



UKRAINE



STATE  
INTELLECTUAL  
PROPERTY  
SERVICE  
OF UKRAINE

2011

ANNUAL  
REPORT

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Dear colleagues,

The year 2011, which went down in the history of our state as «The Year of Reforms», is over. I would like to share the key results of the work of the State Intellectual Property Service of Ukraine (SIPS) in 2011. It should be reminded that SIPS as a central executive body has been established on the basis of the State Department of Intellectual Property abolished in 2010 under the large-scale administrative reform. We are proceeding with the work connected with further development and improvement of the state system of intellectual property rights protection in Ukraine at the new level. It is of great importance that we finally came to realize our country has almost exhausted all the resources for development within the traditional economic model. The time to introduce economy based on the knowledge, innovations and intellectual assets has come.

The preceding year gave the possibility to lay a solid foundation for the adaptation of the national intellectual property legislation to the European standards. This concerns all the types of intellectual property rights. Since 2011, SIPS experts have been promoting draft laws in Verkhovna Rada of Ukraine the «On Amendments to Certain Legislative Acts of Ukraine on Intellectual Property Issues» and «On Amendments to Certain

Legislative Acts on Copyright and Related Rights Issues». Both draft laws have been adopted in the first reading, and now we are processing comments and proposals to these important legislative acts.

I am glad to state that in 2011 in Ukraine, despite the economic crisis, there was the upward trend in demand for intellectual property rights protection.

Cooperation with foreign colleagues has also been successful. In July, 2011, the Third Annual International WIPO Summer School on Intellectual Property under authority of the Odessa National Academy of Law was held. SIPS with the assistance of the World Intellectual Property Organization and other international organizations has held a number of workshops on the issues of intellectual property rights protection. It is pleasure to note with appreciation, that during those events, involving highly professional colleagues from different countries, we have shared valuable experience concerning the intellectual property rights protection in the digital environment, which is a critical problem even for the economically developed countries.

Sessions of the Ukrainian-American Intellectual Property Enforcement Cooperation Group have also been effective and successful. 15 sessions of the Group has been held already.

Representatives of the USA, other foreign countries and international organizations have noted focused actions of the Ukrainian party in the anti-piracy campaign, especially as to efficient enforcement of copyright and related rights on the Internet. It is of great importance for us to establish meaningful dialogue and mutual understanding between executive bodies and right holders.

Furthermore, SIPS proceeds with the work on implementing guarantees provided to UEFA with respect to the protection of intellectual property rights of UEFA and its commercial partners during UEFA EURO 2012. In 2011, SIPS cooperated effectively with UEFA, National Agency on Organization and Conducting of UEFA EURO 2012 in Ukraine and implementation of infrastructure projects, and Local Organizing Committee «EURO 2012 Ukraine». During the preceding year special workshops were held in all host cities of the country. The official appraisal of UEFA representatives was of great importance for us. In particular, they have noted extremely high level of cooperation with SIPS, and emphasized that Ukraine deals with the enforcement of intellectual property rights of UEFA in a highly responsible manner and has exhibited performance in completing all the objectives. Therefore, it is uncontroversial that intellectual property of UEFA will be protected to the full extent within the guarantees provided.

Undoubtedly, a considerable amount of work to achieve positive results has been performed. At present, according to the world tendency, we are going to introduce electronic (paperless) publications (bulletins, specifications to patents, reports, etc.) and online databases containing appropriate data on the titles of protection. Thus, in 2011, a set of works on the first stage of introducing the digital patent library, as well as pilot testing of the application e-filing system was carried out. It is one of the priorities of activity for us.

Based on the results of the annual All-Ukrainian contest «Invention of the Year» I can state authoritatively that every year the contest reveals new tendencies of inventive activity. As of today, the most topical are the applications in the field of nanotechnology, almost in all branches of industry.

We proceed with training and professional development of experts, and spreading of knowledge in the field of intellectual property. One of the most important tasks for SIPS is the top-of-mind social awareness of the system performance, its possibilities, and therefore, efficient intellectual property rights protection.

After concise description of the milestones, which marked out the last year, and which, undoubtedly, became priority for the improvement of the state system of intellectual property rights protection in Ukraine, I would like to extend my respect and gratitude to all professionals involved in the field of intellectual property, national and foreign colleagues for the cooperation and possibility for the exchange of experience. Special gratitude is expressed to the members of the public for professional advices and support in the implementation of novations that made it possible to be proud of the results achieved.

Thus, the tasks, which had arisen before the state system of intellectual property rights protection in Ukraine, were completed successfully. That is why our motto for the next year will be «Transform Ukraine into Intellectual State!»

I sincerely wish everybody success, prosperity, creativity and implementation of all plans and intentions.

Yours respectfully,

**Chairman of the State  
Intellectual Property  
Service of Ukraine**



**Mykola Paladii**

# 1 Intellectual Property Legislation Improvement



Volodymyr Dmytryshyn, Deputy Chairman of the State Intellectual Property Service of Ukraine

The State Intellectual Property Service of Ukraine, activity of which is governed and coordinated by the Cabinet of Ministers of Ukraine through the Minister of Education, Science, Youth and Sport of Ukraine, was established by the Decree of the President of Ukraine No. 1085 «On Optimization of Central Executive Bodies» dated December 9, 2010, in the context of the administrative reform and reauthorization of the governmental authorities in 2011.

The State Department of Intellectual Property of Ukraine was abolished by the Resolution of the Cabinet of Ministers of Ukraine No. 346 «On Dissolution of Governmental Bodies» dated March 28, 2011, and Regulations for the State Intellectual Property Service of Ukraine were

approved by the Decree of the President of Ukraine No. 436 dated April 8, 2011.

On February 21, 2011, state registration of the State Intellectual Property Service was performed, and certificate on state registration of the legal entity was issued, the location address of the State Intellectual Property Service is 45 Urytskyi Str., Kyiv.

Subsequent to the establishment of the State Intellectual Property Service, the following legislative acts (ordinances and resolutions of the Cabinet of Ministers of Ukraine, orders of the Ministry of Education, Science, Youth and Sport of Ukraine) have been adopted:

– Ordinance of the Cabinet of Ministers of Ukraine No. 839-r «On the Transfer of the Integral Property Complexes of the State Enterprises to

the State Intellectual Property Service» dated September 7, 2011. This ordinance has been elaborated to fulfil paragraph 4 of the Article 7 of the Decree of the President of Ukraine No. 1085 «On the Optimization of Central Executive Bodies» dated December 9, 2010, and paragraph 1 of the Ordinance of the Cabinet of Ministers of Ukraine No. 346 «On Dissolution of Governmental Bodies» dated March 28, 2011;

– Ordinance of the Cabinet of Ministers of Ukraine No. 575-r «On Accommodation of the State Intellectual Property Service» dated June 22, 2011. This ordinance has been elaborated according to the Resolution of the Cabinet of Ministers of Ukraine No. 5-93 «On the Improving the Utilization of State Office Buildings and Premises» dated January 11, 1993.

– Resolution of the Cabinet of Ministers of Ukraine No. 957 «On Amendments to Certain Legislative Acts of the Cabinet of Ministers of Ukraine on Intellectual Property Issues» dated September 14, 2011.

– Order of the Ministry of Education, Science, Youth and Sport of Ukraine No. 578 «On Amendments to Certain Legislative Acts on Intellectual Property Issues» dated June 14, 2011 (registered in the Ministry of Justice of Ukraine on July 5, 2011, under No. 811/19549);

– Order of the Ministry of Education, Science, Youth and Sport of Ukraine No. 1294 «On Amendments to Certain Legislative Acts of the Ministry of Education and Science of Ukraine on Intellectual Property Issues» dated November 11, 2011 (registered in the Ministry of Justice of Ukraine on December 5, 2011, under No. 1403/20141);

Improvement of the current legislation in the field of intellectual property is an important area of activity of the State Intellectual Property Service (SIPS).

During the reporting period the following draft laws and legislative acts on intellectual property issues have been prepared for the adoption:

– Draft Law of Ukraine «On Amendments to Certain Legislative Acts on Intellectual Property Issues» for the second reading in Verkhovna Rada of Ukraine. The draft Law has been elaborated to fulfil the requirements of the Law of Ukraine No. 1629-IV «On the National Program of Adaptation of Legislation of Ukraine to the

Legislation of the European Union» dated March 18, 2004. Draft Law (Reg. No. 7205) has been submitted to Verkhovna Rada of Ukraine by the Cabinet of Ministers of Ukraine and taken as a basis in the first reading. In 2011, it was prepared for the second reading (relevant provisions subject to comments and proposals from people's deputies, government authorities and associations were revised).

– Draft Law of Ukraine «On Intellectual Property Rights and Reputation of the Union of European Football Associations», elaborated under the Decree of the President of Ukraine and the Cabinet of Ministers of Ukraine with the purpose of regulating the issues related to acquisition, exercise and enforcement of intellectual property rights by the Union of European Football Associations in the context of conducting UEFA EURO 2012 in Ukraine, and issues on exploitation and protection of the reputation of UEFA and the Championship. During the reporting year, the draft Law has been

agreed with the respective governmental authorities.

– Order of the Ministry of Education, Science, Youth and Sport of Ukraine No. 1429 «On Amendments to the Regulations on the Commission for Coordination of the Issues on Including the Designation Containing

the Official Name of the State «Ukraine» in the Trademark» dated December 14, 2011 (registered in the Ministry of Justice of Ukraine on December 23, 2011, under No. 1513/20251).

– Draft Law of the Ministry of Education, Science, Youth and Sport of Ukraine «On Adoption of the Rules for Drawing Up and Filing the Application for Trademark» has been elaborated. Those Rules have been elaborated according to paragraph 1 of the Article 10 of the Law of Ukraine «On Protection of Rights in Trademarks and Service Marks» and aimed at improving the process of drawing up and filing an application for a trademark, carrying out examination of an application for a trademark, and ensuring harmonization with appropriate international treaties ratified by Ukraine, in particular, Singapore Treaty on the Law of Trademarks in terms of optimization of the procedure of acquisition of rights in trademarks. Draft Rules have passed the internal approval and are ready for promulgation and submission to the Ministry of Economic Development and Trade



as a specially authorized body for performing the state regulatory policy.

As for the copyright and related rights, the Law of Ukraine «On Amendments to the Article 9 of the Law of Ukraine «On Licensing of Certain Types of Economic Activity» (Relating to the Licensing of Activity in the Field of Intellectual Property)» was adopted on November 15, 2011, and signed by the President of Ukraine on December 7, 2011, with the purpose to fulfil the requirements of the Article 3 of Part II «Final Provisions» of the Law of Ukraine No. 2609 «On Amendments to Certain Legislative Acts of Ukraine on the Limitation of the State Regulation of Economic Activity» dated October 19, 2010, and to cut down the list of the types of economic activity, subject to licensing.

To systematize the functions of implementation of the state policy in the field of intellectual property within the framework of reference of a single central executive body, as well as to ease the administrative pressure on economic entities, business of which is connected with the production of disks for laser reading systems, the draft Law of Ukraine «On Amendments to Certain Laws of Ukraine on Management of Specific Issues in the Field of Intellectual Property» has been elaborated. The draft Law of Ukraine is under consideration by Verkhovna Rada of Ukraine.

Within the framework of fulfilling the National Plan of Actions for 2011, concerning the Program of Economic Reforms for 2010-2014 «Wealthy Society, Competitive Economy, and Efficient State», approved by the Decree of the President of Ukraine No. 504 dated April 27, 2011, the draft Resolution of the Cabinet of Ministers of Ukraine «On Amendments to the Resolution of the Cabinet

of Ministers of Ukraine No. 623 dated April 26, 2003» has been elaborated to avoid excessive pressure on economic entities when they perform foreign economy activity and to reduce the number of authorization documents. Draft Resolution provides for cancellation of extracts from the registry of special identification codes applied to the disks and/or exported or imported stampers.

Within the framework of adaptation of legislation on copyright and related rights to the Law of Ukraine «On Amendments to Certain Legislative Acts of Ukraine on Cancellation of Certificate of the State Registration of a Legal Entity and an Individual-Entrepreneur», the following draft legislative acts have been elaborated:

– Draft Resolution of the Cabinet of Ministers of Ukraine «On Amendments to the Resolutions of the Cabinet of Ministers of Ukraine No. 1555 dated October 13, 2000, and No. 623 dated April 26, 2003». The Resolution was adopted by the Cabinet of Ministers of Ukraine on December 28, 2011.

– Order of the Ministry of Education, Science, Youth and Sport of Ukraine No. 1177 «On Amendments to Certain Legislative Acts of the Ministry of Education and Science of Ukraine» dated October 11, 2011, registered in the Ministry of Justice of Ukraine on October 26, 2011, under No. 1235/89973.

