

CWS/ATR/TM/2018/UA

Annual Technical Report on Trademark Information Activities in 2018 submitted by the MINISTRY OF ECONOMIC DEVELOPMENT AND TRADE OF UKRAINE

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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

The main document that determined the directions for the development of trademark information activities in 2018 was the Plan of activities of the State Enterprise "Ukrainian Intellectual Property Institute" (Ukrpatent) which contained strategic directions "Patent information support in the sphere of intellectual property, provision of wide public with access to the information related to intellectual property rights (IPR) acquisition" and "Implementation of modern information technology" which in particular include:

- comprehensive development of the main directions of information support in the sphere of intellectual property;
- introduction of a new version/edition of the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) translated into Ukrainian, creation of information and reference system (IRS) which will provide free public access to the Classification through the Ukrpatent website;
- implementation of series of actions aimed at ensuring the continued acquisition of patent information resources of Ukraine with current publications of the Official Bulletin "Industrial Property" on CD-ROM;
- participation in the activities on unification and harmonization of Ukrainian patent documentation in view of the global experience and in accordance with the international standards of the World Intellectual Property Organization (WIPO) and the current legislation of Ukraine.

In particular, the main actions envisaged by the Plan of Ukrpatent for 2018 are aimed at:

- development of the technological automated system for processing of applications and titles of protection for marks for goods and services;
- automation of the document workflow and provision of a comprehensive electronic information processing;
- development and implementation of freely accessible information resources for a wide range of public;
- development of the IT infrastructure;
- improving security of the international infrastructure.

In addition, the development of trademark information activities in 2018 (as to information technology) was in accordance with the Concept of Information Technology Development at Ukrpatent in 2016-2018 and was carried out in the following main areas:

- automation of technological processing of applications for trademarks, implementation of paperless document management;
- integration of the electronic document workflow system with the marks for goods and services automated system software, providing internal and external electronic interaction;
- provision of electronic official publications on trademarks and maintenance of the corresponding electronic state register;
- improvement of access to applications and registered trademarks materials for their search by a wide range of users;
- provision of users with electronic services relating to trademarks accessible through the Internet.

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

1. In 2018, improvements of the Trademarks Automated System (TMAS) were implemented due to changes in the organizational structure of Ukrpatent. Thus, expanding the functional competencies and tasks of the Documentation Department required urgent creation of the appropriate mechanism. Such a mechanism was created in the form of a multifunctional software module providing the department specialists with the implementation of a set of functions, namely:

- receipt of applications from departments after sending a decision on registration of a mark;
- distribution of applications to the department employees for processing;
- registration of payment documents regarding fees and state duty;
- preparation and transfer of applications for further assignment of certificates numbers;
- drafting letters to applicants;
- making changes to the application materials in accordance with the applicants requests;
- transfer of applications to examination units for processing;
- transfer of applications to the archive for storage;
- bar code identification of a document and an application;

- control over the term of state duty and publication fee payment from the date of receipt of the decision (opinion);
- calculation of a fee for publications relating to applications for marks for goods and services, in view of the number of classes and colors.

2. In 2018, Ukrpatent decided to stop financing aimed at upgrading and adapting outdated systems for processing of applications for trademarks and industrial designs registers. Strategic goals in the field of trademarks and industrial designs required the development and implementation of a new generation automated system. During the second half of the year, actions were taken to analyze the current state of the systems, to study the actual needs of different categories of users, to define a concept, methodology for development and requirements for new services and functions of the new system.

At the end of the year, a package of project requirements for the creation of a complex automated system for processing applications for designations and industrial designs filed under the national registration procedure in accordance with the national legislation of Ukraine and in accordance with international agreements under the international registration procedure was completed. Project development and implementation of the system is scheduled for 2019.

3. In 2018, creation of the Special Information System of Ukrpatent (SIS) was started.

The purpose of creating the SIS is to provide access to information resources published pursuant to requirements of the national legislation. This is a search engine that has a universal search interface. With the help of the SIS, through one query one can search within published applications and state registrations of all IPR types.

The use of new technologies to implement a search engine will significantly reduce the time of information retrieval.

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

The main types of trademark information activities include support of examination of marks for goods and services applications, in particular, forming of search databases for internal use at the examination body, performance of searches, publication of information about registered marks in the official bulletin and creating interactive databases and information and reference systems for providing information services for a wide range of users via the Internet. Information on marks is also published on optical carriers.

Examination of applications for marks for goods and services is carried out by means of the Trademarks Automated System (TMAS) which has full functionality of the text processing and record keeping of trademark applications at all stages, from application filing to completing the examination and maintenance of the State Register of Certificates of Ukraine for Marks for Goods and Services.

