying for trademarks. TMclass is a central point from which it is possible to access the terms that appear in the classification databases of each of the offices participating in the initiative.
- Quality Standard for Trade Marks and Designs - Transparent and harmonized information about services and quality standards provided by participating offices.
- Common User Satisfaction Survey - Harmonized User Satisfaction Survey - a Cooperation Fund project, the Common User Satisfaction Survey allows for a common approach to carrying out surveys across participating IP offices. The project also allows for the cross-linkage of other CF projects, like Quality. An analysis of the completed survey will allow the participating office to: measure customer satisfaction draw attention to areas for improvement plan future work of the office.
- eLearning - tool providing online training for Small and Medium Enterprises (SMEs) on the importance of Intellectual Property Rights (IPRs). This e-Learning tool is divided into two main sections: "Why is Intellectual Property important", where you can find information about Intellectual Property throughout the different stages of production, and "What and How to protect" where you can find information targeted towards Small and Medium Enterprises (SMEs), covering the different types of Intellectual Property rights.
- Enforcement Database - an up to date database to help enforcement agencies to better identify counterfeit goods. The tool holds data on registered IP rights, contact information, supplementary product information and logistics. This information can be used by enforcement authorities in order to detect counterfeit products.
- Anti – Counterfeiting Intelligence Support Tool - with this tool enforcement authorities can see how counterfeited goods are moving within the internal market so that they can use their resources more efficiently. The system enables end users (enforcement authorities, the OHIM Observatory, etc.) to upload the relevant data via a user friendly interface.

New projects launched or resumed this year in the context of the policies and plans mentioned above, short description: aims, partners, tasks

Operation commencement of the two-way communication with the Office clients via general correspondence form on Electronic Platform of Public Administration Services (ePUAP). Publishing 8 electronic forms, allowing customers of the Office to further proceed matters relating to subjects of protection in electronic form. Operation commencement of the search platform based on the SharePoint 2013, aiming ultimately to take over the functionality provided by the old "Databases UPRP" platform. Search engine is linked against other search systems, which are in the portfolio of the Office (Publication Server, Register Plus).

Operation commencement of the new website concerning International Patent Classification, and migration of the data from the existing site functioning under the Online Services Portal, which allow to provide full support for this system by WIPO (the creator of solutions), as well as easy implementation of new features and improvements offered by the WIPO.

Operation commencement of the new website publishing Official Gazette of the Office containing "Wiadomoci Urzdu Patentowego" (WUP) and „Biuletyn Urzdu Patentowego" (BUP). Migration of the documents from Online Services Portal.

Operation commencement of the new publication (searching) server "Lista Rzeczników Patentowych" [*Patent Attorneys List*], containing list of patent attorneys, together with the migration of data from the Online Services Portal. Adjustment of the data structure and adaptation of the system to the current legislation.

Translation, modernization and Operation commencement of the IPResponse - Danish Patent Office online survey on the use of intellectual property in the enterprise and its publication on the website of the Patent Office.

Operation commencement of the new office Web page with the Nice classification, Vienna, Locarno and Eurolocarno in Polish, English and French language and preparing internal website used to translate foreign language versions into Polish.

Designing and implementing a new intranet on SharePoint 2013 in the Polish Patent Office. Work on the new functionalities such as personal pages, updating and ordering official documents, launching the search of documents and adding other new functionalities.

Successful update of Acepto tool from version 7 to 9. ACSEPTO is the primary search and examination system for trademarks - a tool that integrates many types of IT resources to conduct searches of trademarks registered through the national route, international registrations, Community Trademarks, appellations of origin, pharmaceutical names, materials under Article 6ter of the Paris Convention.

Main areas of trademark information activities and related information and communication technology (ICT) practices which were in the focus of attention last year

The works were still pending on implementation of the following projects:

BackOffice - The Polish Patent Office (PPO) has completed the final stages of the parallel go-live of the Back Office project - is planning on the full implementation of the project in the middle of 2015. The Back Office, developed by OHIM's Cooperation Fund, is a workflow-based system for handling trademarks and designs throughout the whole lifecycle of the process, from application to registration and publication. It also streamlines the working process, by helping users to create and monitor correspondence with clients. Its auto completion system automatically fills in trade mark and design data into letters. The tool calculates fees, holding all information on one single page, and handles files, organizing notes and correspondence. The PPO team has already begun to register trademarks through the system, and has migrated many more. The Back Office was implemented thanks to huge efforts from Warsaw-based IT and IP experts, with support from OHIM colleagues in Alicante and on the ground in Poland.

