



Training seminar

MANAGEMENT OF INTELLECTUAL PROPERTY RIGHTS

***Bulgarian Academy of Sciences
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***PART 2
BENEFIT AND USE OF IPR INFORMATION SOURCES***

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PATENT INFORMATION

- *Probably the largest technical databases in the world: patents, knowledge for everyone*
- *Each year, about a million patent documents are published, 200 000 of them in Europe.* *Patent information products give the public access to this huge collection of technical and scientific knowledge by organising and indexing the data to make it easy to use.*
- *Because of a lack of information, existing inventions are re-invented, problems that have already be solved are solved again, and products that already are on the market are re-developed. Duplication of efforts in this way costs European industry US \$ 20 000 000 000 every year - simply because of the lack of information.*
- *Only 60000 companies in Europe have made use of the patent system in the last five years, leaving the other companies that should have the patent system, but have not.*

80% of technical information is published in patent documentation - and often nowhere else.

THE MOST IMPORTANT INFORMATION SOURCES OF IP IN EUROPE

1. National Patent Offices

2. European Patent Office (EPO)

Erhardtstrasse 27 • D-80331 Munich

<http://www.european-patent-office.org>

3. Office for the Harmonization in the Internal Market (OHIM)

Trademarks and Designs

Apartado de correos, 77 • E-03080 Alicante, Spain

<http://oami.eu.int>

4. European Communities Trade Mark Association (ECTA)

Bisschoppenhoflaan 286 • Box 5 • B-2100 Deurne-Antwerpen, Belgium

<http://www.ecta.org>

5. World Intellectual Property Organization (WIPO)

34, chemin des Colombettes • CH-1211 Genève

<http://www.wipo.int>

PATENT APPLICATION PROCEDURE

The steps taken by a Patent Office vary, but they follow a similar pattern:

- 1. Filing Patent application***
- 2. Formal Examination***
- 3. Search***
- 4. Substantive examination***
- 5. Publication***
- 6. Grant***
- 7. Opposition***

