



2007 annual report

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Address: 45, Urytskyi St., Kyiv-35, CPS, 03680, Ukraine

Tel.: (+38044) 494-06-06,

Fax: (+38044) 494-06-56

www.sdip.gov.ua

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The year 2007 was prominent for the state system of the legal protection of intellectual property of Ukraine – that was the 15th anniversary of its creation. In the framework of the celebrations the Intellectual Property Rights Protection Museum was officially opened with the exposition showing the processes of establishment and development of the national system of the intellectual property rights protection.

Today all the reasons exist to consider that in the 15-year period of functioning of the state system of the intellectual property rights protection in Ukraine the constitutional right of every citizen for the results of the intellectual activity thereof has been guaranteed i.e. regulatory framework meeting international norms in the sphere of intellectual property has been created, a competent infrastructure ensuring the state policy realization in this sphere has been formed.

I am glad to present the results of our activities in 2007.

As before, there was continued growth in total filings and grants for all categories of industrial property rights as well as in the total number of registrations of contracts on disposition of industrial property rights.

Previous year was a period of Ukraine's active preparation for the joining the World Trade Organization. In view of these events the practices of the WTO member states as for payment of fees for activities connected with intellectual property rights protection were analyzed and the state fees payment system has been regulated taking into account social and economic changes in the country. The solution of the issue will contribute to the Ukraine's entry to WTO.

In the period under review activities as for the improvement of intellectual property legislation were especially important, e.g. the regulation of the issues of destruction of counterfeit products by the Civil and Criminal Codes of Ukraine; the development of the draft law of Ukraine on the regulation of controversial matters as for the correlation of trademarks and geographical indications of origin of goods; taking a complex of measures in order to ensure intellectual property rights enforcement in the framework of preparing and conducting the final part of the

European Football 2012 Championship. All these facts create a reliable background for the Ukraine's entry to WTO as an equal partner.

Specialists of the system have performed considerable work as for the improvement of patent information support of the national and foreign users. The range of patent information services was widened for maximum satisfaction of their needs. To provide the on-line access to the Ukrainian patent documentation ten databases available via the Internet were created, they contain information on industrial property rights. Nine of them are accessible for free.

It is also worth mentioning that the system of methodological and organizational background for determining market and other types of intellectual property rights value was established in Ukraine, the peculiarities of intellectual property rights valuation were determined as well.

Looking through these pages you will assure yourself of the existence of legal basis together with the corresponding effective instruments for anti-piracy campaign. The control over production and distribution of audio and video products was considerably strengthened. National and foreign right holders take joint efforts for the legal production of disks and laser reading systems. All this proves that conditions providing copyright and related rights protection on the international level in our country are created.

Understanding the importance of intellectual property in the process of the further economic development of our country we are sure that achievements of the State Department of Intellectual Property in 2007 will ensure active use of intellectual capital of Ukraine and modern intellectual property market development.

*Chairman of the State Department
of Intellectual Property*



Mykola Paladii

1 Intellectual Property Legislation Improvement

Today every sphere of social life needs solving the problems related to the intellectual property rights protection. World economy globalization and international events in which Ukraine is involved determine the main directions of the national legislation development.

Taking this into account in 2007 activities of the State Department of Intellectual Property (SDIP) on the intellectual property law improvement was predominantly carried out in the following directions: amendment of legislative acts in order to provide Ukraine's entry to the world market as an equal partner, taking measures that guarantee legal protection of intellectual property rights while preparing and conducting the final part of the European Football 2012 Championship, solving other important strategic for our state issues as well.

At present an essential prerequisite of Ukraine's entry to the WTO is the discharge of obligations taken by our state in the framework of the negotiation process on this matter.

The members of the Working group on the Accession of Ukraine to WTO (the Working Group) stated the number of requirements as for the adaptation of the intellectual property legislation of Ukraine particularly as for bring it to full conformity with the TRIPS Agreement that is among the other WTO treaties.

Taking this into account the Verkhovna Rada of Ukraine adopted the Law of Ukraine of May 31, 2007 On Amendments to Certain Legislative Acts of Ukraine Related to the Intellectual Property Rights Protection with Regard to the Requirements Connected with Ukraine's Accession to WTO that was developed by the SDIP's specialists. The main purpose of the Law is to bring the intellectual property legislation of Ukraine in the compliance with the requirements of the Articles 46 and 59 of TRIPS Agreement. This Law introduces provisions to the Civil Code (Article 432) and the Criminal Code (Articles 176, 177 and



Volodymyr Zharov, First Deputy Chairman of the State Department of Intellectual Property

229) of Ukraine as for destruction of counterfeit production in order to prevent turnover thereof as well as equipment and materials intended for manufacturing of such a production.

In order to bring the schedule of fees for activities connected with intellectual property rights protection to conformity with the provisions of the Articles 3 and 4 of TRIPS Agreement, to improve the existing schedule of fees on the basis of the gained national experience and taking into account the corresponding practices of the foreign WTO member-states the Cabinet of Ministers of Ukraine has adopted a Resolution of September 19, 2007 No. 1148 On Amendments to the Order of Payment of Fees for Activities Connected with Intellectual Property Rights Protection. This legislative act establishes the single procedure of fee pay-



Meeting of the Public Board of the State Department of Intellectual Property

ment for any payer regardless the citizenship or place of residence or location and provides for establishing the amount of fees for payers from different countries irrespective of the gross national income per person.

It is worth mentioning that one of the problematic issues during the negotiation process as for Ukraine's entry to WTO concerning intellectual property was issue of the correlation of rights in trademarks and geographical indications. That was predetermined by the fact that there exist different views of such WTO members as the USA and the European Union as a result of the difference between their legal systems. A number of meetings were held with representatives of these countries in order to work out a common position to be reflected in the Ukrainian legislation.

The draft Law of Ukraine On Amendments to Certain Legislative Acts of Ukraine Related to the Intellectual Property Rights Protection (with regard to the requirements connected with Ukraine's accession to the WTO) has become the result of this complex and long-lasting work. It provides for amendments to the Laws of Ukraine On the Protection of Rights in Indications of Source and On the Protection of Rights in Trademarks and Service Marks. It contains the proposals of European and American parties as for compatibility of trademarks and geographical indications and some other issues on the legal protection of trademarks and geographical indications.

It is also worth mentioning that getting the possibility to hold the final part of the European Football 2012 Championship in Ukraine and Poland has become a prominent event for our state. Conducting this international event on

the appropriate level requires a solid intellectual property legislation background. To provide it SDIP has completed a considerable range of activities.

Thus the Verkhovna Rada of Ukraine adopted the Law of Ukraine of April 19, 2007 On Organizing and Conducting the Final Part of the European Football 2012 Championship in Ukraine. SDIP took an active part in its development. Particularly, the Article 6 of the Law sets the number of activities towards the provision of UEFA intellectual property rights.

To provide legal, social, economic and organizational basis for successful conducting of the final part of the European Football 2012 Championship in Ukraine the Cabinet of Ministers of Ukraine has adopted a Resolution of October 31, 2007 No. 1295 On Adoption of the State Target Program of Organizing and Conducting the Final Part of the European Football 2012 Championship in Ukraine which, in particular, contains provisions as for the protection of UEFA intellectual property rights proposed by SDIP. We emphasize that the paragraph 4 of the Resolution highlights the necessity to work out and adopt industry and regional programs of organizing and conducting the final part of the European Football 2012 Championship in Ukraine in two-month term. To meet the requirement of this paragraph SDIP has made proposals to the relevant industry program.

According to the Article 3 of the Law of Ukraine On Organizing and Conducting the Final Part of the European Football 2012 Championship in Ukraine the Cabinet of Ministers of Ukraine guarantees support and co-operation with UEFA on the issues of organization and conducting of the Championship. At the same time executive bodies and local authorities provide and/or help to discharge obligations set by the UEFA Regulation as for conducting the Championship and particularly requirements as for intellectual property rights enforcement.

To fulfill this law as well as the 2nd Stage application for holding the final part of the European Football 2012 Championship by Ukraine and Poland SDIP has worked out a draft Resolution of the Cabinet of Ministers of Ukraine On the Establishing of the Coordination Council on the UEFA Intellectual Property Rights Enforcement attached to the Cabinet of Ministers of Ukraine.

The Coordination Council on the UEFA

Intellectual Property Rights Enforcement attached to the Cabinet of Ministers of Ukraine is to be formed according to this draft Resolution to provide enforcement of the UEFA intellectual property rights and immediate response to infringement thereof.

Performing other strategic and important tasks, in particular those concerning the mechanisms of carrying-out the state policy of national security, SDIP took part in the development of the Law of Ukraine On Amendments to Certain Legislative Acts of Ukraine on National Security and Defense and Intellectual Property Rights Enforcement and the Concept to this Law. The purpose of the Law is legal regulation and determination of the Cabinet of Ministers of Ukraine and the Ministry of Defense authorities in weapons and military equipment modernization of the Armed Forces, authorization to use an invention to provide national security and defense without a patent holder consent in case of his groundless refusal to grant license for exploitation of the invention.

In 2007 there was established a system of methodological and organizational background for determining market and other types of intellectual property rights value, were determined the peculiarities of intellectual property rights valuation. The National Standard No. 4 On the Valuation of Economic Intellectual Property Rights was approved by the Resolution of the Cabinet of Ministers of Ukraine of October 3, 2007 No. 1185. It was developed with active participation of the SDIP specialists.

The Standard is obligatory to be used by practitioners of valuation activities while estimating economic intellectual property rights and by those who review valuation reports. It is also used to assessment of damages caused by illegal use of intellectual property rights.

The Standard sets the system of methodological and organizational background for determining market and other types of economic intellectual property rights value, as well as the peculiarities of intellectual property rights valuation. It contains terms and defini-



The fourth meeting of the Ukrainian-American Intellectual Property Enforcement Cooperation Group in the State Department of Intellectual Property on the subject of «Internet Piracy and Strategies of Struggle against It»

tions of basic concepts used in valuation process, classification of valuation objects, requirements to the choice of the basis for assessment, main methodological approaches to such objects assessment.

In order to provide methodical support to subjects of TV and radio broadcasting activities – television and radio broadcasting companies, program service providers whose work deals with copyright and/or related rights – SDIP together with the National television and radio Council has worked out Guidelines for television and radio broadcasting companies and program service providers concerning the use of copyright and/or related rights and payment of author's remuneration.

It should be noted that in order to create effective organizational and legal background for the full realization of the citizens' constitutional right to participate in state management, to provide transparency of the state intellectual property rights system activities, to take into account public opinion, to support a permanent feedback with representatives of all social groups, to create possibilities for free and objective highlighting of all processes in the field of intellectual property in mass media in 2007 there was provided an active participation of public in solution of problems, in particular as for improvement of legislative maintenance of intellectual property rights protection.

2 Registration of Intellectual Property Rights

2.1. Examination and Registration of Industrial Property Rights

In 2007 there was continued growth in total filings and grants practically for all categories of industrial property rights.

The total number of applications for industrial property rights protection filed with SDIP amounted to over 50 thousand, that is 9% more than in the previous year (table 2.1). A total of over 15 thousand applications for inventions and utility models, over 2 thousand applications for industrial designs and 33 thousand applications for trademarks and service marks (including nearly 24 thousand those under the national procedure) were filed.



Alla Zharinova, Director of the State Enterprise «Ukrainian Industrial Property Institute»

Table 2.1. Filing applications for industrial property rights protection

Industrial property categories	Number of applications filed				
	2003	2004	2005	2006	2007
Inventions:					
with 20-year term of validity	3057	5778	5592	5930	6165
with 6-year term of validity	9548	—	—	—	—
Utility models	839	5232	7286	8171	8870
Industrial designs	2310	1862	2010	2236	2147
Trademarks and service marks:	20151	20263	24399	29996	33266
under the national procedure	13772	13960	16366	20813	23746
under the Madrid Agreement	6379	6303	8033	9183	9520
Topographies of integrated circuits	—	2	2	—	9
Certified indications of the source of goods	8	1	2	2	6

Inventions

In 2007 a total of 6,165 applications for inventions were filed (table 2.2, fig. 2.1).

The activity of domestic applicants in the year under review remained at the same level as in the previous year. The activity of foreign applicants continued to grow. The number of applications filed by foreign applicants increased by 11%, at the same time the number of PCT applications increased by 12%. The share of applications filed by foreign applicants in 2007 amounted to 44% of total filings (as against 41% in 2006 and 37% in 2005).

The number of applications filed with SDIP as receiving office by domestic applicants for patenting inventions under the PCT procedure in foreign states amounted to 83 in 2007.

The largest number of foreign filings came from the USA (748 applications), Germany (512 applications), France (173 applications), Switzerland (152 applications), Belgium (102 applications), Sweden (95 applications), United Kingdom (93 applications), Italy (87 applications), the Netherlands (82 applications), the Russian Federation (81 applications) and Japan (80 applications) (annexes, 1).

The distribution of applications for inventions filed under the PCT procedure by countries of origin is shown in fig 2.2.

The priorities of distribution of applications for inventions according to the IPC classes are shown in table 2.3.

The total number of decisions taken on applications for inventions in 2007 amounted to

Table 2.2. Applications for patents for inventions filed

Subject matter	Number of applications filed				
	2003	2004	2005	2006	2007
Applications for inventions	3057	5778	5592	5930	6165
Under the national procedure	1774	4356	3842	3788	3768
by domestic applicants	1630	4086	3535	3472	3440
by foreign applicants	144	270	307	316	328
Under the PCT procedure	1283	1422	1750	2142	2397
including domestic applicants	6	4	3	2	–
Applications for inventions with 6-year term of validity	9548	–	–	–	–

Fig. 2.1. Trends in filing applications for patents for inventions

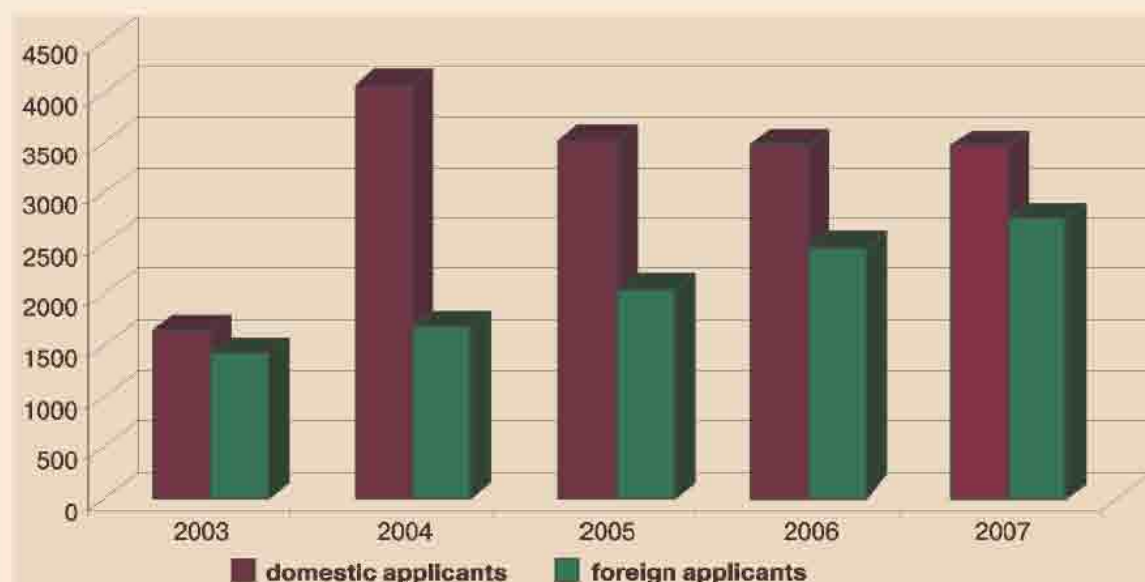


Fig. 2.2. Distribution of applications filed under the PCT procedure by countries of origin

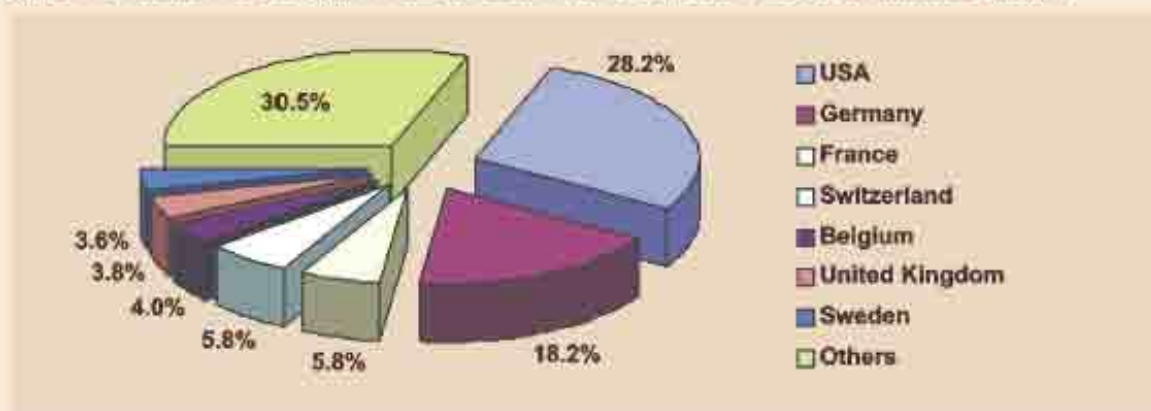


Table 2.3. Priorities of distribution of applications for inventions according to the IPC

IPC class	Class headings	Total number of applications	Domestic applicants	Foreign applicants
A61	Medical or veterinary science; hygiene	707 (11.5%)	214 (6.2%)	493 (18.0%)
C07	Organic chemistry	870 (10.9%)	51 (1.5%)	619 (22.7%)
A01	Agriculture; forestry; animal husbandry...	296 (4.8%)	162 (4.7%)	134 (4.9%)
G01	Measuring; testing	281 (4.7%)	244 (7.1%)	47 (1.7%)
H01	Basic electric elements	152 (2.5%)	109 (3.2%)	43 (1.5%)
H04	Electric communication technique	147 (2.4%)	20 (0.6%)	127 (4.8%)
B65	Conveying; packing; storing; handling thin or filamentary material	138 (2.2%)	50 (1.5%)	88 (3.2%)
A23	Food or foodstuffs; their treatment...	133 (2.1%)	81 (2.4%)	52 (1.9%)
B01	Physical or chemical processes or apparatus in general	111 (1.8%)	61 (1.8%)	50 (1.8%)
C12	Biochemistry; beer; spirits; wine; vinegar; microbiology...	111 (1.8%)	49 (1.4%)	62 (2.3%)
E04	Building	97 (1.6%)	40 (1.2%)	57 (2.0%)
F16	Engineering elements or units; ...	94 (1.5%)	69 (2.0%)	25 (0.9%)

4,182, including 4,088 decisions to grant a patent for inventions and 96 — to refuse to grant a patent. The total number of disposals in 2007 amounted to 5,414.

In 2007 4,058 patents for inventions were granted. Moreover, 2 patents with 8-year term of validity were granted (the applications for these patents were filed before January 1, 2004). Patents granted to foreign applicants amounted to 1,440 (table 2.4, fig. 2.3).

The most patents were granted to applicants from Germany — 322 (22.4%), the USA — 265

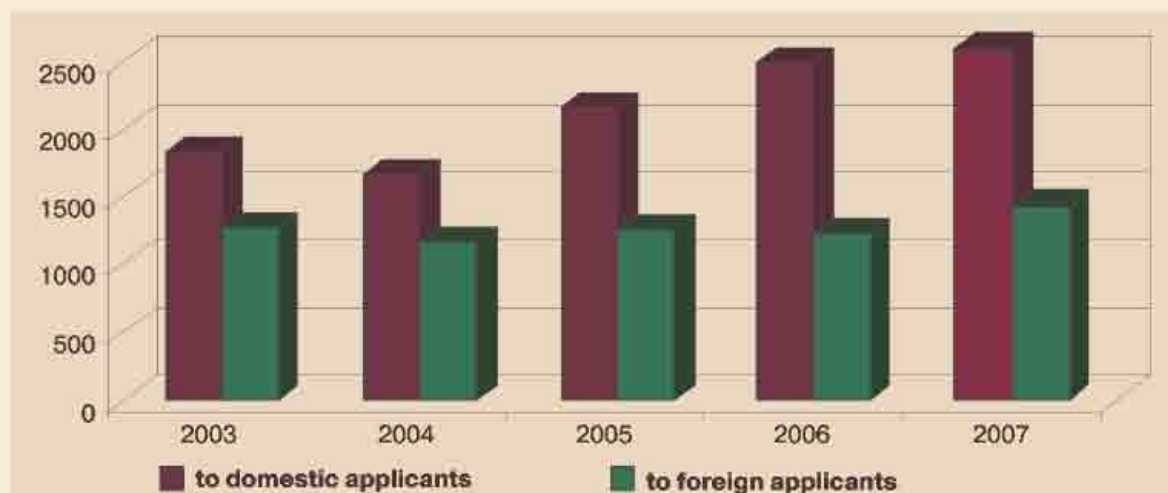
(18.4%), France — 174 (12.1%), Switzerland — 79 (5.5%), the Russian Federation — 67 (4.7%), Sweden — 59 (4.1%), the Netherlands — 51 (3.5%) and the United Kingdom 42 (2.9%).

The priorities of distribution of patents for inventions according to the IPC classes are shown in table 2.5.

