

NATIONAL INTELLECTUAL PROPERTY AUTHORITY

STATE ENTERPRISE "UKRAINIAN INSTITUTE OF INTELLECTUAL PROPERTY" (UKRPATENT)

STATE ORGANIZATION "UKRAINIAN NATIONAL OFFICE FOR INTELLECTUAL PROPERTY AND INNOVATIONS" (UANIPIO)¹

ANNUAL TECHNICAL REPORT ON INFORMATION ACTIVITIES IN THE FIELD OF TRADEMARKS IN 2022

1. 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 determining the directions for the development of trademark information activities in 2022 was the Plan of Activities of the Office which contained strategic directions "Patent information support in the intellectual property sphere and provision of wide public with access to the information related to intellectual property rights acquisition" and "Implementation of the modern information technology", which in particular envisage:

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

In particular, the automation of processing of applications and titles of protection for intellectual property rights (IPR), including marks for goods and services, and implementation of a complex of measures were in progress on the following:

- development of the technological automated system for processing of applications and titles of protection for trademarks;
- automation of the document workflow and provision of a comprehensive electronic information processing;

¹ According to the Order of the Cabinet of Ministers of Ukraine No. 1267-r dated October 13, 2020, the state enterprise "Ukrainian Intellectual Property Institute" (Ukrpatent) performs the functions of the National Intellectual Property Authority (NIPA).

By Order of the Cabinet of Ministers of Ukraine No. 943-r dated October 28, 2022, the functions of the National Intellectual Property Authority were transferred from Ukrpatent to the State Organization "Ukrainian National Office of Intellectual Property and Innovations" (hereinafter - UANIPIO).

- development and implementation of freely accessible information resources for a wide range of public;
- development of IT infrastructure;
- improving security of the international infrastructure.

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

In 2022, according to the planned tasks the works were performed on the following projects:

1. Improvement of a comprehensive automated record keeping system for applications for designations and industrial designs (hereinafter referred to as the CARKS ADID) continued.

The main purpose of the system is to automate procedures and functions in information technology processes of document management on applications for registration of trademarks, geographical indications, rights to use the registered geographical indications, industrial designs, and automation of procedures and functions in information and technological processes of document management, maintaining the relevant state registers in order to simplify and accelerate the process of acquiring respective IP rights, reducing the cost and time in the course of the processes of document management for IP rights in the CARKS ADID.

2. Improvement of the Special Information System (hereinafter - SIS) to provide access to the relevant data related to pendency of applications and maintenance of the state registers of IP rights titles of protection was in progress .

SIS ensures Internet access to information on any IP right in the close-to-real-time mode. The system search tool which has a general purpose search interface provides open and authorized access (with the use of a qualified electronic signature) to any document of the electronic dossier of an IP right. The SIS implements two search engines – a simple and an advanced one. The advanced search has additional range of search tools which allows restricting the search by the type of IP right and by legal status. According to the selected type and legal status it is possible to select any search parameter for the search.

In 2020, as part of the SIS development, a section designed for daily display of information on trademarks with the established filing date and a section for displaying information on international trademark registrations with territorial extension of the protection to Ukraine were introduced.

- 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 trademark applications, in particular, forming of search databases for internal use at the examination body, performance of searches, publication of official information on issuance of trademark certificates in the Official Electronic Bulletin and creating interactive databases and information and reference systems for providing information services for a wide range of users via the Internet.

Examination of applications for trademarks 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 Trademarks.

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

Property"

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

- the International Classification of Goods and Services for the Purposes of the Registration of Marks, Eleventh Edition, version 2022 (NCL (11-2022)) 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 Office website:

- the IRS "International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification). Eleventh Edition, version 2022";

- the IRS "International Classification of the Figurative Elements of Marks (Vienna Classification). Eighth Edition".

In 2022, actions were taken to update the computer and telecommunication equipment and software; steps were taken to upgrade security hardware and software.

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 2021 – 31,351, in 2022 – 16,095, i.e. 48.7% less with respect to the previous year.

In 2022, 13,806 applications were filed by national applicants.

In 2022, 2,289 applications were filed by international applicants..

Registered Certificates:

in 2021 – 22,455, in 2022 – 16,029, i.e. 28.6% decrease with respect to the previous year.

Of the total amount of registered trademarks, 81.6% are registered by national applicants.