EUROPEAN PATENT ORGANIZATION

<http://www.epo.org>

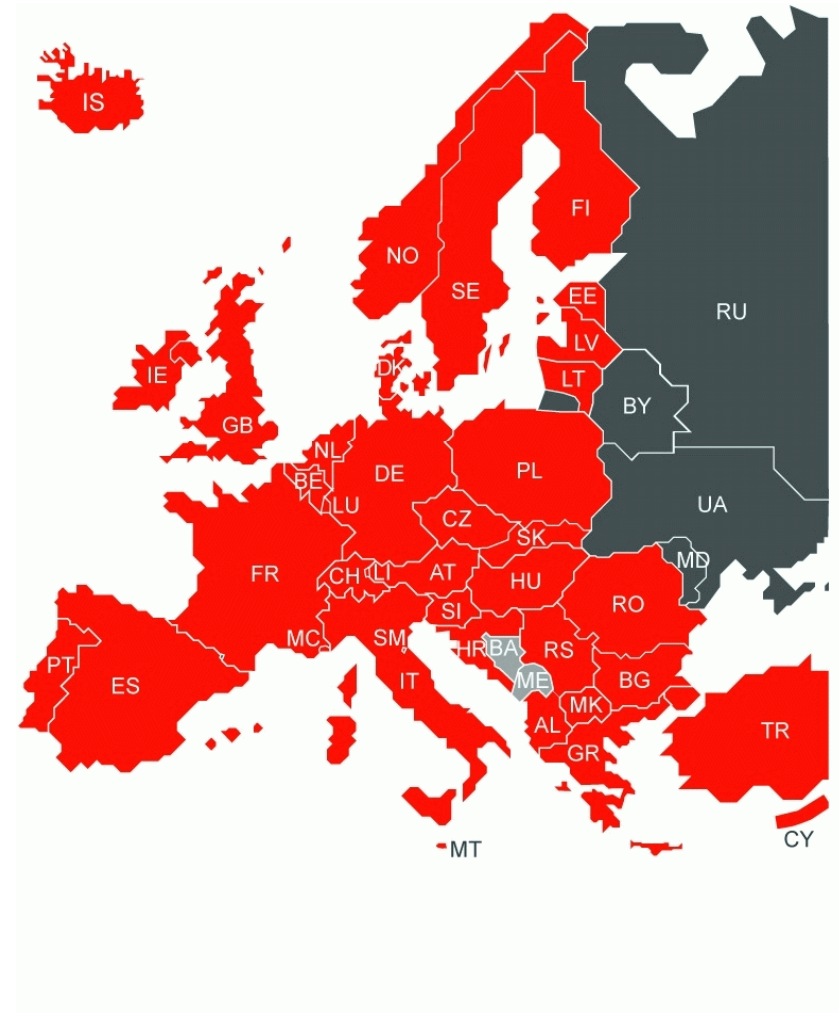


Established by the Convention on the Grant of European Patents (EPC) signed in Munich 1973.

The outcome of the European countries' collective political determination to establish a uniform patent system in Europe.

The European Patent Office (EPO) grants European patents for the contracting states to the European Patent Convention (EPC)

*38 Member states (21 April 2011)
States recognising European patents upon request: BA, ME*



EPO: PATLIB



PATLIB: The name given to the network of patent information centres comprising the national patent offices of each member state and all regional patent information centres.

Over 320 such centres in European countries can help you with information and competent advice.

Patent information centres located throughout the Member States of the European Patent Convention provide the opportunity for the public to consult information on patents.

This directory contains the addresses of patent information centres belonging to a selected list, provided by the appropriate national patent office. Where possible, the names of contact persons are given. The intention is not only that members of the public should be able to find their nearest patent information centre but also that the centres themselves will be able to contact their counterparts in different regions or even different countries.

www.epo.org/searching/patlib/about.html

Espacenet



<http://worldwide.espacenet.com>

Espacenet offers free access to more than 70 million patent documents worldwide, containing information about inventions and technical developments from 1836 to today.

Direct access at:

EPO (En, De, Fr)

EC (En, De, Fr)

National Offices (Member states language)

EUROPEAN PATENT OFFICE INFORMATION

How to get a European patent

[http://documents.epo.org/projects/babylon/eponet.nsf/0/8266ED0366190630C12575E10051F40E/\\$File/guide_for_applicants_part1_05_10_en.pdf](http://documents.epo.org/projects/babylon/eponet.nsf/0/8266ED0366190630C12575E10051F40E/$File/guide_for_applicants_part1_05_10_en.pdf)

Guidelines for Examination in the European Patent Office

[http://documents.epo.org/projects/babylon/eponet.nsf/0/7ffc755ad943703dc12576f00054cacc/\\$FILE/guidelines_2010_complete_en.pdf](http://documents.epo.org/projects/babylon/eponet.nsf/0/7ffc755ad943703dc12576f00054cacc/$FILE/guidelines_2010_complete_en.pdf)

UNITED STATES PATENT AND TRADEMARK OFFICE **(USPTO, www.uspto.gov)**

- **USPTO or Office is an agency of the U.S. Department of Commerce.**
- **The role of the USPTO is to grant patents for the protection of inventions and to register trademarks.**
- **USPTO examines applications and grants patents on inventions when applicants are entitled to them**
- **Publishes and disseminates patent information, records assignments of patents, maintains search files of U.S. and foreign patents, and maintains a search room for public use in examining issued patents and records.**

WORLD INTELLECTUAL PROPERTY ORGANIZATION

(WIPO, www.uspto.gov)



The World Intellectual Property Organization (WIPO) is a specialized agency of the United Nations, dedicated to developing a balanced and accessible international [intellectual property](#) (IP) system, which rewards creativity, stimulates innovation and contributes to economic development while safeguarding the public interest.

[PATENTSCOPE[®] Search Service](#): Access to patent documents from PCT and national/regional collections.

WORLD INTELLECTUAL PROPERTY ORGANIZATION

www.wipo.int



The Patent Cooperation Treaty or PCT is an international agreement for filing patent applications having effect in up to 142 countries (Dec 2010)

Although the PCT system does not provide for the grant of an international patent, the system:

- simplifies the process of filing patent applications*
- delays the expenses associated with applying for patent protection in other countries*
- allows the inventor more time to assess the commercial viability of his/her invention.*

Under the PCT, an inventor can file a single international patent application in one language with one patent office in order to simultaneously seek protection for an invention in up to 142 countries throughout the world.