As of January 1, 2008, a total of 86,185 patents for inventions have been entered to the State Register, among them 7,840 patents with 8-year of validity and 20,728 patents for inventions were in force (table 2.6).

Table 2.4. Patents for inventions granted

Subject matter	Number of patents granted				
	2003	2004	2005	2006	2007
Grants of patents for inventions	3113	2838	3433	3898	4058
to domestic applicants	1837	1669	2171	2495	2618
to foreign applicants	1322	1276	1169	1262	1440
patents with 6-year term of validity	7870	7069	286	7	2

Fig.2.3. Trends in granting patents for inventions**Table 2.5. Priorities of distribution of patents for inventions according to the IPC**

IPC class	Class headings	Total number of patents	To domestic applicants	To foreign applicants
A 61	Medical or veterinary science; hygiene	723 (17.8%)	236 (9.0%)	487(33.8%)
A01	Agriculture; forestry; animal husbandry...	335 (8.3%)	218 (8.3%)	118 (8.2%)
G01	Measuring; testing	291 (7.2%)	271 (10.4%)	20 (1.4%)
C07	Organic chemistry	225 (5.5%)	47 (1.8%)	178 (12.4%)
B01	Physical or chemical processes or apparatus in general	129 (3.2%)	80 (3.1%)	49 (3.4%)
H01	Basic electric elements	99 (2.4%)	91 (3.5%)	8 (0.6%)
F16	Engineering elements or units; ...	94 (2.3%)	76 (2.9%)	18 (1.3%)
E21	Earth or rock drilling; Mining	92 (2.3%)	84 (3.2%)	8 (1.3%)

Table 2.6. Number of patents in force

Number of patents in force as of 01.01.2007	32438
including those with 5-year term of validity	14204
Patents granted in 2007	4060
Number of patents expired in 2007	7930
Number of patents in force as of 01.01.2008	28588
including those with 6-year term of validity	7840

Utility Models

In 2007 the number of applications for utility models increased by 9%. A total of 8,870 applications, including 8,745 (98.6%) applications from domestic applicants, were filed (table 2.7, fig. 2.4).

The Russian Federation remains the major foreign source of applications (the share of applications from Russian Federation is 45.6%). The distribution of applications for utility models filed by foreign applicants is shown in the fig. 2.5.

Table 2.7. Applications for utility models filed and patents granted

Subject matter	2003	2004	2005	2006	2007
Applications filed:	839	5232	7286	8171	8870
by domestic applicants	775	5141	7156	8027	8745
by foreign applicants	64	91	130	144	125
Patents granted:	672	1853	7467	8268	9215
to domestic applicants	610	1811	7341	8127	9094
to foreign applicants	62	42	126	141	121

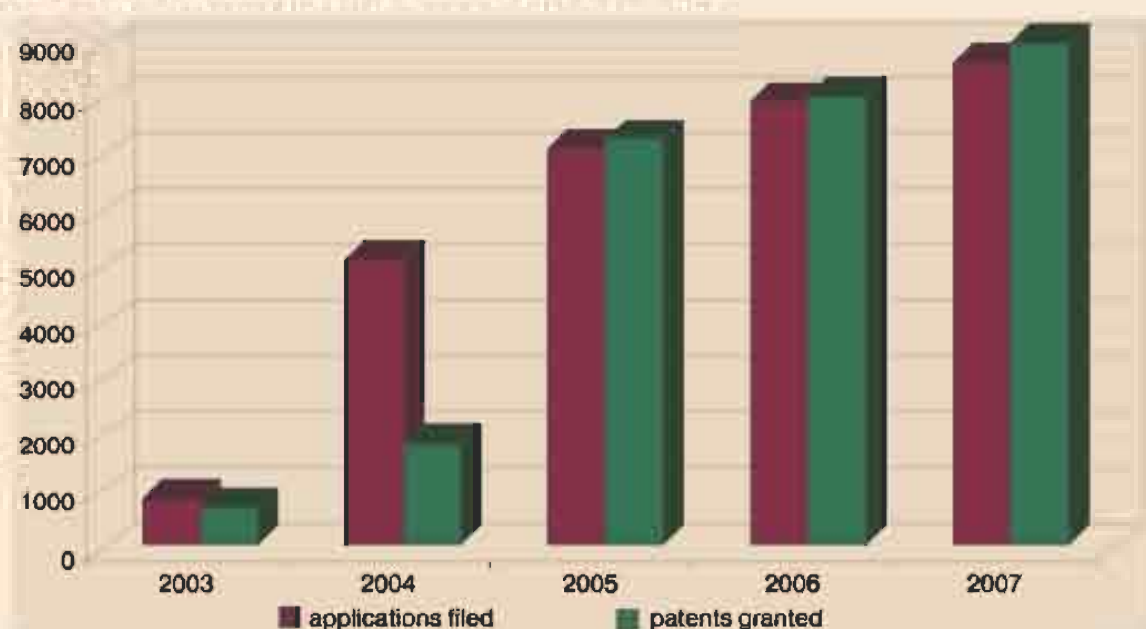
Fig. 2.4. Applications for utility models filed and patents granted

Fig. 2.5. Distribution of applications for utility models by countries of origin

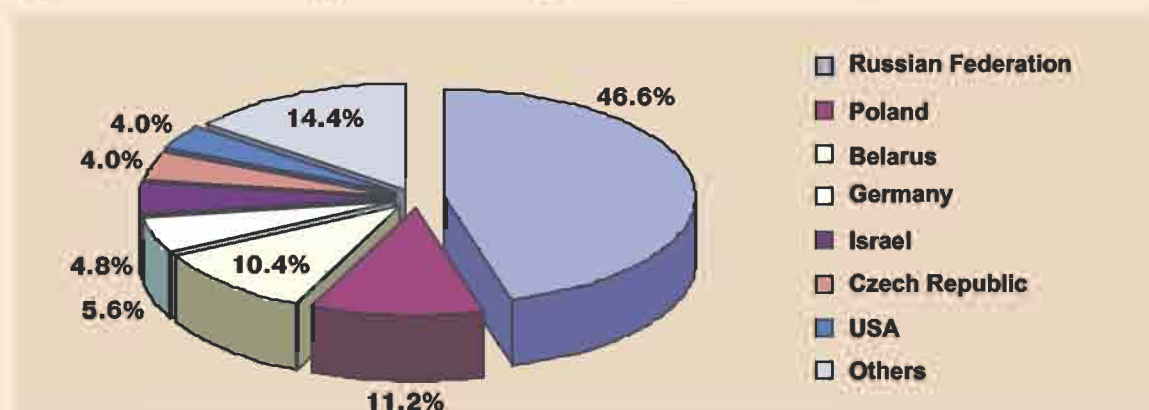


Table 2.8. Number of patents in force

Number of patents in force as of 01.01.2007	18489
Patents for utility models granted in 2007	9215
Number of patents in force as of 01.01.2007	2494
Number of patents in force as of 01.01.2008	25210

The most applications for utility models were filed in classes: A61 (Medical or veterinary science; hygiene) — 1,642 applications, 367 of which belong to subclass A61K (Preparations for medical, dental or hygienic purposes); G01 (Measuring; testing) — 687 applications, A01 (Agriculture; forestry) — 514, A23 (Foods or foodstuffs, their treatment) — 264, E21 (Earth or rock drilling; mining) — 227, F16 (Engineering elements or units) — 205 and H01 (Basic electric elements) — 199 applications.

In 2007, 9,035 decisions concerning utility models were taken, including 8,975 those on granting of a patent and 60— on refusal to grant a patent. In 2007, 9,287 applications for utility models were processed.

In the year under review 9,215 patents for utility models were granted including 9,094 — to domestic applicants (fig. 2.4). 121 patents were granted to foreign applicants, including 62 grants to applicants from Russia, 10 — from Poland, 9 — from the Republic of Belarus, 6 — from Germany, in 4 grants — to applicants from Israel, Lithuania and the USA. The share of patents granted to applicants from those countries is 81.8%.

As of January 1, 2008, 29,041 patents for utility models have been entered to the State register, including 25,210 patents being in force (table 2.8).

Industrial designs

In 2007, 2,147 applications for industrial designs were filed, including 1,746 those from domestic applicants (table 2.9, fig. 2.6). The number of applications from foreign applicants remained practically at the same level as in the previous year and share of those in the total number of applications amounted nearly 19% (as against 18% in 2006).

In the year under review the most active were applicants from the Russian Federation (94 applications, 23.4%), Republic of Moldova (58 applications, 14.5%), Poland (35 applications, 8.7%), China (24 applications, 6.0%), Turkey (22 applications, 5.5%), Germany and the USA (in 19 applications, 4.7%), India (18 applications, 4.5%), Italy (17 applications, 4.2%), the United Kingdom (16 applications, 4.0%) and Austria (10 applications, 2.5%).

In 2007, 2,239 decisions on granting the patent were taken, 192 applications were refused and 68 were withdrawn. A total of 2,213 patents for industrial designs were granted, including 1,803 — to domestic applicants (table 2.9).

89 patents (21.7%) were granted to the applicants from the Russian Federation, 63 patents (15.4%) — Turkey, 45 patents (11.0%) — Poland, 25 patents (6.1%) — the USA, 20 patents (4.9%) — Japan, 19 patents (4.6%) — Italy and 15 patents (3.7%) — Germany.

Table 2.9. Applications for industrial designs filed and patents granted

Subject matter	2003	2004	2005	2006	2007
Applications filed:	2310	1862	2010	2236	2147
by domestic applicants	2156	1673	1750	1833	1746
by foreign applicants	154	189	260	403	401
Patents granted:	1474	1436	1569	2061	2213
to domestic applicants	1408	1348	1423	1803	1803
to foreign applicants	66	88	146	258	410
Patents in force at the end of the year	5722	6456	7312	8234	9659

Fig. 2.6. Trends in filing applications and granting patents for Industrial designs

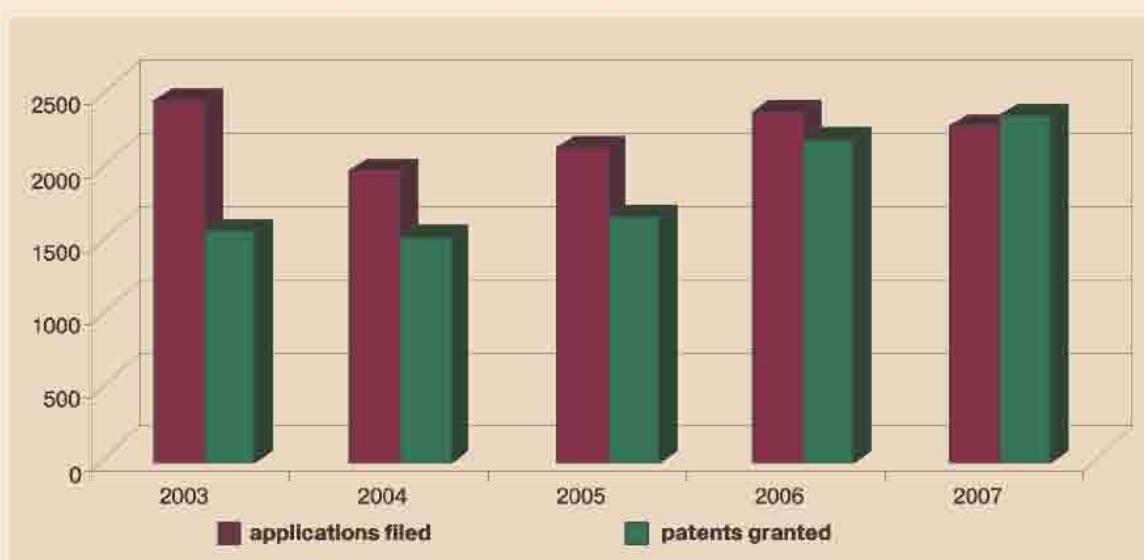
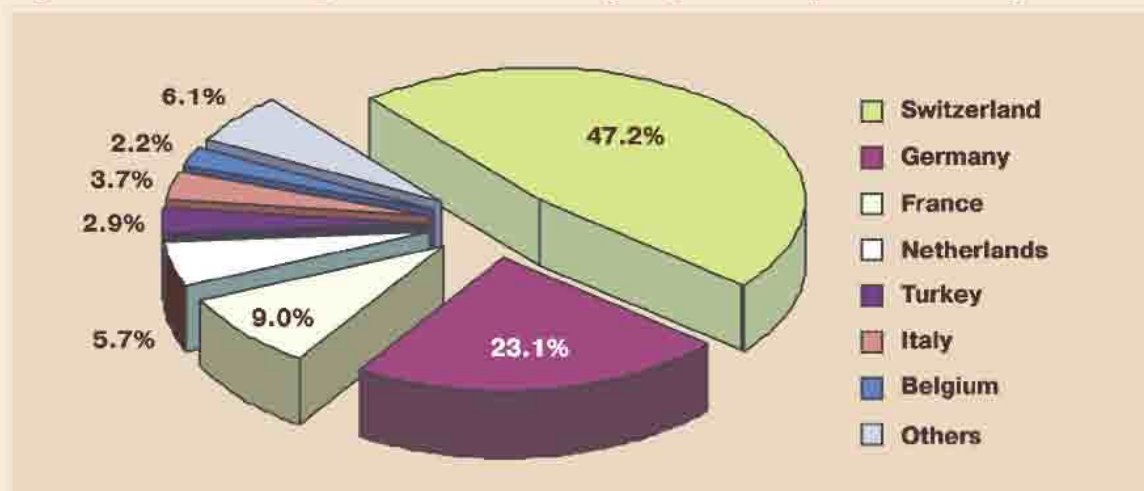


Fig 2.7. Distribution of registrations under the Hague Agreement by countries of origin



The largest number of patents was granted in classes: 19 (Stationery and office equipment, artist's and teaching materials) — 526 (23.8%), 09 (Packages and containers for the transport or handling of goods) — 314 (14.2%), 11 (Articles of adornment) — 177 (8.0%), 25 (Building units and construction elements) — 172 (7.8%), 05 (Textile piecegoods, artificial and natural sheet material) — 167 (7.5%), 06 (Furnishing) — 107 (4.8%).

As of January 1, 2008, 15,593 patents for industrial designs have been entered to the State register, including 9,659 patents being in force.

In 2007, the effect of 489 international registrations under the Hague Agreement Concerning the International Registration of Industrial Designs were extended to the territory of Ukraine (fig. 2.7).

Trademarks and service marks

National procedure

In 2007 a total of 23,746 applications for trademarks and service marks were filed. The activity of domestic applicants has increased by 16% as compared with previous year (table 2.10, fig. 2.8).

The activity of foreign applicants has increased by 6%. A total of 3,858 applications were filed by foreign applicants, these amounted to 16% of the total number of applications filed under the national procedure.

The most active were applicants from the USA — (817 applications, 21.0%), the Russian Federation (496 applications, 12.9%), Switzerland (217 applications, 5.6%), Poland (212 applications, 5.5%), the United Kingdom

Table 2.10. Applications for trademarks and service marks filed

Subject matter	2003	2004	2005	2006	2007
Applications filed:	20151	20263	24399	29996	33266
under the national procedure	13772	13960	16366	20813	23746
by domestic applicants	11684	11527	13184	17170	19888
by foreign applicants	2088	2433	3182	3643	3858
under the Madrid Agreement	6379	6303	8033	9183	9520

Fig. 2.8. Trends in filing applications for trademarks and service marks

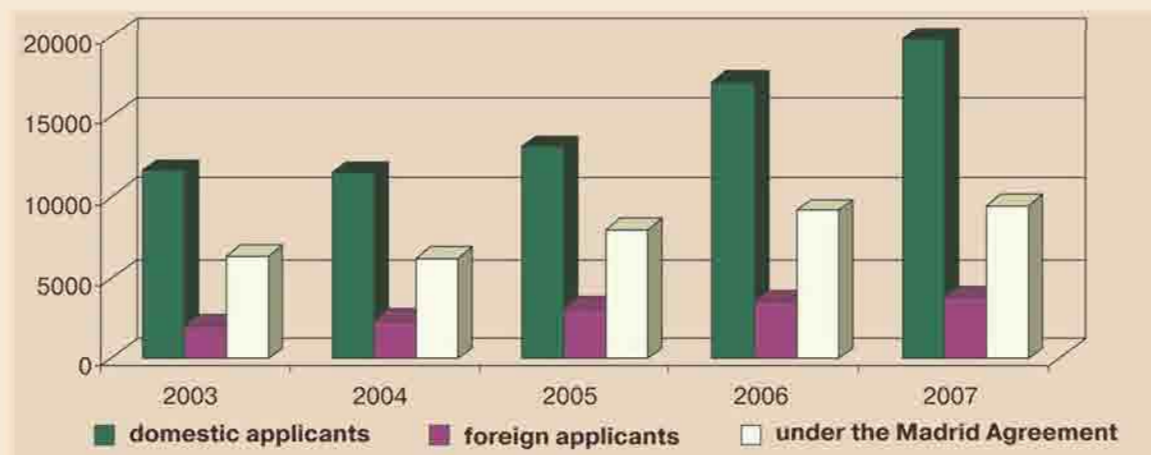


Table 2.11. Priorities of distribution of applications for marks according to the classes of the Nice Classification

Class of the Nice Classification	Class headings	Total number of marks	Domestic applicants	Foreign applicants
35	Advertising; business management; business administration; office functions...	9699 (16.7%)	8810 (18.0%)	889 (10.0%)
41	Education; providing of training; entertainment; sporting and cultural activities...	3507 (6.0%)	3182 (6.5%)	325 (3.6%)
16	Paper, cardboard and goods made from these materials...	2908 (5.0%)	2601 (5.1%)	407 (4.6%)
05	Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes...	2639 (4.5%)	1630 (3.3%)	1009 (11.3%)
42	Scientific and technological services...	2545 (4.4%)	2254 (4.6%)	291 (3.3%)
09	Scientific, nautical, surveying, photographic, optical, weighing, measuring...	2236 (3.9%)	1806 (3.7%)	431 (4.8%)
30	Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee, flour...	2184 (3.8%)	1809 (3.7%)	375 (4.2%)
29	Meat, fish, poultry and game; meat extracts; preserved, dried and cooked fruits...	1772 (3.0%)	1503 (3.1%)	269 (3.0%)
32	Beers; mineral and aerated waters and other non-alcoholic drinks...	1506 (2.6%)	1216 (2.5%)	291 (3.3%)
03	Bleaching preparations and other substances for laundry use; cleaning; polishing ...	1255 (2.2%)	764 (1.6%)	491 (5.5%)

Table 2.12. Trademarks and service marks registered

Subject matter	2003	2004	2005	2006	2007
Marks registered:	12809	15236	18544	22530	23873
under the national procedure	7706	9383	11645	13134	15375
to domestic applicants	6638	7680	9418	10327	12130
to foreign applicants	2070	1703	2227	2807	3245
under the Madrid Agreement	5103	5853	6899	8396	8298
Registrations in force at the end of the year*	34459	42327	52823	64974	78848

* not including International registrations

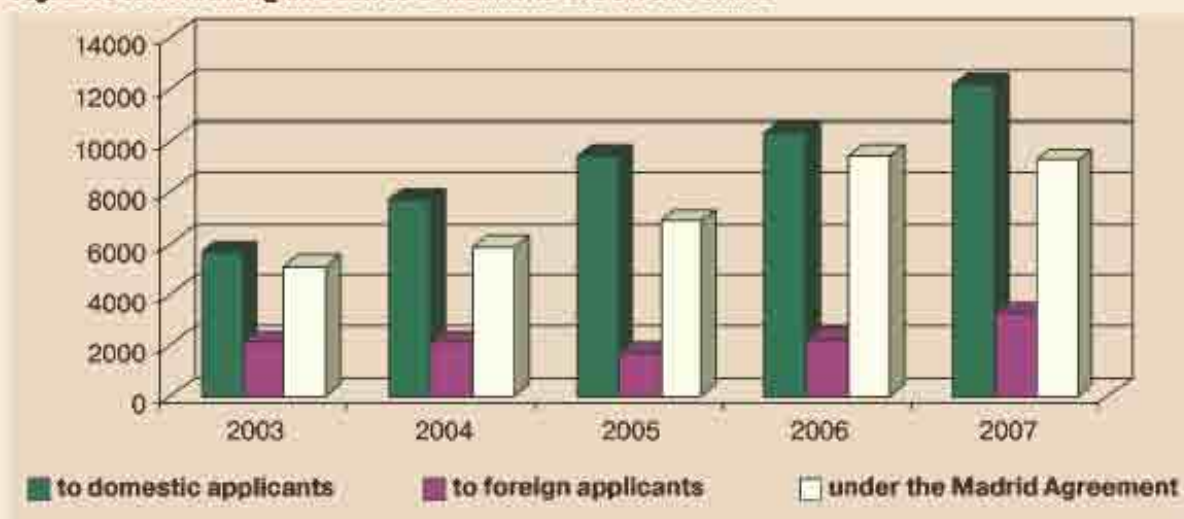
(204 applications, 5.3%), Germany (198 applications, 5.1%), Cyprus (131 applications, 3.4%), China (128 applications, 3.3%) and Japan (111 applications, 2.9%).

In 2007 most of the marks filed under the national procedure were classified in classes 35, 41, 16, 05, 42, 09, 30, 29, 32, 03 of the Nice Classification. The priorities of distribution of domestic and foreign filings according to the classes of the Nice Classification are shown in table 2.11. The domestic applicants preferred classes 35, 41, 16, 42, 30, 09 and 05, and foreign applicants — 05, 35, 03, 09, 16 and 30.