In 2022, 6,919 international applications were received from the WIPO International Bureau. Legal protection was granted to 7,035 trademarks under the international procedure.

During 2022, through the use of electronic filing system for industrial property rights, the Office received 10,989 applications for trademarks under the national procedure, that is 68.3% of the total amount of applications for trademarks.

In 2022, in comparison with the previous year, the following areas experienced rapid changes: Management, communications, real estate and financial services (–47.7%); Agricultural products and services (–43.4%); Leisure, education, training (–40.9%); Scientific research, information and telecommunication technologies (–40.1%); Textiles – clothing and accessories (–43.3%); Transport operations (transportation) and logistics (–52.6%).

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

Annual Reports, Annual Technical Reports on Trademark Information, statistical

information of the Office:

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

News of the Office on the issues related to trademarks:

<https://ukrpatent.org>

Information on the trademark legislation:

<https://ukrpatent.org/uk/articles/zakonodavchi-akty>

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

https://sis.ukrpatent.org/uk/services/patent_attorneys/

For easy uploading of data on industrial property rights in JSON format and further formation of own databases, the SIS API based on the HTTP protocol was created and is constantly improved. The SIS API is available at <https://sis.ukrpatent.org/api/v1/open-data/>.

2. 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 Office (<https://ukrpatent.org/>).

Information for applicants on filing applications for trademarks is available on the website of the Office (<https://ukrpatent.org/>).

The applicants may file the applications for trademarks on paper as well as electronically.

Electronic filing of applications is performed through the Electronic Applications Filing System (EAFS). 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 trademark applications.

Electronic applications filing and electronic exchange between the examination body and applicants may also be carried out by means of the Electronic Interaction System (EIS) of the Examining Authority.

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

<http://base.ukrpatent.org/efiling> <https://sev.ukrpatent.org/>

Electronic documents are electronically signed.

Access to online publications containing information on trademarks is provided through the website of the Office (<http://uipv.org/en/bases.html>).

- Availability of the application dossier in electronic form

All application materials for trademarks (both primary and secondary), irrespective of the way they are filed to the Office (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

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

In the course of examination of applications, the conformity of the declared goods and services with the declared classes of the NCL is checked.

The system used by the experts includes guidelines on classification systems and special software to check the conformity of the assignment of goods and services to the relevant classes during reclassification.

As of January 1, 2022, the 2022 version of the 11th edition of the International Classification of Goods and Services for the Purposes of the Registration of Marks (NCL (11-2022)) translated into Ukrainian was implemented.

In the second half of 2021 a set of works was performed necessary for ensuring the implementation in the state system of legal intellectual property protection as of January 1, 2022, of the NCL (11-2022) translated into Ukrainian, in particular, the respective IRS was created.

During the examination of trademark applications in 2022, the 8th edition of the International Classification of the Figurative Elements of Marks (hereinafter referred to as the VCL and the Vienna Classification), which entered into force in 2018, was used. The applicants used the International Classification of Figurative Elements of Marks (Vienna Classification) for the VCL(8). The above-mentioned IRS also provides an option to access the full set of VCL in Ukrainian translation. The materials are available in the form in which they existed at the time of the respective editions and provide access to the editions VCL(7)th and VCL(6) of the classification.

The IRS "International Classification of Goods and Services for the Purposes of the Registration of Marks" (Nice Classification) has implemented the option of access to the full array of the NCL data translated into Ukrainian for versions from NCL(10-2014) to NCL (11-2021). In addition, "Previous Versions" option is implemented for data as they existed over the period of validity of relevant versions/editions of the NCL. That is, the access to the IRS that were created for the NCL (9), the NCL (9) (second, revised, edition), the NCL (10) and the NCL (10-2013) is available. The NCL (7) and the NCL (8), which were published only in hard copy, are available as PDF files.

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

In 2022 the following electronic classification systems were used:

- the NCL (11-2022) and the VCL(8) translated into Ukrainian within the TMAS – for trademark applications examination;
- the IRS "International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification). Eleventh Edition, version 2022" and the 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 Office website).

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

The comprehensive automated record keeping system for applications for designations

and industrial designs (CARKS ADID) provides for processing of applications for colour, sound and three-dimensional marks.