TMeFilling – a system for applying trademarks electronically.

Statistics: changes in terms of application filings and registrations with respect to previous year; trends or areas experiencing rapid changes

In 2014, the Polish Patent Office received in total 13,968 trademark applications under national procedure.

In 2014, the Patent Office received from domestic applicants:

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

After completing formal examinations the Office issued 11,029 positive decisions concerning the grant of trademark protection rights under national procedure.

The number of trademark registration rights in force on 31 December 2014 was 235,795 (138,712 under national procedure and 97,083 under international procedure).

Other matters and useful links (URLs): annual report of the Office, news page, statistics, etc.

Statistics are accessed at the following URLs:

<http://www.uprp.pl> (Annual Reports' box)

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

News page: <http://www.uprp.pl/aktualnosci/Menu01,16,7,index.pl/>

II. SERVICES AND ACTIVITIES RELATED TO TRADEMARK INFORMATION CARRIED OUT BY THE OFFICE

Information and support provided by the Office to applicants regarding filing on paper and/or e-filing (instructions, seminars, etc.) - URLs

IP Info Centre - new division within the PPO Receiving Department – has been operating since December 2013.

Current PPO information and support options include:

- 1) Via website: <http://www.uprp.pl/przedmioty-wlasnosci-przemyslowej/Menu02,12,4,index.pl/> (all information about patents, trademarks, designs, etc. and instructions;
- 2) via telephone: (+48 22 579 05 55);
- 3) via e-mail: <http://www.uprp.pl/Text01,205,161,1,index.pl,text/>;
- 4) in PPO (personally) During the IP Info Project works were performed on the establishment of new "meeting point with examiners" which will start operating in 2015.

During 2014 works were performed on the IP Info Centre in order to provide two additional clients' communication options:

- live chat;
- callback.

The project is planned to be completed in 2015 and will provide new possibilities of customer relations in the Office's new IP Info Center, including implementation of the contact center and CRM systems.

Availability of the application dossier in electronic form

Customers using the Online Services Portal have access to the application files sent by them electronically to the PPO. If they agree to further conduct correspondence electronically they have access to the application dossier in electronic form.

Matters concerning classifying

(i) 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

(ii) Use of electronic classification systems and pre-defined terms of the classification applied

The Polish Patent Office uses the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) 10th 2013 edition as well as International Classification of the Figurative Elements of Marks (Vienna Classification) 7th edition.

During the procedure, the Office's staff amends the goods and services classes

Matters concerning processing of different types of non-traditional marks (e.g., three-dimensional, motion, hologram, color mark, etc.)

n/a

Other activities

n/a

III. SOURCES OF TRADEMARK INFORMATION PROVIDED BY THE OFFICE

Main types of publications in the field of trademark information, outline of the content and medium (on paper, on CDs, online - URLs)

In 2014, the following publications (periodicals) were issued:

- "Biuletyn Urzdu Patentowego" (first level Official Gazette - bi-weekly) 26 numbers, i.e. 3,210 copies;
- "Wiadomosci Urzdu Patentowego" (second level Official Gazette - monthly) 12 numbers, i.e. 1,441 copies;
- 2013 Annual Report of the Patent Office of the Republic of Poland - 950 copies.

Most publications are available on the PPO's website <http://www.uprp.pl> - and continues at: <http://ipu.uprp.pl> (Online Service Portal).

Official Gazettes: main types of announcements, frequency of publication, medium (on paper, on CDs, online, URL), etc.

Both parts of the Polish Patent Office's Official Gazettes ("Biuletyn Urzdu Patentowego": national trademark applications and "Wiadomosci Urzdu 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 2014, there were 14,132 announcements on trademark applications and 10,302 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.

Information products (coverage, medium, etc.) available to examiners, including external documentation and databases

In 2014 the following information products were available to examiners:

- Online Services Portal with: IP information on trademarks, access to classifications, e-filings and patent attorney's list: <http://ipu.uprp.pl>;
- Register Plus for trade marks (free of charge) available at:

<http://regservtd.uprp.pl/register/regviewer>

The Polish Patent Office uses external databases, such as:

- MedNet - INN database (International Nonproprietary Names) available on the pages <http://mednet.who.int/inn>, free of charge;
- E-Bacchus is a database which: consists of the Register of designations of origin and geographical indications protected in the EU in accordance with Council Regulation (EC) No 1234/2007, lists non-EU countries' geographical indications and names of origin protected in the EU in accordance with bilateral agreements on trade in wine concluded between the EU and the non-EU countries' concerned, lists the traditional terms protected in the EU in accordance with Council Regulation (EC) No 1234/2007. Database is available on the page: <http://ec.europa.eu/agriculture/markets/wine/e-bacchus/index.cfm?event=pwelcome&language=PL>, free of charge;
- The DOOR - Database of Origin and Registration database includes product names for foodstuffs registered as PDO, PGI or TSG as well as names for which registration has been applied. Database is available on the page: <http://ec.europa.eu/agriculture/quality/door/list.html?jsessionid=pL0hLqQLXhNmFQyFI1b24mY3t9dJQPflg3xbL2YphGT4k6zdWn34!-370879141>, free of charge;
- NATIONAL PLANT VARIETY PROTECTION - COBORU (www.coboru.pl), free of charge;
- COMMUNITY PLANT VARIETY PROTECTION - CPVO (www.cpvo.europa.eu), free of charge.

Information products (coverage, medium, etc.) and services available to external users; conditions of access (e.g., free of charge, subscription, etc.)

PPO provides access to trademark data in the reading room where external users can also search free of charge in online databases and databases on CD and DVD.

Information provided upon payment include:

- bibliographic data of trademark applications and registered trademarks

Legal status information (kind of information, coverage, medium, etc.)

In order to make entries on the legal status of exclusive rights protected on the territory of Poland, the trademark register is held. The register includes information necessary to establish the subject and scope of protection (f. ex. date of filing, title), entity (or entities) entitled to rights concerning a given subject of protection (f. ex. holders, licensees, securities, seizure) and other useful information (f. ex. applications for revocation). Every person who submits relevant application and pays a fee to the account of the Office can obtain excerpts from the register.

Legal status information is also available in Register Plus at:

<http://regservtd.uprp.pl/register/regviewer>

Other sources

n/a

IV. ICT SUPPORT TO SERVICES AND ACTIVITIES RELATED TO TRADEMARK INFORMATION CARRIED OUT BY THE OFFICE

Specific software tools supporting business procedures within the Office: general description, characteristics, advantages, possible improvements

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 registered through the national route, international registrations, Community Trademarks, appellations of origin, pharmaceutical names, materials under Article 6ter of the Paris Convention. Polish Patent Office has successfully updated Accepto tool from version 7 to 9.

Hardware used to supporting business processes of the Office

PPO uses thin clients, workstations and notebooks with *Microsoft Windows XP Professional*, *Microsoft Windows 7 Professional* and *Microsoft Windows 8.1 Pro*; multimedia tablets with *Apple iOS*, *Google Android* and *Microsoft Windows 8.1 Pro*; physical and virtual servers with *Microsoft Windows Server 2003 Standard & Enterprise*, *Microsoft Windows Server 2003 R2 Standard & Enterprise*, *Microsoft Windows Server 2008 Standard & Enterprise*, *Microsoft Windows Server 2008 R2 Standard & Enterprise*, *Microsoft Windows Server 2012 R2 Standard*, *SUSE Linux Enterprise Server 10/11/12*, *CentOS Linux 5/6/7*, *Oracle Linux 5/6/7*, *Debian GNU/Linux 6/7/8* and *Ubuntu Server LTS*; hypervisor servers with *VMware vSphere 3/4/5/6* and *Microsoft Hyper-V Server 2012 R2*.

PPO was in the middle of the migration process of expiring operating systems such as *Microsoft Windows XP Professional* or *Microsoft Windows Server 2003*.

All of thin clients, workstations, notebooks and servers are secured by *McAfee* antivirus and antispam system.

All network connections are based on *Cisco*, *McAfee* and *Extreme Networks* equipment with 200 Mb/s 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 HP Data Protector, 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.

Main IT infrastructure units are located in a secure server room equipped with fire alarm, CCTV system, redundant air-conditioning and technical floor.

Internal databases: coverage, updates, interlinks with external sources

Trademark data are stored on the specialized, regularly updated internal databases, where image information and bibliographic details are held, for example:

- Marpol – system supporting the process of granting rights of protection for trademarks;
- Marmad - system supporting the process of maintaining rights of protection for international trademarks;
- databases supporting the process of publication of trademarks.

Establishment and maintenance of electronic search file: file building, updating, storage, documents from other offices included in the search file

CTM, IR and 6ter data are stored and accessed via Accepto search system.

Administrative management electronic systems (register, legal status, statistics, and administrative support)

Off-line systems provide information to examiners, lawyers and the accounting staff (payroll and finance-accounting system).