An automated worksite of the Editorial Department is used to form the information arrays which are included to the publications in the Official Bulletin "Industrial Property".

The following resources were introduced for information support of the examination procedure:

- the International Classification of Goods and Services for the Purposes of the Registration of Marks, Eleventh Edition, version 2018 (NCL (11-2018)) translated into Ukrainian;
- the International Classification of the Figurative Elements of Marks, Eighth Edition (VCL (8)) translated into Ukrainian.

To provide access for a wide range of users to the mentioned classifications the following information and reference systems (IRS) were available on the Ukrpatent website:

- IRS "International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification). Eleventh Edition, version 2018";
- IRS "International Classification of the Figurative Elements of Marks (Vienna Classification). Eighth Edition".

In 2018, actions were taken to update the computer and telecommunication equipment and software; steps were taken to upgrade security hardware and software. In particular, the servers adapted to arrange new information systems intended for placement of new information systems for increase of parameters of power and speed of existing systems were put into operation in 2018. The volumes and the number of storages of information to meet the needs for information placement for current and being put into operation systems were increased.

All equipment was put into operation.

The organizational and technical actions for the decommissioning of obsolete/outdated equipment and putting into service of new computer equipment were carried out.

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

Applications filed:

in 2017 – 30,183, in 2018 – 30,899, i.e. 2.4% increase with respect to the previous year.

Registered Certificates:

in 2017 – 15,248, in 2018 – 15,877, i.e. 4.1% increase with respect to the previous year.

From January 1, 2018 to December 31, 2018, Ukrpatent received 8,756 applications for marks for goods and services with the use of electronic filing system for industrial property rights (45.9% increase with respect to the previous year). 28.3% of the total amount of applications for marks for goods and services received by Ukrpatent (according to the national procedure) were electronic applications for marks for goods and services.

In 2018, in comparison with the previous year, the following areas experienced rapid changes: Administration, communication, estate property and financial transactions (+9.7%); Leisure, education, training (+21.1%) and Scientific research, information and telecommunications technologies (+8.7%); Household equipment (-7.5%) and Chemical products (-8.3%).

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

Annual Reports, Annual Technical Reports on Trademark Information Activities, statistical information:

<https://ukrpatent.org/uk/articles/statistics>

News of the Office on the issues related to trademarks:

<http://www.me.gov.ua/> (Intellectual Property section)

<https://ukrpatent.org>

Information on the trademark legislation:

<http://www.me.gov.ua/> (Intellectual Property section)

<https://ukrpatent.org/uk/articles/legislation-and-standards>

Information on Intellectual Property Representatives (Patent Attorneys) providing services related to the IPR protection:

<http://www.me.gov.ua/> (Intellectual Property section).

Since 2017, the integrated patent information resource the Open Datasets of the Ministry of Economic Development and Trade of Ukraine has been in operation for searching in the datasets of the state registers of industrial property rights and the State Register of Intellectual Property Representatives (Patent Attorneys). This resource is accessible at <http://opendata.uipv.org>.

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

Information for users on various procedures and sources of information on trademarks, in particular, information on the legislation in the sphere of trademarks, services and Office activities related to the information on trademarks, statistical information, etc. is published on the website of the Ministry of Economic Development and Trade of Ukraine (<http://www.me.gov.ua/>) and on the Ukrpatent website (<https://ukrpatent.org/>).

The [list of patent information services](#), including paid services provided by Ukrpatent, in particular, by its Department of Patent Information Services, Consultations and Innovation Activity Promotion, is published on [the websites of Ukrpatent](#) and this Department.

Information for applicants on filing applications for marks for goods and services is available on the websites of the Ministry of Economic Development and Trade of Ukraine (<http://www.me.gov.ua/>) and Ukrpatent (<https://ukrpatent.org/>).

Electronic applications may be filed through the [Electronic Applications Filing System](#) (EAFS-1). The applicant's personal account was implemented in the system providing access to all documents generated in the process of interaction between the examination body and applicants during processing of patent applications.

For filing electronic applications for marks for goods and services and electronic exchange between the examination body and applicants, the Electronic Interaction System (EIS) may be used.

User guide on the work with systems, rules of drafting an application, user manuals and regulatory documents are available on the Ukrpatent website at:

<http://base.ukrpatent.org/efiling>;

<https://sev.ukrpatent.org/>.

Electronic documents are electronically signed. Information on how to get an electronic digital signature (qualified electronic signature) is available on the Ukrpatent website in the ["Receiving Electronic Trust Services" section](#). Information on how to get an electronic digital signature (receipt of electronic trust services) is available on the Ukrpatent website at: https://ukrpatent.org/i_upload/file/Poriadok-nadannia-poslug-ECP-2017--pdf.