- **Other activities**

3. 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 was provided by publication in electronic sources of the intellectual property legal protection sphere, in the free information and search Internet resources of the Office including: electronic databases (DB), information and reference systems (IRS) and the Special Information System (SIS):

- the Official Electronic Bulletin «Industrial Property»

(<https://ukrpatent.org/uk/articles/bulletin-ip>);

- DB "Information about Well-Known Marks in Ukraine"

(<https://base.uipv.org/searchbulletin/search.php?dbname=certwkm>);

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 for informational purposes (<https://nice.nipo.gov.ua/>);

- 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 for informational purposes (<https://base.uipv.org/vienna/>);

- Special Information System (SIS) (<https://sis.nipo.gov.ua/uk/search/simple/>).

Information on trademarks was published in Volume 2 of the Official Electronic Bulletin "Industrial Property" in the following sections: "Official Information", "Information on Trademark Applications", "Information on the Issue of Certificates of Ukraine for Trademarks", "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, granted protection in Ukraine" "Information on Trademarks Registered under the Protocol to the Madrid Agreement Concerning the International Registration of Marks, with territorial extension to Ukraine" and "Information on Marks Registered under the Madrid Agreement Concerning the International Registration of Marks, granted protection in Ukraine", "Information on Well-Known Trademarks in Ukraine" and in Notices section.

Publications of the Official Electronic Bulletin "Industrial Property" include:

- for the section "Information on Trademark Applications" - bibliographic data, images of the declared designations;
- for the section "Information on the Issue of Certificates of Ukraine for Trademarks" – information specified by the Office including bibliographic data, images of trademarks;
- for the section "Information on Trademarks Registered under the Protocol to the Madrid Agreement Concerning the International Registration of Marks with Territorial Extension to Ukraine" - bibliographic data, images of trademarks;

- for the section "Information on Trademarks Registered under the Protocol to the Madrid Agreement Concerning the International Registration of Marks Granted Protection in Ukraine" - bibliographic data, images of trademarks s.

In 2022, 44 issues of the Official Electronic Bulletin "Industrial Property" were issued.

Publications in electronic information resources contain:

- the Official Electronic Bulletin "Industrial Property";
- 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;
- Special Information System (SIS) contains information on trademark applications, information on trademarks registered in compliance with the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks, with territorial extension to Ukraine, information on the issuance of Ukrainian trademark certificates, information on well-known trademarks in Ukraine. Furthermore, as an additional operational component, information on the legal status of certificates is provided.

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

In the Notices section of the Official Electronic Bulletin "Industrial Property" with the periodicity of its release, announcements in respect of issued certificates of Ukraine for trademarks to the extent provided by the respective applicable Law of Ukraine were published including data on changes in the information entered into the State Register of Certificates of Ukraine for Trademarks, information on issue of certificate duplicates, information on modifications due to the correction of errors and other information relating to the registration of trademarks.

The section also contains publication of changes in information on international registrations of trademarks.

This information is available at:

<https://ukrpatent.org/uk/articles/bulletin-ip>

<https://base.uipv.org/searchBul/>

<https://sis.ukrpatent.org/uk/search/simple/>

- 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 Office and, inter alia, include:

1. International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification). Current version of the actual edition (<https://nice.uipv.org/>).

2. International Classification of the Figurative Elements of Marks (Vienna Classification) (<https://base.uipv.org/vienna/>).

3. The Ukrainian Classification of Goods for Foreign Economic Activity (UCGFEA), which is an annex to the Law of Ukraine "On the Customs Tariff of Ukraine".

4. Classifiers:

- State Classifier of Ukraine DK 012-97 "Classification of Foreign Economic Activity Services";

- The State Classifier of Ukraine DK 015-97 "Classification of Scientific and

Technical Activities";

- State Classifier of Products and Services DK 016-2010;
- The National Classifier of Ukraine DK 009:2010 "Classification of Economic Activities".

5. Standard of International Organization for Standardization ISO 3166 (<https://www.iso.org/iso-3166-country-codes.html>).