There were taken 15,601 decisions on granting the certificates for trademarks and service marks, 828 decisions on refusal to grant the certificates, 3,669 applications were withdrawn in 2007.

In the year under review 15,375 certificates for trademarks and service marks were registered, that is 17 % more than in previous year. Of the total amount of registered certificates 21% are the registrations to foreign applicants (table 2.12, fig. 2.9). 829 (25.5%) certificates were registered to the applicants from the USA, 596 (18.4%) — to applicants from the Russian Federation, 171 (5.3%) — from the United Kingdom, 155 (4.8%) — from India, 145

Fig. 2.9. Trends in registration of trademarks and service marks



(4.5%) – from Germany and 135 (4.2%) certificates – to applicants from Switzerland.

In 2007 the most of marks was registered in classes 35, 41, 05, 30, 16, 42, 29, 09, 32 and 03 of the Nice Classification (table 2.13). The domestic applicants were most active in registering marks in classes 35, 41, 16, 30, 42 and foreign applicants – in classes 05, 35, 30, 03, 29 and 09.

As of January 1, 2008, 86,220 certificates for trademarks and service marks have been registered, of which 78,848 certificates were in force.

International procedure

The foreign applicants are very active in filing applications for marks under the international procedure (fig. 2.9). In 2007, 9,520 interna-

Table 2.13. Priorities of distribution of marks registrations by national and foreign applicants according to the classes of the Nice Classification

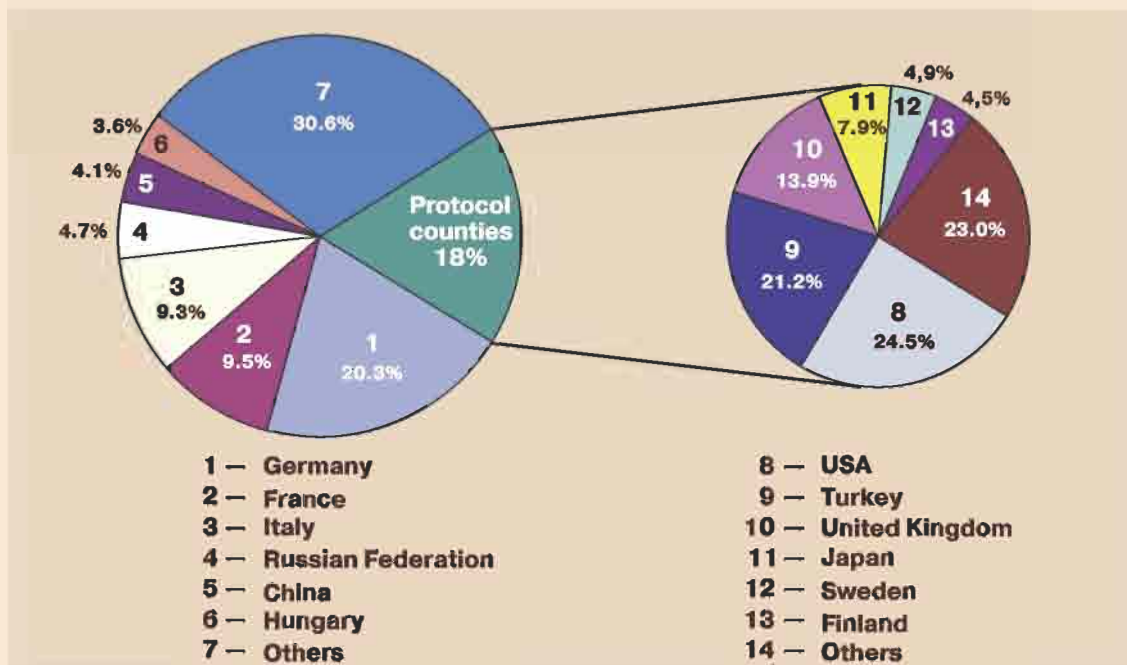
Class of the Nice Classification	Class headings	Total number of marks	Domestic applicants	Foreign applicants
35	Advertising; business management; business administration; office functions...	5,772 (14.9%)	5,229 (16.7%)	543 (7.2%)
41	Education; providing of training; entertainment; sporting and cultural activities...	2,135 (5.5%)	1,886 (6.0%)	249 (3.3%)
05	Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes...	2,094 (5.4%)	1,106 (3.5%)	988 (13.2%)
30	Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee, flour...	1,987 (5.1%)	1,535 (4.9%)	452 (6.0%)
16	Paper, cardboard and goods made from these materials...	1,979 (5.1%)	1,705 (5.5%)	274 (3.7%)
42	Scientific and technological services...	1,728 (4.5%)	1,611 (4.8%)	217 (2.9%)
29	Meat, fish, poultry and game; meat extracts; preserved, dried and cooked fruits...	1,517 (3.9%)	1,133 (3.6%)	384 (5.1%)
09	Scientific, nautical, surveying, photographic, optical, weighing, measuring...	1,465 (3.8%)	1,088 (3.5%)	377 (5.0%)
32	Beers; mineral and aerated waters and other non-alcoholic drinks...	1,242 (3.2%)	936 (3.0%)	306 (4.1%)
03	Bleaching preparations and other substances for laundry use; cleaning...	1,014 (2.6%)	573 (1.8%)	441 (5.9%)

tional applications were received from the WIPO International Bureau, including 7,817 (82.1%) applications under the Madrid Agreement and 1,703 — under the Madrid Protocol.

The applicants from Germany (1,930 applications), France (904 applications), Italy (883 applications), the Russian Federation (448

applications), China (391 applications), Hungary (346 applications), Austria (304 applications), Czech Republic (276 applications), the Netherlands (263 applications) and Poland (246 applications) were in the lead. The share of applications from these countries amounted to 77.0% of the total filings under the international procedure in 2007 (fig. 2.10).

Fig. 2.10. Distribution of international applications filed under the Madrid Agreement and the Madrid Protocol by countries of origin



2007 the most active among the member states of the Protocol to the Madrid Agreement in filing applications with the extension to the territory of Ukraine were the USA — 418, Turkey — 361 applications, the United Kingdom — 237 applications, Japan — 135 applications, Sweden — 83 applications, Finland — 77 applications and Iceland — 48 applications (fig. 2.10).

In 2007, the legal protection was granted to 8,298 international marks (table 2.12, fig. 2.9).

2.2. Entering the Data Concerning Contracts on Disposition of Economic Industrial Property Rights to the State Registers

In 2007 the total number of registrations of the contracts on disposition of economic

industrial property rights amounted to 1,673, that is 23.4% more than in previous year (fig. 2.11), among them 1298 registrations concerning assignment of exclusive economic industrial property rights (77.6%); 321 registrations concerning issuance of licenses on exploitation of the industrial property rights (19.2%); 54 licenses of right to use inventions, utility models and industrial designs (3.2%).

According to the abovementioned data the number of registered data on the assignment of exclusive economic industrial property rights sufficiently exceeds the number of entries to the state registers on the issuance of licenses.

As of January 1, 2008, data concerning 9,374 contracts on disposition of economic industrial property rights have been entered to the state registers, including 2,442 contracts

Fig 2.11. Trends in registration of contracts on disposition of economic industrial property rights in 1995-2007



concerning inventions, 342 — utility models, 6,036 — trademarks and service marks, 554 — industrial designs.

Information on entering the data on disposition of economic industrial property rights to the relevant registers is shown in the table 2.14.

The data presented in the table 2.14 shows that in 2007 the number of entries on granting licenses on exploitation of industrial designs, as well as number of publications concerning

licenses of right for inventions and industrial designs has decreased as compared with the previous year.

The number of registered license contracts on exploitation inventions, utility models, trademarks and service marks has increased by 18.7%, 50%, 14.6%, accordingly.

The number of registrations concerning the assignment of exclusive economic rights in inventions, utility models, industrial designs,

Table 2.14. Distribution of registrations contracts on disposition of economic Intellectual property rights by the categories

Kind of contract	Number of registrations												Total			
	Inventions				Industrial designs				Trademarks and service marks							
	2004	2005	2006	2007	2004	2005	2006	2007	2004	2005	2006	2007	2004	2005	2006	2007
Non-exclusive licenses	45	23	19	19	5	11	8	2	227	150	160	214	277 +3*	184 +4*	187 +12*	235 +23*
Exclusive licenses	20	13	7	13	–	7	4	1	37	25	50	32	57 +3*	45 +6*	61 +7*	46 +15*
Sole licenses	–	1	2	1	–	–	–	–	–	–	1	1	–	1	3 +1*	2
Assignment of right	122	100	85	121	27	46	64	94	467	524	826	996	616 +7*	670 +27*	975 +34*	1211 +87
Licenses of right	39	20	49	32	1	7	10	–	–	–	–	–	40 +2	27 +17*	59 +17	32 +22*
Total	226	157	162	186	33	71	86	97	731	699	1037	1243	990 +15*	927 +54*	1285 +71	1526 +147

* Non-exclusive license, exclusive license, assignment of ownership, license of right to utility models respectively

trademarks and service marks has increased by 25.9%, 60.9%, 31.9% and 17.0%, accordingly, as compared with 2006.

In 2007 the share of contracts on the assignment of exclusive economic rights in trademarks and service marks where foreign companies were parties has increased to 26.4% in comparison with 2006. The share of license contracts with their participation has decreased slightly. The most active were companies-owners of trademarks from the Russian Federation, the USA, and Germany.

The share of contracts on the assignment of

exclusive economic rights in trademarks and service marks by Ukrainian natural and legal persons has decreased slightly in comparison with 2006. The share of license contracts between Ukrainian natural and legal persons has increased to 78.5% as compared with 2006 year (table 2.15).

Trends in registration of the license contracts are shown in the fig. 2.12.

The total number of industrial property rights in respect of which data on assignment of exclusive economic rights and granting licenses were entered in respective state registers

Table 2.15. Participation of national and foreign persons in contracts on disposition of economic rights in trademarks and service marks

Contract parties	Contracts on assignment of exclusive economic rights				License contracts			
	2006		2007		2006		2007	
	number	%	number	%	number	%	number	%
Contract parties – Ukrainian physical and/or legal persons	569	68.9	640	64.3	160	75.8	194	78.5
Contract parties – foreign persons	185	22.4	263	26.4	15	7.1	14	5.7
Owner (licensor) – Ukrainian natural and/or legal person, successor (licensee) – foreign person	63	7.8	75	7.5	–	–	1	0.4
Licensor – foreign person, licensee Ukrainian natural and/or legal person	9	1.1	18	1.8	36	17.1	38	15.4
Total	826	100	996	100	211	100	247	100

Fig 2.12. Trends in registration of license contracts on the exploitation of industrial property rights (1993-2007)

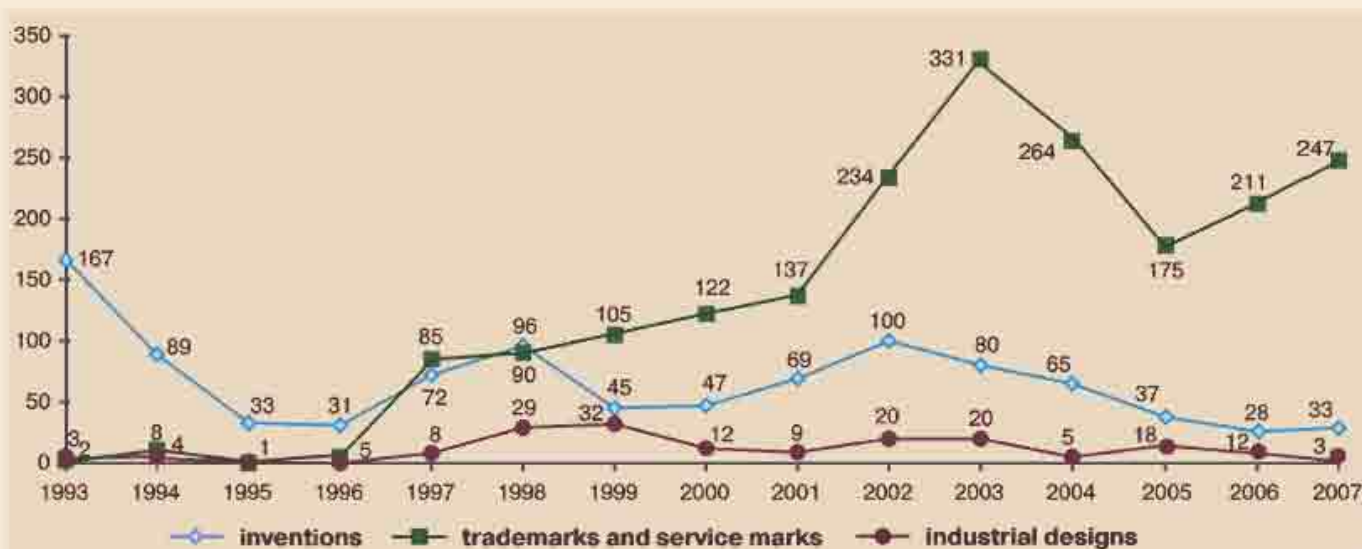
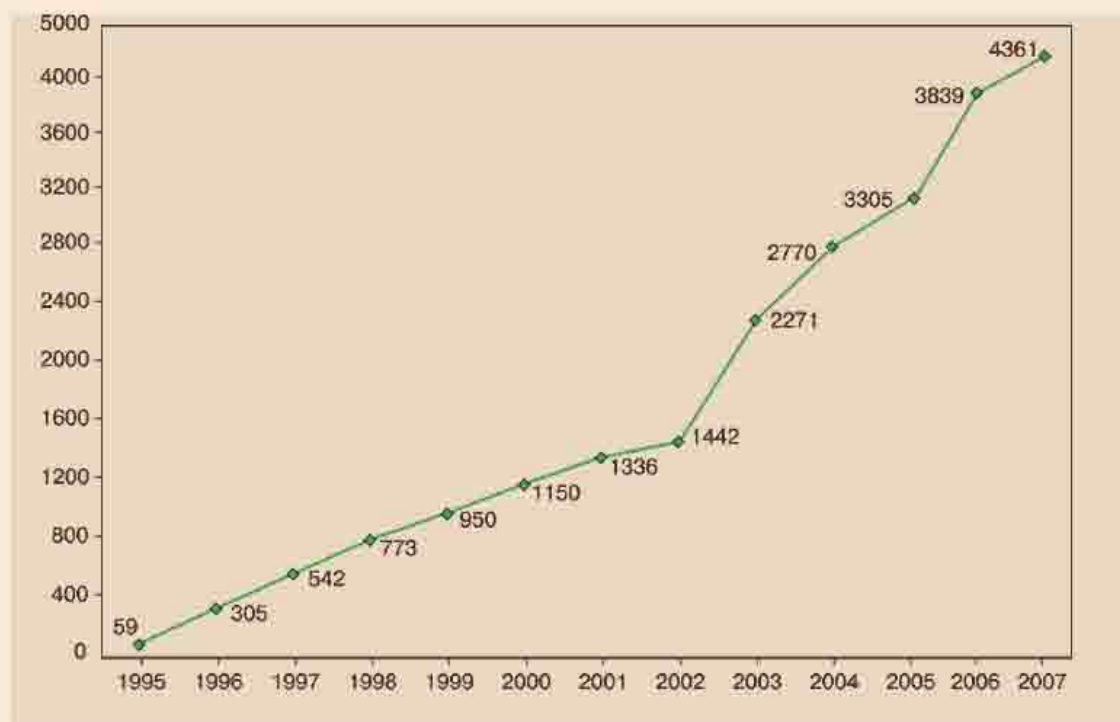


Table 2.16. Comparative data on entering data on disposition of economic rights in trademarks and service marks to the state registers

Kind of contract	2007	
	Number of contracts	Number of trademarks and service marks
Contracts on assignment of exclusive economic rights in trademarks and service marks:	996	1,752
by Ukrainian owners	715	1,147
by foreign owners	281	605
License contracts on exploitation of trademarks and service marks:	247	531
by Ukrainian owners	195	374
by foreign owners	52	157

Fig. 2.13. Trends in the state registration of author's right in 1995-2007



amounted to 2,961 including 271 inventions, 252 utility models, 155 industrial designs and 2,283 trademarks and service marks.

Data shown in table 2.16 testify that the average number of trademarks and service marks, the rights in which are transferred in one contract for Ukrainian owners is 1.7 and for foreigners 2.3 marks in one contract.

2.3. Registration of Author's Right in Scientific, Literary and Artistic Works

In 2007 the total number of registrations of author's right in a work amounted to 4,361, that is 14.0% more than in previous year (as against 3,839) (fig. 2.13). In 2007 a total of 4,186 applications for registration of author's right in a work were filed.

Table 2.17. Distribution of state registrations by categories of copyrighted works in 2007

Categories of copyrighted works	Number of registrations
Literary written works	2018
Composite works	877
Musical works with or without words	777
Computer programs	732
Works of fine art	597
Illustrations	403
Audiovisual works	94
Derivative works	83
Drawings	68
Photographic works	55
Works created for scenic show	42
Data bases	33
Works of architecture, town-planning, landscape architecture	32
Works of applied art	27
Oral works	14
Sketch	5
Production of works created for scenic show	3
Architectural drawing	2
Cartographic work	2
Folklore adaptation for scenic show	1

Over the reporting period, the total number of registrations of author's economic right in employee's works amounted to 643 registrations (as against 642 in 2006). 605 registrations of author's economic rights belong to employer. In 38 registrations of rights in employee's works the economic rights to a work jointly belong to employee who created that work and his employer (as against 28 registrations in 2006).

As in the previous years the author's rights mostly were registered for literary written works of different nature: scientific, scientific-and-practical, scientific-and-technical, technical, practical, educational, fiction, popular scientific, educational, informational; works for radio, television, cinema; works concerning arts etc (34.4%), composite works (14.9%) and musical compositions (13.2%), computer programs (12.5%), works of fine art (10.2%) and illustrations (6.9%) (table 2.17).

In 2007, 185 contracts on author's right in a work were registered with SDIP (in the previous year – 188 contracts). In 2007 the total number of applications for registrations of contracts on author's right in a work amounted to 228, that is

22% more than in 2006 (186 applications). The registered contracts concern mainly the assignment (alienation) of economic rights in a work (173), including 171 contracts on the complete transfer of rights in a work and 2 contracts on partial assignment. There were registered 8 contracts on assignment of exclusive right to use a work and 4 contracts on assignment of non-exclusive right.

As in the previous year, most interested in entering records on registration of contracts to the State register were subjects of contracts, one party of which is an author of the work: there were registered 121 contracts on transfer of rights from authors of works to legal persons, 18 contracts on rights transfer to natural persons. 46 contracts on transfer of rights in works from persons who are not the authors thereof were registered.

The information on registrations made in 2007 was published in the Official Bulletin of the State Department of Intellectual Property «Copyright and Related Rights» (issue No. 12-14, 2007) and in 11th edition of the Catalogue of the State Registration in 2007.

3 Intellectual Property Rights Enforcement

3.1 Industrial Property Rights Enforcement in an Administrative Procedure

In 2007 the Appeals Chamber has considered a total of 129 oppositions including 92 oppositions lodged in 2007 and 37 those entertained in 2006.

Opositions lodged broke up by the industrial property categories as follows: inventions – 19, utility models – 5, industrial designs – 1, trademarks and service marks – 67.

There were held 104 sessions of the boards of the Appeals Chamber where 22 oppositions to the SDIP's decisions on patent applications, 7 oppositions to utility model applications, one industrial design application and 74 trademark and service mark applications were considered.

In 2007 the total of 93 decisions of the Appeals Chamber were sent to appellants including 29 decisions on complete satisfaction of oppositions, 9 on partial satisfaction of oppositions and 45 decisions on dismissal of oppositions. The appellants have withdrawn 10 oppositions.

In the year under review the Appeals Chamber got 9 claims for recognition of trademarks to be well-known in Ukraine. There were held 20 meetings of the Appeals Chamber.

Seven decisions of the Appeals Chamber were sent to applicants including 5 on recognition trademarks to be well-known in Ukraine and one on refusal to recognize a trademark to be well-known in Ukraine. One application was withdrawn by the applicant.

3.2 Industrial Property Rights Enforcement in a Judicial Procedure

In 2007 there were 357 cases related to industrial property rights enforcement in legal proceedings before the courts of primary jurisdiction, courts of appeal and courts of review. The Ministry of Education and Science of



Valentyn Chebotariov, Deputy Chairman of the State Department of Intellectual Property

Ukraine and/or the State Department of Intellectual Property were litigants in those cases. Cases in disputes concerning industrial property rights enforcement were considered in courts of general jurisdiction (103 cases), economic (207 cases) and administrative courts (47 cases). Proceedings were started on 185 cases (including 30 administrative ones). There were held 1029 court sessions on these cases.

All the cases can be distributed according to the subject matter as follows:

- invalidation of
 - decisions of the Appeals Chamber – 6;
 - trademarks and service marks certificates – 155;
 - patents for inventions and utility models – 34;
 - patents for industrial designs – 23;
 - contracts – 7;
- premature termination of

- international registration of mark in Ukraine – 20;
- certificates for trademarks and service marks – 19;
- infringement of intellectual property rights – 35;
- recognition of unjust acts – 14;
- cancellation of the decision – 24;
- provocation of action – 20.

The analysis of court cases shows that the most of them deal with trademarks and service marks.