In 2011, SIPS took part in the promotion of the draft Law «On Amendments to Certain Legislation Acts of Ukraine on Copyright and Related Rights Issues» (Reg. No. 6523 dated June 15, 2010) in Verkhovna Rada during its preparation for the second reading (the draft Law was adopted in the first reading on February 1, 2011).

## 2 Registration of Intellectual Property Rights

### 2.1. Examination and Registration of Industrial Property Rights

In 2011 the total number of applications for industrial property rights protection filed with SIPS amounted to over 47 thousand (table 2.1). A total of nearly 15.7 thousand applications for inventions and utility models, over 1.7 thousand applications for industrial designs and over 29.7 thousand applications for trademarks and service marks (including over 21 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				
	2007	2008	2009	2010	2011
Inventions	6,163	5,697	4,816	5,311	5,256
Utility models	8,870	9,600	9,208	10,678	10,427
Industrial designs	2,147	2,285	1,669	1,686	1,761
Trademarks and service marks	33,266	33,083	26,479	28,577	29,756
under the national procedure	23,746	22,371	17,866	20,603	21,091
under the Madrid system	9,520	1,0712	8,613	7,974	8,665
Topographies of integrated circuits	9	–	–	–	1
Qualified indications of the source of goods	6	2	7	4	4

\* Data for the preceding years have been corrected



## Inventions

In 2011 a total of 5,256 applications for inventions were filed (table 2.2, fig. 2.1).

The activity of domestic applicants in the year under review has increased by 4% as compared with the previous year. The activity of foreign applicants under the national procedure has increased by 9%. The number of applications

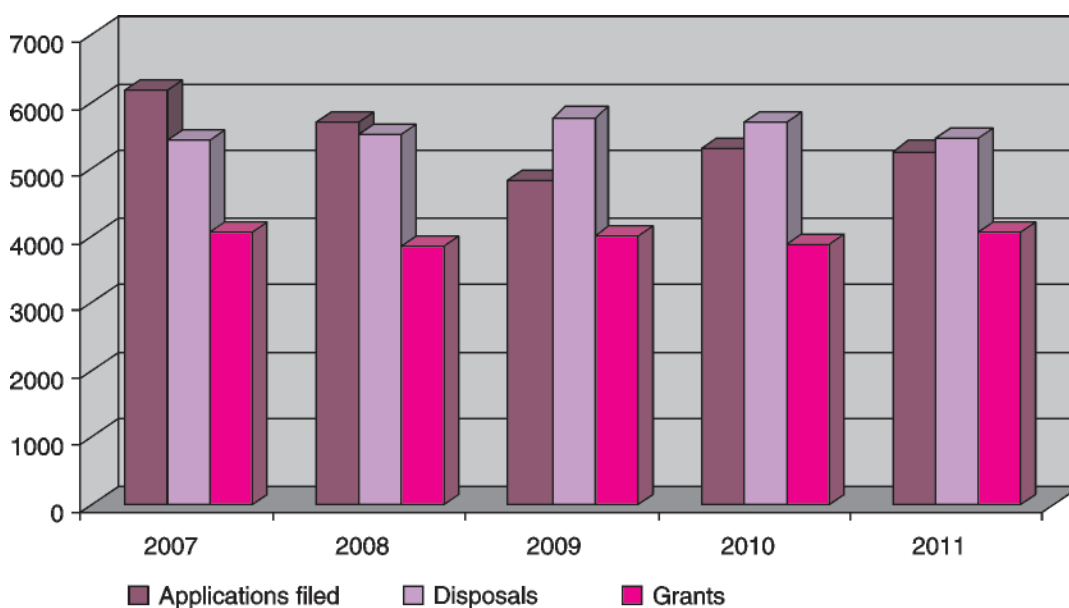
under the PCT procedure has decreased by 7%. The number of applications filed with SIPS as receiving office by domestic applicants for patenting inventions under the PCT procedure in foreign countries has increased by 35.0%.

The share of applications filed by foreign applicants in 2011 amounted to 49.5% of total filings (as against 51.9% in 2010). The largest number of foreign filings came from the USA

Table 2.2. Applications for inventions filed and patents granted

Subject matter	2007	2008	2009	2010	2011
Applications filed	6,163	5,697	4,816	5,311	5,256
under the national procedure	3,766	3,149	2,682	2,811	2,935
by domestic applicants	3,440	2,823	2,432	2,552	2,652
by foreign applicants	326	326	250	259	283
under the PCT procedure	2,397	2,548	2,134	2,500	2,321
including domestic applicants	–	2	–	1	1
Patents for inventions granted	4,058	3,832	4,002	3,874	4,061
to domestic applicants	2,618	2,399	2,395	2,034	1,902
to foreign applicants	1,440	1,433	1,607	1,840	2,159
patents with 6-year term of validity	2	–	–	–	–
Patents in force by the end of the year	28,568	26,929	24,651	24,617	24,773
including patents with 6-year term of validity	7,840	3,776	–	–	–

Fig. 2.1. Trends in filings, pendency of applications and granting patents for inventions



(640 applications), Germany (507 applications), Switzerland (235 applications), France (178 applications), the United Kingdom (112 applications), Japan (110 applications), Italy (76 applications), the Netherlands (74 applications), the Russian Federation (72 applications), Belgium (62 applications), Denmark (56 applications) and Austria (51 applications).

The most applications for inventions from foreign applicants were filed under the PCT procedure (fig. 2.2).

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

In 2011 4,061 patents for inventions were granted. Patents granted to foreign applicants amounted to 2,159 (53.2%) (table 2.2).

The distribution of patents for inventions according to the IPC classes is shown in table 2.4.

As of January 1, 2012, a total of 101,955 patents for inventions were entered in the State Register, among them 24,773 patents for inventions being in force.

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

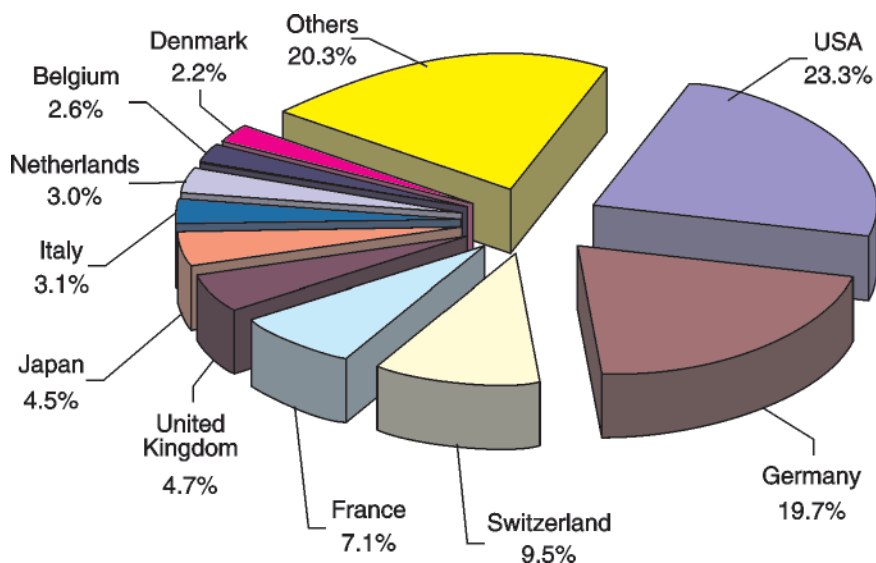


Table 2.3. Priorities of the distribution of applications for inventions according to the IPC

IPC class	Class headings	Total number of applications	Domestic applicants	Foreign applicants
A61	Medical or veterinary science; hygiene	622 (11.8%)	211 (8.0%)	411 (15.8%)
C07	Organic chemistry	580 (11.0%)	39(1.5%)	541 (20.8%)
A01	Agriculture; forestry; animal husbandry ...	314 (6.0%)	133 (5.0%)	181 (7.0%)
G01	Measuring; testing	216 (4.1%)	185 (7.0%)	31 (1.2%)
A23	Foods or foodstuffs; ...	131 (2.5%)	41 (1.5%)	90 (3.5%)
C12	Biochemistry; beer; spirits; wine; vinegar; microbiology ...	124 (2.4%)	31 (1.2%)	93 (3.6%)
H04	Electric communication technique	118 (2.2%)	13 (0.5%)	105 (4.0%)
B65	Conveying; packing; storing; handling thin or filamentary material	114 (2.2%)	29 (1.1%)	85 (3.3%)
E21	Earth or rock drilling; mining	106 (2.0%)	80 (3.0%)	26 (1.0%)
C10	Petroleum, gas or coke industries ...	104 (2.0%)	41 (1.5%)	63 (2.4%)
C21	Metallurgy of iron	101 (1.9%)	49 (1.8%)	52 (2.0%)

Table 2.4. Priorities of the distribution of patents for inventions according to the IPC

IPC class	Class headings	Total number of patents granted	To domestic applicants	To foreign applicants
A61	Medical or veterinary science; hygiene	567 (14.0%)	223 (11.7%)	344 (15.9%)
C07	Organic chemistry	453 (11.2%)	31 (1.6%)	422 (19.5%)
G01	Measuring; testing	251 (6.2%)	218 (11.5%)	33 (1.5%)
A01	Agriculture; forestry; animal husbandry...	192 (4.7%)	79 (4.2%)	113 (5.2%)
H04	Electric communication technique	181 (4.5%)	12 (0.6%)	169 (7.8%)
A23	Foods or foodstuffs; ...	102 (2.5%)	59 (3.1%)	43 (2.0%)
B65	Conveying; packing; storing; handling thin or filamentary material	100 (2.5%)	17 (0.9%)	83 (3.8%)
C12	Biochemistry; beer; spirits; wine; vinegar; microbiology ...	98 (2.4%)	51 (2.7%)	47 (2.2%)
H01	Basic electric elements	92 (2.3%)	72 (3.8%)	20 (0.9%)
B01	Physical or chemical processes or apparatus in general	89 (2.2%)	44 (2.3%)	45 (2.1%)
E21	Earth or rock drilling; mining	82 (2.0%)	61 (3.2%)	21 (1.0%)
B21	Mechanical metal-working without essentially removing material; punching metal	67 (1.6%)	21 (1.1%)	46 (2.1%)

## Utility Models

In 2011 the number of applications for utility models has decreased by 2%. A total of 10,427 applications, including 10,274 (98.5%) applications from domestic applicants, were filed (table 2.5, fig. 2.3).

The distribution of applications for utility models from foreign applicants is shown in fig. 2.4.

The most applications for utility models were filed in classes: A61 (Medical or veterinary science; hygiene) – 1,688 applications, 371 of which belong to subclass A61K (Preparations for medical, dental or hygienic purposes), G01 (Measuring; testing) – 828 applications, A01 (Agriculture; forestry) – 521, A23 (Foods or foodstuffs, their treatment) – 306, G06 (Computing; calculating; counting) – 198, E21 (Earth or rock drilling; mining) – 188, F16 (Engineering elements or units) –

176 and B23 (Machine tools; metal-working not otherwise provided for) – 170 applications.

In the year under review 10,291 patents for utility models were granted, including 10,108 – to domestic applicants.

183 patents were granted to foreign applicants, in particular 69 grants to applicants from the Russian Federation, 39 – from Cyprus, 15 – from Belarus, 7 – from Belize, 5 – from the Czech Republic, by 4 grants – to applicants from Austria and Germany, by 3 – to applicants from Spain, the United Kingdom, India, Lithuania and USA.

The most patents were granted in classes: A61 (Medical or veterinary science; hygiene) – 2,217 patents, G01 (Measuring; testing) – 1,064, A01 (Agriculture; forestry) – 710, A23 (Foods or foodstuffs, their treatment) – 392, F16 (Engineering elements or units) – 272, E21 (Earth or rock drilling; mining) – 237, G06 (Computing; calculat-

ing; counting) – 234, B01 (Physical or chemical processes or apparatus in general) – 227, B23 (Machine tools; metal-working not otherwise provided for) – 221, H01 (Basic electric elements) – 185 and B65 (Conveying; packing; stor-

ing; handling thin or filamentary material) – 173 patents.

As of January 1, 2012, 66,410 patents for utility models were entered in the State register, including 38,225 patents being in force.