6. World Intellectual Property Organisation Standard ST.3 (https://www.wipo.int/standards/en/part_03_standards.html)

7. DB "Article 6 Ter Express" (<https://6ter.wipo.int/struct-search>).

8. DB "MedNet Services" (<https://extranet.who.int/soinn/>).

9. DB "Legislation of Ukraine" (<https://zakon.rada.gov.ua/laws>).

10. DB "Global Brand Database" (<https://branddb.wipo.int/en/>).

11. Electronic version of "Madrid Monitor" (<http://www.wipo.int/madrid/monitor/en/index.jsp>).

12. AS "Designations"

13. DB for marks recognized as well-known in (DB server - ASDB).

14. Encyclopedias, reference books, dictionaries.

15. The Examination Reference and Information Collection of the Office.

The list of information sources included in the information base is not comprehensive.

- 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 website of the Office –see the "List of Publications in Electronic Resources" above.

On the website of the Office there is free access to: Annual Reports of the Office, Annual Technical Reports of the Trademark Information Activities, quarterly issues of 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 Office.

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 trademarks to the extent prescribed by the applicable law of Ukraine was published in the Notices section of the Official Electronic Bulletin "Industrial Property" in electronic form at <https://ukrpatent.org/uk/articles/bulletin-ip>

In addition, such information is provided in the SIS.

- **Other sources**

4. 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 tool for examining trademark applications and maintaining state registers is the Comprehensive Automated Record Keeping System for Applications for Designations and Industrial Designs (CARKS ADID). The whole cycle of the formation, approval, signing, transmission and registration of documents is carried out on the basis of the electronic technology. The integrated search engine enables to search for similar trademarks in the arrays of national and international applications and registrations, well-known trademarks, etc.

- **Hardware used to supporting business processes of the Office**

The server part is based on Hewlett-Packard Enterprise (HPE) server x86 platforms (HPE Synergy 480 Gen10, HPE ProLiant DL380Gen10, HP ProLiant DL380Gen8).

Information storage models are:

HPE 3Par StoreServ 8400, HP 3Par StoreServ 7200, HPE MSA2050, HP MSA2040.

The Storage Area Network (SAN) is based on the HP SN3000B, HP SAN Switch 8/24.

The general network infrastructure is based on:

– the cluster made of two Checkpoint NGTP 5600 devices which contains the VPN and Firewall modules for Internet connection and provides control of access to the Internet sites and security of the Office IT infrastructure from complex threats and harmful attacks (botnets, targeted attacks, APT attacks and zero day attacks);

– the separate Checkpoint SandBlast Appliance TE100X device. Threat Emulation further prevents infection of networks from unknown sources, protects against the zero-day vulnerability and targeted attacks;

– further prevents infection of networks from unknown sources, protects against the zero-day vulnerability and targeted attacks;

– internal router (designed on the Unix server) to support the Office local computer network.

The local computer network includes the set of HP Aruba 8320, Aruba 2930M, HP Procurve 2910al-24G, HP 2530-48, HP 2510-48 switches and divided into fifty virtual networks (Vlan).

The server infrastructure is completely virtualized. The Microsoft Hyper-V Server 2016 and VMware ESXi operating system is used on physical servers which allow to create and operate the productive virtual servers. The servers of virtualization are grouped into Hyper-V clusters which allow to organize high availability of the productive servers with the Microsoft Windows Server 2019, Microsoft Windows Server 2016, Microsoft Windows Server 2012R2, Microsoft Windows Server 2012, Microsoft Windows Server 2008R2 and CentOS 7 operating systems.

The MS SQL Server 2017, MS SQL Server 2016, MS SQL Server 2014, MS SQL 2008R2, MS SQL 2005, PostgreSQL, MySQL are used as the databases management systems.

Domain structure of the Active Directory (AD) is designed to allow the centralized management of all information resources, including users, computers, files, peripheral

devices, access to the services, network resources, websites, databases, etc.

Multiple domain controllers are used to organize the fault-tolerant domain structure.

The WSUS server provides updating of the servers and client's computers operating systems.

The ESET anti-virus server provides centralized control of all anti-virus programs on the user computers, anti-virus databases updates, report generation on database updates and existing threats.

For data backup, Veeam Software is used – Veeam Backup & Replication, which provides continuous protection of virtual and physical servers for their reliable recovery. There is a disaster recovery plan for all servers and services.

Other Microsoft System Center 2019 products, namely Virtual Machine Manager (SCVMM), System Center Configuration Manager (SCCM) are also used for virtualization management and for installing operating systems and to configure programs, respectively.