WORLD TRADE ORGANIZATION (WTO)



WTO's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)

Negotiated 1986-1994 during Uruguay round , introduced IPR rules into the multilateral trading system.

The WTO's TRIPS Agreement is an attempt to narrow the gaps in the way these rights are protected around the world, and to bring them under common international rules. It establishes minimum levels of protection that each government has to give to the intellectual property of fellow WTO members.

Areas covered:

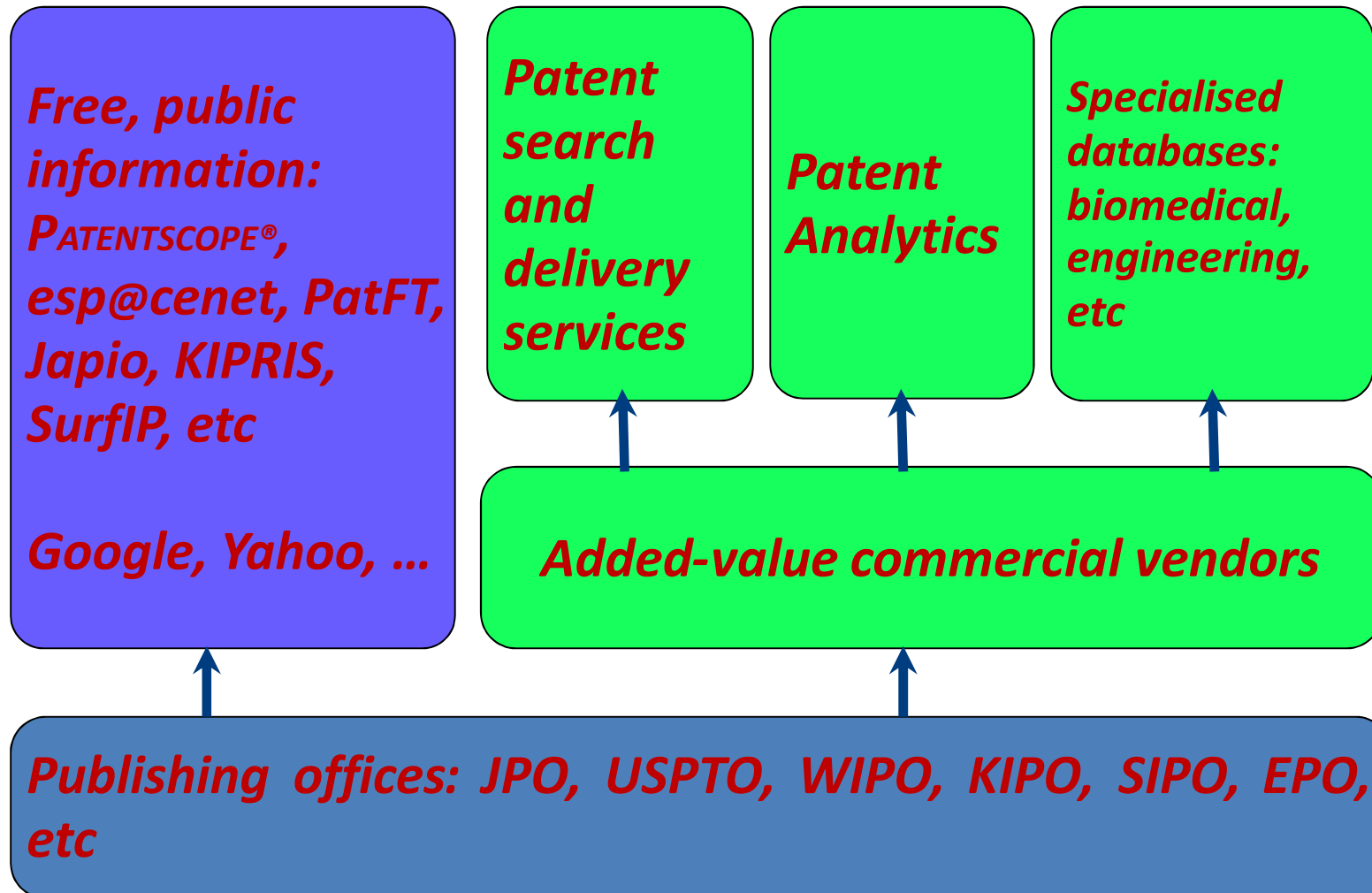
- ❖ Patents*
- ❖ Copyright and related rights*
- ❖ Trademarks, including service marks*
- ❖ Industrial designs*
- ❖ Geographical indications*
- ❖ Layouts (topographies) of integrated circuits*
- ❖ Undisclosed information including trade secrets*