Access to online publications containing information on trademarks, is provided through the websites of the Ministry of Economic Development and Trade of Ukraine (<http://www.me.gov.ua/>) and Ukrpatent (<http://uipv.org/en/bases.html>).

Availability of the application dossier in electronic form

All application materials for marks for goods and services (both primary and secondary), irrespective of the way they are filed to Ukrpatent (through the electronic filing system, on paper carriers, by email, fax or other telecommunication networks), automatically or after scanning the paper carriers are entered and stored in the electronic document archive and used by technological systems within the pendency of applications.

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

In the framework of the Trademarks Automated System (TMAS) and the International Registration of Marks AS a program system for verifying classification indexes is in place. This system includes manuals on classification systems and special software for performing functions of verifying classification indexes and reclassification.

As of January 1, 2018, the 2018 version of the 11th edition of the International Classification of Goods and Services for the Purposes of the Registration of Marks (NCL (11-2018)) in the Ukrainian translation, as well as the 8th edition of the International Classification of the Figurative Elements of Marks (VCL (8)) in Ukrainian translation were implemented by the relevant orders of the Ministry of Economic Development and Trade of Ukraine.

To ensure accuracy of search results during the examination of applications for marks for goods and services, a revision of search requisite elements (indexes of the Vienna Classification of the Figurative Elements of Marks) regarding their compliance with a new edition of VCL (8) in the TMAS technological databases and the International Registration of Marks AS was carried out.

In the second half of 2018 a set of works was performed necessary for ensuring the implementation in the state system of legal intellectual property protection as of January 1, 2019, of NCL (11-2019) translated into Ukrainian, in particular, respective IRS was created.

In 2018 the following electronic classification systems were used:

- NCL (11-2018) and VCL (8) translated into Ukrainian within the TMAS – for trademark applications examination;

- IRS "International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification). Eleventh Edition, version 2018" and IRS "Classification of the Figurative Elements of Marks (Vienna Classification). Eighth Edition" – by a wide range of users, primarily applicants (available for free on the Ukrpatent website).

After WIPO amends the current version/edition of the NCL and implements its new one, a new version/edition of the current edition translated into Ukrainian is formed by administrative tools for technological automated systems.

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

The Trademarks Automated System tools provide for processing of color and sound marks.

Other activities

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)

Information of the Office on trademarks is provided by publication in printed sources of the intellectual property legal protection sphere, patent information products on optical carriers, free electronic databases (DB) and information and reference systems (IRS):

- the Official Bulletin "Industrial Property" – a printed periodical edition;
- [the electronic edition of the Official Bulletin "Industrial Property"](#) – the analogue of a printed edition;
- the electronic edition of the Official Bulletin "Industrial Property" (on CD-ROM equipped with a search system) – the analogue of a printed edition;
- the National CD-ROM "Marks for Goods and Services Registered in Ukraine";
- the accumulative optical disc (DVD) "Marks for Goods and Services Registered in Ukraine" (on a paid basis);
- [DB "Electronic Version of the Cumulative Official Bulletin "Industrial Property"](#) – information on the issue of certificates of Ukraine for marks for goods and services and information on well-known marks in Ukraine. Moreover, information concerning legal status of certificates (as an extra operational element) is provided in the section "Information on the issue of certificates of Ukraine for marks for goods and services";
- [DB "Marks for Goods and Services Registered in Ukraine"](#) – bibliographic data, list of goods and services, images of marks;
- [DB "Information about Well-Known Marks in Ukraine"](#) – information on marks in the scope defined by the Office, list of goods and services, images of marks;
- [Automated DB of intellectual property of UEFA and its commercial partners](#);
- [Interactive DB "Applications for Marks for Goods and Services Accepted for Examination"](#) – information on all applications for marks and services at the stage of qualifying examination (substantive examination);
- [IRS "Information about Proceeding State of Applications for Marks for Goods and Services"](#);
- [IRS "Information on Certificates of Ukraine for Marks for Goods and Services Terminated or Deemed to be Invalid"](#);
- [IRS "International Classification of Goods and Services for the Purposes of the Registration of Marks \(Nice Classification\)"](#) – through this link the current and all previous invalid versions of the Nice Classification translated into Ukrainian are available;
- [IRS "Classification of the Figurative Elements of Marks \(Vienna Classification\)"](#) – through this link the current and all previous invalid versions of the Vienna Classification translated into Ukrainian are available.