**Table 2.5. Applications for utility models filed and patents granted**

Subject matter	2007	2008	2009	2010	2011
Applications filed:	8,870	9,600	9,208	10,678	10,427
under the national procedure	8,866	9,591	9,199	10,669	10,414
by domestic applicants	8,745	9,450	9,066	10,527	10,274
by foreign applicants	121	141	133	142	140
under the PCT procedure	4	9	9	9	13
including domestic applicants	–	–	1	1	–
Patents granted:	9,215	9,282	8,391	9,405	10,291
to domestic applicants	9,094	9,139	8,270	9,261	10,108
to foreign applicants	121	143	121	144	183
Patents in force by the end of the year	25,210	30,382	33,575	35,259	38,225

**Fig. 2.3. Trends in filings, pendency of applications and granting patents for utility models**

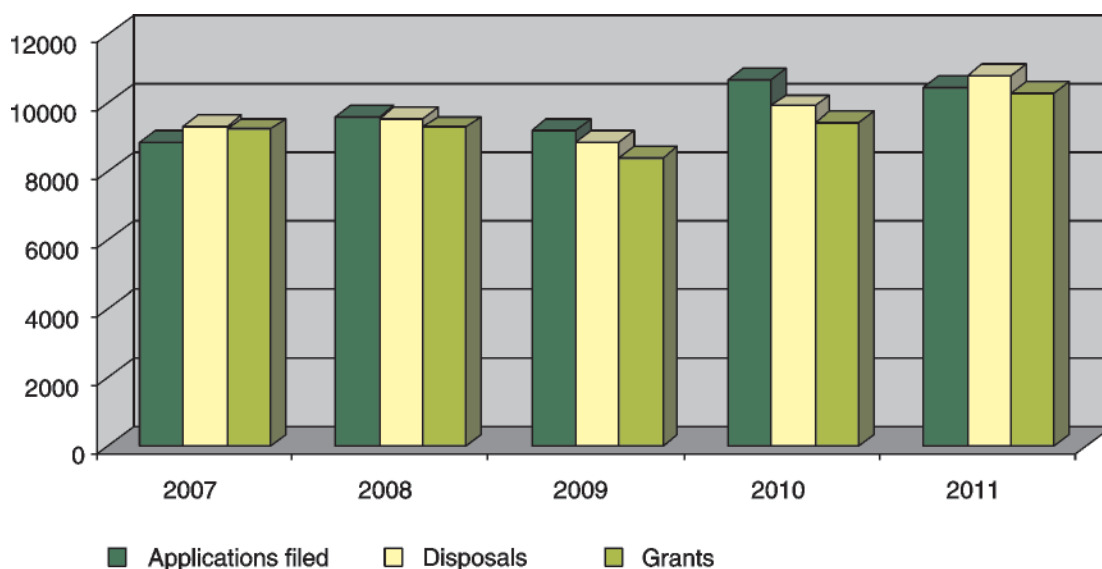
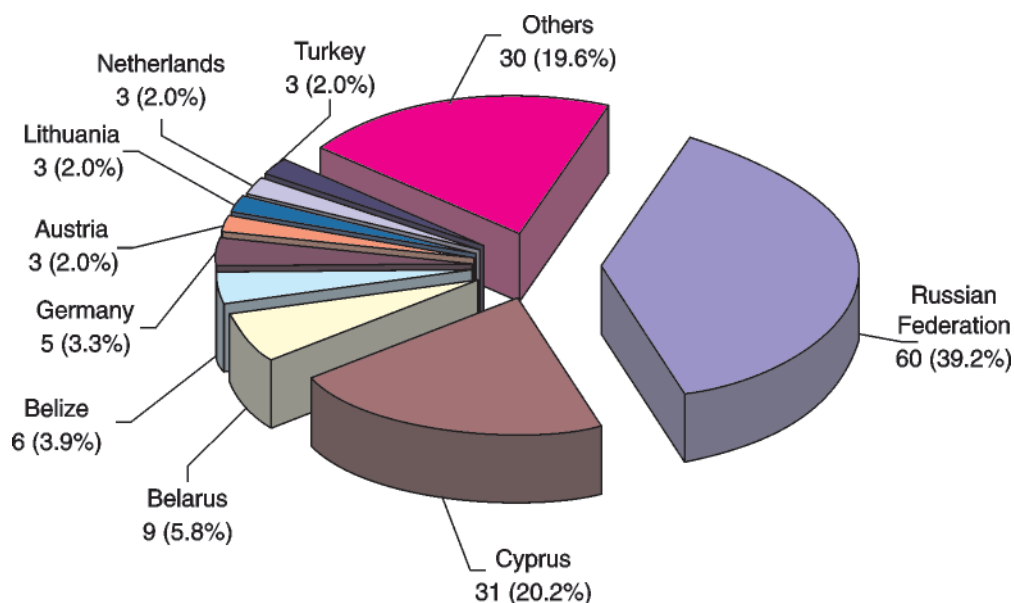


Fig. 2.4. The distribution of applications for utility models by countries of origin



### Industrial designs

In 2011, 1,761 applications for industrial designs were filed that is 4.5% more as compared with the previous year (table 2.6, fig. 2.5). The share of applications filed by foreign applicants amounted to 18.3% of total filings.

In 2011 the most active were applicants from the Russian Federation (110 applications, 34.2%), Japan (38 applications, 11.8%), the USA (37 applications, 11.5%), Germany (21 applications, 6.5%), Cyprus (19 applications, 5.9%), Poland (18

applications, 5.6%), Switzerland (14 applications, 4.3%), and Belarus (11 applications, 3.4%).

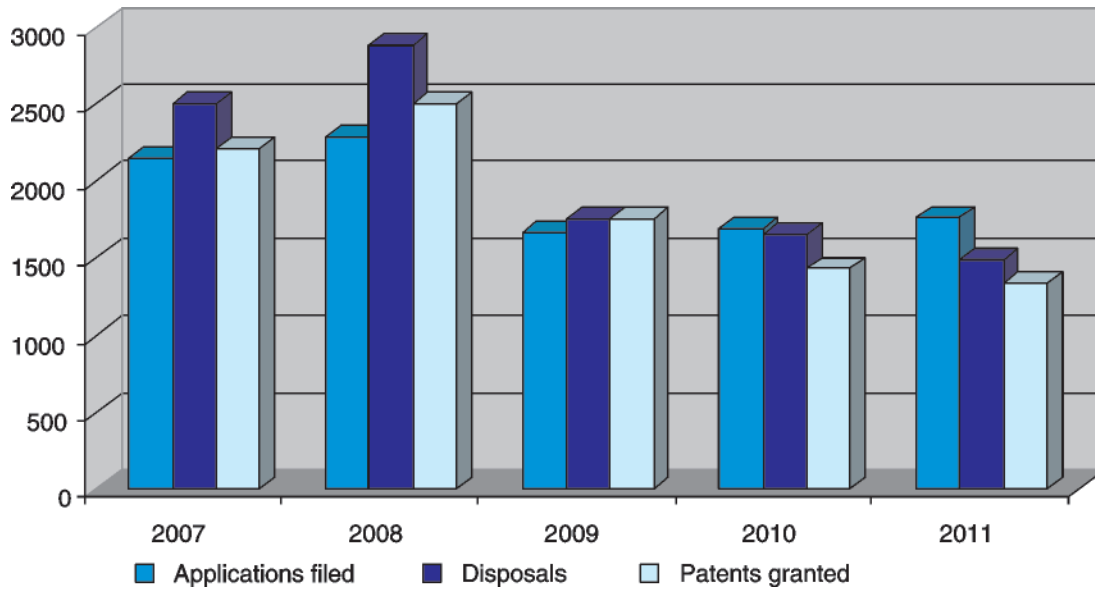
A total of 1,337 patents for industrial designs were granted, including 239 (17.9%) – to foreign applicants (table 2.6).

The largest number of patents was granted in classes: 09 (Packages and containers for the transport or handling of goods) – 300 (22.4%), 19 (Stationery and office equipment, artist's and teaching materials) – 280 (20.9%), 11 (Articles of adornment) – 86 (6.4%), 12 (Means of transports or hoisting) – 71 (5.3%), 32 (Graphic symbols

Table 2.6. Applications for industrial designs filed and patents granted

Subject matter	2007	2008	2009	2010	2011
Applications filed	2,147	2,285	1,669	1,686	1,761
by domestic applicants	1,746	1,945	1,413	1,442	1,439
by foreign applicants	401	340	256	244	322
Patents granted	2,213	2,503	1,754	1,431	1,337
to domestic applicants	1,803	2,085	1,425	1,258	1,098
to foreign applicants	410	418	329	173	239
Patents in force by the end of the year	9,659	11,102	10,816	9,907	9,454

**Fig. 2.5. Trends in filings, pendency of applications and granting patents for industrial designs**

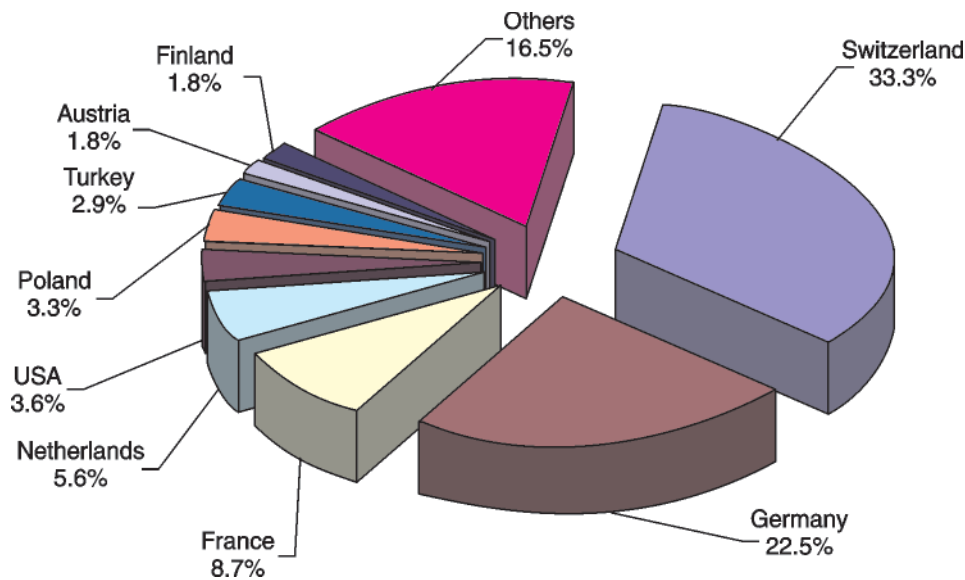


and logos, surface patterns, ornamentation) – 67 (5.0%), 02 (Articles of clothing and haberdashery) – 66 patents (4.9%), 06 (Furnishing) – 56 (4.2%), 23 (Fluid distribution equipment, sanitary, heating, ventilation and air-conditioning equipment, solid fuel) – 55 (4.1%) and 25 (Building units and construction elements) – 52 patents (3.9%).

As of January 1, 2012, 22,618 patents for industrial designs were entered in the State register, including 9,454 patents being in force.

In 2011, the effect of 552 international registrations under the Hague Agreement Concerning the International Registration of Industrial Designs was extended to the territory of Ukraine (fig. 2.6).

**Fig. 2.6. The distribution of registrations under the Hague Agreement by countries of origin**



## Trademarks and service marks

### National procedure

In 2011 a total of 21,091 applications for trademarks and service marks were filed. The activity of domestic applicants has remained constant and activity of foreign applicants has increased by 9% as compared with the previous year (table 2.7, fig. 2.7). A total of 4,254 applications were filed by foreign applicants, these amounted to 20.2% of the total number of applications filed under the national procedure.

The distribution of filings according to the

classes of the Nice Classification is shown in table 2.8.

In the year under review 16,677 certificates for trademarks and service marks were registered. Of the total amount of registered certificates 12,854 (77.1%) are the registrations to domestic applicants (table 2.7, fig. 2.7).

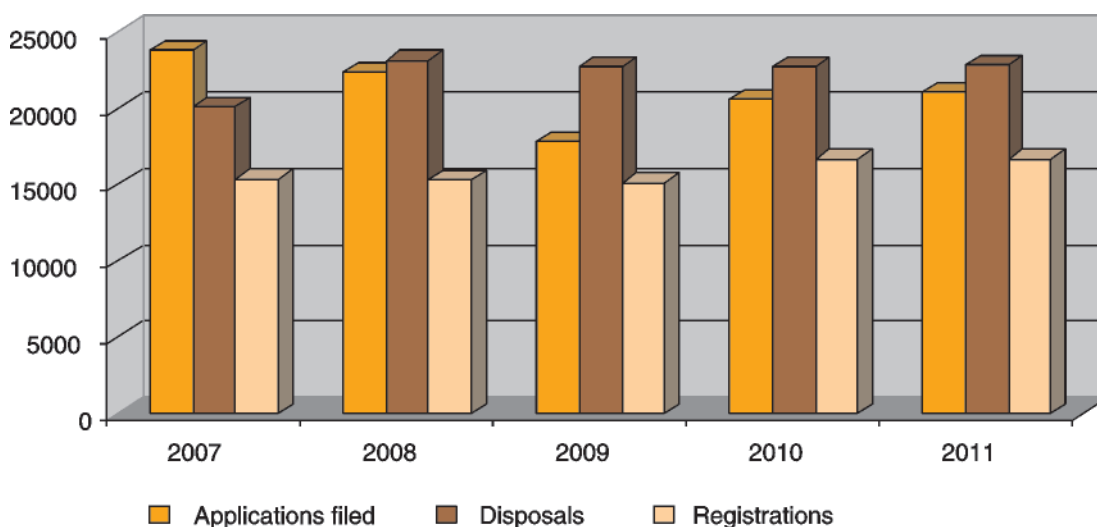
The distribution of registrations according to the classes of the Nice Classification is shown in table 2.9.