The activities on the IT infrastructure development, carried out over the reporting period, were aimed at building the fail-safe core of the computer network, increasing its bandwidth, security and manageability, replacing the obsolete components of a hardware part of infrastructure, consolidation and virtualization of the servers. The servers of virtualization are integrated into clusters, which ensure high availability of all systems.

In total, the corporate network consists of 650 personal computers, 24 physical and 105 virtual servers, 6 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 trademarks:

- the database of international registrations of trademarks. The information is downloaded to this database from the WIPO website (<https://www3.wipo.int/madrid/monitor/en/#>) 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 (<https://6ter.wipo.int/struct-search>) and is stored in the the Trademarks Automated System (TMAS) database;
- the database of international registrations of industrial designs. The information is downloaded to this database from the WIPO website; <https://www3.wipo.int/designdb/en/>;
- the Comprehensive Automated Record Keeping System for Applications for Designations and Industrial Designs (CARKS ADID);
- the Central Electronic Document Archive (CEDA) database, which provides for storage of documents and their attributes in electronic form;
- International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification). Current version of the actual edition (<https://nice.uipv.org/>);
- International Classification of the Figurative Elements of Marks (Vienna Classification) (<https://base.uipv.org/vienna/>);
- the Ukrainian Classification of Goods for Foreign Economic Activity (UCGFEA), which is an annex to the Law of Ukraine "On the Customs Tariff of Ukraine";
- Classifiers:

- State Classifier of Ukraine DK 012-97 "Classification of Foreign Economic Activity Services";
- The State Classifier of Ukraine DK 015-97 "Classification of Types of Scientific and Technical Activities";
- State Classifier of Products and Services DK 016-2010;
- The National Classifier of Ukraine DK 009:2010 "Classification of Economic Activities"
- Standard of the International Organisation for Standardization ISO 3166, (<https://www.iso.org/iso-3166-country-codes.html>);
- World Intellectual Property Organization Standard ST.3 (https://www.wipo.int/standards/en/part_03_standards.html);
- Article 6 ter Express database (<https://6ter.wipo.int/struct-search>);
- MedNet Services Database (<https://extranet.who.int/soinn/>);
- Database "Legislation of Ukraine" (<https://zakon.rada.gov.ua/laws/>);
- Global Brand Database (<http://www.wipo.int/branddb/en/>);
- Electronic version of Madrid Monitor (<http://www.wipo.int/madrid/monitor/en/index.jsp>);
- AS "Designations";
- Database of well-known marks (database server - ASDB);
- Encyclopedias, reference books, dictionaries;
- The Examination Reference and Information Collection of the Office.

The internal electronic resources are updated in the process of processing applications and maintaining the relevant state registers.

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

The electronic search collection is located on the internal information resource called the Search Portal. The data at the Portal are updated regularly as patent documentation of foreign patent offices is received on optical carriers or uploaded from corresponding ftp-servers.

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

The administrative management functions are implemented in Designations AS using separate software subsystems and modules.

Thus, to maintain the registers and legal status of titles of protection trademarks, a multifunction subsystems are operative within the automated system. The information from this system is forwarded to relevant databases for publication and for drawing statistic reports.

The Indicators AS is characterized by the capability to form multiple reports and implementation of a mechanism of calculation of indicators by objects which have multiple details for all IP rights. The Indicators AS is built on a modular basis and provides automation of data loading, preparation of data arrays, and drawing of statistic reports.

The Indicators AS has the ability to expand the list of indicators. The function of an automated analysis of estimated data was implemented. The database of the «Indicators» subsystem provides for the possibility of entering data on the main economic indicators of

the state's development and other external factors.

The website of the Office provides free access to:

- information on trademarks published in monthly reports, Annual Reports, Annual Technical Reports of the Trademark Information Activities of the Office, quarterly issues of the online publication "Industrial Property in Figures" (statistical information).

- **Other matters**

5. 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) operates.

International exchange with foreign patent offices has long remained the main source of foreign patent documentation.

In the reporting period, the PPDC continued to update its national and foreign documentation.

In the PPDC, users had an opportunity to get access to the information on trademarks published in the Official Electronic Bulletin "Industrial Property", as well as in the bulletins of foreign intellectual property Offices.

Free access to the PPDC materials was provided for users to work both in the reading room and in remote access mode. 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.

Information concerning the contents of the PPDC and its quarterly updates was published in the relevant sections on the Office's website.