Information on trademarks is published in Book 2 of the Official Bulletin "Industrial Property" in the following sections: "Information on the Issue of Certificates of Ukraine for Marks for Goods and Services", "Information on Well-Known Marks in Ukraine", "Information on Marks Registered under the Madrid Agreement Concerning the International Registration of Marks and/or the Protocol to the Madrid Agreement Concerning the International Registration of Marks, Protected in Ukraine", in the indexes to each of the sections listed and the section of Notices. Color images of marks for goods and services (if any) are published in the relevant section.

Publications of the Official Bulletin "Industrial Property" include:

- for section "Information on the Issue of Certificates of Ukraine for Marks for Goods and Services" – bibliographic data, list of goods and services, black-and-white images of marks;

- for section "Information on Well-Known Marks in Ukraine" – information on marks declared to be well-known in Ukraine in the scope defined by the Office, list of goods and services, black-and-white images of marks;

- for section "Information on Marks Registered under the Madrid Agreement Concerning the International Registration of Marks and/or the Protocol to the Madrid Agreement Concerning the International Registration of Marks, Protected in Ukraine" – information on marks in the scope defined by the Office, list of goods and services, black-and-white images of marks.

The Official Bulletin "Industrial Property" was issued twice a month – 24 issues of the bulletin were issued during 2018. The Annual Index of the Official Bulletin for the previous 2017 year was also published.

The National CD-ROM "Marks for Goods and Services Registered in Ukraine" was issued with the same frequency and includes the following information: bibliographic data, images of marks, list of goods and services grouped by the NCL classes.

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

In the Notices section of the Official Bulletin "Industrial Property" (printed and electronic edition) with the periodicity of its release announcements in respect of registered marks for goods and services (to the extent provided by the respective applicable Law of Ukraine) are published including data on changes in the information entered into the State Register of Certificates of Ukraine for Marks for Goods and Services, information on issue of the certificate duplicates, information on modifications due to the correction of errors and other information relating to the registration of certificates of Ukraine for marks for goods and services.

The section also contains publication of changes in information about international registration of marks protected in Ukraine.

This information is available at <http://www.me.gov.ua/> and <http://ukrpatent.org/uk>.

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

Information products available to examiners for trademark applications examination (search collection) are approved by the corresponding order of Ukrpatent and, inter alia, include:

- AS "Marks for Goods and Services", the database for marks recognized as well-known in Ukraine as well as the Industrial Designs AS;
- DB "Legislation of Ukraine";
- DB "6ter Express";
- DB "MedNet Services";
- DB "Global Brand Database";
- Electronic version of "Madrid Monitor"
- corresponding state and national classifiers of Ukraine;
- current versions/editions of the Nice and Vienna Classifications;
- the Examination Reference and Information Collection of Ukrpatent, other information and reference sources mainly in electronic form.

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

For information support of the wide range of public free access to the information concerning trademarks is provided through the websites of the Ministry of Economic Development and Trade of Ukraine and Ukrpatent – **see the List of publications in electronic resources above.**

Information on registered marks for goods and services is available as open data at <http://opendata.uipv.org>.

The Official Bulletin "Industrial Property" on CD-ROM was distributed for free in the framework of updating patent collections of certain organizations of Ukraine according to the Registries of free-of-charge distribution approved by the Ministry of Economic Development and Trade of Ukraine.

External users can also purchase the Official Bulletin "Industrial Property" on CD-ROM equipped with a search system and the National CD-ROM "Marks for Goods and Services Registered in Ukraine", the retrospective accumulative optical disc (DVD) "Marks for Goods and Services Registered in Ukraine".

On the website of Ukrpatent there is free access to: [Annual Reports of the Office](#), [Annual Technical Reports on Trademark Information Activities](#) which Ukrpatent prepares for WIPO, quarterly review "Industrial Property in Figures. Performance indicators of the Ministry of Economic Development and Trade of Ukraine and the State Enterprise 'Ukrainian Intellectual Property Institute'" (the [Internet publication "Industrial Property in Figures"](#)), the [WIPO Standards translated into Ukrainian](#) (with no official status) which have the most practical value related to various industrial property rights, including trademarks ([Section "WIPO Standards"](#)).

The List of Foreign Industrial Property Databases with Free Internet Access and the List of Scientific and Technical Databases and Reference Resources with Free Internet Access" are published and updated quarterly on [the website of Ukrpatent](#).

See also Part 1 of Section 5 **Promotion activities aimed to support users in access and efficient use of trademark information** for information on services available to external users.

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

Information concerning the legal status of the registered certificates of Ukraine for marks for goods and services to the extent prescribed by the applicable law of Ukraine is published in the Official Bulletin "Industrial Property" in the section "Notices" both on paper and in electronic form (the CD-ROM "Official Bulletin "Industrial Property" and the [DB "Electronic Version of the Cumulative Official Bulletin 'Industrial Property'"](#)).