As of January 1, 2012, 150,077 certificates for trademarks and service marks were registered, of which 133,411 certificates were in force.

Table 2.7. Applications for trademarks and service marks filed and registered

Subject matter	2007	2008	2009	2010	2011
Applications filed	23,746	22,371	17,866	20,603	21,091
by domestic applicants	19,887	18,497	14,744	16,711	16,837
by foreign applicants	3,859	3,874	3,122	3,892	4,254
Marks registered	15,375	15,357	15,137	16,686	16,677
to domestic applicants	12,130	11,974	12,027	13,058	12,854
to foreign applicants	3,245	3,383	3,110	3,628	3,823
Registrations in force by the end of the year	78,848	92,837	105,988	120,133	133,411

Fig. 2.7. Trends in filings, pendency of applications and registration of trademarks and service marks



**Table 2.8. Priorities of the 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 ...	6,327 (17.0%)	5,503 (19.3%)	824 (9.6%)
05	Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes ...	2,490 (6.7%)	1,378 (4.8%)	1,112 (13.0%)
33	Alcoholic beverages (except beers)	2,412 (6.5%)	2,052 (7.2%)	360 (4.2%)
41	Education; providing of training; entertainment; sporting and cultural activities ...	2,350 (6.3%)	2,046 (7.2%)	304 (3.6%)
30	Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee, flour ...	1,911 (5.2%)	1,540 (5.4%)	371 (4.3%)
16	Paper, cardboard and goods made from these materials ...	1,345 (3.6%)	990 (3.5%)	355 (4.1%)
09	Scientific, nautical, surveying, photographic, optical, weighing, measuring ...	1,305 (3.5%)	818 (2.9%)	487 (5.7%)
29	Meat, fish, poultry and game; meat extracts ...	1,261 (3.4%)	1,018 (3.6%)	245 (2.8%)
25	Clothing, footwear, headgear	1,190 (3.2%)	880 (3.1%)	310 (3.6%)
43	Services for providing food and drink; temporary accommodation	1,170 (3.2%)	1,040 (3.6%)	130 (1.5%)
03	Bleaching preparations and other substances for laundry use; ...	1,163 (3.1%)	680 (2.4%)	483 (5.6%)
42	Scientific and technological services ...	1,138 (3.1%)	917 (3.2%)	221 (2.6%)
32	Beers; mineral and aerated waters and other non-alcoholic drinks...	1,080 (2.9%)	767 (2.7%)	313 (3.7%)

**Table 2.9. Priorities of the 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 registered	To domestic applicants	To foreign applicants
35	Advertising; business management; business administration; office functions	5,030 (17.0%)	4,448 (19.8%)	582 (8.2%)
05	Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes ...	2,219 (7.5%)	1,106 (4.9%)	1,113 (15.7%)
41	Education; providing of training; entertainment; sporting and cultural activities ...	1,797 (6.1%)	1,572 (7.0%)	225 (3.2%)
30	Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee, flour	1,405 (4.8%)	1,059 (4.7%)	346 (4.9%)
33	Building constructions; repair; installation services.	1,231 (4.2%)	970 (4.3%)	261 (3.7%)
16	Paper, cardboard and goods made from these materials ...	1,105 (3.7%)	842 (3.8%)	263 (3.7%)
29	Meat, fish, poultry and game; meat extracts ...	1,064 (3.6%)	852 (3.8%)	212 (3.0%)
09	Scientific, nautical, surveying, photographic, optical, weighing, measuring ...	1,054 (3.6%)	667 (3.0%)	387 (5.5%)
42	Scientific and technological services ...	1,010 (3.4%)	826 (3.7%)	184 (2.6%)
43	Services for providing food and drink; temporary accommodation	967 (3.3%)	811 (3.6%)	156 (2.2%)
03	Bleaching preparations and other substances for laundry use; ...	942 (3.2%)	509 (2.3%)	433 (6.1%)
25	Clothing, footwear, headgear	886 (3.0%)	685 (3.1%)	201 (2.8%)
36	Insurance; financial affairs; monetary affairs; real estate affairs.	850 (2.9%)	692 (3.1%)	158 (2.2%)
37	Building constructions; repair; installation services.	750 (2.5%)	646 (2.9%)	104 (1.5%)



*International procedure*

In 2011, 8,665 international applications were received from the WIPO International Bureau, including 7,062 (81.5%) applications under the Madrid Agreement and 1,603 – under the Madrid Protocol (table 2.10, fig. 2.8).

370 applications of the domestic applicants were sent to the WIPO International Bureau for international registration that is 30.0% more as compared with the previous year (fig. 2.9).

The largest users of the Madrid Agreement were Germany (1,552 applications), France (765 applications), the Russian Federation (751 applications), Italy (636 applications), Switzerland (635 applications), China (619 applications), Poland (270 applications), Austria (207 applications),

the Netherlands (176 applications), the Czech Republic (169 applications), Spain (167 applications), Hungary (154 applications), Belgium (134 applications) and Belarus (116 applications). The share of applications from these countries amounted to 73.3% of the total filings under the international procedure in 2011.

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 in 2011 were the USA – 432 applications, Turkey – 353 applications, the United Kingdom – 210 applications, Japan – 104 applications, Sweden – 85 applications, Finland – 83 applications and Denmark – 75 applications. (fig. 2.10).

**Table 2.10. Applications for trademarks filed and registered under the Madrid system**

Subject matter	2007	2008	2009	2010	2011
Applications filed under the international procedure, including	9,520	10,712	8,613	7,974	8,665
the Madrid Agreement	7,808	8,773	7,220	6,634	7,062
the Madrid Protocol	1,712	1,939	1,383	1,330	1,603
Marks registered under the Madrid system	8,298	9,459	9,664	10,003	7,537

**Fig. 2.8. Trends in filings, pendency of applications and registration of trademarks under the Madrid system**

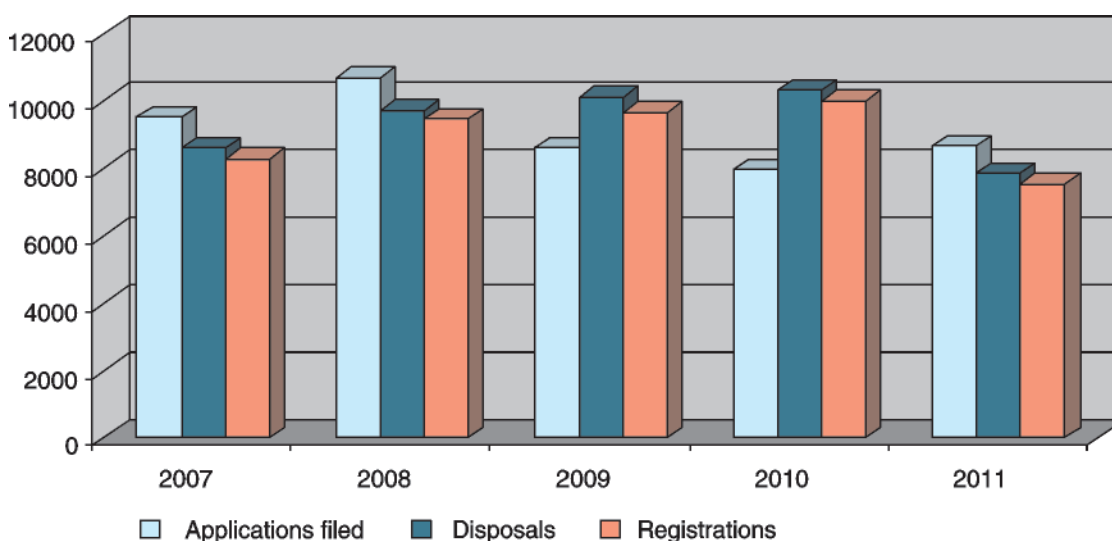


Fig. 2.9. Trends in domestic applicants' activity concerning international registration of trademarks

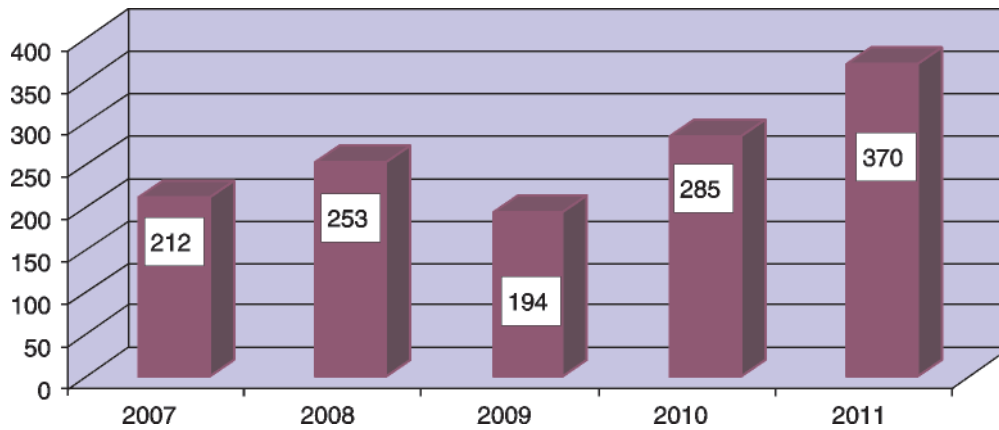
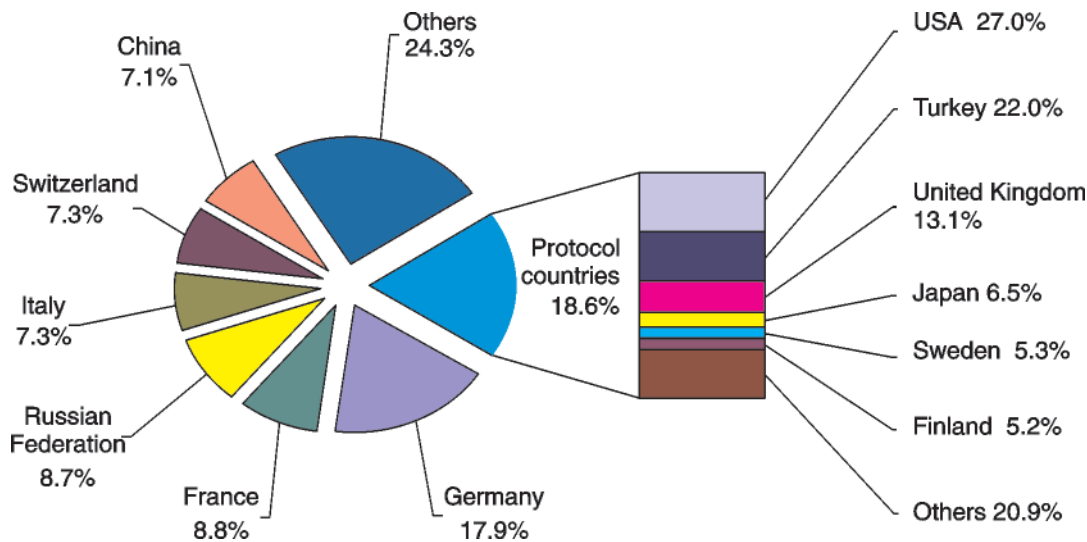


Fig. 2.10. The distribution of international applications filed under the international procedure by countries of origin



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

In 2011 the total number of registrations of the contracts on disposition of economic industrial property rights amounted to 2,109, that is by 11.9% more than in the previous year, among them 1,822 registrations concerning transfer of exclusive economic industrial property rights (86.4%); 210 registrations concerning issuance of licenses on exploitation of the industrial property rights (9.95%); 77 licenses of right on exploitation of inventions and utility models (3.65%).

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 in the state registers on the issuance of licenses.

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 amounted to 3,982 including 257 inventions, 242 utility models, 192 industrial designs and 3,293 trademarks.

As of January 1, 2012, data concerning 17,298 contracts on disposition of economic industrial property rights were entered into the state registers, including 3,281 contracts concerning inventions, 975 – utility models, 12,133 – trademarks, 909 – industrial designs.

The information on entering the data on disposition of economic industrial property rights in the relevant registers is shown in the table 2.11.