Throughout 2022 proper storage conditions for the PPDC documents were ensured to meet applicable requirements and guarantee the documents' safety.

The PPDC is located on three specially adapted and equipped premises of the Department of Patent Information Services, Consultations and Innovation Activity Promotion (depositories with the total area of 81 sq m and a reading room of 40 sq m). It is equipped with 10 modern 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, 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 provided, including on the PPDC basis, 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.

Overall, in the reporting year, the largest number of contracts was for the following types of patent information services:

- search for identical and similar designations using the information database of the Office;

- provision of services at the request of a customer to set the deadline for the examination of an application for a trademark;
- carrying out of the name and subject matter information searches;
- provision of practical recommendations on drafting application materials for IP rights.

Consultations on frequently asked questions were provided daily, namely on the issues relating to:

- matters on the procedure for obtaining legal protection for industrial property rights (drafting, filing and examination of applications) and payment of fees for the activities related to the protection of IP rights, in particular, trademarks;

- matters on patent information searches in online databases and information and reference systems.

During the reporting period, pursuant to inquiries of the Ministry of Justice of Ukraine, the State Tax Service of Ukraine, court-appointed managers, trustees in enterprises bankruptcy, 1,198 name (company) information searches of data on IP rights in Ukraine were carried out.

Since April 2017, the WIPO Depository Library has been operating in Ukraine, providing free-of-charge access to documents.

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

The Office's website provides free access to

- information on trademarks published in the Annual Reports, Annual Technical Reports of the Office on Trademark Information Activities, quarterly issues of the online publication "Industrial Property in Figures" (statistical information).

- the Methodological Recommendations on Certain Matters Relating to Examination of Applications for Trademarks and Service Marks.

In order to provide information support to the development and functioning of the state system of intellectual property legal protection, in particular, to improve the Ukrainian patent and terminology base, standardization and unification of terminology in the intellectual property sphere, the Office carries out translation of the WIPO Standards into Ukrainian, primarily those that have more practical value and relate to various IP right types, and ensures their timely updating.

In total, twenty-nine WIPO Standards (with no official status) have been translated and are available on the Office website in WIPO Standards section.

- Cooperation with universities, technology and innovation support centres, etc.

Technology and Innovation Support Centers Technology and Innovation Support Center (TISC) is an international project launched by WIPO in April 2009. The goal of TISC is to provide innovative development, access to knowledge and advice in the sphere of IP rights and patent information. In Ukraine, the process of establishing the TISC network was initiated by the signing on July 23, 2018 of the Memorandum of Understanding between the Ministry of Economic Development and Trade of Ukraine and WIPO on the establishment of Technology and Innovation Support Centers in Ukraine (hereinafter referred to as the Memorandum).

Regional TISCs are created by signing a Memorandum of Cooperation and the Agreement on Participation in the TISC project between the institution responsible for implementing the project in Ukraine. The provisions of the Memorandum and the

Agreement provide for joint participation in the implementation of tasks defined in the Draft of the Memorandum.

Project implementation:

As of the beginning of 2022, 17 centers were opened in 10 regions of Ukraine. Unfortunately, due to the full-scale invasion of the Russian Federation, some of the institutions, on the basis of which TISC was launched, have suffered significant destruction or are generally under Temporary Occupation (centers in Kharkiv and Rubizhne).

At the beginning of 2022, the report on the status of implementation of the Memorandum and achievement of quantitative indicators for the Draft document was sent to the WIPO representatives.

Specialists of the Centers receive internal training together with the representatives of the central TISC, and are granted access to the WIPO distance learning courses, WIPO and NIPA training materials are sent out, and participation in events organized by NIPA is provided, in particular:

- in 2022, 2 educational events and an international conference were held with the participation of TISC specialists, together with WIPO and the Polish Patent Office;
- representatives of the central TISC and regional TISC were involved in a series of trainings within the framework of the training program for teachers from WIPO – WIPO-Ukraine IPTI project – prospective teachers of the National IP Training Center (IP Academy);

The TISC specialists of the Office have developed two Guidelines on the protection of intellectual property in the IT industry and marketing activities, which are published in the public domain at the link: <https://tisc.ukrpatent.org/ipguides.html>

Prior to the full-scale invasion, the TISC network focused on the development of entrepreneurial education and the formation of a startup culture in higher education institutions, on the basis of which the Centers were opened, with further raising awareness and advising stakeholders of this process, in particular: regional TISC provided advice on the formation of startup schools, setting up work with clients and generating data for websites.