In addition, such information is provided in the [IRS "Information on Certificates of Ukraine for Marks for Goods and Services Deemed to be Invalid or Expired"](#) and (as an extra operational component) in the relevant sections of the [DB "Electronic Version of the Cumulative Official Bulletin 'Industrial Property'"](#) and the [DB "Marks for Goods and Services Registered in Ukraine"](#).

Other sources

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 main software tool supporting the examination on applications for marks for goods and services and the maintenance of the state registers is the Trademarks Automated System (TMAS). The automated control functions are implemented in the TMAS for processing the applications for marks for goods and services. The whole cycle of the formation, approval, signing, transmission and registration of documents is carried out on the basis of the electronic technology.

The TMAS includes the following databases (DB):

- TradeMarks – the database "Marks for Goods and Services";
- Doc – the document management workflow;
- Madrid Monitor – the international applications for trademarks filed with the Ukrainian Office (from 2018);
- MadridNotif – the database of information notices;
- NMAadrid – the international applications for trademarks from Ukraine;
- OFFICE – the database of Business Management Division;
- Ref – the database of books of reference ;
- Romarin – the international applications for trademarks filed with the Ukrainian Office (till 2018);
- Root – the database of the system administrator ;
- Similar – database to discover similar or identical marks;
- SixTer – the database to search marks (armorial bearings, flags);
- TMPPLetter – the database for posting;
- TMSearch – the database of search system;
- WellKnownMarks – the database to search well-known trademarks.

Hardware used to supporting business processes of the Office

The server part is based on x86 servers by Hewlett-Packard (HP) (DL380Gen10, DL380Gen8, DL380G7, DL380G5, DL360 Gen8).

The data storage models are HP (3Par StoreServ 7200, MSA2050, MSA2040, P2000, MSA2324fc).

The data Storage Area Network (SAN) incorporates channel switches HP SN3000B and HP SAN Switch 8/24.

The common network infrastructure consists of:

- the Check point 5600NGTP Security Gateway incorporating VPN and Firewall modules to provide for the safe Internet connection and access control, as well as protection of the Ukrpatent IT infrastructure from the complex hazards and attacks (botnet attacks, targeted attacks, APT attacks, and zero-day attacks);
- Barracuda Spam & Virus FireWall for spam protection of mail servers;
- internal router (Unix-based) to support the local area network of Ukrpatent.

Local area network incorporates channel switches HP Aruba 2930M, HP Procurve 2910al-24G, HP 2510-48 and HP Procurve 2530-48, and is divided into 16 virtual local area networks (VLANs).

The server infrastructure is fully virtualized. Physical servers are operated via Microsoft Hyper-V Server 2016 and VMware ESXi, thus allowing establishing and exploiting efficient virtual servers. Virtualization servers are joined in Hyper-V clusters enabling high availability of production servers with operating system Microsoft Windows Server 2016, Microsoft Windows Server 2012R2, Microsoft Windows Server 2012, Microsoft Windows Server 2008R2 and CentOS7.

The databases are administered via MS SQL Server 2016, MS SQL Server 2014, MS SQL 2008R2, MS SQL 2005, PostgreSQL, MySQL.

There is a domain Active Directory (AD) system established enabling centralized control of all information resources including users, computers, files, peripherals, service access, network resources, websites, databases, etc.

A few domain controllers are used to ensure fail-safe operation of the domain structure,

WSUS server provides for the update of the operating systems of the servers and the client PCs.

ESET antivirus server provides for the master control of the antivirus software installed on all client PCs, update of the virus definitions, preparation of the report on the virus definitions update and the current hazards.

The data backup is provided for via the Microsoft software product – System Center Data Protection Manager (DPM), which enables continuous data protection aimed at secure restoring the operation of the Windows servers. There is a plan for restoring operation of all servers and services after the crash.

Also, other products of the Microsoft System Center 2012R2 family are used, in particular the Virtual Machine Manager (SCVMM) to manage virtualization.

The IT infrastructure development activities that were carried out during the current period were aimed at building a fail-safe/HA(high availability) core of computer network, increasing the network capacity, security and controllability, replacing obsolete components of the hardware part of the infrastructure, consolidating and virtualizing servers. Virtualization servers are joined in clusters enabling high availability of all systems.

In total, the corporate network consists of 650 personal computers, 25 physical and 60 virtual servers, 10 storages of information and various switching equipment.

For the information systems users the Internet connection is provided to search and browse information.