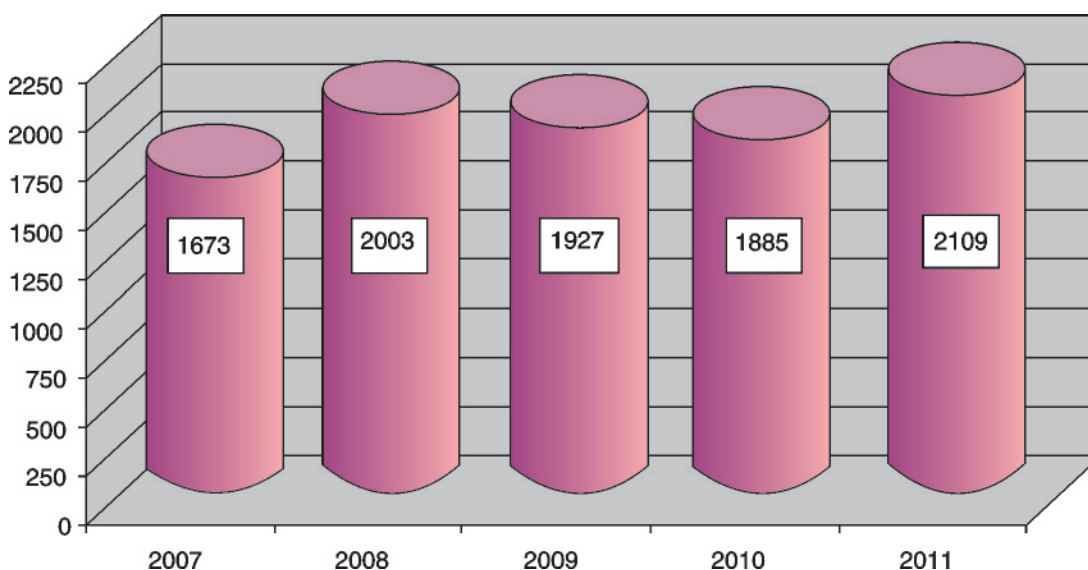
The data presented in the table 2.11 shows that in 2011 the number of registered license contracts on exploitation of inventions, utility models has increased, and number of contracts on exploitation of trademarks has decreased as compared with the previous year. The number of records in state registers on the assignment of rights in

inventions, utility models, industrial designs and trademarks has increased considerably.

The number of publications concerning licenses of right for invention and utility models has decreased as compared with previous year.

Data shown in table 2.12 testify that the activity by Ukrainian owners in transfer of economic rights in trademarks has increased considerably. The activity of foreign owners on issue of licenses on exploitation of trademarks has increased considerably too.

**Fig. 2.11. Trends in registration of contracts on disposition of economic industrial property rights in 2007–2011**



**Table 2.11. The distribution of registered contracts on disposition of economic industrial property rights by the categories**

Type of contract	Number of registrations									
	Inventions		Utility models		Industrial designs		Trademarks		Total	
	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011
Total	223	168	197	136	70	96	1,395	1,709	1,885	2,109
Non-exclusive licenses	5	8	13	11	4	3	133	115	155	137
Exclusive licenses	4	1	6	12	1	2	54	56	65	71
Sole licenses	–	–	–	–	–	–	3	2	3	2
Assignment of right	75	123	55	72	65	91	1,205	1,536	1,400	1,822
Licenses of right	139	36	123	41	–	–	–	–	262	77

**Table 2.12. Comparative data on entering data on disposition of economic rights in trademarks in the State register**

Type of contract	Number of contracts		Number of trademarks and service marks	
	2010	2011	2010	2011
Contracts on assignment of exclusive economic rights in trademarks and service marks:	1,205	1,536	2,416	2,985
by Ukrainian owners	960	1,262	1,780	2,116
by foreign owners	245	274	636	869
License contracts on exploitation of trademarks and service marks:	190	173	278	308
by Ukrainian owners	138	99	161	113
by foreign owners	52	74	117	195

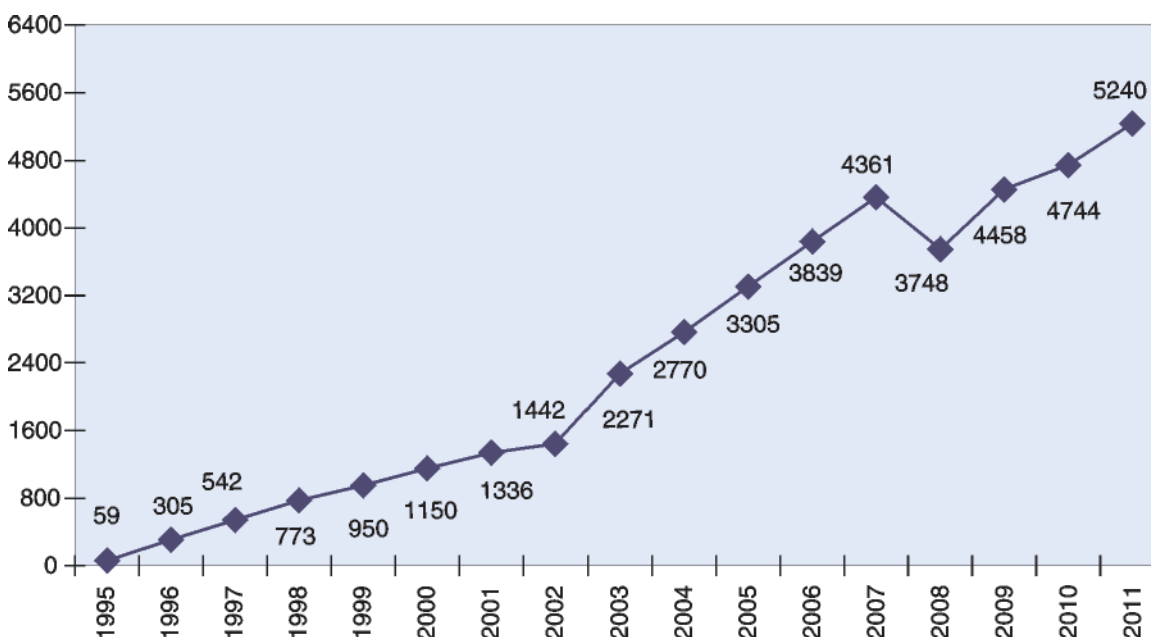
### 2.3. Copyright Registration

A total of 5,392 applications for registration of copyright in a work were filed in 2011 that is 8.2% more than in the previous year (as against 4,948 in 2010). There were taken 5,176 decisions on registration. The total number of registrations of copyright in a work amounted to 5,240 that is by 9.5% more as compared with the previous year (fig. 2.12). The increase in number of registrations shows that state registration gains in importance and popularity among authors and other persons who enjoy copyright protection.

Over the reporting period the total number of registrations of copyright in employee's work amounted to 931, i.e. 20.8% more than in the previous year (737 registrations). As in 2010, the number of registrations wherein economic right in an employee's work was owned by employer prevails (707 registrations). The number of registrations of employee's works that was jointly owned by employee who created that work and his employer has increased by 32.6% (224 as against 169).

In 2011, 307 contracts concerning copyright in a work were registered with SIPS that is 41.7%

**Fig. 2.12. Trends in the state registration of copyright in 1995-2011**



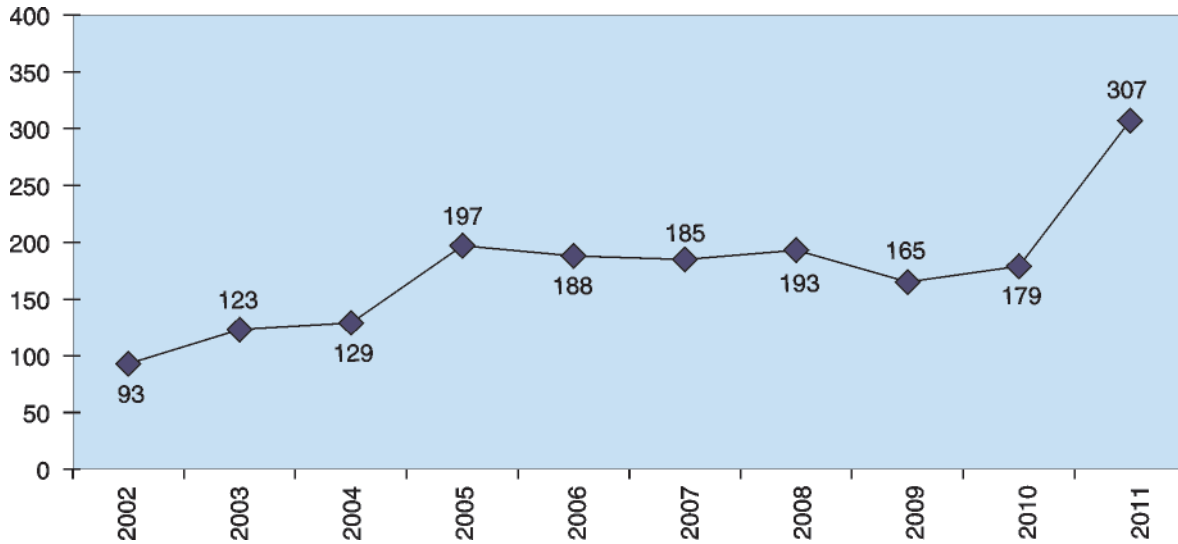
more than in the previous year (fig. 2.13). The total number of applications for registrations of contracts concerning copyright in a work amounted to 302 that is 29.5% more than in 2010 (213 applications).

The registered contracts concern mainly the assignment (alienation) of economic rights in a work (247), almost all of them regard the complete

transfer of rights in a work. Besides, 52 contracts on assignment of exclusive right to use a work and 8 contracts on assignment of non-exclusive right were registered.

The information on registrations made in 2011 is published in the SIPS Official Bulletin «Copyright and Related Rights» and in the Catalogue of the State Registration.

Fig. 2.13. Trends in the state registration of contracts in 2002-2011



## 3 Intellectual Property Rights Enforcement



Oleksiy Yanov, First Deputy Chairman of the State Intellectual Property Service of Ukraine

### 3.1. Industrial Property Rights Enforcement in an Administrative Procedure

In the year 2011 the SIPS Appeals Chamber considered a total of 114 oppositions, of which 88 were filed in 2011 and 26 were admitted in 2010.

The oppositions lodged in 2011 were distributed by industrial property categories as follows: inventions – 18; utility models – 2; industrial designs – 1; trademarks and service marks – 67 oppositions.

194 sessions of the boards of the Appeals Chamber were held, dealing with 13 oppositions to the decisions on patent applications, 1 opposi-

tion to the decision on a utility model application and 60 oppositions to the decisions on trademark and service mark applications.

In the report year, a total of 74 decisions of the Appeals Chamber were sent to appellants including 40 decisions on complete satisfaction of opposition, 11 decisions on partial satisfaction and 23 decisions on dismissal of opposition. Five oppositions were not accepted for consideration, and 3 oppositions were withdrawn.

In 2011 the Appeals Chamber considered 23 claims for recognition of marks to be well-known in Ukraine, among which 16 were filed in 2011 and 7 were admitted to consideration in 2010. 26 sessions of the boards of the Appeals Chamber were held; 9 decisions of the Appeals Chamber were sent to applicants, all of them being on recognition of the marks to be well-known on the territory of Ukraine. Three claims were withdrawn.

### 3.2. Industrial Property Rights Enforcement in a Judicial Procedure

In 2011 at the courts of Ukraine proceedings were commenced on 196 cases related to industrial property rights enforcement, including those at:

- administrative courts – 33 cases;
- economic courts – 104 cases;
- courts of general jurisdiction – 59 cases.

SIPS and/or the examination body (State Enterprise «Ukrainian Industrial Property Institute») were litigants in those cases.

Proceedings commenced in 2011 were distributed by the subject-matter of dispute as follows:

- on invalidation of the decision of the Appeals Chamber – 6 cases;
- on revocation of patents for inventions – 3 cases, patents for utility models – 2 cases, patents for industrial designs – 7 cases, certificates

for trademarks and service marks in full – 68 cases, partially – 3 cases, international registrations – 2 cases;

- against SIPS decisions on patent applications for inventions – 8 cases, utility models – 1 case, trademarks and service marks – 23 cases;
- on pre-term cessation of titles of protection – 38 cases;
- on recognition of ownership transfer agreements invalid – 14 cases;
- on recognition of the plaintiff to be a person having special merits to the Motherland – 1 case;
- on intellectual property rights enforcement – 20 cases.

In 2011, 22 certificates for trademarks, 7 patents for industrial designs and 1 patent for utility model were recognized invalid by the courts' decisions.

A total of 428 cases were reviewed by courts of primary jurisdiction, courts of appeal and courts of cassation during the report year (3 cases from the year 2005, 5 cases from the year 2006, 8 cases from the year 2007, 31 cases from the year 2008, 70 cases from the year 2009, 117 cases from the year 2010 and 196 cases from the year 2011); 663 court sessions were taken part in.

### 3.3. Enforcement of Copyright and Related Rights

In the year 2011 the courts of different jurisdictions proceeded 22 cases brought by the State Enterprise «Ukrainian Agency of Copyright and Related Rights» (UACRR) against copyright users regarding infringement of exclusive ownership rights, collection of receivables, breaching of license agreement terms etc, among which 7 cases are on execution proceedings.