The invalidation of trademark and service mark certificates and international registration of mark as well as premature termination of trademark and service mark certificates and international registration of mark are the matters of such disputes.

3.3. Enforcement of Copyright and Related Rights

During 2007 in a pre-arbitration and court procedures the legal division of the Ukrainian Agency of Copyright and Related Rights (UACRR) considered 87 cases against television and



Leonid Pashkovskyi, Director of the State Enterprise «Ukrainian Agency of Copyright and Related Rights»

radio broadcasting companies, program service providers, concerts and tours organizers, equipment and virgin mediums importers, theatres, philharmonic halls, circuses and other users of copyrighted works con-

cerning unlicensed use of works and non-payment of remuneration, in particular, 51 complaints and 36 court cases, 26 of them pending from 2006.

At the end of 2007 there were 15 cases under proceeding.

Besides, UACRR initiated four administrative proceedings under the Article 51² of the Code of Ukraine on Administrative Violations as for illegal use of works after which fines were

imposed and judgments were passed on violators.

In 2007 for unlicensed use of author's works and non-payment of remuneration complaints to the amount of more than 1, 525, 000 hryvnas and claims to the amount of more than 261, 688 hryvnas were brought against such users.

In fact, 416 thousand hryvnas were transferred to the UACRR's account under the court decisions in 2007.

In the year under review practical implementation of the Article 429 of the Civil Code of Ukraine was problematic with regard to conducting explanatory works with theatres on the necessity of differentiation of legal basis for remuneration payments to theatre staff members for creation and use of employee's works in line with this legal rule. It provides for common economic right of ownership and, besides, the Article 445 obliges to make a payment of author's remuneration for any use of authors' work.

In 2007 UACRR has developed Methodology of debts recovery by theatres. It is successfully introduced into everyday work of the UACRR.

UACRR has worked out and provided proposals on amendments to the Law of Ukraine On Copyright and Related Rights, the Law of Ukraine On Tour Arrangements in Ukraine and Ukraine Supreme Economic Court Guidelines On Some Issues of Dispute Resolution Practices Related to Intellectual Property Rights Enforcement.

Besides, UACRR has provided holders of copyright, users and other legal and natural persons with 260 written and more than 720 oral consultations.

3.4. Collective Management Organizations Activities

The establishment and development of the collective management system in Ukraine, state support of collective management organizations activities is one of the priority areas in the sphere of copyright and related rights.

According to legislation the management of copyright and related rights owners' economic rights is carried out by collective management organizations. As of December 31, 2007 there function 12 collective management organizations in Ukraine. They are:

1. The All-Ukrainian Association of Copyright and Related Rights Owners «OBERIH» (manages economic rights of copyright owners, per-

formers, producers of phonograms and videograms on the collective basis).

2. The Public Organization «The Association of Right Holders in the Sphere of Fine Art and Architecture Activities "STATUS"» (manages economic rights of copyright owners in the sphere of fine art and architecture activities on the collective basis).

3. The State Enterprise «The Ukrainian Agency of Copyright and Related Rights» (manages economic rights of copyright and related rights owners – mainly copyright owners – on the collective basis).

4. The Association of Enterprises «Ukrainian Music Alliance» (manages economic rights of copyright and related rights owners – mainly performers, phonograms and videograms producers – on the collective basis).

5. The Association of Enterprises «Ukrainian League of Music Rights» (manages economic rights of copyright and related rights owners – mainly performers, phonograms and videograms producers – on the collective basis).

6. The Public Organization «Performers' Rights Protection Agency» (manages economic rights of performers and copyright owners on the collective basis).

7. The All-Ukrainian Public Organization – «Film Directors Guild 24/1» (manages of copyright owners economic rights in audiovisual sphere on the collective basis).

8. The Association «Music Authors House in Ukraine» (manages economic rights of copyright owners on the collective basis).

9. The All-Ukrainian Public Organization «Author» (manages economic rights of copyright owners on the collective basis).

10. The Association «Phonogram and Videogram Producers Guild» (manages economic rights of phonogram and videogram producers on the collective basis).

11. The All-Ukrainian Public Organization «Ukrainian Authors Union» (manages economic rights of copyright owners, phonogram and videogram producers on the collective basis).

12. The All-Ukrainian non-Governmental Organization «All-Ukrainian Copyright and Related Rights Agency» (manages economic rights of copyright proprietors, performers and



Discussion of issues related to use of copyright and related rights objects with WIPO and EPO representatives

phonogram and videogram producers on the collective basis).

One of the main collective management organizations activities is to collect and distribute remuneration for use of phonogram and videogram copies published with the commercial purpose and performances that they contain in public use (cafes, bars, restaurants, discos etc.). This work is performed by authorized collective management organizations such as the Association of Enterprises «Ukrainian Music Alliance» (public communication) and «Ukrainian League of Music Rights» (public performance). During 2007 they continued work on conclusion of corresponding contracts with users, collection and distribution of remuneration for using phonograms (videograms) and their copies published with commercial purpose in cafes, bars, restaurants, night clubs, television and radio broadcasting companies etc.

In order to improve the situation with payment of remuneration by television and radio broadcasting companies for use of copyright and related rights objects the Working Group on assessment of the copyright and related rights legislation observation by television and radio broadcasting companies in Ukraine continued its activity in 2007. It was created by the State Department of Intellectual Property and the National Television and Broadcasting Council. The Working Group has developed Guidelines for television and radio broadcasting companies on the use of copyright and related rights objects and payment of remuneration for their use. The National Television and Broadcasting Council has recommended television and radio broadcasting companies to use the Guidelines in their activities by its decision of February 14, 2007 No. 181.

At the end of 2007 there took place changes in the sphere of collection and distribution of royalties for domestic reproduction of works and performances fixed in phonograms and videograms and their copies (virgin mediums and recording equipment). SDIP made a decision of December 21, 2007 On Appointment of the Association of Enterprises «Ukrainian Music Alliance» an Authorized Collective Management Organization. In 2004-2007 this functions were performed by the State Enterprise «The Ukrainian Agency of Copyright and Related Rights».

According to the current legislation SDIP controlled the activities of collective management organizations analyzing the information on copyright and related rights owners' economic rights management, on conclusion of contracts, collection, distribution and payment of remuneration. Here are some data based on the collective management organizations' information which show active work of collective management organizations and positive dynamics of the remuneration amounts collected (Fig. 3.1).

The Coordination Council on Copyright and Related Rights continued its work to consolidate the activities of collective management organizations, to provide joint solution of problem issues, to provide organizations' participation in discussions on draft legislation. It is established by SDIP and incorporates representatives of all collective management organizations. During the meetings of the Coordination Council major problems in the sphere of collective management are consid-

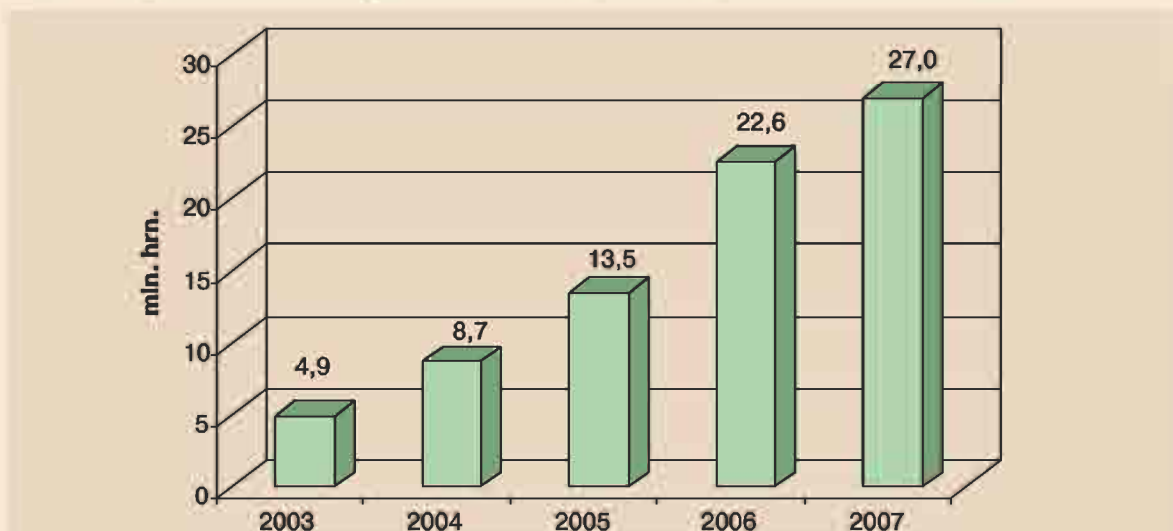
ered and discussed. Meetings are public and a representative of any collective management organization can offer his opinion and give proposals as for problem solution.

According to the copyright and related rights legislation SDIP acts as a mediator when managing conflicts between collective management organizations motivating them to come to terms, to find and make compromise decisions in order to enforce rights and interests of those authors, performers and others they represent and work for. For the purpose of mediation SDIP holds meetings with the parties of a conflict – some collective management organizations. In case it is not possible to solve a conflict promptly disputable questions are proposed for discussion during the next meeting of the Coordination Council.

There is created and functions the Public Board in SDIP that includes representatives from scientific institutions, non-governmental organizations, trade unions and other associations, local authorities, mass media. A corresponding section was created in the Public Board in August 2007 to solve numerous problematic issues in the sphere of copyright and related rights. It includes representatives of Ukrainian Writers Union, Ukrainian Composers Union, Ukrainian Musical Industry Association, Music Fund of Ukraine, collective management organizations.

Relevance of the matters in the sphere of copyright and related rights was proved during the Parliament hearings on intellectual property rights enforcement (problems of legal support and law enforcement) held on March 21, 2007. In view of the results SDIP introduces

Fig. 3.1. Royalties collected by collective management organizations in 2003-2007



activities on improvement of copyright and related rights enforcement system in Ukraine according to legislation, multilateral international agreements, international practices.

3.5. Control over the Observance of Legislation in the Sphere of Intellectual Property

In 2007 the number of measures was arranged to co-ordinate efforts of law-enforcement and controlling authorities to provide control over the observance of legislation in the sphere of intellectual property.

During 2007, the Coordination Council on the control over law infringements in the sphere of intellectual property, created to control the state of realization of the Program of Coordinated Actions of Law-enforcement and Controlling Authorities to provide control over the illegal production, distribution and sale of audio and video products, compact disks and other subject matters of intellectual property, together with regional working groups with the participation of the state intellectual property inspectors performed planned and unplanned (rapid) inspections of entrepreneurs involved in production, distribution and sale of audio and video products, compact disks and other subject matters of intellectual property.

In 2007 there were carried out 814 inspections (Fig. 3.2) with 380 administrative offence reports drawn up, 138 criminal cases were initiated. The counterfeit products to the amount of more than 8 million hryvnas were expropriated (Fig. 3.3).

To provide preventive measures against infringements in the sphere of intellectual property the state intellectual property inspectors hold specialized regional seminars and panel discussions on regulations in this sphere for economic entities using intellectual property rights with individual consultations. During the year under review 314 seminars and panel discussions were held on legal use of intellectual property rights in Ukraine (Fig.3.4). Great educative work is carried out in press, on television and radio.

SDIP permanently controls the observance of legislation in the sphere of production, exportation, importation of disks for laser-reading systems.

In 2007 according to the Law of Ukraine On the Peculiarities of the Government Control of the Activity of Economic Entities Related to the Production, Exportation, Importation of Disks for Laser-Reading Systems (the Law concerning Disks) SDIP as a licensing body has cancelled one license for production of stampers

Fig. 3.2. The number of inspections carried out by regions

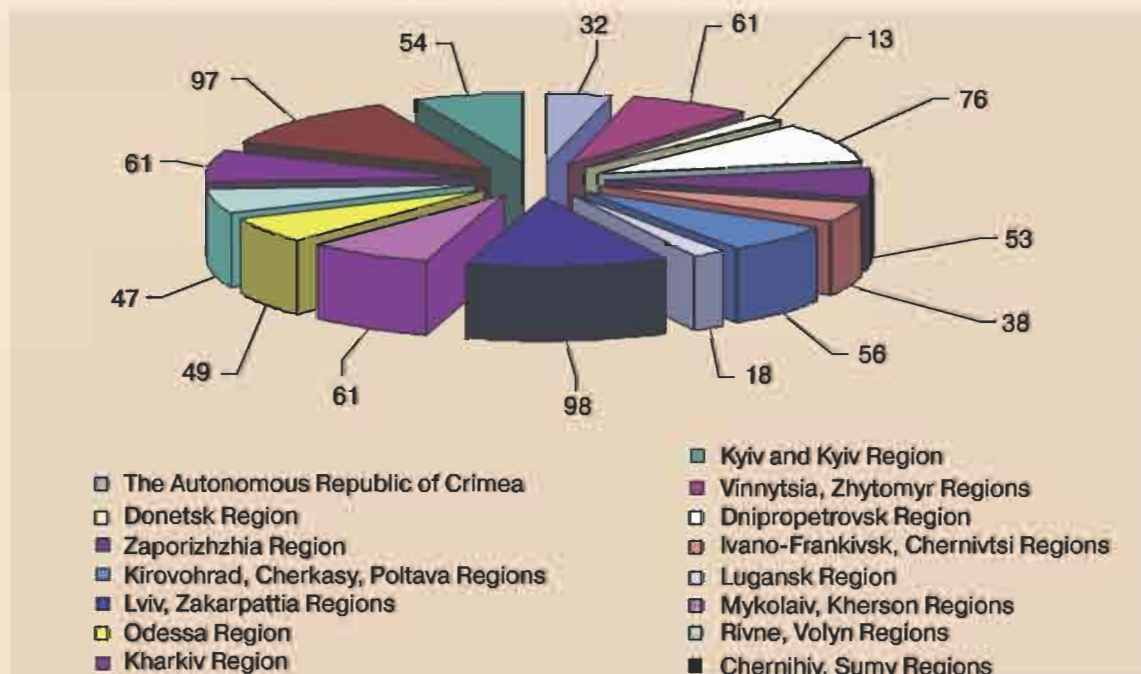
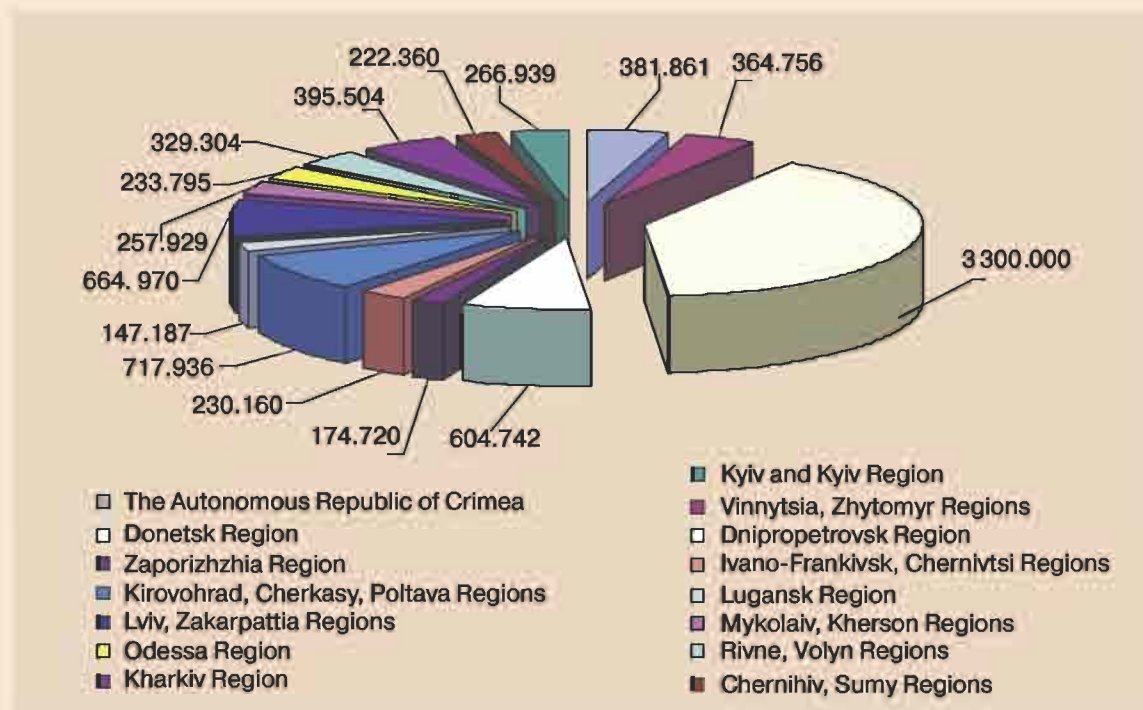


Fig. 3.3. Counterfeit products expropriated by regions (thousand hryvnas)



for disks for laser-reading systems. One license for production disks for laser-reading systems has been issued to a production plant with assignment of corresponding special identification code (CID-code) that is to be applied on a press-tool. The promoters of a new disks production plant are Ukrainian right holders working legally on audio and video production market as well as foreign investors. That proves that «pirate» production is being put out of the Ukrainian market and that there are created efficient legal enforcement instruments in this sphere and there exist high level confidence of national and foreign investors.

Eight licensed producers of disks for laser-reading systems work in Ukraine, three of them have licenses for stampers production.

Pursuant to the Resolution of the Cabinet of Ministers of Ukraine of December 21, 2006 No. 1852 On Adoption of the List of Goods to be Licensed while Export and Import and Quota Limits in 2007 SDIP has sent to importers and exporters 258 letters explaining how to carry out customs clearance of goods which import and export not subjected to licensing but classified according to the codes provided by this Resolution.

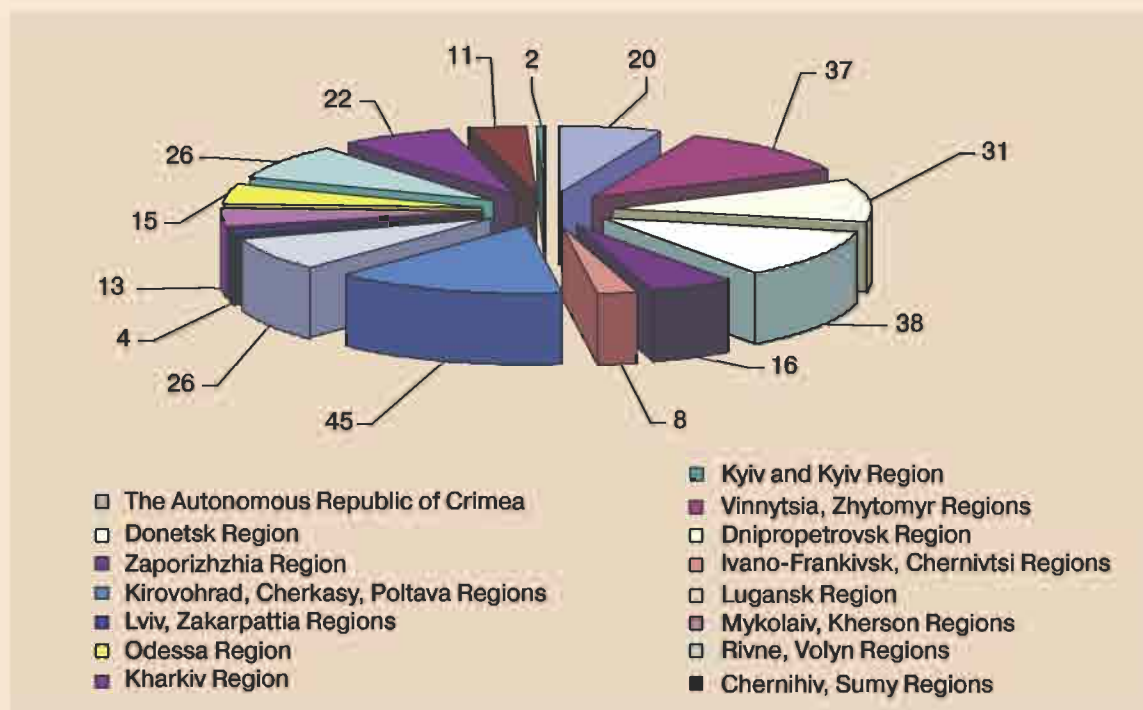
In order to implement the provisions of the Law concerning Disks and the Resolution of the

Cabinet of Ministers of Ukraine of April 26, 2003 No. 623 On Adopting the Order of Assignment and Application a Special Identification Code on Disks for Laser-Reading Systems and Recognition of Special Identification Codes Applied on Disks and/or Stampers Exported or Imported SDIP carried out permanent work on issuing an abstracts from the CID-codes Register to corresponding economic entities.

Under the instruction of SDIP in 2007 the State Enterprise «Intelzahyst» provided issue of control stamps to importers, exporters and reproducers of copies of audiovisual works, phonograms, videograms, computer programs, databases and maintenance of the Register of Control Stamps Holders. This state enterprise works in the legal framework of the Civil Code of Ukraine, the Law of Ukraine On Copyright and Related Rights, the Law of Ukraine On Distribution of Copies of Audiovisual Works, Phonograms, Videograms, Computer Programs, Databases and other regulations of the Government and the Ministry of Education and Science of Ukraine.

In total during 2007 45,754,195 control stamps were issued (663,156 more as compared to 2006). At the same time, there was further growth in number of documents filed by business entities to get control stamps. Such a

Fig.3.4. Regional seminars held by regions



positive dynamics proves certain increase of the share of licensed audio and video products as well as computer programs and data bases on the Ukrainian market. That is the result of close co-operation of enterprises with the state intellectual property inspectors, law-enforcement and controlling authorities and proves that «pirate» production is being put out of the market and the reasons of this phenomenon are being liquidated.