Internal databases: coverage, updates, interlinks with external sources

The data from a number of sources (internal and external) are used while carrying out examination of applications for marks for goods and services:

- the database of international registrations of trademarks. The information is downloaded to this database from the WIPO website and is stored in the international registrations database;
- the database of emblems and flags (6ter). The information is downloaded to this database from the WIPO website and is stored in the TMAS database;
- the database of international registrations of industrial designs. The information is downloaded to this database from the WIPO website;
- the TMAS database;
- the IDAS database;
- the database of well-known marks in Ukraine;
- the database of qualified designations of origin of products;
- the Central Electronic Documents Archive Database which provides for storage of documents and their attributes in electronic form.

The internal databases are updated in the course of processing applications and within the respective state registers maintenance.

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

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

Other matters

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

In order to satisfy public needs for patent information in Ukraine, the [Public Patent Documentation Collection \(PPDC\)](#) functions within the structure of the Department of Patent Information Services, Consultations and Innovation Activity Promotion of Ukrpatent. The PPDC is the most comprehensive patent library in Ukraine available to the public (Intellectual Property Office library).

International exchange with foreign patent offices has long been the main source of foreign industrial property documentation of the PPDC, including information on trademarks. Such international cooperation allowed accumulating a considerable amount of current and retrospective foreign patent documentation, in particular, official bulletins of numerous countries. The PPDC also contains methodological, information and reference and periodical editions.

During 2018 the PPDC was updated with current publications of official bulletins of foreign IP Offices and the Official Bulletin "Industrial Property" on CD-ROM. As of December 31, 2018, the PPDC collection of official bulletins constitutes in total over 20,7 thousand copies.

The PPDC provided for possibility to get information on trademarks published in the Official Bulletin "Industrial Property" (Book 2) on paper/digital carriers as well as official bulletins of foreign intellectual property Offices.

Free access to the PPDC materials was provided for visitors in the reading room. The customers' work with foreign documentation funds available at the PPDC on optical media is carried out jointly with the consultants of the Department of Patent Information Services, Consultations and Innovation Activity Promotion of Ukrpatent.

In 2018 the PPDC was attended by 252 users, 8% of which were legal entities and 92% – individuals.

Information concerning the contents of the PPDC and its quarterly updates was published in the Information Files section on the website of Ukrpatent (<http://ukrpatent.org/uk>) and its Department of Patent Information Services, Consultations and Innovation Activity Promotion of Ukrpatent (<http://iii.ua/>).

Proper storage of the PPDC documents to meet applicable requirements and guarantee their safety was ensured during 2018.

The PPDC is located on the premises of the Department of Patent Information Services, Consultations and Innovation Activity Promotion of Ukrpatent in three specially adapted and equipped areas (two depositories with the total area of 81 sq. m. and a reading room of 40 sq. m.). The PPDC is equipped with 10 up-to-date computers with appropriate licensed software, as well as scanners, printers and xerographic copying machines.

To enable users to make online access to the electronic information resources, such as the [Digital Patent Library](#), the Internet access based on Wi-Fi technology was provided for users' convenience in addition to the traditional Internet access.

The Department of Patent Information Services, Consultations and Innovation Activity Promotion of Ukrpatent provided, including on the PPDC basis (intellectual property office library), all necessary consultations as well as services both on free-of-charge and commercial basis. Free-of-charge consultations were provided on the most efficient ways to carry out information search, search on CD-ROMs and in the free remote databases of patent documentation via the Internet, etc.

The Department of Patent Information Services, Consultations and Innovation Activity Promotion of Ukrpatent also provided commercial services, including carrying out different types of search of information and documentation.

In 2018, the following commercial services related to trademarks were provided:

- 263 consultations on regularity of preparing application materials, among them 181 for registration of a mark for goods and services. The most common issue is a preliminary decision on compliance of a claimed mark with terms of granting legal protection based on results of information searches in databases of registered marks for similarity and identity;
- 384 consultations in the form of guidelines on preparing application materials for registration of a mark for goods and services;
- 7,867 searches for similarity and identity of marks;
- 2,295 title (firm) searches as for all IPRs, including trademarks, upon requests of arbitration managers and liquidators of enterprises in default and the Ministry of Justice of Ukraine;
- 12 monitoring orders as for owners and clients;
- 13 sets of materials for filing trademark applications for international registration;
- 7 sets of materials on transfer of exclusive proprietary rights to trademarks;

Consultations on granting legal protection, exercise, infringement identification and protection of all IPR is considered to be the most popular service. The most common issues are those related to the procedure of obtaining legal protection to IPRs, including trademarks. Around 22,670 of such consultations were provided by telephone for the whole year. Individual reception of 1,342 applicants took place.

In April 2017, the WIPO Depository Library was open on the basis of the Department of Patent Information Services, Consultations and Innovation Activity Promotion of Ukrpatent with the free-of-charge access to the documents.