One more field of concern of the UACRR is pre-court resolution of disputes concerning timely payment of author's remuneration for public performance of works. In 2011 complaints for a total sum of 1.4 million UAH were made to television and radio broadcasting companies and other copyright users.

Thus, by carrying out pre-arbitration procedures and explanatory activities with copyright users, the UACRR participated in tackling topical issues on copyright enforce-

ment in Ukraine. Such actions have a positive impact on the negotiation process with copyright users and encourage their voluntary author's remuneration payment, which, in its turn, increases the creative individuals' income.

During 2011 SIPS took part in 22 court proceedings on enforcement of lawful rights and interests of subjects of copyright and related rights.

Also, SIPS participated in judicial examination of administrative violation protocols drawn up by state intellectual property inspectors.

### 3.4. Collective Management Organizations Activities

In 2011 SIPS supervised 14 collective management organizations: UACRR; six organizations established by legal entities as copyright and related rights owners; seven public organizations established by natural persons.

Among the mentioned organizations there are two collective management organizations authorized to collect and distribute remuneration for the use of phonograms and videograms published for commercial purposes and performances recorded on them, and one organization authorized to collect and distribute fees for equipment and physical data carriers applicable for home use to playback works and performances recorded on phonograms and (or) videograms (virgin media and recording equipment).

According to the legislation, SIPS supervises the activities of the collective management organizations and carries out works on the development of the collective management system in Ukraine. Every half year the organizations submit accounting information on their activities.

According to the accounting information provided by the collective management organizations, remuneration for a total sum of over 51 million UAH was collected within 2011, i.e. by 42% more comparing to 2010. The total sum of paid remuneration exceeded 36 million UAH (compared to 23 million UAH in 2010).

The analysis of the collective management organizations' activities in 2011 evidences their populariza-



tion in Ukraine and refinement of individuals' legal culture, which led to the positive dynamics of the growth of the sums of collected remuneration for the use of copyright and related rights objects.

With the aim of facilitating the activities of the collective management organizations, SIPS provides methodological assistance to the organizations in the form of recommendations concerning contracts conclusion and remuneration payment to economic entities for the use of copyright and related rights objects.

Educational activities are carried out aimed at raising the level of a general legal culture of individuals in the matters of the use of copyright and related rights objects, giving insights to the legislation requirements in the mentioned area to the economic entities (conferences, including international ones involving international experts in the copyright and related rights sphere, round tables, seminars and other events).

According to the current legislation in the copyright and related rights sphere, SIPS acts as a mediator in dispute resolution between the collective management organizations, as well as between these organizations and copyright and related rights proprietors.

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

One of the priority fields of activities of the State Intellectual Property Service is the control over the observance of legislation and addressing the infringements in the intellectual property sphere. During 2011 the state intellectual property inspectors carried out 629 inspections of economic entities. On their basis 282 administrative violation protocols were drawn up and forwarded to courts; more than 96 thousand copies of counterfeited products to the total sum of 3 million UAH were expropriated.

One of the areas of the state intellectual property inspectors' activities is educational and explanatory work aimed at prevention of intellectual property rights infringement. These goals are achieved by carrying out specialized seminars and round tables to interpret the legislation in

the intellectual property sphere, consultations for natural persons and legal entities are provided. Within the mentioned period 9 seminars and round tables were carried out.

In 2011 a routine software inventory was conducted in the central executive power authorities with intent to control the observation of the law on legal protection thereof and to determine the need for new programs.

The actions implemented to legalize computer programs with the executive power authorities facilitated a gradual decrease of the piracy level from 89% in 2002 to 45.5% in 2011.

According to the Procedure of software legalization in executive power authorities, the implementation of legalization is coordinated by an inter-agency task force on software legalization. On this task force's meetings, which took place with participation of right holders' representatives, the results of yearly routine inventory, draft contracts on legalization, matters of upgrading the

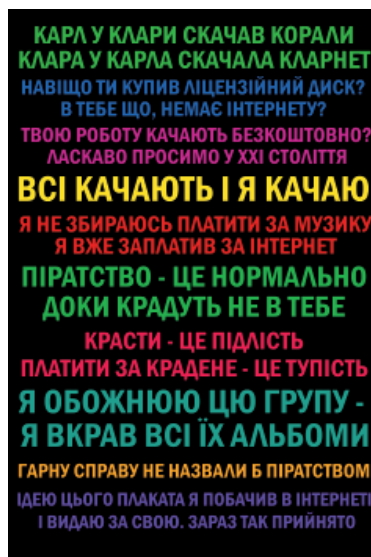
forms of submitting the data on legalization and other issues were considered.

The data of the Register of software producers and distributors were kept up to date. A total of 1,468 software producers and distributors have been entered into it, in particular, in 2011, 162 economic entities were entered in the Register.

The information contained in the Register is open to public and available on the Internet (<http://sips.gov.ua/ua/registerpz.html>), which allows the users to obtain information about producers and/or distributors of licensed software. The SIPS web-portal also contains Recommendations on securing legality of the utilization of free-use software.

Throughout 2011 the State Enterprise «Intelzakhyst» in cooperation with the state intellectual property inspectors, law-enforcement and regulatory authorities, carried out the work on enhancement of intellectual property rights enforcement and prevention of law infringements in this sphere.

In 2001, under the SIPS instructions, Intelzakhyst provided issuance of control marks to importers, exporters and broadcasters of audiovisual works, phonograms, videograms, computer





programs, databases, as well as maintained the Unified Register of Control Marks Recipients according to the Law of Ukraine «On Distribution of Copies of Audiovisual Works, Phonograms, Videograms, Computer Programs, Databases».

In 2011, a total of 14,692,065 control marks were issued, which is 26.8% less than in 2010 (20,078,973 control marks). The tendency to decrease the issued control marks number is due to an extraordinarily fast and widespread development of high technologies, which shifts the objects of copyright and related rights into digital domain and gives rise to the distribution of this objects through the Internet.

According to the Law of Ukraine «On the Peculiarities of the Government Control of the Activity of Economic Entities Related to Production, Exportation and Importation of Disks for Laser-Reading Systems and Stampers», SIPS in 2011 was engaged in licensing of the production of disks for laser-reading systems and stampers. In total, as of 31 December 2011, 5 licenses for the mentioned kind of economic activity were issued to economic entities.

SIPS continued to work with economic entities on recognition of special identification

codes (SID-codes) applied on disks for laser-read systems and stampers. In 2011 economic entities received 27 abstracts from the Register on recognition of special identification codes applied on exported disks and/or stampers or imported stampers.

According to the law of Ukraine «On Licensing of Certain Kinds of Economic Activity» and the Resolution of the Cabinet of Ministers of Ukraine of December 22, 2010 No. 1183 «On Approval of the Lists of Goods, Whose Export and Import are Subject to Licensing, and 2011 Quotas», economic entities received 173 clarifications concerning the goods, which are not subject to licensing but are classified according to the codes of the Ukrainian Classification of Foreign Economic Activity Goods, whose export and import are subject to licensing. The mentioned goods included 67 press molds, 30 storage media, 32 polycarbonates, 44 automatic molding machines.

According to the amendments brought to the mentioned Resolution of the Cabinet of Ministers of Ukraine (of April 11, 2011 No. 420), information was provided concerning the need to license certain kinds of goods, which export and import are subject to licensing.



Destruction of pirate products

## 4 Information Support of the Activities in the Intellectual Property Sphere

### 4.1. Information Support of Examination of Applications for Industrial Property Rights. Patent Documentation File Updating

The Conception of the Development of the State System of Intellectual Property Rights Protection for 2009-2014 and the Program of the Development of the State System of Intellectual Property Rights Protection for 2010-2014 define the long-term tasks in each of the main areas of activities and the ways of their tackling.

One of such tasks is patent information support in intellectual property sphere and provision of wide access to the information on acquisition of intellectual property rights.

A successful realization of this task is ensured by carrying out by the State Intellectual Property Service of Ukraine and the State Enterprise «Ukrainian Industrial Property Institute» (UIPI) of a whole range of works on information support of the activities in intellectual property sphere, primarily of examination.

During 2011 UIPI continued to replenish the Patent Information Base for Examination Purposes (PIB) with national and foreign patent documentation according to the approved updated PIB content, which was carried out mostly within the framework of international cooperation, documentation exchange in particular.

The total volume of the PIB collection on optical disks in 2011 increased by 379 units and reached almost 13.8 thousand disks.

A PIB constituent – the Reference and Information File (RIF) of examination – was replenished in 2011 with 975 copies of books, booklets, periodicals, as well as national patent documen-

tation – current issues of the Official Bulletin «Promyslova Vlasnist» («Industrial Property») on DVD and the national CD-ROM «Vynakhody v Ukraini» («Inventions in Ukraine»).

The efforts on forming the «Knowledge Base» (KB) were continued by digitalizing UIPI's own collections of printed publications and article copies obtained from other information sources. The access to the electronic documents included to the KB is provided through the internal network (Intranet). Throughout the report period the base was replenished with 1,724 documents.

An important part in the range of works on information support of examiners is the system of providing materials through interlibrary loan service using the collections of 42 Ukrainian libraries, as well as the collection of the State Public Scientific and Technical Library of Russia on the basis of the Agreement on fee-based access to electronic copies of the necessary information sources.

To fulfill examiners' orders for non-patent (scientific and technical) literature and patent documentation, the following resources were used:

- a commercial DB SCIEDIRECT® ARTICLE CHOICE accessible on the basis of the Agreement concluded;
- free national and foreign Internet resources.

In order to optimize information support of patent applications examination and enhance its efficiency, detailed study was made in 2010-2011 on availability of non-patent literature of PCT minimum documentation in the collections of the largest libraries of Ukraine, specialized library collections of scientific organizations and universities. Its results were presented in the «Summarized Index of Periodicals Included in

the List of Non-Patent Literature of PCT Minimum Documentation, That Were Acquired by Ukrainian Libraries. 1993-2010».

A range of works was continued to be completed to ensure examiners' access on a contractual basis to commercial foreign databases and foreign information products, the use of which is compulsory from July 1, 2011 according to the UIPI Order No. 36 dated June 20, 2011:

- the search system of the EPO in the framework of the EPOQUE Net commercial service;

- «Chemical Abstracts Service» database (CAS, USA) – a specialized database in the field of organic chemistry, pharmaceuticals, medicine and biotechnology within the framework of the Agreement with the STN International European Service Centre (FIZ Karlsruhe, Germany), which had been in effect from July 1, 2010 to June 30, 2011. In the II quarter of 2011, a new agreement was signed, which came into effect on July 1, 2011 and provides for further use of the determined list of CAS databases;

- REAXYS Database – a unique information retrieval package providing access to integrated and unified patent information and non-patent literature and exploited by a number of leading foreign patent offices. The database is available within the framework of an agreement signed with «Elsevier Information Systems GmbH» (Germany) as one of the world's most renowned information providers in the fields of science, technology, medicine, pharmaceuticals and biotechnology;

- the information product of «Twincom» company (Russia) «All Encyclopedias of Rubricon»;

- the databank of the All-Union Institute of Scientific and Technical Information of the Russian Academy of Sciences (Russia).

Besides, in order to ensure the support of patent search works for substantial examination of patent applications, agreements with the following companies and foreign patent offices were signed during 2011:

- with «Thomson Reuters (PROFESSIONAL) UK LIMITED» (United Kingdom) – for the use of a commercial database Derwent World Patent Index (DWPI) – a polythematic patent database providing access to the documents of over 40 national and international patent organiza-

tions since 1963. The database is accessible through the EPO's EPOQUENet system;

- with the Rospatent's Federal Institute of Industrial Property for the purchase of a yearly set of utility model specifications of the Russian Federation for 2010 on DVD;

- with «Twincom» company (Russia) for provision of a fee-based access to the information resource «All Encyclopedias of Rubricon» for a new yearly term;

- with the German Patent and Trade Mark Office for the provision within the framework of international patent documentation exchange of an on-line service «DPMAdatenabgabe» with weekly information updates;

- with Elsevier B.V. (the Netherlands) for the use of the «SCIVERSE SCIEDIRECT@ARTICLE CHOICE™» service.

Thus, examiners were using the PIB collection and the free databases in combination with the referenced foreign commercial databases and information products.

To ensure that examiners can use the above-mentioned foreign commercial databases in future, works were carried out in the second half of 2011 aimed at signing new agreements by UIPI with foreign providers for the years 2012–2013.

The main source of updating the foreign patent documentation collections both for examination purposes and for the needs of general public in Ukraine, is the bilateral international exchange of patent documentation with foreign offices, fulfilled by UIPI as a centre of international exchange of publications.