Another important direction of the activity in the year under review was the maintenance of the Register of Software Producers and

Distributors. Legal basis for this work is in the Concept of Software Certification and its Illegal Use Control approved by the Resolution of the Cabinet of Ministers of Ukraine of May 15, 2002 No. 274-p and the Regulations on this Register approved by the Ministry of Education and Science of Ukraine.

In 2007 a total of 384 applications from 117 economic entities were filed. As the result of their examination SDIP made 155 decisions on entry to the Register. At the end of the year information database of the Register contained 845 records.

4 Information Support of the Intellectual Property Activities



Volodymyr Dmytryshyn, Deputy Chairman of the State Department of Intellectual Property

4.1. Information Support of Examination of Applications for Industrial Property Rights. Patent Documentation Collections' Updating

The information support of examination of the applications for industrial property rights includes updating of the Patent Information Base (PIB) for the purposes of the substantive examination and providing access of the examiners to the specified electronic information resources via the Internet.

By July 2007, the PIB for the purposes of examination of the applications for inventions has been in operation for 10 years. The policy of the PIB updating envisages maximum including to its collection of patent documenta-

tion of the PCT Minimum documentation on optical carriers. At present, the PIB contains patent documentation of industrially developed countries mainly with backdating depth over 25 years in the form of complete patent specification (Russia, the USA, the USSR) or abstracts in English (the United Kingdom, Germany, France, Switzerland, Japan) as well as WIPO and regional organizations of industrial property (EPO, EAPO) – since the beginning of the publication, predominantly on electronic carriers (CD, DVD). In order to facilitate search in the collection of Russian patent documents a reference and search tool on DVD (1994-2006) and title-pages of Russian utility models specifications (1994-2006) on DVD were purchased in 2007. During 2007 the PIB's total collection has increased by 510 disks and as of the end of the year under review amounted to 11,900 discs.

Like in the previous years, practically all foreign patent documentation was received within the framework of bilateral international exchange with the foreign patent offices and in cooperation with the international and regional intellectual property organizations (WIPO, EPO, EAPO).

The Reference and Information Collection (RIC) is a part of the PIB and amounts to 240,000 copies, particularly, 221,200 of Ukrainian inventions and utility models specifications and 18,800 copies of scientific and technical literature (STL) and periodicals. In the year under review, the collection was updated by over 26,400 and 1,800 items, correspondingly.

The principles and tendencies of forming the RIC that have been developed during the previous years remain unchanged in the main. Today, as before, service activities for specialists of the State Department of Intellectual property and the State Enterprise «Ukrainian

Industrial Property Institute» (UIPI) have considerably increased on the basis of the RIC in the reading room, on loan and in inter-library exchange system. The number of the requests for information sources concerning prior art for industrial property objects in application documents run up to 3,000 per year. The orders are fulfilled on the average within 3 days, and for some kinds of documents, in particular, abstracts of dissertations and articles - one day. The collections of 19 leading Kyiv libraries and other information organizations were used to provide services to examiners.

Integration of the traditional forms of work with the services based on the modern information technologies gave an opportunity to most efficiently provide specialists with scientific information. The interactive access of the SDIP's and UIPI's specialists to reference information about STL and periodicals available in the RIC was provided by the in-house on-line electronic network catalogue.

In order to receive total necessary information, the electronic network catalogues of the leading Kyiv libraries, the information encyclopedic project of the company «Russ-portal» Rubricon, electronic databases of the worldwide known Springer publishing house and the Hannover Technical Library (within the framework of the INTAS project «Access to Electronic Journals for Scientists of the New Independent States»), the electronic resources of the world's greatest publishing houses Elsevier and EBSCO Publishing (the Netherlands) have been included in the service system.

The work on the forming of the UIPI knowledge base which contains scanned source materials in electronic form, particularly articles from periodicals, was continued. The base is formed according to the requests of the examiners and enables a considerable increase in the efficiency of use of the information and carrying out of quick searches on various criteria.

The most efficient form of providing the examiners with current information is the system of its selective distribution. So, 68 notices about new updates of STL and 73 thematic bibliographic lists of articles from the new professional periodicals were prepared and distributed by e-mail to 142 addressees of SDIP and UIPI.

Besides PIB, the examiners of UIPI widely use the free-of-charge databases posted on the web-sites of WIPO, EPO, industrial property offices of Germany, the USA and Japan, as

well as the Eurasian patent information system EAPATIS. Since March 2007, the examiners were given test access to the EPO database EPOQUE on the basis of the signed agreement.

To provide access of the examiners to non-patent literature, the agreements on the usage via Internet of the VINITI databank and the Internet service «All the Encyclopaedias of the Rubricon» were reconcluded with the Russian commercial providers for three years running already. In the year under review, the preparatory works on providing access of the examiners to the commercial scientific and technical databases via the European service STN International were conducted.

In order to increase the convenience of use of the database of the international non-proprietary names of pharmaceutical substances (INNs), included into the list of the information resources to be used during examination of trademarks for goods and services, approved by the SDIP order of 28.09.2007 № 116, the interface to this database was translated into Ukrainian in cooperation with the creators of the WHO's DB Mednet.

In order to provide the UIPI's examiners with up-to-date information concerning the important aspects of the activity of the foreign patent offices and organizations, first of all on the examination and patent search issues, implementation of the reformed IPC, the search in the Internet, analytical-synthetic processing of corresponding foreign publications and preparation of the information messages which are distributed by e-mail was regularly carried out.

With a view to provide the Ukrainian public with intellectual property rights information the Public Patent Documentation Collection (PPDC) was permanently updated with the national and foreign patent documentation. It contains patent documentation of 65 countries (including 50 countries participating in the international scientific and technical as well as military and technical cooperation with Ukraine) and 4 international and regional organizations (WIPO, EPO, EAPO and OAPI). The collections of official bulletins on paper and electronic carriers, abstracts and patent specifications are updated in the framework of international exchange with foreign patent Offices and international cooperation with WIPO and EPO. At the end of 2007 the PPDC contained about 18,900 copies of the official bulletins and 259,300 specifications of inventions on paper carrier, and its collection of



The staff members of the Economy and Information Support Section of the Division of State Registration, Economy and Information Support of Intellectual Property (SDIP)

patent documentation on optical disks exceeded 12,900 items. The composition of the PPDC and its updates are published quarterly in the «Information Resources» Section on the web-site of SDIP (<http://www.sdip.gov.ua>) and UIPI (<http://www.ukrpatent.org>). The updated Lists of Free Patent and Scientific and Technical Databases were also posted on the web-sites.

Besides, SDIP delivers free of charge the national patent documentation updates for the patent collections of the scientific and technical information institutions of Ukraine. In particular, in 2007 the official bulletin «Promyslova Vlasnist» and the Ukrainian patent specifications were delivered on paper and optical carrier to 20 scientific, technical and economic information centers and to the State Scientific and Technical Library.

During 2007 Ukraine received patent documentation from 45 countries and 3 international and regional organizations of intellectual property. UIPI, in its turn, as the center of international exchange, delivered in 2007 the official bulletin «Promyslova Vlasnist» on CD-ROM to 45 and the national CD-ROM «Vynakhody v Ukraini» («Inventions in Ukraine») to 20 foreign intellectual property offices. In the year under review the activity on providing the EPO with the data relating to the Ukrainian patent documents was continued, that established a reliable basis for a successful bilateral cooperation with this leading Office, in particular, this was one of the conditions of granting access to the EPO EPOQUE database.

In the framework of international cooperation with WIPO, as well as in the previous years, SDIP has prepared Annual Technical Reports on patent information activities, on industrial design and trade marks information activities in accordance with a set form, in view of the amendments approved by the Standards and Documentation Working Group of the Standing Committee on Information Technologies at its eighth session, held in March, 2007.

4.2. International Classifications

In 2007, in order to optimize the activities on the updating of the Ukrainian-language industrial property international classifications, «The Plan of the Activities on the Updating of the Ukrainian-language Industrial Property International Classifications in Connection with the Implementation of the New Editions During 2007–2008» (the Plan of Activities) was developed.

Regular revision by WIPO of the advanced level of the International Patent Classification (IPC) has considerably increased the amount of the activities on the updating of the Ukrainian version of the IPC. The next revision of the advanced level group titles of the IPC 2007.01 carried out by WIPO and entry into force of the new version of the IPC 2007.10 have caused the actualization of the Ukrainian version of the IPC 2007.01 which includes both an extract from the core level of the IPC 2006 and a certain part of the classification symbols and indexing codes of the advanced level of the IPC 2007.01. In this connection the changes which should be represented in the Ukrainian version of the IPC 2007.10 were revealed, their translation from English into Ukrainian was performed and loaded into the Ukrainian version of the IPC placed in the technological database of the «Inventions» AS, used by the examiners during examination of the applications for inventions.

The translation from English into Ukrainian of the WIPO' brochure «The General Information on 8-th Edition of the International Patent Classification» was made in 2007 with the purpose of its distribution in Ukraine and it was published in the form of a supplement to the official bulletin «Promyslova Vlasnist» (№12, 2007).

Since January 1, 2007 the 9th edition of the International Classification of Goods and Services for the Purposes of the Registration of Marks (the Nice Classification) has entered into force. It was published in the Ukrainian language in two volumes in the form of supple-

ments to the Official Bulletin «Promyslova Vlasnist» No. 2, 2007.

According to the Plan of Activities the Ukrainian translation of the amendments and supplements to the 5th edition of the International Classification of the Figurative Elements of Marks (the Vienna Classification) was made in the year under review in connection with the entry into force from January 1, 2008 of the 6th edition of the Vienna Classification.

The Information and Reference Systems «International Classification of Goods and Services for the Purposes of the Registration of Marks (the Nice Classification). The 9th Edition» and «International Classification of the Figurative Elements of Marks (the Vienna Classification). The 6th Edition» were posted on the web-sites of SDIP and UIPI in the section «Databases», access to them is provided on the free-of-charge basis.

4.3 Official and Informative Publications

The official publications of SDIP are the Official Bulletin «Promyslova Vlasnist» and patent specifications for inventions (utility

models) represented both on paper carriers and on optical data carriers.

Since April 2006, due to the considerable increase in the amount of the information intended for publication, the official bulletin «Promyslova Vlasnist» has been publishing two times per month. 21 issues of the official bulletin with the total amount of 1680,2 publisher's signatures and circulation of 135 copies and the 2006 Annual Index to the bulletins in 2 volumes with the total amount of 156,24 publisher's signatures and circulation of 65 copies were published in the year under review.

In Table 4.1 the total amount of information concerning the industrial property rights published in 2007 is represented.

In order to ensure the appropriate level of the official publications, the activities towards the improvement of the national patent documentation were continued in the year under review. In particular, the list of data which should be published was extended; the form and content of the data presentation in the official bulletin and its Annual Index were improved. Starting with the first issue of the official bulletin of 2007, the form of presenta-

Table 4.1 Data concerning industrial property rights published in 2007

Subject matter	Number of publications
Applications for inventions accepted for examination	5,838
Ukrainian patents for inventions	4,055
Ukrainian declarative patents for inventions	2
Ukrainian patents for utility models	9,334
Ukrainian patents for industrial designs	2,210
Ukrainian certificates for trademarks and service marks	15,600
Marks recognized to be well-known in Ukraine	5
Applications for registration of the certified indications of the source of goods and/or the right of utilization of the certified indications of the source of goods accepted for examination	3
Registrations of the certified indications of the source of goods	3
Registrations of the right for use of the registered certified indications of the source of goods	2
Marks registered under the Madrid Agreement Concerning the International Registration of Marks and/or the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks granted protection in Ukraine	9,844
Topographies of integrated circuits	4

tion of data in some sections of the official bulletin: «Notifications», «Information Concerning the Validity in Ukraine of Marks Registered under the Madrid Agreement Concerning the International Registration of Marks» was improved. Starting with the third issue of the official bulletin of 2007, the new sections «Information Concerning Registration of the Certified Indications of the Source of Goods» and «Information Concerning the Registration of the Right for Use of the Registered Certified Indications of the Source of Goods» were introduced.

Regular issue of the patent information products on optical data carriers implemented from 2005 that provide qualitatively new possibilities of use of the national patent documentation was in progress in 2007. Its further improvement by optimization of the form of presentation of information and raising their functionality was carried out. The activities towards the improvement of the form and content of the official publications enable to satisfy the public information needs concerning the industrial property objects, protection of which is granted in Ukraine and provide the proper quality of the national patent documentation, particularly, patent information products on optical carriers intended for the international exchange of patent documentation — the official bulletin «Promyslova Vlasnist» on CD-ROM and the national CD-ROM «Inventions in Ukraine».

In Table 4.2 the total amount of the national patent information products on optical carriers distributed in 2007 is represented.

The active participation of SDIP and UIPI specialists in the work of Standards and Documentation Working Group (SDWG) of the Standing Committee on Information Technologies (SCIT) dealing with the revision of the WIPO Standards promotes to a great extent a further deepening of harmonization of the patent information activity in Ukraine with the modern policy of the world community in the field of patent documentation. In 2007 Ukrainian specialists participated in the work of the task force of SDWG concerning the Annual Technical Reports (ATR's) on patent information activities, on industrial design and trade marks information activities etc.

Within the framework of international cooperation with EPO, the data on all types of the SDIP publications concerning inventions and utility models were prepared and sent to the EPO together with their selected copies for the period from 1993 and to the date of the current registration.

In the year under review the methodical and practical recommendations concerning the drafting and filing of applications for industrial property rights, as well as the methodical manual «Patent Documentation in Ukraine» issued in 2006, were amended, updated in light of changes in the legislative background of intellectual property rights protection during the year, and prepared for publication.

In the framework of the creation of the system of terminological and linguistic support of the state intellectual property legal protection

Table 4.2. The amount of the national patent information products on optical carriers distributed in 2007

Patent information product	Free of charge distribution		Fee distribution	Total
	Organizations of Ukraine	Intellectual Property Offices or Organizations		
CD-ROM «Official Bulletin «Promyslova Vlasnist»	44	49	26	119
CD-ROM «Inventions in Ukraine»	31	22	14	67
CD-ROM «Trademarks and Service Marks Registered in Ukraine»	1	1	22	24
DVD «Trademarks and Service Marks Registered in Ukraine»	–	–	7	7
DVD «Industrial Designs Registered in Ukraine»	–	–	5	5

system, unofficial Ukrainian translation of the new edition of WIPO Standard ST.3 «Recommended Standard on Two-Letter Codes for the Representation of States, Other Entities and Intergovernmental Organizations» was published in 2007 in the official bulletin and in mass media.

4.4 Implementation of the New Information Technologies

In 2007, SDIP and UIPI activities in the sphere of the implementation of the new information technologies, resulted, in particular, in

- the widening of range and upgrading the patent information support of the national and foreign users which is provided by means of the remote access to databases (DB) and to the Information and Reference Systems (IRS) via Internet and by the free deliveries and distribution of the patent information products on paper and on optical data carriers to certain organizations;
- the increase of quality and efficiency of the information support of the applicants when filing applications for industrial property rights and also on requests concerning receipt of the corresponding written information, extracts, explanations etc.

Realization of the activities directed at the stage-by-stage planned implementation of the advanced information technologies enabled to extend considerably the functionalities of the previously created automated systems for processing applications for industrial property rights, develop and implement a number of new automated systems, DBs and computer workstations for the realization of the corresponding procedures and functions for processing of applications for all categories of industrial property rights.

The efficiency of the service activities have been considerably increased due to the complex (system-based) implementation of the modern information technologies on the basis of the up-to-date computers and telecommunication means. The program document which has determined the development of this direction is the Concept of the complex implementation of the new information technologies and integration of the independent automated systems. The real practical results of achievement of the purpose laid down in the Concept — transition to paperless (electronic) technolo-



The staff members of the Information Support Division of the State Enterprise «Ukrainian Intellectual Property Institute»

gies of transferring and processing of various documents — were obtained in 2007. In September 2007, the stage of pilot operation of the electronic technological document circulation system for processing of applications for inventions (processing of a set of documents — application materials, letters, requests, payment documents, etc.) was performed. The translation of data from the technological database the «Vynahody» («Inventions») Computerized System into the new structure has been carried out after testing the system. A technology for loading to the electronic archive of full-text patent documents was also implemented. Since October 1, 2007 the system has been put into commercial operation. A considerable preparatory work for conversion of documents into electronic formats was carried out, in particular:

- the technology of scanning of the incoming documents for the updating of the centralized electronic archive by all current application materials, both initial and secondary, was implemented;
- the technology and software and hardware tools for scanning and transition from paper to electronic (paperless) format of all paper back file collections of the industrial property rights applications were prepared (since 1993);
- the fulfillment of all software and technological measures on the implementation of the electronic filing system for industrial property rights applications was provided. Legal aspects of the industrial application of the system are nowadays developed.

The development of the technological complex of software and hardware tools for access, actualization and full-text search in the centralized electronic archive of the UIPI's documents was completed.

The UIPI search portal was implemented for the purposes of examination and for the patent-search works department. The functions of integration of the search portal with the system of support of decision-making which provide the procedure of automated formation of the search report were realized. The development and testing of the mechanism of an information retrieval system integrated into the search portal, which enables to carry out full-text search of the patent documents in the national patent databases connected to the portal was completed at the end of the year.

The development of the software for automation and computerization of the production processes connected with acquisition and maintenance of rights in marks registered under the Madrid Agreement Concerning the International Registration of Marks and the Protocol thereto was started.

The Ukrainian version of the International Patent Classification was implemented to the «Inventions» Computerized System. The Information and Reference System «International Classification of Goods and Services for the Purposes of the Registration of Marks (the Nice Classification). The 9th Edition» was created and posted on the UIPI website.

The software of the «Trademarks and Service Marks» Computerized System was adapted to the new edition of the International Classification of Goods and Services for the Purposes of the Registration of Marks (the Nice Classification). The new version of the Information and Reference System «International Classification of the Figurative Elements of Marks (the Vienna Classification). The 6th Edition» was put on the Internet.

Since June 1, 2007 access to the databases «Inventions (Utility Models) in Ukraine» and «Industrial Designs Registered in Ukraine» is free of charge.

In general, in the framework of the patent information support of the wide circle of users, 18 databases and IRS have been created and put on the Internet. Access to all databases except the «Trademarks and Service Marks Registered in Ukraine» DB is provided on free-of-charge basis.

With the purpose of providing data in the unified agreed format, the activities on creation of the patent information products on the basis of the MIMOSA Authoring Software, which is the mixed mode software intended for the creation of DBs on various data carriers (optical data

carriers and the Internet), were conducted. The right to use the MIMOSA Authoring Software and to distribute the mixed mode search software was obtained on the basis of an Agreement with EPO.

Gradual implementation of paperless technologies and development of the information support in the sphere of intellectual property require an enhancement of the capacity of the computer and network means, an increase in the volumes of information storage, improvement and implementation of means of protection of information and reliability of its preservation. For this purpose the powerful modern DB servers are applied in UIPI. The technology of the network data preservation SAN (Storage Area Network) that is a high-speed allocated network of data transmission which links some servers with the system of data storage under the Fibre Channel Protocol was implemented. This provides an isolation of data storage devices from the server and network operational system that greatly increases the data exchange speed and lowers the load on the local computer network. With the purpose of diagnostics and prevention of tendencies which result in reduction of the DB server's efficiency, the technology and algorithms of servers work analysis were developed.

4.5. Development of the Internet-Resources of the State System of Intellectual Property Rights Protection

The main Internet-resources of the State system of intellectual property legal protection are the web-sites of the State Department of Intellectual Property (www.sdip.gov.ua), the State Enterprise «Ukrainian Industrial Property Institute» (www.ukrpatent.org), its branch «The Ukrainian Center of Innovatics and Patent Information Services» (www.ip-centr.kiev.ua, www.fabrikaidei.kiev.ua), the State Enterprise «Ukrainian Agency of Copyright and Related Rights» (www.uacrr.kiev.ua), the State Institute of Intellectual Property which provides training, retraining and skills upgrading in the sphere of intellectual property rights protection (www.iip.ukrpatent.org) and scientific and practical magazine «Intelektualna Vlasnist» («Intellectual Property») (www.intelvas.com.ua).

The most powerful among them is the web-site of SDIP. The web-site permanently occupies the leading positions in the rating www.topping.com.ua among nearly 200 web-sites of the State administration bodies that is the direct

result of the daily actualization of the resource content. The number of visitors of the web-site counted to 60 thousand persons per month and this index is uninterruptedly increased.

A significant place in the intellectual property Internet-resources occupy the databases which contain the most authentic and the most current data on industrial property rights in Ukraine and are equipped with modern search tools. An open access (free access to the overwhelming majority of the DBs) to the greatest in Ukraine specialized information resource efficiently provides for the patent information needs of a wide circle of users.

During 2007, besides the current activities concerning the updating and actualization of the information posted on the specified web-sites, the information on major events which concern and directly influence the state system of intellectual property activity and its infrastructure was actively extended. In particular, during the parliamentary hearings «Intellectual Property Rights Enforcement in Ukraine: Problems of Legislative Support and Law Enforcement» which took place in March 2007, SDIP and UIPI websites were the basic source of information support of the event and have played a vital part in coverage of the hearings.