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

The Ukrpatent website provides free access to:

- information on trademarks published in the [Annual Reports and Annual Technical Reports of the Office](#) on trademark information activities, quarterly issues of [the Internet publication "Industrial Property in Figures"](#) (statistical information);
- [the Methodological recommendations on Certain Matters Relating to Trademark Applications Examination](#).

Periodicals, e.g. scientific and practical magazine "Intellectual Property in Ukraine", which is distributed as paper and electronic edition over the territory of Ukraine by subscription, publish articles (including by the specialists of the state system of intellectual property legal protection) on various matters and in particular relating to legal protection of trademarks. The printed edition of the magazine is available for free at the PPDC of the Department of Patent Information Services, Consultations and Innovation Activity Promotion of Ukrpatent.

The [list of articles, reports, slide presentations, methodical recommendations and practical manuals on topical issues of intellectual property](#), prepared by specialists of Ukrpatent for the period from 2004 to 2018, is available on the website of Ukrpatent. A certain part of the documents is available in electronic form.

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

Over the reporting year, with the purpose of updating patent collections of certain organizations of Ukraine (bodies of the national system of scientific and technical information, in particular the state and national libraries and universities, departments of which are entrusted with the appropriate patent information functions, including business innovative centres of universities) the Official Bulletin "Industrial Property" on CD-ROM was sent free of charge to the specified ones and some other organizations of Ukraine in accordance with the Registries of free-of-charge distribution approved by the Ministry of Economic Development and Trade of Ukraine.

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

Significant attention was paid to the skills upgrading of experts of the state system of intellectual property legal protection.

In order to improve and update knowledge in the intellectual property sphere in accordance with the requirements of the qualification profile, 28 specialists of Ukrpatent were assigned to obtain the Master's degree in the field of intellectual property right at the Kyiv Institute of Intellectual Property and Law of the National University "Odessa Law Academy". In addition, examiners and other specialists improved their English language skills.

On November 14-15, 2018, Ukrpatent organized and held the conference "Important Issues in the Context of Industrial Property Rights Acquisition, Protection and Commercialization". Within the framework of the event, the role of Ukrpatent as a component of innovative development of the state and the program included the topics relating to trademarks, acquisition and protection of geographical indications, application aspects of provisions the Association Agreement concerning the pre-term termination of the validity of the Certificate of Ukraine of a mark for goods and services as well as the issues of the ongoing dialogue with applicants, paperless technologies for cooperation between the applicant and the examination body, etc. The audience of the conference was made by patent attorneys, lawyers, IP specialists, representatives of scientific-publishing and business circles of Ukraine.

Over the course of 2018, to support educational activity and to popularize the intellectual property sphere Ukrpatent:

- arranged excursions to the Museum of Intellectual Property Legal Protection for IP specialists, postgraduate students, school and college students, participants of the official foreign delegations, patent attorneys of the USA, Peoples Republic of China, Georgia, Poland, the EU, Ukraine as well as individual visitors. The total number of visitors to the Museum in 2018 exceeded 300 persons;
- prepared and published articles and presentations e.g. "Powering change: Women in innovation and creativity" on the occasion of World Intellectual Property Day, on the website (section "Special Issue Materials about Prominent Personalities, Commemorative Dates and Events");
- published articles in the scientific and practical magazine "Intellectual Property in Ukraine".

Other activities

Detailed information on other activities of the state system of intellectual property legal protection in 2018 is published on the Ukrpatent website, in particular, in quarterly issues of the Internet publication "Industrial Property in Figures" as well as in the Annual Report on Ukrpatent activities in 2018.

In 2018, the Department of Patent Information Services, Consultations and Innovation Activity Promotion of Ukrpatent ensured the functioning of the Industrial Property Internet Exchange aimed at promoting domestic IPR, including trademarks, on the market, encouraging the development of inventive and innovative activities, increasing the level of public awareness on the intellectual property importance and informing a wide range of stakeholders.

In total, 138 projects were prepared, published and updated in the Industrial Property Exchange in the reporting year.

The Industrial Property Internet Exchange is accessible at <http://exchange.iii.ua/uk>

VI. INTERNATIONAL COOPERATION ACTIVITIES IN THE FIELD OF TRADEMARK INFORMATION

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

The functions of patent documentation international exchange are performed by Ukrpatent, recognized in 2003 by the law as the Centre of International Exchange of Publications according to the Convention on International Exchange of Publications, adopted on December 3, 1958 by the UN General Conference on the matters of education, science and culture.

In 2018, in the framework of international exchange Ukrpatent :

- received official bulletins from foreign patent offices with information regarding trademarks;
- sent the Official Bulletin "Industrial Property" on CD-ROM to 8 foreign patent offices ;
- provided access via the FTP server to the Official Bulletin "Industrial Property" for the patent offices of Japan, Austria and Rospatent;

In addition, during 2018 Rospatent had also access via the FTP-server to data which are published in the National CD-ROM "Marks for Goods and Services Registered in Ukraine".