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

Detailed information on activities of the state system of intellectual property legal protection in 2022 is published on the Office website, in particular, in the quarterly issues of the Internet publication "Industrial Property in Figures", in the 2022 Annual Report.

In 2022, the specialists of the Office participated in specialized and educational events in the field of intellectual property, organized by both the Office and other international organizations, including WIPO, EPO, EUIPO, etc.

About 20 NIPA specialists completed WIPO Distance Learning courses of the IP Academy on the following topics:

- DL101 General Course on Intellectual Property;
- DL201 Copyright and Related Rights;
- DL203 Intellectual Property Traditional Knowledge and Traditional Cultural Expressions;
- DL302 Trademarks, Industrial Designs and Geographical Indications;
- DL317 Arbitration and Mediation Procedure under the WIPO Rules;
- DL318 Patent Information Search, WIPO;
- DL320 Basics of Patent Drafting, WIPO;
- DL450 Intellectual Property Management;
- DL511 Software Licensing Including Open Source).

Almost 150 representatives of the Office joined 32 WIPO training webinars on using services of PATENTSCOPE, Madrid, Hague systems and the Patent Cooperation Treaty (PCT), as well as events on the role of IP in various sectors of the economy and creative industries.

Employees of the Office participated on a regular basis as listeners and speakers in educational and training conferences, seminars and discussions on various topics of intellectual property law, including regional seminars organized by the CEBS group, in particular, the Regional Seminar on Trade Secrets for Central Europe and Baltic States (on April 5, 2022) and the International Conference of National IP Training Centres organized by WIPO on May 23-24, 2022.

As part of the harmonization of practices and European integration, the specialists of the Office took part in about 15 online events organized by the EPO and EUIPO, and attended meetings of the Dialogue on Intellectual Property Rights between Ukraine and the EU on January 27, 2022.

Other activities

In 2022, in order to popularize knowledge about intellectual property, formation of culture and respect for intellectual property, raising awareness in the field of intellectual property, the following was carried out:

- on the occasion of the World Intellectual Property Day (April 26, 2022) - together with the Patent Office of the Republic of Poland - an international online conference "Intellectual Property in the World of Games";

- webinar on the topic "Registration of Trademarks" (June 27, 2022) - together with the Creative Industries Development Office under the Ministry of Culture and Information Policy of Ukraine, with the support of the USAID Program "Competitive Economy of Ukraine" - a lecture on the trademark registration procedure was organized for representatives of the creative industries sector;

- a series of events for schoolchildren, in particular, an online lesson on intellectual property for the children of NIPA employees (April 1, 2022), offline classes at the National Ecological and Naturalistic Center for Student Youth of the Ministry of Education and Science of Ukraine and four schools in the city of Kyiv.

In order to provide information support and highlight the peculiarities of the use of intellectual property rights, in 2022 the section "Information Support for Invention" was updated, materials from the IP Academy library were posted, and other sections and structural elements of the web resource were regularly updated.

The innovative and information resource the Industrial Property Exchange (<http://exchange.iii.ua/uk>) is designed to promote registered inventions, trademarks and other industrial property rights on the market and to seek actively potential partners and investors, as well as to place orders from the industrial economic sector.

The main goal of the Factory of Ideas (<http://fabrikaidei.iii.ua/>) is to identify, support and promote development of gifted and creative youth, young scientists, inventors and researchers.

The said Internet resources provide users with the necessary information about partners and investors, relevant grants, competitions, conferences, and research programmes.

As of December 2022, 157 projects have been produced, placed and updated as part of the "Industrial Property Exchange" resource and 279 projects have been produced, placed and updated for the Factory of Ideas.

Educational information was also disseminated through relevant information resources: Facebook, Instagram and YouTube.

6. INTERNATIONAL COOPERATION ACTIVITIES IN THE FIELD OF TRADEMARK INFORMATION

- International exchange of trade mark information in machine-readable form (e.g., official gazettes)

The international exchange of patent documentation is carried out by the Office, which was recognised in 2003 as the Centre of International Exchange of Publications in accordance with the Convention on International Exchange of Publications, adopted on December 3, 1958 by the UN General Conference on matters of education, science and culture.