An important direction of the development of the intellectual property state system Internet-resources is the keeping in conformity with the modern tendencies of the development of websites, in particular, the use of the thematic audio and video materials. In 2007, within the framework of the set tasks, the cooperation with the TV and broadcasting companies was carried out. So, during preparation to the All-Ukrainian conference «Place and Role of an Inventor and Innovator in the Public Community of Ukraine» the following video plots were created and demonstrated to the participants and visitors of the conference and posted on SDIP and UIPI web-sites:

- «Regions. Ukraine Inventive» – a material on the results of the regional conferences «Place of an Inventor in the Public Community of Ukraine»;

- «From an Application – to a Patent» – about the activity of the state system of intellectual property rights protection;



Stanislav Nikolaienko, Minister of Education and Science of Ukraine, and Mykola Paladii, Chairman of the State Department of Intellectual Property, at the all-Ukrainian conference «The Place of Inventor and Innovator in the Ukrainian Society» dedicated to the Day of Inventor and Innovator

- «Past is the Guarantee of the Future» – devoted to the activity of the Society of Inventors and Innovators, contains an interview with inventors.

Further important stage of the development of the intellectual property state system information resources should become the creation of the SDIP official web-portal which will unite all the existing at present web-resources and provide essential advantages for the world community of intellectual property, the wide circle of the national and foreign users of the created portal as compared to the existing websites, in particular:

- a single window of access to all information about the activities of intellectual property state system, organizations and enterprises which are included into its infrastructure;
- new up-to-date design;
- availability of new headings and sections;
- widening of service functions;
- simplicity of interaction with the users etc.

During the period under review, the concept of the creation of the web-portal, its structure and design decisions were developed and agreed. The presentation of the pilot project which had reached the stage of experimental approbation that completes the first stage of its development has taken place.

5 International Cooperation in the Field of Intellectual Property



Working meeting of SDIP Chairman, Mykola Paladii, and experts of the state system of IP rights protection with EPO representatives

Within the framework of realization of these measures a number of important meetings and consultations took place with active participation of SDIP representatives:

— In February and May 2007, the third meeting of the Ukrainian-American Interagency Coordination Group and bilateral consultations with the representatives of the Office of the USA Trade Commissioner took place in Washington (USA). Their aims were to regulate urgent issues

of negotiation process concerning Ukraine's accession to WTO and continue the work on

5.1. Accession of Ukraine to the WTO

The accession to the World Trade Organization (WTO) is of strategic significance for Ukraine, being a precondition of Ukraine's further integration into the European and world processes and structures, systematic reforming of the national economics according to the principles of liberalization and market openness.

On January 9, 2007, The Verkhovna Rada of Ukraine approved the Resolution № 542-V «On Recommendations of Parliamentary Hearings «The Readiness Condition for Accession of Ukraine to the World Trade Organization (WTO), Problems and Prospects».

Pursuant to the Resolution, during 2007 the State Department of Intellectual Property carried out measures on development and approving of draft regulatory legal acts aimed at harmonizing the national legislation with the norms and requirements of the WTO agreements as well as finalization of the ultimate draft Report of the Working Group on Ukraine's Accession to WTO.

drafting the Report of the Working Group on Ukraine's Accession to WTO, including verification of Ukrainian legislation adopted in the course of harmonizing national legislation with the WTO norms;

— in May 2007, a regular meeting of the Working Group on Ukraine's Accession to WTO and bilateral negotiations concerning the access to the market of goods and services with individual member countries of the Working Group were held. During the meeting the draft Report of the Working Group on Ukraine's Accession to WTO was discussed and accommodation of Ukraine's obligations stated in the draft Report was continued;

— On July 23, 2007, a regular meeting of the Working Group on Ukraine's Accession to WTO took place in Geneva (Switzerland). Among the members of the official delegation of Ukraine to this meeting, chaired by the Deputy Minister of Economics of Ukraine Valerii Piatnytskyi, was the First Deputy Chairman of the State Department of Intellectual Property Volodymyr Zharov.

During the meeting, the Working Group member states worked out the texts of the new wording of the draft Report of the Working Group prepared by the delegation of Ukraine and the Secretariat in view of approval by the Verkhovna Rada of Ukraine in May 2007 of a legislative package aimed at harmonizing the national legislation with the WTO norms. The Working Group members agreed the texts of the draft Report provisions and made a conclusion as to the correspondence of the May package of the Ukrainian legislation to the rules and requirements of the WTO agreements. In particular, paragraphs from the Working Group Report concerning trademarks and geographical indications co-existence were agreed.

The issue of bringing the order of payment of fees for activities connected with intellectual property rights protection in compliance with the Articles 3 and 4 of the TRIPS Agreement was discussed.

In October 2007, a regular meeting of the Working Group on Ukraine's Accession to WTO and consultations with member states of the Working Group, EC and the USA in particular, took place. The foregoing meetings resulted in regulating urgent issues on fulfillment of obligations taken by Ukraine during the negotiation process on Ukraine's Accession to WTO, on bringing legislation on intellectual property legal protection in line with the TRIPS Agreement norms, in particular on geographical indications and trademarks co-existence. This issue was reflected in the draft Law of Ukraine «On Amendments to Certain Legislative Acts of Ukraine Related to the Intellectual Property Rights Protection (on Fulfillment of Requirements Connected with Accession of Ukraine to WTO)». The matter of harmonizing the order of payment of fees for activities connected with intellectual property rights protection with the Articles 3 and 4 of the TRIPS Agreement was also regulated.

5.2. EC Integration

On January 31, 2007, under the chairmanship of the Minister of Economics of Ukraine Volodymyr Makukha on the Ukrainian part and the Director of the Directorate-General for External Relations of the European Commission Hugues Mingarelli on the part of EC, the regular – ninth – joint meeting of the Committee on Cooperation between Ukraine and EC took place in Kyiv. Besides the Committee members, the meeting was attend-

ed by the representatives of the EC Working Group on the Countries of Eastern Europe and Central Asia. The State Department of Intellectual Property was represented by the First Deputy Chairman Volodymyr Zharov.

In the course of the joint meeting Ukrainian and European officials exchanged opinions on a number of issues concerning implementation of all basic parts of Ukraine-EC Action Plan. Both sides generally gave a positive appraisal of the Action Plan implementation state and agreed to continue the fruitful cooperation initiated by the Dialogue on intellectual property issues. The sides also agreed that solving the problems connected with geographical indications and intellectual property rights protection on the whole remain key priorities.

On November 10, 2007, the tenth joint meeting of the Committee on Cooperation between Ukraine and EC took place in Brussels (Belgium), where EC greeted the measures undertaken by Ukraine within the framework of harmonizing national legislation in the field of intellectual property with the European norms and the WTO requirements.

Beside this, in July 2007, the ninth joint meeting of Subcommittee No. 1 «Trade and Investments» and the third joint meeting of Subcommittee No. 3 «Industry Policy, Competition, Cooperation in Regulatory Field» of the Committee on Cooperation between Ukraine and EC took place in Kyiv, where issues concerning intellectual property rights enforcement, internal aspects and regulatory matters of intellectual property rights were dealt with.

With a view of further continuous exchange of information on intellectual property rights enforcement and prompt solving of the problems arising between Ukraine and EC, two meetings of the Working Group on Improvement of Intellectual Property Rights Enforcement in Ukraine were held in May and October within the framework of the Dialogue on intellectual property rights enforcement between the European Commission and Ukraine that started in 2006. Topics considered by the Working Group mainly related to the improvement of Ukrainian legislation in the field of intellectual property, legal protection of geographical indications, intellectual property rights infringement prevention etc.

In April the SDIP representatives took part in the informal negotiations with the European Commission in Brussels (Belgium). In the



Mr Gerard Giroud, Principal Director of European and International Affairs, and Ms Nina Formby, Project Leader for CIS and Mongolia, European Patent Office

course of these negotiations the provisions of the draft Agreement on creation of the free trade zone (FTZ) between Ukraine and the European Union, in particular concerning intellectual property rights enforcement, were discussed. Free trade zone creation is among the strategic medium-term goals of the bilateral cooperation between Ukraine and EC and plays a critical role in the negotiation process between the parties. It is foreseen that the Agreement on FTZ creation will be a part of a new, enforced Agreement between Ukraine and the European Union. It is planned that the beginning of official negotiations between the sides will start immediately after accession of Ukraine to WTO and reception of the respective mandate for their implementation by the European Commission from the EC members.

5.3. Cooperation with the World Intellectual Property Organization

During the report year within the framework of realization of the Agreement between the Cabinet of Ministers of Ukraine and the World Intellectual Property Organization as well as Framework Cooperation Agreement between the Ministry of Education and Science of Ukraine and WIPO, the State Department of Intellectual Property took a number of important steps towards coordination of the activities of the Government of Ukraine with the aim of improving the state system of intellectual property rights protection in Ukraine.

In 2007, with a view of protection of national interests of Ukraine, Ukrainian specialists took active part in the meetings of WIPO working groups and standing committees on programme and budget, copyright and related

rights, trademarks, industrial designs and geographical indications, patent law etc. Participation of Ukrainian specialists in these events enables them to protect Ukraine's interests in the field of intellectual property, follow the changes in WIPO politics and efficiently control the process of finance distribution for cooperation programmes realization which helps strengthen the positive image of our country on the international scene.

Participating in the 12th session of WIPO Standing Committee on Programme and Budget that took place on 11-13 September, 2007, the Ukrainian delegation supported WIPO initiative concerning improvement of the Organization's budgetary policy by introducing the new mechanism of involving WIPO member states in preparation and realization of the Organization's programme and budget. Our delegates carried their point as to involving regional groups in WIPO programme and budget planning process, reporting on implementation of the basic WIPO programmes and extended information on each development programme, proportional increase of the budget part of Programme 7 «Certain Countries in Europe and Asia» together with a gradual increase of the Organization's general budget, timely receipt of the working documentation from WIPO for efficient and well-timed preparation for the meetings of its committees, inexpediency of dramatic reduction of fees for filing and processing of applications within the framework of Patent Cooperation Treaty (PCT), as well as increasing, in light of the Ukrainian part's proposals, of WIPO budgetary funds distribution efficiency in the future two-year period within our Regional group and the Organization on the whole.

During the 12th session of WIPO Standing Committee on Programme and Budget, a meeting of the Ukrainian delegation with the Director of the Division of Cooperation with Certain Countries in Europe and Asia Mr. Michal Svanter was organised with the aim to discuss the prospects and main cooperation areas between WIPO and Ukraine in the nearest future. In the course of the meeting a wide range of questions was discussed, including initiation of the mission of WIPO representatives in Ukraine, in particular experts from WIPO PCT International Cooperation Division with the aim to discuss together with SDIP representatives issues of due training of PCT experts, determining and further implementation of PCT awareness programmes, revision of

the use of current PCT information technologies, patent information, statistical data and determination of other possible ways of cooperation between WIPO and SDIP.

In September the Ukrainian delegation led by the Chairman of SDIP participated in the 43rd series of meetings of WIPO member states Assembly, where the main priority courses of the Organization's activities directed at strengthening and versatile improvement of the global system of intellectual property rights protection were determined. This participation was of crucial importance for Ukraine as it allowed exploring urgent issues in intellectual property field, resolving a number of issues of further cooperation between Ukraine, WIPO and other international and regional organizations.

It should be noted that constructive work during the 43rd series of meetings of WIPO Governing Bodies was blocked because of consideration of the situation around Point 12 of the Agenda on Confidential Report of WIPO Internal Audit. Due to the fact that member states could not find consensus in considering the main points of the Agenda, WIPO Budget 2008-2009 was not adopted and a number of urgent issues remained open.

During the last two years SDIP makes every effort to promote Ukrainian candidates to assist their employment in WIPO International Bureau. It is caused by the need to provide an equal representation of member states in the International Bureau within the geographical criteria. During the report year a number of meetings of Ukrainian side with WIPO management were organized with the aim to settle this question.

5.4. Cooperation with the European Patent Office

During the report year active cooperation between the State Department of Intellectual Property and the European Patent Office (EPO) continued.

In September 2007, Ukrainian delegation led by the Chairman of SDIP Mykola Paladii met the new President of the EPO Ms Alison Brimelow. During the meeting the Chairman of SDIP presented the outline of the state system of intellectual property rights protection in Ukraine and SDIP's activity strategy and plans for upcoming years to the EPO new management. Ms Brimelow confirmed that the EPO was ready to continue cooperation with Ukraine in the field of intellectual property directed in particular to enhancement of the efficiency of the activities

of SDIP and State Enterprise «Ukrainian Industrial Property Institute». In the first place it concerns the organization of joint training events, professional development of Ukrainian examiners and use of the EPO patent databases and learning materials.

One of the most important events within the framework of SDIP – EPO cooperation was the training course for Ukrainian mediators organized in November 2007. This course was carried out by the specialists of the London Centre for Effective Dispute Resolution (CEDR) with the EPO support. The Centre's training courses are regarded to be of model quality in the whole world, and obtaining the Centre's accreditation is the proof of the high professional level in mediation. This training course became the first step towards introduction of mediation into the system of civil proceedings in Ukraine. This process is aimed at creating a Mediation Centre in Ukraine where disputes in the field of intellectual property will be adjudicated with mediators' help. This will help decrease the number of productions before the courts of Ukraine and considerably save both sides' costs and time.

Throughout the year Ukrainian specialists traditionally took part in training seminars and programmes on IP-related issues organised by EPO. Thanks to this, representatives of the state system of intellectual property protection are able to keep track of the latest European trends in the intellectual property field, improve their professional level and benefit from the experience of the European Union's leading patent office.

5.5. Cooperation with CIS Countries

Within the framework of multilateral cooperation with CIS countries in the field of intellectual property rights protection the Plenipotentiary of the Government of Ukraine in the Joint Working Commission of Member States of the Agreement on Cooperation in Termination of Law Infringements in Intellectual Property Field, Deputy Chairman of SDIP Valentyn Chebotariov took part in the work of the 14th (May 15-16, 2007, Kyiv, Ukraine) and 15th (October 30-31, 2007, Minsk, Republic of Belarus) meetings of the Commission.

At the Commission's 15th meeting, SDIP representatives reported on the ways of informing society about the results of actions against law infringements in intellectual property field in the member states of the Agreement during the report period. Ukraine's

position and the state of affairs on creation and maintenance of national databases for prevention and termination of law infringements in intellectual property field as well as information exchange between the member states of Agreement were reported. Ways of solving the problem of the use of indications which were used by numerous manufacturers on the former USSR territory were also discussed. The 16th meeting is to take place in May 2008.

Representatives of the State Department of Intellectual Property of Ukraine participated in the regular, 16th meeting of the Interstate Council on Intellectual Property Rights Protection of the Countries of Commonwealth of Independent States that took place on May 28-29, 2007 in Baku (Azerbaijan Republic). At the meeting the participants presented their reports on the situation with inventive activity in the CIS countries, discussed the results of the activities of the Working Group on small and medium-sized enterprises support, innovative activity development, recognition and evaluation of intellectual property rights value. The work of the Joint Regional CD-ROM Project was also discussed. At the same time, within the framework of the Interstate Council, the Ukrainian delegation took part in the regional seminar «The Role of Intellectual Property Office at the Current Stage: General Tasks and Challenges», where the latest achievements of cooperation with the World Intellectual Property Organization and intellectual property offices of the member states were discussed.

5.6. Bilateral Cooperation

In 2007, one of the important activities of SDIP was the effective realization of bilateral cooperation in the field of intellectual property legal protection between Ukraine and foreign countries.

In order to extend contractual and legal basis of the bilateral cooperation in the field of intellectual property legal protection, SDIP has completed the work on approving the draft Resolution of the Cabinet of Ministers of Ukraine «On Approval the Agreement between the Cabinet of Ministers of Ukraine and the Government of the Republic of Belarus on Mutual Protection of Rights in Results of Intellectual Activity Created and Acquired in the Course of Bilateral Military-Technical Cooperation» with all relevant public bodies. The Agreement came into effect on March 20, 2007.

In the same context SDIP together with interested Ministries has developed and prepared

for signing a draft Agreement between the Cabinet of Ministers of Ukraine and the Government of the Russian Federation on Mutual Protection of Rights in Results of Intellectual Activity Used and Acquired in the Course of Bilateral Military-Technical Cooperation. The Agreement was signed on December 22, 2006, during the visit of the President of the Russian Federation Vladimir Putin to Ukraine. Today, domestic procedures for bringing this Agreement into effect are carried out.

On March 1, 2007, in Tbilisi (Georgia), the Agreement between Ukraine and Georgia on Mutual Legal Protection of Geographical Indications for Wines, Spirits and Mineral Waters was signed. The Agreement came into effect on November 7, 2007.

During the report year SDIP took part in elaboration and approval of the following draft agreements: between the Cabinet of Ministers of Ukraine and the Government of Guinea Republic on military-technical cooperation; between the Cabinet of Ministers of Ukraine and the Government of the Republic of Mali on military-technical cooperation; between the Cabinet of Ministers of Ukraine and the Government of the Republic of Serbia on cooperation in the field of intellectual property; between the Cabinet of Ministers of Ukraine and the Government of the Republic of India on scientific and technical cooperation

In 2007, three meetings of the Ukrainian-American Intellectual Property Enforcement Cooperation Group were carried out. Representatives of all state authorities of Ukraine acting in the field of intellectual property rights protection, social organizations and the Embassy of the USA in Ukraine participated in the meetings. The Cooperation Group is an effective instrument of setting topical aims and tasks appearing before the society and state authorities in the field of intellectual property rights protection. Namely, during the report year issues of intellectual property rights protection and enforcement in the Internet, prevention of recurrent turnover of counterfeit goods as well as equipment and materials used for their manufacturing, and intellectual property rights protection in the field of medical products turnover were discussed at these meetings.

Under the auspices of the United States Patent and Trademark Office and the United Kingdom Intellectual Property Office SDIP has organized a seminar «Enforcement of Intellectual Property

Rights» in June 2007. Among the participants of the seminar there were the representatives of the Ministry of Home Affairs of Ukraine, Security Service of Ukraine, General Prosecutor's Office of Ukraine and judicial authorities of Ukraine. The seminar was opened by the Extraordinary and Plenipotentiary Ambassador of the United States of America, His Excellency William Taylor. In his introductory speech the Ambassador of the USA thanked the Ukrainian Government for the attention paid to the issues of intellectual property rights protection and for cooperation with American Government in this field and greeted the considerable achievements Ukraine made in the field of intellectual property protection and enforcement.

In September 2007 with support of the Programme for Development of Commercial Right under the USA Department of Commerce a training programme on intellectual property rights protection was organized for representatives of Ukrainian state authorities directly involved in this field. The programme's main goal was to present and discuss practical guide «Intellectual Property Rights Protection: International and National Legislation Norms and Their Enforcement» drawn up by the professor of John Marshall Law Academy Mrs Doris Long together with a team of Ukrainian co-authors.

5.7. Cooperation of Collective Management Organizations

On March 26, 2007, the Working group of the UACRR attended German Copyright Association (GEMA). During the visit the issues of functioning and development of regional offices, general approaches to the ways of collecting royalties from state and private television and radio companies were considered. German colleagues presented to their Ukrainian associates software that facilitates registering the members of the Association and their works, licensing, collecting and distributing authors' remuneration.

In April 2007, UACRR representatives took part in the work of the European Committee of CISAC (Tallinn, Estonia). A report on CISAC strategy in developing relations between copyright associations in Europe was presented by CISAC Director General Eric Baptiste. Great



Extraordinary and Plenipotentiary Ambassador of the United States of America, His Excellency William Taylor took part in VI Meeting of the Ukrainian-American Intellectual Property Enforcement Cooperation Group

attention was traditionally paid to the matters of information systems development. In the course of the meeting reports on the situation in intellectual property protection field in their countries were introduced by representatives of UACRR (Ukraine), RAA (Russia), STIM (Sweden), GEMA (Germany) SACD (France) and others.

In May 2007, CISAC Director of European Affairs Mitko Chatalbashev visited UACRR and SDIP.

In October 2007, with the aim of exchange of experience a group of specialists from UACRR stayed at the Russian Author's Association (RAA). In the course of the visit the questions of cooperation and mutual payments for the use of Ukrainian and Russian authors' works on the territory of Ukraine and Russia were discussed. Beside this, Russian colleagues were informed about the changes in Ukrainian copyright legislation.

On November 15-16, 2007, a seminar for the countries of Central and Eastern Europe «Relations between the organizations of collective management and their members» was held. The seminar was attended by the UACRR Director Leonid Pashkovskiy and the Head of International Relations Division Georgii Chomakhashvili. This yearly seminar was organized by CISAC/BIEM on the basis of the Author Association of Hungary (ARTISJUS).

As of December 31, 2007, the State Enterprise UACRR had 84 Agreements on interest intermediation with 50 copyright associations all over the world.

6 Professional Training and Skill Upgrading in the Sphere of Intellectual Property. Creative Activity Stimulation



The ceremonial presentation of diplomas to graduates of the State Intellectual Property Institute

6.1. Professional Training and Skill Upgrading

By the Resolution of the Cabinet of Ministers of Ukraine of October 10, 2007, № 863-p, the Close Joint Stock Company «Institute of Intellectual Property and Law» was reorganized into the State Intellectual Property Institute (Institute). Pursuant to this decision of the Cabinet of Ministers, a structure of the Institute was developed to provide training and skills development of specialists in three specialties of specific categories:

- 7(8).000002 — Intellectual Property;
- 8.000012 — Consolidated Information;
- 8.000014 — Innovative activity management.