Other matters

n/a

V. PROMOTION ACTIVITIES AIMED TO SUPPORT USERS IN ACCESS AND EFFICIENT USE OF TRADEMARK INFORMATION

Office's library (if deals with trademark information): equipment, collection management, network of libraries in the country, cooperation with foreign libraries

Publications related to different business procedures and trademark information sources available to users, for example, books, brochures, Internet publications, etc.

Within promotion of knowledge on industrial property the Patent Office issues various publications such as guides, informational-promotional brochures addressed to wide audience, among others to entrepreneurs, students, school youth. Those publications are available free of charge both in electronic version and PDF format as well as on paper on the premises of the Office.

Publication titles are as follows: Your world of intellectual property, What is intellectual property, Inventor's guide, Trademarks in MSEs activity, Inventions and patents. Use the past to create future, Industrial protection in a nutshell, Inventions in your house, to name a few.

In 2014 the PPO continued implementation of the project aimed at preparing and distributing 22 booklets on different aspects of intellectual property. The booklets were distributed as training and conference materials at different events and were also posted on the Internet Educational Platform.

Cooperation with universities, technology and innovation support centers, etc.

The Patent Office collaborates with various institutions in the scope of promotion of knowledge on Intellectual Property (organisation of conferences, workshops, trainings, granting patronage of the PPO President over numerous initiatives etc.).

In 2014 the Office collaborated with the following entities, to name a few:

- collaboration with universities (Jagiellonian University in Kraków, University of Warsaw, Maria Curie-Skłodowska University in Lublin, ód University of Technology, Kielce University of Technology, Warsaw University of Technology, Wrocław University of Technology, AGH University of Science and Technology in Kraków etc.);
- collaboration with science and business related institutions, including: Polish Federation of Engineering Associations, Association of Polish Inventors and Rationalisers, Polish Patent Attorney Chamber; National Information Processing Institute;
- Collaboration with governmental administration institutions: Ministry of Economy, Ministry of Science and Higher Education, Ministry of Culture and National Heritage, Ministry of National Education, National Centre for Research and Development, Polish Agency for Enterprise Development.

Education and training: training courses, e-learning modules (URLs), seminars, exhibitions, etc.

In 2014, within industrial property protection the PPO organised or participated in the following events:

- International Conference on World Intellectual Property Day "Patent for medication. Recipe for patent – intellectual property protection in pharmacy" organised in Warsaw in cooperation with WIPO;
- 10th International Symposium "Industrial Property in Innovative Economy. From idea to profit: how to built innovative business" held in Kraków;
- 33rd Seminar for Patent Attorneys of Schools of Higher Education in Cędzyna;
- Trainings on industrial property protection for MSEs and business-related institutions;
- Open Day in the Patent Office;
- PPO competition for a poster, short film and media information in the scope of intellectual property protection;
- Seminar "Protection of medical innovations" in Warsaw;
- 1st edition of the competition "Ambassador of school innovativeness" organised in collaboration with the Polish Academy of Children;
- Ceremony of prize award in the 12th 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 intellectual property organized by the Patent Office;
- 23rd Seminar for Patent Attorneys of Schools of Higher Education in Cędzyna;
- Lectures within 18th Science Festival in Warsaw;
- International Science Festival E(x)plory;

In 2014 the PPO continued implementation of the project Internet Educational Platform which constitutes compendium of knowledge on intellectual property issues. The target group comprises enterprises (especially MSEs) business related institutions (including schools of higher education) and other entities.

- The Knowledge Zone includes information, publications and other materials addressed both to entities with advanced knowledge on IP issues and those looking for basic information on IP protection, procedures and management.
- Training Zone comprises e-learning course divided into 10 modules on intellectual property protection. Each module ends with a test to verify the acquired knowledge.

Within the EU systemic project, in 2014 the PPO organised a series of advisory-informational meetings with renowned experts in the field of intellectual property, which gathered in total 900 guests.

Other activities

n/a

VI. INTERNATIONAL COOPERATION ACTIVITIES IN THE FIELD OF TRADEMARK INFORMATION

International exchange of trademark information in machine-readable form (e.g., Official Gazettes)

Community Trademark information is downloaded using the XML data which is then passed to PPO's search systems.

XML trademark files are downloaded from WIPO and are also passed to PPO's search systems.

Participation in international or regional activities and projects related to trademark information

See point I above.

Assistance to developing countries

Other activities

VII. OTHER RELATED MATTERS