In 2022, in the framework of international exchange, the Office continued the transition to free international exchange of patent documentation on intangible media, namely by providing access to it via the Internet and spreading data exchange, mainly through the offices' FTP servers.

- Participation in international or regional events and projects related to trademark information

In 2022, the Office continued international cooperation in the field of intellectual property with WIPO, the EPO and intellectual property offices of other countries.

Representatives of the Office participated in the work of WIPO Task Forces (including online), preparation of relevant proposals and information on Ukraine (if necessary) at sessions and meetings of WIPO Committees and Working Groups (online), in particular, in the work of the Task Forces (TF) of the Committee on WIPO Standards (CWS) on the development of new WIPO Standards, their updates, as well as other CWS projects:

- - Committee of Experts of the Locarno Union: Fifteenth Session, January 24-28, 2022;
- Nice Union - Committee of Experts: Thirty Second Session, April 25-29, 2022;
- Legal Status Task Force;
- Part 7 Task Force (Handbook on Industrial Property Information and Documentation);
- Public Access to Patent Information Task Force.

In 2020, cooperation with WIPO relating to Madrid Goods and Services Manager (MGS) online tool of the Madrid System was in progress. Support and updating was provided for the information content of the Ukrainian-language version of the MGS, which has been operating on the WIPO official website since February 2015. The Ukrainian version of the MGS provides access to the alphabetical lists of goods/services, class headings and explanatory notes of the current version of the current edition of the Nice Classification translated into Ukrainian - for the purposes of international registration of marks being an additional information tool for registration under the national procedure.

According to initiatives aimed at developing a global intellectual property infrastructure, in particular, by improving access to information and facilitating its use, WIPO offers a number of free online search services, Ukraine completed the cooperation with WIPO in the framework of the projects, launched in 2019, on adding content to the Global Brand Database and the Global Design Database for obtaining an AI-based image search technology and its integration with internal systems of the Office.

As a result of this cooperation, the Global Brand Database and the Global Design Database are constantly updated with data on Ukraine.

According to notifications on the WIPO website, from May 2020 the Global Brand Database includes the Ukrainian collection of trademarks, and from June 2020 the Global

Design Database includes the Ukrainian collection of industrial designs.

- **Assistance to developing countries**
- **Other activities**

7. OTHER RELATED MATTERS

The Quality Management System (QMS) is introduced at the Office according to the requirements of the ISO 9001:2015 international standard. The Coordination Council on Development, Implementation and Maintenance of the QMS / The Coordination Council operates on matters of the QMS development, implementation and maintenance, the designated persons for the implementation and maintenance of the QMS in structural units have been appointed, and the necessary documented procedures have been identified and developed. Management and the Chief Commissioner are responsible for the development and implementation of the Quality Policy. In order to determine the effectiveness of the QMS, measurable goals have been developed with the identification of departments and/or managers responsible for achieving them, and an internal QMS audit programme has been approved. The results of the internal audits are discussed and analysed at the Coordination Council meeting, and the conclusions are submitted to the management for consideration and appropriate decisions aimed at improving quality performance. The QMS and the level of goals achievement are analysed twice a year. The final document of the management's analysis is a report on the functioning of the QMS, on the basis of which the management elaborates plans for the development of the QMS, makes decisions on changes and/or improvements to the QMS, and allocates the necessary resources for the QMS functioning. The specialists are given the opportunity to quickly review the necessary documents and the results of the QMS functioning through orders or instructions sent to structural units, as well as during working meetings in the units. Ongoing quality control was carried out at the level of chief expert supervisors and heads of sectoral examination units. Selective control is carried out at the level of the head of the examination unit, his/her deputy, as well as the Quality Control and Improvement Department for Examination of Applications (Quality Control Department). Each examination unit is responsible for the quality of examination in particular area. The quality assurance system includes cross-checking by leading experts and quality checks by department heads, the quality control department and the head of the examination unit. An internal quality assurance system has been implemented and is constantly maintained. According to this system, a unified approach to examination and searches must be followed in all sectoral examination units. For this purpose, appropriate control was carried out at the management level of the Quality Control and Improvement of Examination of Applications Department.

To ensure the quality of examination and searches, all examiners were provided online access to relevant WIPO standards and all relevant regulations and instructions.