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

In 2018 the Ministry of Economic Development and Trade of Ukraine and Ukrpatent representatives continued international cooperation with the WIPO in the intellectual property sphere as well as related to the European Union (EU) projects.

In April 2018, an international expert of the European Union (EU) Project "Support to the Development of a Geographical Indications System in Ukraine" Dr. Rudolf Schmidt visited Ukrpatent. The main subject of the discussion was the peculiarities of the process of registration of geographical indications in Ukraine, the differences between the systems of registration of geographical indications in the EU and Ukraine as well as further ways of developing the national registration system.

At the end of June 2018, Ukrpatent hosted a delegation from the State Intellectual Property Office of the People's Republic of China (SIPO). Within the framework of the event, discussions on the organizational principles of the work of the Chinese office and Ukrpatent, discussion of proposals for further cooperation and sharing experience between the managers of the key units of the national intellectual property offices of China and Ukraine were held.

In October 2018, a working meeting of specialists of Ukrpatent with specialists of the EU Project on Geographical Indications took place. The EU Project was presented by its senior expert Jorge Goldman and the national experts Olena Nazarenko and Yaroslav Andreiev. In the course of the meeting, issues on the use of geographical indications that identify goods originated from the *temporarily occupied territory* of the Crimea were discussed. The problems of recognition of geographical indications registered by the European Union; coexistence of indications and marks for goods and services; monitoring of compliance with quality standards by the relevant authorities were considered. Particular attention was paid to the state enterprises intellectual property and to conflict situations arising from the simplified re-registration of intellectual property rights.

The cooperation of Ukrpatent specialists with experts of the EU Project on Geographical Indicators continued in December 2018 in the course of their working visit in Ukraine. The protection of geographical indications for products for which the place of origin is the Crimea and the prevention of the use of such geographical indications by the Russian Federation was in the focus of the discussion in the same way as during the previous meeting. The key issues were the cooperation of governmental bodies of Ukraine with the relevant EU bodies in the field of registration of geographical indications and their use and further protection. The parties agreed to provide technical assistance and continue cooperation via the active dialogue.

In November 2018, an information visit of the delegation of intellectual property experts of the Republic of Georgia took place.

In 2018, the Ministry of Economic Development and Trade of Ukraine and Ukrpatent representatives participated in the WIPO activities and monitored its important decision-making processes closely for timely response and ensuring participation of Ukraine in the implementation of the WIPO policy in compliance with the national interests of our country. In view of this Ukrainian specialists took part, on a regular basis, in the work of the WIPO decision-making bodies as well as sessions and meetings of Committees and Working Groups, among which were the 39th Session of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications, the 28th Session of the Committee of Experts of the Nice Union, the 35th, 36th, 37th and 38th Sessions of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore.

Within the framework of international cooperation, Ukrpatent specialists participated (*online*) in the activities of two Task Forces of the Committee on WIPO Standards (CWS):

- Part 7 Task Force (Handbook on Industrial Property Information and Documentation);

- Public Access to Patent Information Task Force.

In 2018, Ukrpatent and the WIPO continued cooperation relating to Madrid Goods and Services Manager (MGS) on-line tool of the Madrid System. Ukrpatent provided support and updating for the information content of [the Ukrainian language version of the MGS online tool](#) which functions on the WIPO official website from February 2015, in particular, representation of new interface elements implemented by WIPO in Ukrainian in the framework of the MGS development. The Ukrainian version of MGS provides access to the alphabetical list of goods/services, class headings and the explanatory notes of the current version of the Nice Classification translated into Ukrainian – for the purposes of international registration of marks being an additional information resource for the national registration of marks.

Assistance to developing countries

Other activities

VII. OTHER RELATED MATTERS

One of the priority objectives of the examination body is to ensure the effective functioning of [the Quality Management System \(QMS\)](#) of the examination procedure for industrial property rights applications introduced in 2012 at Ukrpatent (International Certificate No. 321012076 of October 17, 2012).

The Certificate No. 321012076/1 concerning QMS, received by Ukrpatent under the established procedure, was valid from November 19, 2015 to September 14, 2018.

In July 2018, an independent certification organization carried out the recertification audit for the purpose of the QMS compliance with the requirements of the ISO 9001:2015 standard.

Based on the results of the audit, Ukrpatent was granted the new Certificate No. 321012076/2 of the Ukrpatent QMS compliance with the requirements of the ISO 9001:2015 standard and is valid from September 15, 2018 to September 14, 2021.