In 2011, foreign patent offices observed the tendency to use the Internet for making official publications available. Thus, in the reporting year the following publications ceased to be sent to Ukraine:

- WIPO: Official Bulletins «WIPO Gazette of International Marks» on DVD and «International Designs Bulletin» on CD-ROM, which are further available through the web-pages <http://www.wipo.int/madrid/en/gazette/> and <http://www.wipo.int/hague/en/bulletin> respectively;

- Germany (from June 2011): DEPAROM-ACT and DEPAROM-U on DVD. The data of DEPAROM series are available at [www.dpma.de](http://www.dpma.de);



– Armenia: Official Bulletin «Industrial Property» on CD-ROM; the information is available at <http://www.aipa.am/ru/Official/>;

– Estonia (from October 2011): Official Bulletins «The Estonian Patent Gazette», «The Estonian Utility Model Gazette», «The Estonian Trademark Gazette», «The Estonian Industrial Design Gazette» on paper; the Bulletins are available free of charge at [www.epa.ee](http://www.epa.ee).

In spite of this trend, the Public Patent Documents Collection (PPDC) continued to be replenished with foreign patent documentation primarily on optical disks.

During the report period the PPDC acquired 208 copies of patent offices' official bulletins on paper, 30.4 thousand copies of specifications on paper and 893 optical disks. As of December 30, 2011, the PPDC amounts to almost 20.5 thousand copies of official bulletins and over 365.5 thousand copies of specifications on paper, and the optical disk collection has reached nearly 17.44 thousand copies.

The information on the PPDC inventory and the notices on its quarterly acquisitions were published in the «Information Resources» section on the SIPS web-portal (<http://www.sips.gov.ua>), web-sites of UIPI (<http://www.ukrpatent.org>) and its branch, the «Ukrainian Center of Innovations and Patent Information Services» (UkrCIPIS, <http://www.ip-centr.kiev.ua>).

Like in previous years, throughout the report period patent collections of different organizations of Ukraine were updated free of charge with national patent documentation – the Official Bulletin «Promyslova Vlasnist» («Industrial Property») on paper and electronic carriers, as well as by specifications to patents of Ukraine for inventions and utility models on paper carrier, and the national CD-ROM «Vynakhody v Ukraini» («Inventions in Ukraine»).

Beside this, in 2011 the UIPI, being a centre of international patent documentation exchange, sent the Official Bulletin «Promyslova Vlasnist» («Industrial Property») on DVD to 29 foreign national and regional offices, the national CD-ROM «Vynakhody v

Ukraini» («Inventions in Ukraine») to 11 offices, the CD-ROM «Trademarks and Service Marks Registered in Ukraine» – to 1 foreign office.

With the aim to ensure the continuation of international patent documentation exchange and free update of patent collections of Ukrainian organizations by national patent documentation, five Registries of free distribution of SIPS official publications on paper and electronic carriers were reviewed and updated.

#### 4.2. International Classifications of Industrial Property Rights

During 2011 works on updating international classifications of industrial property rights in Ukrainian translation continued.

The year 2011 was very intensive in carrying out works on updating the texts of the two most important international classifications translated into Ukrainian: International Patent Classification and International Classification of Goods and Services for the Purposes of Registration of Marks. The necessity to update the Ukrainian-language texts of these classifications was conditioned by implementation of their new editions by WIPO in the world intellectual property system from January 1, 2012.

In 2011 the following works continued:

– the Information and Reference System (IRS) «International Patent Classification. Main Groups (2011.01)» was created and made available free of charge from January 2011 through the SIPS web-portal and the UIPI web-site;

– translation from English into Ukrainian, as well as scientific and terminological editing were finished of the new Ukrainian version of IPC-2011.01, together with the amendments to IPC-2011.01 adopted by WIPO, which come into force from January 1, 2012;

– the IRS «International Patent Classification.

Ukrainian Version (2012.01) was created and made available on the SIPS web-portal and the UIPI web-site.

In order to prepare the 10-th edition of the Ukrainian-language International Classification of Goods and Services for the Purposes of the



Registration of Marks (the Nice Classification), a series of works was carried out aimed at creating a Ukrainian-language version of the Nice Classification of a higher quality compared to the previous editions.

Before carrying out the usual conventional updating of the current edition of the Nice Classification (i.e. making amendments adopted by WIPO, which come into force from January 1, 2012), works were undertaken to improve the Ukrainian translation of the ninth edition of the Nice Classification with the aim to enhance the quality of classification of goods and services. This work was completed in July 2011, by the time of publishing on the Internet of the amendments to the ninth edition of the Nice Classification adopted by WIPO.

With the due account of the amendments to the ninth edition of the Nice Classification, which were translated from English into Ukrainian and underwent scientific and terminological editing, a dummy layout of the Ukrainian-language tenth edition of the Nice Classification was created to be published as an annex to the Official Bulletin «Promyslova Vlasnist» («Industrial Property») No. 24/2011.

The test version of the IRS «International Classification of Goods and Services for the Purposes of the Registration of Marks (the Nice Classification). Tenth Edition» was analyzed and

as of December 30, 2011 made available on the SIPS web-portal and the UIPI web-site. The IRS is available free of charge from January 2012.

#### 4.3. Official and Information Publications

During the report period, SIPS regularly published the Official Bulletin «Promyslova Vlasnist» («Industrial Property») and specifications to patents of Ukraine for inventions (utility models) on paper and electronic carriers, in particular of the Official Bulletin «Promyslova Vlasnist» («Industrial Property») on DVD and the national CD-ROM «Vynakhody v Ukraini» («Inventions in Ukraine»).

The Official Bulletin «Promyslova Vlasnist» («Industrial Property») in 2011 was published bi-monthly with the circulation varying from 70 to 85 copies; 24 issues of the Bulletin were published during the year with the total volume of 1,963.31 publisher's signatures. The annual index to the Official Bulletin for 2010 was published with the circulation of 45 copies having the general volume of 182.44 publisher's signatures.

Table 4.1 displays the information on the total amount of published data on industrial property objects in 2010.

The patent information products on optical carriers – the Official Bulletin «Promyslova Vlasnist»

**Table 4.1. The amount of data on industrial property rights published in 2011**

Publication kind	Number of publications
Applications for inventions accepted for examination	5,155
Patents of Ukraine for inventions	4,061
Patents of Ukraine for utility models	10,282
Patents of Ukraine for industrial designs	1,337
Certificates of Ukraine for trademarks and service marks	16,677
Marks recognized as well-known in Ukraine	13
Applications for registration of qualified indications of the source of goods and/or the right to use qualified indications of the source of goods accepted for examination	4
Registration of qualified indications of the source of goods	5
Registration of the right to use registered qualified indications of the source of goods	5
Marks registered according to the Madrid Agreement Concerning the International Registration of Marks and/or the Protocol Relating to the Madrid Agreement to which protection was granted in Ukraine	7,984
Integrated circuit topographies	–

(«Industrial Property») on DVD and the national CD-ROM «Vynakhody v Ukraini» («Inventions in Ukraine») were used for the purposes of international patent documentation exchange with foreign intellectual property offices.

Table 4.2 shows the data on the distribution of the national patent information products on optical carriers in 2011.

In order to give coverage to the activities of the bodies constituting the state system of legal intellectual property protection and to publish the data concerning intellectual property rights, a «Conception of the Regulation on Official Publications in the Sphere of Intellectual Property Rights Protection», «Regulation on Official Publications of the State System of Intellectual Property Rights Protection» as well as new forms of specifications to patents of Ukraine for inventions and utility models (with the structure including the title page) were developed and approved by the SIPS Chairman.

Within the framework of international coopera-

tion with WIPO, the Annual Technical Reports for 2010 were prepared in Ukrainian and English and sent to WIPO in 2011: Annual Technical Report on Patent Information Activities, Annual Technical Report on Trademark Information Activities and Annual Technical Report on Industrial Design Information Activities.

Within the framework of cooperation with the Committee on WIPO Standards (the Committee), the following was undertaken in 2011:

- the data on kinds and examples of patent documents of Ukraine placed in parts 7.3.1 – 7.3.3. of the «WIPO Handbook on Industrial Property Information and Documentation» were updated;
- a questionnaire concerning the fulfillment of the Committee's task on studying the patent offices' practice on the use and implementation of the WIPO standard ST.22 «Recommendation for the Authoring of Patent Applications for the Purpose of Facilitating Optical Character Recognition (OCR)» was filled out and sent to WIPO.

**Table 4.2. The distribution of the national patent information products on optical carriers in 2011**

Patent information product	Free-of-charge distribution		Paid distribution	Total
	Ukrainian organizations	Intellectual property offices or organizations		
	Yearly sets			
DVD «Official Bulletin «Promyslova Vlasnist» («Industrial Property»)»	41	29	8	78
CD-ROM «Inventions in Ukraine»	31	11	6	48
CD-ROM «Trademarks and Service Marks Registered in Ukraine»	4	1	33	38
CD-ROM «Industrial Designs Registered in Ukraine»	–	–	5	5
	Retrospective accumulative discs			
DVD «Trademarks and Service Marks Registered in Ukraine» (1993-2011)	1	–	5	6
DVD «Industrial Designs Registered in Ukraine» (1993-2011)	–	–	–	–

#### 4.4. Internet Recourses of the State System of Intellectual Property Rights Protection

In 2011 works were undertaken to update and enhance the web-portal of the State Intellectual Property Service of Ukraine ([www.sips.gov.ua](http://www.sips.gov.ua)). During the year, over 800 news items were published on its pages both in Ukrainian and English versions; static and dynamic sections of the web-portal were updated by topical information on the events which took place in the state system of intellectual property rights protection in 2011; about 1,000 photos from workshops, conferences and meetings were displayed.

The monthly web-portal traffic reaches 13 thousand visitors; in 2011 it was viewed by over 160 thousand users.

A new section «Access to Public Information» was launched to display report data on individuals' addresses to the State Intellectual Property Service of Ukraine.

The «Feedback» section was updated; in particular, the submission letter from WIPO Director General Francis Gurry to the President of Ukraine Viktor Yanukovich, the letter of appreciation from Jesper Kongstad, Director General of the Danish Patent and Trademark Office, the letter of appreciation from Toshiano Yamazaki, Director for Intellectual Property of the Düsseldorf Office of the

Japan External Trade Organization were placed for general view here.

During 2011, over 400 feedback-form messages were addressed to the web-portal administration. Like in previous years, most of them concerned copyright and related rights matters.

The web-site of the State Enterprise «Ukrainian Industrial Property Institute» – [www.ukrpatent.org](http://www.ukrpatent.org) – also underwent modifications and updates in 2011. In particular, a complete restructuring and updating of the «Industrial Property Rights» section was carried out, some 700 news items were published, static sections, such as «Patent Information Files», «Electronic Filing» were updated.

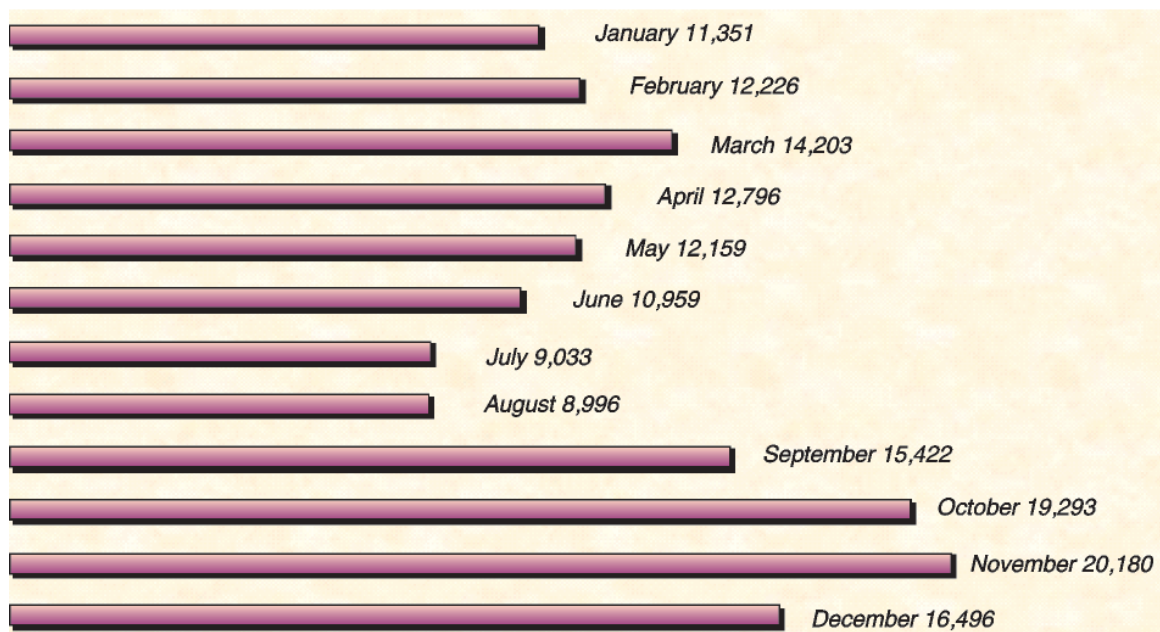
The monthly UIPI web-site traffic reaches 11 thousand visitors; in 2011 it was viewed by over 135 thousand users.