153 members, 31 observers www.wto.org

INSTRUMENTS & AGREEMENTS FOR IPR PROTECTION

TYPE OF IPR	INSTRUMENT	PROTECTED SUBJECT/MATTER	PRIMARY FIELDS OF APPLICATION	INTERNATIONAL AGREEMENTS
Industrial Property	Patents Utility models	New, non obvious inventions with industrial utility	Manufacturing, agriculture	Paris Convention, PCT, Budapest treaty, TRIPS, Strasbourg agr.
	Industrial designs	Ornamental designs of products	Automobiles, apparel, construction tiles, etc	Hague & Locarno agreements, TRIPS
	Trademarks	Identifying signs and symbols	All industries	Madrid, Vienna & Nice agreements
	Geographical indications	Identifying place, names	Wines, spirits, food products	Lisbon agreement, TRIPS
Artistic and literary property	Copyrights and neighboring rights	Original expressions of authorship	Publishing, software, broadcasting, e-entertainment	Berne, Rome, Geneva Brussels conventions, WIPO, TRIPS, Universal copyright convention, Phonograms treaty
<i>Sui Generis</i> protection	Integrated circuits, DB, Plant breeders' rights	Original designs, DB, new plant varieties		TRIPS, UPOV, EC Dir 96/9, Washington treaty
Trade secrets	Laws against unfair competition	Business information held in secret	All industries	TRIPS

WHERE TO FIND PATENT INFORMATION



PATENT INFORMATION

Free Patent Sites

- **World Intellectual Property Organization (WIPO)**
www.wipo.int & www.wipo.org
- **European Patent Office (EPO)**
<http://www.epo.org>
Full patent descriptions and patent images
- **United Kingdom Patent Office (UKPO)**
<http://www.patent.gov.uk>
Full text coverage from Jan.4, 1979
- **Deutsches Patent und Markenamt**
<http://www.dpma.de>
- **Institut National de la Propriete Industrielle**
www.inpi.fr
- **Japanese Patent Office**
<http://www.jpo.go.jp>

PATENT INFORMATION

Free Patent Sites

Canadian Patent Database

<http://patents1.ic.gc.ca/intro-e.html>

Full patent descriptions and patent images from August 15, 1978 to present

United States Patent and Trademark Office (USPTO)

<http://www.uspto.gov/patft/index.html>

Full text coverage from 1976, 1790-1975 is searchable by patent number and classification only

Scirus

<http://www.scirus.com/srsapp/>

Indexes over 13 million patents from the US, European and Japanese Patent offices and WIPO

Freepatentsonline

<http://www.freepatentsonline.com/>

Fulltext and images of US patents beginning with patent number 4,000,000

- **www.liip.org**
- **www.patent365.com**

PATENT INFORMATION

Proprietary Patent Sites

- **www.delphion.com**
Patent collection, searching options
- **Derwent World Patent Index**
<http://thomsonderwent.com/products/patentresearch/dwpi/>
13.5 million patent records from 40 patent issuing authorities
- **Questel-Orbit**
<http://plpatprd.questel.fr/plpat/jsp/en/login.jsp>
Access to over 46 million patents from 70 granting agencies worldwide
- **SciFinder Scholar (Chemical Abstracts)**
<http://www.cas.org/SCIFINDER/SCHOLAR/>
Indexes the chemical and patent literature with links to the USPTO and EPO patent documents
- **www.current-patents.com** (Pharmaceutical patents)