The number of scientific and pedagogical staff of the Institute was enlarged and now 4 doctors and 6 candidates of science are on the staff; 5 doctors and 7 candidates of science have their second job here.

By the Decision of the State Accreditation Commission of November 27, 2007 (Protocol № 68), the Institute was accredited by the IV (highest) level of accreditation. Licenses for training masters and skills development of specialists in specialty 8.000002 «Intellectual Property» were issued to the Institute.

In 2007 the Institute has trained 67 specialists and 46 masters in specialty 7(8).000002 «Intellectual Property». A Regional Training and Scientific Centre was created in Khmelnytskyi, where 23 students take training in specialty 7.000002 «Intellectual Property» today. Distance learning technology is tested on the basis of the Centre.

Pursuant to the Agreement with the State Property Fund, the Institute has organized basic training courses for intellectual property rights evaluators. Six persons have got certificates of intellectual property rights appraisers.

On request of the «Farmak» Joint Stock

Company, manager skill development courses were carried out under the programme «Practical Aspects of Intellectual Property Management at Enterprises».

With the aim to enhance specialist training level in the field of intellectual property and to supply higher educational institutions with scientific and pedagogical personnel teaching intellectual property related disciplines, SDIP jointly with the Institute has organized skills development courses in the field of intellectual property for 11 scientific and pedagogical staff members of higher educational institutions.

Together with the Ukrainian Scientific and Technical Centre (USTC) and the «Kharkiv Technologies» Centre, a training session under the programme «Technological Management: Commercialization of the Results of Scientific Activities in Research Institutions» was organized for 30 scientists of the National Academy of Sciences of Ukraine on the basis of the Institute. Certificates to the training session participants were personally presented by the President of NAS of Ukraine, academician Borys Paton.

A similar training session was carried out for the scientists of the National Academy of Sciences of Georgia (Tbilisi) and the National Academy of Sciences of Azerbaijan (Baku).

The number of participants of conferences, courses, seminars and training sessions organized and carried out by the Institute in 2007 amounts to 421 persons.

During the year under review, the training, scientific and production complex «The Academy of Intellectual Property» incorporated SDIP, Institute of Intellectual Property and Law, State Enterprise «Ukrainian Industrial Property Institute» and State Enterprise «Ukrainian Agency of Copyright and Related Rights», developed the third standard within the framework of specialty «Intellectual Property», namely Branch Higher Education Standard «Training for Master's Degree in Specialty of Specific Categories 8.000002 «Intellectual Property», which, according to the State Classifier of Ukraine «State Classifier 003–2005 Professions Classifier» corresponds to qualification 2419.2 «Intellectual Property Professional» on the job market. This standard will enable to train intellectual property specialists for the field of intellectual property, science, education and innovative activity.

Implementing the Agreement between the Institute and the Central Department for

Education and Science of the executive body of the Kyiv Municipal State Administration (KMSA) «Elaboration of Mechanisms of Involving Intellectual Property Rights in the Economical Turnover of Kyiv City» the Institute developed draft regulations on mechanisms of involving intellectual property rights in the economical turnover of Kyiv city; a base for inventory and management of intellectual property rights developed and purchased at the expense of the city budget was created for the first time in Ukraine. The main goal of this work's results utilization in the activity of enterprises, organizations and authorities subordinate to KMSA as well as the Central Departments of KMSA, is to draw extra income to the city budget. Besides, six provisions and three methodological recommendations, a programme of a special training course and a textbook for students of law faculties of Kyiv higher educational institutions were developed.

For its own purposes as well as on request of other higher educational institutions of Ukraine training specialists and masters in intellectual property, the Institute issued around 7 thousand copies of textbooks of 14 titles.

In order to introduce the discipline «Basics of Intellectual Property» in comprehensive educational institutions for high school pupils, a concept of a textbook and training programme «Basics of Intellectual Property» for pupils of the 10th form of educational institutions of different kinds was developed in 2007. The Ministry of Education and Science of Ukraine (MES) by the decision of 26.12.2007 No. 1.4/18-Г-2370 approved the textbook for publication as a textbook for high school pupils of general educational institutions of different kinds and students of higher educational institutions of I and II accreditation levels.

The state-guaranteed order for specialist training in specialty 7(8).000002 «Intellectual Property» for educational and qualification levels of specialist and master in 2007 covered 72 specialists and 100 masters. Nine higher educational institutions of our country received the referenced State order.

During the report year SDIP continued training and certification of intellectual property representatives (patent attorneys), considered complaints on patent attorneys' actions connected with undue fulfillment of their professional duties, controlled observation of requirements of current intellectual property legislation by patent attorneys and maintained



Volodymyr Dmytryshyn, Deputy Chairman of the State Department of Intellectual Property, and Volodymyr Parkhomenko, Rector of the State Intellectual Property Institute

the State Register of Patent Attorneys. The SDIP Examination Board certified 18 candidates for intellectual property representatives (patent attorneys) in 2007. As of January 1, 2008, a total of 325 patent attorneys were registered in Ukraine, who provide intellectual property protection services in 35 cities and towns of 19 regions of Ukraine and the Autonomous Republic of Crimea.

6.2. Scientific and Practical Conferences and Seminars

One of the most affordable and effective ways of intellectual property information dissemination is organizing conferences, scientific and practical seminars, «round tables» etc. These events are efficient means of exchange of experience and up-to-date information in the field of intellectual property protection. They significantly influence the determination of ways for the national intellectual property legislation development.

In 2007, SDIP organized and carried out 25 conferences and seminars on topical questions concerning acquisition, use and enforcement of intellectual property rights, in particular:

January 31 – seminar «Internet Piracy and Strategies of Struggle against It»;

February 20 – seminar «New Business Models on the Internet; Online Licensing Recommendations»;

March 21 – Parliamentary Hearings on the topic «Intellectual Property Rights Protection in Ukraine: Problems of Legislative Support and Law Enforcement». Within the preparation for the Hearings, 16 representative meetings, «round tables» and public discussions on this important topic were carried out;

March 28-30 – training seminar «Inventory, Accounting and Taxation of Intellectual Property Rights»;

April 4-6 – training scientific and practical seminar for the employees of executive authorities and state privatization authorities «Intellectual Property in Business Activities of Enterprises, Institutions and Organizations»;

April 16-19 – within the framework of the Week of Industrial Technologies, the exhibition centre «KyivExpoPlaza» (Kyiv) hosted the celebration of the World Intellectual Property Day, whose slogan this year was «Creativity Promotion» – in particular, on April 17, the scientific and practical conference «Intellectual Property as an Economical Development Tool» took place;

May 18 – scientific and practical seminar «Introduction of Intellectual Property Rights into Economic Turnover»;

June 4-7 – jointly with the Institute of Intellectual Property and Law, the VII All-Ukrainian scientific and practical conference «Issues of Intellectual Property Specialists Training in Ukraine» was organized and carried out. Representatives of the Verkhovna Rada of Ukraine, the Cabinet of Ministers of Ukraine, MES, British Council in Ukraine and 10 other organizations took part in the conference. 63 participants from 17 Ukrainian regions represented 31 higher educational institutes and 2 academies of science. Within the framework of the conference, a round table on the topic «Branch Standard of Higher Education of Ukraine «Training for master's degree in specialty of specific categories 8.000002 «Intellectual Property» was carried out, the technology of computer test control of the knowledge level and teaching aids for specialist training were demonstrated;

June 26 – seminar «Topical Questions of State Registers Management» where intellectual property representatives (patent attorneys), enterprise, institution and organization managers took part;

September 3-7 – an important representative event – XI International scientific and practical conference «Actual Problems of Intellectual Property» was organized in Yalta by SDIP together with WIPO, EPO, and the Council of Ministers of the Autonomous Republic of the Crimea. A total of 250 participants took part in the conference, among them representatives of the state authorities, industrial enterprises and research institutions, higher educational

institutes, law firms and patent attorney companies, SMEs, bank sector, judicial system, national intellectual property offices, mass media, public organizations as well as intellectual property specialists and managers from Ukraine, the Republic of Belarus, Lithuania, the Republic of Moldova, Germany, the Republic of Poland, the Russian Federation, Romania, Hungary, the USA and international organizations – WIPO, EPO, the Office of Harmonization for the Internal Market (OHIM) and the European Alliance for Copyright (CEECA, Budapest).

Among the topics discussed at the conference were political, law, legislative and economical principles of the creation of intellectual property market in Ukraine, problems of formation of the state intellectual property regulation and management system, latest patenting trends in the context of the country's economical development. The conference became a platform for scientific, methodological and practical intellectual property issues discussion. Within the framework of the conference programme, a number of plenary meetings took place under the slogans «Intellectual Property as the Basis of Innovative Economy» and «Strategy of Intellectual Property Rights Exercise». Fruitful work was organized in sections on such topics as «Problems of Copyright and Related Rights Exercise: Meet Bomarche»; «Law Enforcement and Intellectual Property Rights Protection»; «Improvement of Intellectual Property Rights Legal Protection»; «Issues of Intellectual Property Rights Examination». Special attention was paid to the topic of support of quality for patent system functioning. The procedure of mediation in intellectual property disputes was modelled for the first time. The question of professional intellectual property training for pupils and students became topical; therefore, a presentation of a textbook on intellectual property for comprehensive school pupils was organized. Besides, a meeting of the Scientific Advisory Board under the Supreme Economic Court of Ukraine took place. Visitors were as usual particularly interested in discussing the problem connected with trademarks – improvement of the regulatory system and law enforcement, peculiarities of examination of applications for designations, conflict of rights of designation owners and ways of relevant disputes resolution;

September 21 – all-Ukrainian conference «The Place of Inventor and Innovator in the



Stanislav Nikolaienko, Minister of Education and Science of Ukraine, visited the exhibition of children's inventions within the framework of Conference «The Place of Inventor and Innovator in the Ukrainian Society»

Ukrainian Society» was dedicated to the Day of Inventor and Innovator. A presentation exhibition of achievements of domestic inventors and innovators «Inventions of Ukraine» and of children's creative work was held;

October 31 – training seminar «Peculiarities of Industrial Property Rights Examination in Ukraine» took place;

November 6–7 – a training seminar for specialists of state power authorities «Intellectual Property in the Economical Activity of Enterprises, Organizations and Authorities» was organized;

December 17 – a training seminar for scientific and pedagogical staff of higher educational institutions of III–IV levels of accreditation «Organization of Activity of Intellectual Property Divisions in Higher Educational Institutes» was held. The seminar programme was dedicated to the issues of development of the legislation of Ukraine on intellectual property rights protection, inventory, accounting and taxation of operations with intellectual property rights in higher educational institutes, disposition of economic intellectual property rights and economical and legal aspects of technology transfer. Participants exchanged their experience of organization of intellectual property divisions' activities in higher educational institutes. After the event had been finished, all participants received certificates on training under the seminar programme. 62 representatives of 47 higher educational institutions from 20 regions of Ukraine took part in the seminar.

Throughout the year SDIP organized regional conferences and seminars on intellectual property matters for relevant specialists from

educational institutes, students, managers of enterprises, authorities and organizations, representatives of regional and territorial administrations, businesses, scientific institutions and organizations. The programme of the regional seminars in particular included issues of the current state and development perspectives of the legislation of Ukraine in the field of intellectual property rights protection, disposition of economic rights for intellectual property, economical aspects of intellectual property, intellectual property rights enforcement etc. The following regional events took place during the report year:

January 24, in Dnipropetrovsk, jointly with Dnipropetrovsk state administration and regional CSTEI – scientific and practical conference «Role and Significance of Intellectual Property in Innovative Development of Dnipropetrovsk Region»;

July 4, in Poltava, on the basis of Poltava CSTEI – a seminar for specialists from Poltava, Chernihiv, Kremenchuk and Kirovohrad;

October 24, Mariupol – a seminar with the participation of Priazovsk State Technical University and the Public Corporation «Mariupol Illich Metallurgical Integrated Works» where intellectual property specialists of Donetsk, Dnipropetrovsk and Zaporizhzhia regions were invited;

December 12, in Mykolaiv, a seminar for specialists of Mykolaiv, Odesa and Kherson regions was held with the participation of the National Admiral Makarov Shipbuilding University.

There were systematic sittings of «round tables», counsels and meetings, among them «round tables» «Protection of Trademarks, Firm Names and Geographical Indications in Ukraine in the Context of World Experience», «Education in the Field of Intellectual Property – Problems and Solutions», «Internet Piracy and Strategies of Struggle against It», «New Business Models on the Internet, Online Licensing Recommendations». A meeting with the representatives of bodies of the National Academy of Sciences of Ukraine, where issues of improvement of the intellectual property regulatory and legal framework and the procedure of acquisition of intellectual property rights were dealt with, a counsel «Current State and Development Prospects of Patent Information Support System in Industrial Property Field» were held; questions of the order of fee payment for activities connected with intellectual property rights protection and methodological support of industrial property rights examination were discussed; a sitting of the Public Board «On the Ways of Improving Relations in Intellectual Property Field» was organized and the like.

6.3 Creative Activity Stimulation

The State Department of Intellectual Property pays great attention to the younger generation creativity. In order to provide overall support for the gifted youth, introduce innovative educational methods and technologies to educational institutions of Ukraine, provide for integration of domestic education and science



The participants of the XI Anniversary International Scientific and Practical Conference «Actual Problems of Intellectual Property» (Yalta, Autonomous Republic of Crimea)

in the European and world space, SDIP annually takes part and provides sponsorship for the organization of the week of all-Ukrainian and international scientific and educational projects «Ukraine-Europe-World». Within its framework, on February 28 – March 04, 2007, the All-Ukrainian contest «Nature – Person – Industry – Ecology» and the All-Ukrainian information technologies championship «Ecosoft-2007» were organized by MES and the National Academy of Science of Ukraine jointly with the National Ecological and Naturalistic Student Centre in Kyiv. Based on the results of the All-Ukrainian contest «Nature – Person – Industry – Ecology», 32 pupils and students of vocational schools and universities from 18 regions of Ukraine received certificates of SDIP for creative achievements in biology, medicine, ecology, chemistry, agriculture and physics. Among those, 7 persons were awarded with the «Author» honorary badge. The winners of the All-Ukrainian information technologies championship «Ecosoft-2007» were presented with valuable gifts by SDIP. The goal of the championship is to reveal and support young talents working creatively on developing versatile software and designing components of computer-based systems.

On April 16–19, 2007, in exhibition centre «KyivExpoPlaza» within the framework of the Week of Industrial Technologies the III International exhibition «Inventions and Innovations» was held. The exhibition was organized by SDIP and «Euroindex» company and partnered by the Ukrainian Centre of Innovations and Patent Information Services (UkrCIPIS). About 40 enterprises and organizations from different regions of Ukraine presented a wealth of interesting original developments, patented inventions and innovative production. Specialists from the Patent Office of the Republic of Moldova introduced their Office's services and developments of enterprises of their Republic.

The presentation of innovative products of the Exhibition participants and the winners of the contest «Invention – 2006» had a great success.

Under the auspices of the State Department of Intellectual Property, the expositions of the State Enterprise «Ukrainian Industrial Property Institute», Ukrainian Centre of Innovations and Patent Information Services and the Institute of Intellectual Property and Law were displayed. For the first time within the framework of the



The staff members of the State Registration Section of the Division of State Registration, Economy and Information Support of Intellectual Property (SDIP)

exhibition, a forum initiated by the association «Private Investors of Ukraine» was held. «Euroindex» and «Euroconsulting» companies and UkrCIPIS were the co-organizers of the forum.

During the exhibition a gala ceremony of awarding the winners of the annual all-Ukrainian contests of inventive activity «Invention – 2006» and WIPO awards for innovative companies was held, with participants coming from all Ukrainian regions. 448 works were submitted for the contest – by 90 works more than the previous year. Traditionally, according to the results of the contests, winners were chosen in the following nominations: «Best Invention – 2006», «Best Invention of the Year in the Region», «Best Invention of a Young Inventor», in 11 branch nominations, for WIPO medals in nominations «Young Inventor» and «Women-Inventors», as well as works that were not put into any of the nominations but were, to the expert commission's opinion, interesting, up-to-date and useful for the national economy. The announcement of the contests results and the gala ceremony of awarding the winners, authors, inventors and representatives of creative professions with SDIP's certificates, diplomas, valuable gifts and certificates for the use of Internet-Exchange of industrial property and awarding of four special prizes for works that deserve special attention and support, took place on April 16, 2007 during the World Intellectual Property Day celebration.

According to the results of the contest «Invention – 2006», the golden medals of the World Intellectual Property Organization were awarded to the following inventors:

— in the category «Young Inventor» – the author of the invention and the owner of a patent for a development «Automobile lighting system» (patent No. 14639), 17-year-old Andrii Khodurskyi, a first-year student of Kyiv State Petro Konashevych-Sahaidachnyi Academy of Water Transport;

— in the category «Women Inventors» – co-authors of the invention «The method of breeding giant oyster GRASSOSTREA GIGAS in the Black Sea» (patent No. 76680, patent owner – O.Kovalevskyi Institute of Biology of South Seas of the National Academy of Sciences of Ukraine) Hanna Pirkova and Ludmyla Ladyhina.

The winners of the All-Ukrainian contest for the WIPO award for innovative companies in 2006 were «Inmaisters» LTD – for the use of industrial and scientific and technical potential to assist the specialists working in the field of scientific medical research and practical healthcare, private enterprise «Arton» – for production, active improvement and development of up-to-date models of fire alarm devices. These enterprises were decorated with WIPO honorary insignia.

WIPO awards presentation was held on September 21, 2007, during the Day of Inventor and Innovator celebration.

In August the regular annual contests «Invention of the year – 2007» and for WIPO award for innovative companies were announced.

On March 27-30, 2007, in order to study the experience of carrying out exhibitions, contests and scientific and practical events as well as to cooperate with the organizing committee, the UkrCIPIS representatives took part in the work of «Archimedes» International Industrial Property Show (Moscow, Russian Federation).

On September 25-27, SDIP co-organized the III International Show of Inventions and Modern Technologies «New Time» (Sevastopol).

UkrCIPIS was also among the participants of the specialized exhibition «The World of Finance-2007» (Kyiv, 17-19 October) and the VI National exhibition of high tech and competitive products «Ukrtechnology-2007» (Kyiv, December 5-7).



Statistics

1. Applications for patents for inventions (breakdown by countries)

Kode	Country	National procedure					International applications				
		2003	2004	2005	2006	2007	2003	2004	2005	2006	2007
	Total:	1774	4356	3842	3788	3768	1283	1422	1750	2142	2397
UA	Ukraine	1630	4086	3535	3472	3437	6	4	3	2	–
AT	Austria	8	5	4	5	3	13	12	26	30	48
AU	Australia	–	1	–	–	–	9	11	14	19	28
BE	Belgium	–	2	7	7	4	17	32	47	84	98
BG	Bulgaria	1	–	–	4	1	–	2	4	–	2
BY	Belarus	10	14	22	21	15	1	1	4	1	4
CA	Canada	1	1	–	3	1	12	24	19	23	21
CH	Switzerland	6	6	16	8	13	85	88	100	118	139
CN	China	–	–	3	–	1	4	4	7	14	10
CZ	Czech Republic	5	2	–	2	1	5	7	10	17	15
DE	Germany	20	33	52	67	77	328	290	338	467	435
DK	Denmark	1	3	2	4	2	30	38	37	64	51
ES	Spain	1	–	1	1	2	17	14	14	33	26
FI	Finland	2	–	–	2	2	16	16	35	21	19
FR	France	31	82	75	47	33	112	110	118	119	140
GB	United Kingdom	4	1	–	5	3	50	48	48	65	90
HU	Hungary	–	–	–	–	–	4	19	12	30	14
IE	Ireland	–	–	–	–	–	3	5	11	16	25
IL	Israel	1	4	5	4	3	6	11	17	12	16
IN	India	1	–	–	1	–	19	14	8	18	37
IT	Italy	4	–	5	3	19	22	37	53	42	68
JP	Japan	–	2	1	6	3	28	28	53	51	77
KR	Republic of Korea	–	–	–	3	–	2	15	16	23	34
LU	Luxemburg	–	–	–	1	2	6	10	10	14	9
NL	Netherlands	1	3	2	1	–	35	59	66	82	82
NO	Norway	–	–	–	1	1	9	4	4	12	20
PL	Poland	–	4	2	–	14	5	9	9	9	8
RU	Russian Federation	22	56	66	44	36	26	39	23	48	45
SE	Sweden	1	1	3	6	8	54	78	67	82	87
SK	Slovakia	–	1	1	–	2	2	1	1	3	3
US	USA	24	36	34	54	72	317	345	520	559	676
	Others	–	13	6	16	13	39	47	56	64	70

2. 2. Applications for patents for inventions (breakdown by IPC)

N	Technical Unit	IPC classes	National procedure					PCT procedure				
			2003	2004	2005	2006	2007	2003	2004	2005	2006	2007
	Total:		1774	4356	3842	3788	3768	1283	1422	1750	2142	2397
1	Agriculture	A 01, except A 01N	78	258	245	210	175	20	18	25	25	25
2	Food stuffs; Tobacco	A 21-A 24	50	137	116	128	111	41	27	28	41	51
3	Personal or domestic articles	A 41-A 47	25	28	36	29	25	12	5	19	37	24
4	Health; Amusement	A 61-A 63, except A 61K	118	423	296	255	213	47	60	220	68	79
5	Preparations for medical, dental or toilet purposes	A 61K	46	209	133	139	118	377	447	354	361	394
6	Separating; Mixing	B 01-B 09	59	188	150	167	165	54	40	71	64	74
7	Shaping (Metal)	B 21-B 23	65	205	144	161	122	35	50	53	65	76
8	Shaping (Material Processing)	B 24-B 30, B 32	48	69	61	42	73	16	28	41	38	63
9	Printing	B 41-B 44	13	17	12	13	8	1	21	16	15	9
10	Transporting	B 60-B 68	126	281	203	220	226	50	57	82	85	105
11	Micro-structural technology; Nano-technology	B 81-B 82	-	-	-	1	2	-	-	-	-	-
12	Chemistry (Inorganic)	C 01-C 05	75	200	165	205	157	32	37	49	73	67
13	Chemistry (Organic)	C 07, A 01N	21	75	76	117	87	219	249	285	686	688
14	Chemistry (Macromolecular compounds)	C 08	14	38	52	39	37	24	13	20	35	39
15	Chemistry (Dyes, Animal and Vegetable Oils)	C 09-C 11	35	81	82	65	85	12	26	36	68	47
16	Chemistry (Biochemistry, Sugar industry, Leather)	C 12-C 14	27	91	67	76	55	45	38	19	49	59
17	Metallurgy	C 21-C 23, C 25, C 30	49	211	181	163	145	22	44	61	48	70
18	Textiles; Flexible Materials	D 01-D 07	9	25	28	15	12	10	5	10	7	14
19	Paper (including class B 31)	D 21, B 31	4	13	3	4	10	4	11	1	6	9
20	Building	E 01-E 06	72	115	135	110	114	37	27	49	53	70
21	Earth drilling; Mining	E 21	42	119	111	124	84	4	7	10	7	11
22	Engines or Pumps	F 01-F 04, F 15	206	268	313	242	188	22	30	21	27	21
23	Engineering in general	F 16-F 17	49	117	126	108	80	16	13	19	13	20
24	Lighting; Heating	F 21-F 28	78	123	124	151	138	17	12	23	32	40
25	Weapons; Blasting	F 41, F 42, C 06	44	43	64	46	58	5	4	7	12	3
26	Instruments (Measuring, Optics, Photography)	G 01-G 03	167	339	357	302	270	27	33	18	47	46
27	Instruments (Horology, Regulating, Computing)	G 04-G 08	36	132	97	104	83	24	18	19	16	41
28	Instruments (Musical instruments, Information Storage)	G 09-G 12	17	47	49	45	26	8	10	9	17	12
29	Nucleonics	G 21	15	22	18	14	10	5	4	6	4	9
30	Electricity (Electric Techniques)	H 01, H 02, H 05	78	245	183	212	197	31	15	19	24	63
31	Electricity (Electronic Circuitry, Communication Techniques)	H 03, H 04	33	73	31	63	36	54	60	143	105	129
32	Others (unclassified)		75	164	184	218	658	12	13	17	14	39

3. Patents for inventions (breakdown by countries)

Code	Countr	2003	2004	2005	2006	2007
	Total:	3113	2838	3433	3698	4058
UA	Ukraine	1837	1669	2171	2495	2618
AT	Austria	14	9	25	15	26
AU	Australia	2	5	8	9	13
BE	Belgium	22	30	20	32	33
BG	Bulgaria	–	–	1	1	7
BY	Belarus	5	4	5	19	16
CA	Canada	10	8	10	15	15
CH	Switzerland	41	64	86	74	79
CN	China	–	2	2	5	4
CZ	Czech Republic	5	7	9	6	10
DE	Germany	332	223	274	254	322
DK	Denmark	40	46	28	20	28
ES	Spain	11	8	9	15	21
FI	Finland	9	24	13	15	16
FR	France	139	111	131	99	174
GB	United Kingdom	60	70	36	38	42
HR	Croatia	4	6	4	3	3
HU	Hungary	13	15	16	13	13
IE	Ireland	1	3	3	3	6
IL	Israel	11	13	9	16	6
IT	Italy	31	24	21	23	38
JP	Japan	22	14	24	30	41
KR	Republic of Korea	4	5	4	15	8
LI	Liechtenstein	8	3	2	1	2
LU	Luxemburg	10	3	7	4	7
NL	Netherlands	41	41	49	46	51
NO	Norway	9	8	10	2	6
PL	Poland	4	2	3	8	6
RU	Russian Federation	51	56	66	68	67
SE	Sweden	36	37	39	45	59
SK	Slovakia	6	1	1	3	–
US	USA	310	299	305	269	265
	Others	25	28	42	37	56

4. Patents for Inventions (breakdown by PCT)

N	Technical Unit	IPC classes	National procedure					PCT procedure				
			2003	2004	2005	2006	2007	2003	2004	2005	2006	2007
	Total:		2052	1860	2321	2645	2780	1061	978	1112	1053	1278
1	Agriculture	A 01, except A 01N	85	79	110	150	212	16	7	14	21	18
2	Foodstuffs; Tobacco	A 21-A 24	37	56	48	50	69	11	17	27	25	29
3	Personal or domestic articles	A 41-A 47	9	11	12	12	15	14	10	16	7	6
4	Health; amusement	A 61-A 63, except A 61K	135	141	171	197	167	39	29	34	38	104
5	Preparations for medical, dental or toilet purposes	A 61K	137	76	127	128	109	273	183	153	273	370
6	Separating; Mixing	B 01-B 09	118	105	138	145	163	64	28	30	44	46
7	Shaping (Metal)	B 21-B 23	78	100	113	141	150	24	19	24	33	51
8	Shaping (Material Processing)	B 24-B30, B 32	24	46	40	51	50	21	15	13	16	25
9	Printing	B 41-B 44	6	11	6	3	11	13	10	7	6	13
10	Transporting	B 60-B 68	127	113	149	160	161	36	27	44	42	52
11	Micro-structural technology; Nano-technology	B 81-B 82	-	-	-	-	-	1	-	-	-	-
12	Chemistry (Inorganic)	C 01-C 05	115	96	130	144	136	25	31	35	25	47
13	Chemistry (Organic)	C 07, A 01N	103	72	57	60	67	227	363	399	223	264
14	Chemistry (Macromolecular compounds)	C 08	31	25	31	49	27	13	18	17	19	12
15	Chemistry (Dyes, Animal and Vegetable Oils)	C 09-C 11	57	53	82	95	79	18	11	15	18	27
16	Chemistry (Biochemistry, Sugar industry, Leather)	C 12-C 14	100	82	79	68	61	9	21	43	36	17
17	Metallurgy	C21-C23, C25, C30	97	102	107	187	173	35	17	37	35	57
18	Textiles; Flexible Materials	D01-D07	17	13	12	16	19	13	3	10	8	6
19	Paper (including class B31)	D21, B31	8	7	10	14	3	1	2	1	8	3
20	Building	E01-E06	43	40	81	60	84	19	22	31	29	23
21	Earth drilling; Mining	E21	90	72	62	58	87	5	7	8	8	5
22	Engines or Pumps	F01-F04, F15	101	96	130	132	158	9	6	22	15	17
23	Engineering in general	F16-F17	63	66	74	74	89	12	10	10	7	13
24	Lighting; Heating	F21-F28	68	48	99	69	78	17	9	11	10	8
25	Weapons; Blasting	F41, F42, C06	43	17	37	48	43	5	3	3	2	3
26	Instruments (Measuring, Optics, Photography)	G01-G03	178	142	182	283	298	19	20	14	27	16
27	Instruments (Horology, Regulating, Computing)	G04-G08	37	44	57	45	59	35	18	18	10	4
28	Instruments (Musical Instruments, Information Storage)	G09-G12	22	32	23	24	15	7	11	10	8	3
29	Nucleonics	G 21	11	6	8	10	17	9	2	5	3	4
30	Electricity (Electric Techniques)	H01, H02, H05	91	92	114	143	156	36	10	22	20	13
31	Electricity (Electronic Circuitry, Communication Techniques)	H03, H04	21	16	29	29	24	34	49	39	37	22
32	Others (unclassified)		-	1	3	-	-	1	-	-	-	-

5. Applications and patents for utility models (breakdown for IPC classes)

N	Technical Unit	IPC classes	Applications					Patents				
			2003	2004	2005	2006	2007	2003	2004	2005	2006	2007
	Total:		839	5232	7286	8171	8870	672	1853	7467	8268	9215
1	Agriculture	A 01, except A 01N	18	261	314	345	446	21	88	377	414	521
2	Foodstuffs; Tobacco	A 21-A 24	23	195	274	315	316	21	73	292	356	385
3	Personal or domestic articles	A 41-A 47	30	82	97	97	97	33	36	110	92	127
4	Health; amusement	A 61-A 63, except A 61K	53	931	1197	1187	1342	42	272	1362	1437	1542
5	Preparations for medical, dental or toilet purposes	A 61K	3	330	417	461	367	–	81	512	523	473
6	Separating; Mixing	B 01-B 09	50	193	286	263	355	47	89	289	308	374
7	Shaping (Metal)	B 21-B 23	38	193	311	264	345	12	82	320	308	385
8	Shaping (Material Processing)	B 24-B 30, B 32	11	91	149	119	215	19	44	144	148	201
9	Printing	B 41-B 44	8	14	32	35	27	4	9	29	47	39
10	Transporting	B 60-B 68	161	354	436	427	458	111	183	522	527	528
11	Micro-structural technology; Nano-technology	B 81-B 82	–	–	–	1	1	–	–	–	1	–
12	Chemistry (Inorganic)	C 01-C 05	10	140	178	206	248	10	42	202	227	289
13	Chemistry (Organic)	C 07, A 01N	3	63	61	96	172	4	11	79	94	213
14	Chemistry (Macromolecular compounds)	C 08	–	24	47	40	48	–	7	31	65	46
15	Chemistry (Dyes, Animal and Vegetable Oils)	C 09-C 11	6	76	104	123	138	2	29	94	127	164
16	Chemistry (Biochemistry, Sugar industry, Leather)	C 12-C 14	3	95	155	186	193	2	23	172	188	278
17	Metallurgy	C21-C23, C25, C30	18	160	231	187	235	8	58	262	233	269
18	Textiles; Flexible Materials	D01-D07	7	20	42	48	62	7	10	35	76	62
19	Paper (including class B31)	D21,B31	7	15	4	7	12	4	5	17	3	11
20	Building	E01-E06	54	157	316	277	308	50	74	290	327	342
21	Earth drilling; Mining	E21	32	169	234	221	227	27	60	257	254	266
22	Engines or Pumps	F01-F04, F15	31	148	186	193	261	30	70	201	228	299
23	Engineering in general	F16-F17	36	137	200	233	214	46	55	209	275	266
24	Lighting; Heating	F21-F28	56	152	207	238	233	45	82	226	268	287
25	Weapons; Blasting	F41, F42, C06	16	74	84	96	104	13	31	91	104	123
26	Instruments (Measuring, Optics, Photography)	G01-G03	37	408	695	554	719	30	126	596	836	810
27	Instruments (Horology, Regulating, Computing)	G04-G08	18	134	177	183	215	25	51	179	217	238
28	Instruments (Musical instruments, Information Storage)	G09-G12	19	87	102	142	131	18	44	121	135	156
29	Nucleonics	G 21	1	26	17	17	16	2	9	30	17	27
30	Electricity (Electric Techniques)	H01, H02, H05	39	241	257	257	378	36	92	326	294	359
31	Electricity (Electronic Circuitry, Communication Techniques)	H03, H04	4	47	112	118	103	3	17	92	137	135
32	Others (unclassified)	–	47	235	364	1235	884	–	–	–	2	–

6. Applications and patents for industrial designs (breakdown by countries)

Code	Country	Applications					Patents				
		2003	2004	2005	2006	2007	2003	2004	2005	2006	2007
	Total:	2310	1862	2010	2236	2147	1474	1436	1569	2061	2213
UA	Ukraine	2156	1673	1750	1833	1746	1408	1348	1423	1803	1803
AT	Austria	–	–	–	11	10	–	–	–	–	13
AU	Australia	1	–	2	–	–	–	–	–	1	–
BG	Bulgaria	14	2	–	7	3	–	1	4	–	2
BY	Belarus	4	33	10	8	3	–	2	24	5	10
CH	Switzerland	1	1	2	9	5	2	–	2	6	6
CN	China	–	–	–	4	24	–	–	–	–	8
CY	Cyprus	1	13	13	15	4	1	–	19	8	13
DE	Germany	10	4	7	18	19	10	4	8	7	15
FI	Finland	3	–	–	1	3	2	1	1	–	2
FR	France	3	13	8	8	4	2	3	10	10	9
GB	United Kingdom	16	2	2	7	16	10	8	1	3	4
IN	India	3	3	12	4	18	–	3	–	–	8
IT	Italy	1	3	8	17	17	3	3	3	7	19
JP	Japan	6	8	8	18	8	2	2	6	11	20
KR	Republic of Korea	–	8	18	8	–	–	–	4	22	8
MD	Republic of Moldova	2	–	1	4	58	–	2	–	1	5
NL	Netherlands	12	12	10	8	9	1	10	8	9	11
PL	Poland	4	3	26	57	35	3	3	3	46	45
RU	Russian Federation	41	36	56	118	94	13	34	21	58	89
TR	Turkey	1	17	45	21	22	–	1	6	15	63
US	USA	18	16	12	27	19	6	1	19	23	25
	Others	15	15	20	35	30	11	10	7	26	35

7. Applications and registrations of trademarks and service marks under the national procedure (breakdown by countries)

Code	Country	Applications					Registrations				
		2003	2004	2005	2006	2007	2003	2004	2005	2006	2007
	Total:	13772	13980	16366	20813	23746	7706	9383	11645	13134	15375
UA	Ukraine	11684	11527	13184	17170	19888	5636	7680	9418	10327	12130
AE	United Arab Emirates	5	6	13	22	19	1	3	5	3	22
AR	Argentina	6	1	7	2	32	11	15	3	5	6
AT	Austria	4	9	5	30	18	30	6	8	9	23
AU	Australia	–	1	7	7	9	2	–	–	2	7
BE	Belgium	14	5	15	7	17	7	7	14	5	16
BG	Bulgaria	37	10	17	33	12	21	15	22	11	15
BM	Bermuda	3	–	5	33	25	2	–	2	3	2
BR	Brasilia	7	16	18	47	19	2	10	7	18	14
BY	Belarus	38	81	71	50	58	12	12	19	86	51
CA	Canada	10	17	36	13	26	19	11	12	20	26
CH	Switzerland	123	104	118	188	217	93	88	132	134	135
CL	Chile	6	6	10	7	1	3	3	10	4	8
CN	China	14	13	48	92	128	4	5	13	23	57
CU	Cuba	–	–	–	2	2	1	–	1	–	–
CY	Cyprus	14	23	72	97	131	18	11	40	50	68
CZ	Czech Republic	6	12	21	31	28	1	5	8	22	25
DE	Germany	114	188	161	132	198	177	93	129	225	145
DK	Denmark	16	12	13	12	27	17	14	12	12	10
EE	Estonia	–	11	2	6	4	–	6	3	9	5
EG	Egypt	–	1	5	2	1	–	–	–	4	–
ES	Spain	16	13	12	18	17	8	21	19	11	11
FI	Finland	8	19	39	32	61	31	13	10	25	44
FR	France	54	46	59	72	68	40	27	68	45	53
GB	United Kingdom	156	145	146	198	204	127	73	182	150	171
GE	Georgia	2	6	3	7	11	6	6	3	3	5
GR	Greece	5	8	3	19	14	17	5	13	6	17
HR	Croatia	9	4	5	14	19	13	2	4	4	8
HU	Hungary	16	16	7	9	20	43	9	8	4	12
IE	Ireland	12	4	9	34	7	11	4	12	7	15
IL	Israel	18	7	15	23	35	7	6	14	9	14
IN	India	83	139	129	140	100	31	45	103	97	155
IT	Italy	15	19	10	26	48	11	13	18	17	15
JP	Japan	48	63	74	108	111	70	55	60	97	70
KR	Republic of Korea	38	43	34	51	21	37	35	31	51	45

Code	Country	Applications					Registrations				
		2003	2004	2005	2006	2007	2003	2004	2005	2006	2007
KZ	Kazakhstan	–	–	8	2	6	2	3	–	–	2
LB	Lebanon	1	11	3	5	1	1	–	8	5	4
LI	Liechtenstein	5	5	1	4	77	–	4	2	39	32
LK	Sri Lanka	7	3	1	7	3	–	1	7	3	1
LT	Lithuania	1	2	2	–	–	7	5	–	2	2
LU	Luxemburg	4	11	12	11	20	24	4	3	9	17
LV	Latvia	4	2	7	4	14	2	2	3	5	2
MD	Republic of Moldova	14	16	6	19	22	1	18	15	8	16
MX	Mexico	–	2	1	1	20	–	1	1	2	2
NL	Netherlands	64	41	59	96	86	81	44	85	48	87
NO	Norway	2	–	5	5	2	12	4	1	3	4
PA	Panama	3	11	8	2	5	1	1	6	10	4
PL	Poland	51	84	92	125	212	45	61	44	98	98
PT	Portugal	–	1	1	2	2	1	1	1	–	1
RO	Romania	–	5	10	28	31	–	3	–	5	17
RU	Russian Federation	378	619	841	589	496	247	298	368	691	596
SE	Sweden	11	16	33	53	29	26	16	15	29	58
SG	Singapore	21	5	29	–	17	9	15	24	16	19
SI	Slovenia	3	2	2	–	1	2	39	5	4	3
SK	Slovakia	2	1	7	1	2	11	1	1	4	4
TR	Turkey	21	30	48	57	91	32	15	23	36	40
TW	Taiwan	20	13	11	–	23	7	12	21	–	21
US	USA	485	390	721	831	817	651	490	540	521	829
VG	Virgin Islands	–	36	14	–	47	–	15	11	–	42
	Others	93	75	74	239	126	35	32	58	98	74

8. Applications for trademarks and service marks under the Madrid Agreement (breakdown by countries)

Code	Country	2003	2004	2005	2006	2007
	Total:	6379	6303	8033	9183	9520
AM	Armenia	5	16	10	12	9
AT	Austria	112	200	280	281	304
AU	Australia	8*	20*	18*	43*	32*
BE	Belgium	210	96	151	171	179
BG	Bulgaria	280	147	160	154	132
BY	Belarus	9	24	21	19	29
CH	Switzerland	691	365	493	650	688
CN	China	147	222	315	379	391
CY	Cyprus	3	12	6	14	18
CZ	Czech Republic	198	257	243	259	276
DE	Germany	1615	1344	1881	1984	1930
DK	Denmark	53*	61*	103*	80*	90*
EE	Estonia	23*	28*	26*	41*	41*
EG	Egypt	1	13	6	11	4
ES	Spain	147	166	206	197	210
FI	Finland	49*	38*	55*	92*	77*
FR	France	625	590	783	818	904
GB	United Kingdom	120*	131*	210*	267*	237*
GR	Greece	11*	36*	22*	24*	37*
HR	Croatia	70	35	39	21	35
HU	Hungary	92	118	72	87	346
IE	Ireland	–	23*	8*	25*	24*
IS	Iceland	1*	1*	7*	11*	48*
IT	Italy	428	502	666	795	883
JP	Japan	65*	70*	72*	137*	135*
KR	Republic of Korea	11*	21*	25*	23*	27*
KZ	Kazakhstan	8	20	20	13	10
LI	Liechtenstein	24	32	18	40	44
LT	Lithuania	40*	51*	41*	47*	29*
LU	Luxemburg	25	62	84	64	43
LV	Latvia	39	45	54	57	55
MC	Monaco	7	15	10	7	18
MD	Republic of Moldova	43	44	74	50	16
MK	The former Yugoslav Republic of Macedonia	–	11	3	6	–
NL	Netherlands	199	195	207	264	263
NO	Norway	17*	16*	15*	28*	24*
PL	Poland	203	219	204	274	246
PT	Portugal	7	15	34	37	29
RO	Romania	26	38	29	52	45
RS	Serbia	20	15	20	38	48
RU	Russian Federation	243	260	417	472	448
SE	Sweden	48*	47*	61*	86*	83*
SG	Singapore	10*	15*	4*	15*	17*
SI	Slovenia	62	48	81	55	76
SK	Slovakia	69	60	66	96	66
TR	Turkey	254*	217*	313*	424*	361*
US	USA	16*	172*	359*	403*	418*
	Others	33	149	31	45	88

* applications under the Protocol relating to the Madrid Agreement

9. Expenses for Functioning and Development of the State System of Intellectual Property Rights Protection in 2007

Expense Items	Amount, Thousands UAH
Organization expenses, expenses connected with examination and grant of titles of protection for industrial property rights	33,734.5
Expenses for information activities in the sphere of intellectual property rights protection	5,973.5
Expenses for editorial and publishing activities	2,026.1
Expenses for development of international cooperation in the sphere of intellectual property rights protection, for organization and participation in exhibitions, competitions and seminars etc.	1,315.2
Expenses for organization of control marks making	5,507.4
Expenses for organization of control marks distribution, conduct a common register of control marks receiver	716.2
Expenses connected with state registration of author's right and contracts	376.1
Total:	49,649.0

Формат 60x90/8
Наклад 1000 примірників
Замовлення №

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03151, м. Київ, вул Молодогвардійська, 28а
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