During 2011 comprehensive monitoring was performed of all sections and columns of the SIPS web-portal and UIPI web-site dedicated to patent information activities, patent information, documentation and standardization in particular. The information placed there was regularly updated and new items were published.

In particular, the following data were updated:

- information on SIPS official publications and examples of patent documents;
- information about the latest editions of WIPO standards which were amended or updated

#### Dynamics of visiting the official web-portal of the State Intellectual Property Service in 2011



following the results of the first session of the Committee;

– unofficial Ukrainian versions of WIPO standards, in particular ST.8 – Standard Recording of International Patent Classification (IPC) Symbols on Machine-Readable Records and ST.3 – Recommended Standard on Two-Letter Codes for the Representation of States, Other Entities and Intergovernmental Organizations.

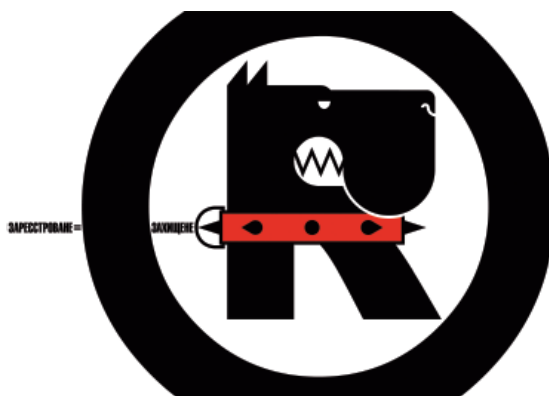
For the first time unofficial Ukrainian versions of the latest editions of WIPO standards ST.10/C – Presentation of Bibliographic Data Components, ST.16 – Recommended Standard Code for the Identification of Different Kinds of Patent Documents, ST.22 – Recommendation for the Authoring of Patent Applications for the Purpose of Facilitating Optical Character Recognition (OCR) were carried out and published on-line.

ST.22 was translated with the aim to provide information support of the works on implementation and enhancement of the system of electronic filing of applications for industrial property rights in Ukraine, in particular on informing applicants on

recommended formats to be used for drafting and filing applications for inventions and utility models according to the mentioned standard.

The texts of the unofficial Ukrainian-language translations of WIPO standards published on the mentioned web-resources were technically enhanced – the hyperlink to the «WIPO Handbook on Industrial Property Information and Documentation» was made active.

In order to improve the information presentation form in specialized databases according to the current legal and regulatory framework of Ukraine and with due consideration of the new record format of classification symbols of IPC-2011.01, a substantial research and analysis of the database «Electronic Version of the Cumulative Official Bulletin 'Industrial Property'» and the specialized database «Inventions (Utility Models) in Ukraine» was undertaken. Other interactive databases available through the SIPS web-portal and the UIPI web-site, in particular the database «Industrial Designs Registered in Ukraine», were closely monitored.





## 5 Automated Systems Development and Information Technologies Implementation

Within the framework of realization of the planned objectives of the State Intellectual Property Service of Ukraine as related to new information technologies and according to the Conception of Automation Development and Information Technologies Implementation, works in the following areas were carried out in the examination body, the State Enterprise «Ukrainian Industrial Property Institute», in 2011:

- enhancement of the functional capabilities of the basic technological automated systems («Vynakhody» («Inventions») AS, «Znaky dlia Tovariv i Posluh» («Trademarks and Service Marks») AS, «Promyslovi Zrazky» («Industrial Designs») AS, «Payments Accounting» AS, Central Electronic Document Archive, Search Portal) supporting record-keeping on applications for industrial property rights (IPRs) in the process of examination, state registration and official publications;
- development and implementation of paperless information technologies to the processes of record-keeping on applications;
- improvement of information retrieval tools used for examination of applications for inventions, utility models, trademarks and service marks and industrial designs;
- automation of the processes connected with handling of the tasks of patent information support of domestic and foreign users;
- creation, loading with content and maintenance



of general access databases (DB) containing information on IPRs;

- further development and operational support of the examination body's IT-infrastructure;
- provision of electronic exchange of patent documents with the WIPO International Bureau with automated data generation, sending and receiving;
- provision of integration of Ukrainian patent information resources into the world information space (DOCDB, Patentscope, EAPATIS, regional CD-ROM «CISPatent»).

### 5.1. «Vynakhody» («Inventions») Automated System

In the medium of the «Vynakhody» AS the tools were engineered for maintaining and generating notifications on patents for inventions and utility models for uploading the notifications into the section of the Official Bulletin «Promyslova Vlasnist» («Industrial Property»). In accordance with the design solutions, software was developed and implemented to realize additional functional capabilities of maintaining and generating notifications.

In order to enhance the efficiency of electronic payment documents processing, a subsystem of their computer-aided processing was developed and implemented.

Software for maintaining general registries and their integration with the «Vynakhody» AS was developed.

Within the information system (IS) of the examination body, separate special registers (of

applicants, owners, payers etc.) are maintained. In order to reduce general labor costs spent on defining correspondence particulars and to create new communication channels with the counterparts of the examination body, as well as to enhance the information interaction with partners, a single counterpart registry was created.

To further broaden the functionality of the «Vynakhody» AS, a series of works was carried out to design extra functions of electronic record-keeping under the Appeals Chamber procedure. The subsystem «Appeal Cases» is a separate component providing information and technological support for considering oppositions to IPRs. The subsystem is integrated into the «Vynakhody» AS medium through software and information means and technologically interacts with the Central Electronic Document Archive (CEDA), the «Znaky dlia Tovariv i Posluh» («Trademarks and Service Marks») AS and the «Promyslovi Zrazky» («Industrial Designs») AS.

According to the project, software was developed to implement the functions of electronic record-keeping under the Appeals Chamber procedure.

A set of works was carried out on designing a subsystem of automation of incoming facsimile documents processing. The created automation means of facsimile documents processing are intended for adapting the existing and creating new components of the «Vynakhody» AS, which enabled the developers to improve electronic record-keeping between the examination body's structural subdivisions at the stage of receiving facsimile documents in electronic form.

A project and software was developed to create a system of controlling the quality of processing applications for inventions and utility models, which is carried out by selecting and checking documents generated by examiners. The design solutions identify the criteria, algorithms and the set of functions for selecting the documents intended for checking.

In the report year, design solutions on the technological system for record-keeping under the procedure of processing applications for integrated circuit topographies were elaborated. In December 2011, works on developing a sub-

system of record-keeping on court cases were completed. The subsystem includes the procedure of legal judgment consideration, entering the data in the State Registry, official publication and performing respective actions in the process of examination of applications for inventions.

## 5.2. «Znaky dlia Tovariv i Posluh» («Trademarks and Service Marks») Automated System

In 2011, a set of works was carried out on streamlining and replenishment of the search database of the international registrations of marks applied for in Ukraine:

- a general automated checking of the database was undertaken to identify lacking, duplicated or incorrect information in the bibliographic data of international registration of marks, and, jointly with the WIPO International Bureau, actions were taken to correct the detected errors and to upload the lacking information concerning international registrations;

- the availability and consistency of the search details (keywords, numbers of the International Classification of the Figurative Elements of Marks (the Vienna Classification) and transliteration of the marks were checked;

- the database structure was modified and special control means for monitoring and eliminating cases of saving incorrect or duplicating data were introduced.

An updated subsystem for generating the information array for the section of the Official Bulletin «Promyslova Vlasnist» («Industrial Property») containing the data on international registration of marks designating Ukraine was developed and implemented in the medium of the «Znaky dlia Tovariv i Posluh» AS.

Design solutions and software were developed to enable the generation of outgoing electronic documents with applied electronic signature and their forwarding to the Front Office for registration and sending off.

The software and technical preparation was carried out and implementation of the 10th edition of the International Classification of Goods and Services for the Purposes of the Registration of Marks was provided.



### 5.3. «Promyslovi Zrazky» («Industrial Designs») Automated System

In the first half of 2011, measures were taken to develop design and engineering decisions concerning downloading data on international registrations of industrial designs from the WIPO official web-site and allocating them to the examination body's database for their further use in the process of examination of applications for trademarks and service marks. Within the framework of these measures the following works were performed:

- information sources for primary downloading of the data concerning international registrations of industrial designs were identified and analyzed;
- a structure of a search database for storing bibliographic and service data concerning international registrations of industrial designs was developed;
- a methodology and engineering decisions for automated updating of the information contained in the search database from the WIPO FTP-server was developed;
- requirements to the mechanisms of control, logging and administration of the process of downloading data batches from the WIPO server and allocating them to the examination body's database were developed;
- design and engineering decisions were developed concerning updating the single integrated reference and search system providing unified access to the search database of international registrations of industrial designs, as well as its integration with the Internet-database «Data on International Registration of Industrial Designs Legally Protected in Ukraine».

In the second half of 2011, the streamlining of the search database of international registration of industrial designs used in the process of examination of applications for trademarks and service marks was completed:

- the structure was developed, after which relational search database was implemented for storing bibliographic and service data concerning international registrations of industrial designs;
- programming solutions of the primary downloading of cumulative data to the search database were implemented;

- software for automated downloading of data from the WIPO International Bureau's server and updating information in the search database was developed and its trial operation was performed.

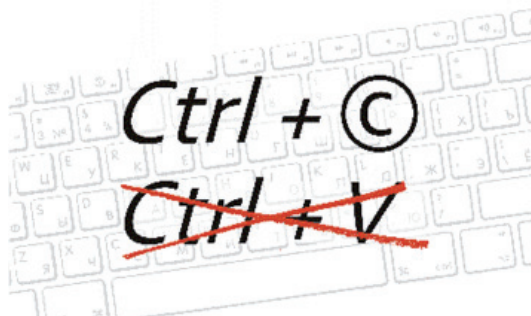
The «Promyslovi Zrazky» AS was revised with the aim to support navigation viewing of international registrations and other functions connected with the interaction with the search database of international registrations of industrial designs. At the same time, the single integrated reference and search system was revised in order to support the functions of searching the array of international registrations of industrial designs and other helper functions.

The mechanisms of integrating the search database of international registrations of industrial designs with the Internet-database «Data on International Registration of Industrial Designs Legally Protected in Ukraine» were implemented.

### 5.4. «Payments Accounting» Automated System

In the line of the further development of the «Payments Accounting» AS (PA AS) in 2011, in the medium of the PA AS measures were taken to optimize the handling of payments for the actions connected with the examination of applications for IPRs:

- algorithms and special software for searching and displaying unrecognized payments and informing applicants by e-mail about existence of such payments were developed;
- algorithms and program interfaces to enable applicants to generate requests for repeat counting and indication of the business purpose of payments were developed;
- the subsystem of currency transactions accounting was improved by its integration with the client-bank system;
- the functions of expense reports generating were expanded;
- a subsystem for accounting statements of fulfillment of works was developed and integrated into PA AS;
- within the medium of 1C «Accounting», program modules with new functions were created and implemented: the module of generating inventory sheets and the module of processing low cost assets.



## 5.5. Search Portal and Information and Reference Library File of Examination

In order to enhance the search portal performance, means of automation of stream download and dispatching of original documents to the digitalizing system were developed. To enable full-text search, facsimile documents were converted into electronic form.

A cross-search mechanism was developed and handed over for testing, which enables to automatically translate a search query written in one of the languages (Ukrainian, Russian, English, German or French) into other languages and search in respective information arrays. The search results are automatically grouped according to each of the sources. Software for the mechanism of generating integrated reporting by the result of the invention novelty search was developed.

Automation of the stream download of backfile data of the inventions of foreign countries into the search base of the portal was provided.

In accordance with the terms of the Agreement with the European Patent Office, over 19,000,000 patent documents (bibliography and abstracts) were downloaded to the search portal from the DOCDB database. Also, the process of automated downloading of full-text documents permanently takes place.

In order to involve library sources in the portal's search base, the structure of the database of the information and reference library file of examination (IRLF) was developed, as well as the software, procedures and functions intended for its automated filling with content.

For the purpose of expanding the information content and functional characteristics of the search portal:

- procedures, functions and software for automatically converting scanned sources available in IRLF into PDF and TXT formats were developed;

- integration of the search portal with the information resources available in IRLF and

its integration with the «Vynakhody» AS was implemented;

- a universal interface for accessing the IRLF resources from the automated workplaces of the other automated systems functioning in the examination body, in particular «Znaky dlia Tovariv i Poslul» AS, was developed.

## 5.6. Common Regional Patent Information Product of the CIS Countries on CD-ROM «CIS Patent»

The product is issued within the framework of the «Agreement on Issuing a Common Regional Patent Information Product on CD-ROM Optical Disks», the participants being the patent offices of Armenia, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Uzbekistan, Ukraine and the Eurasian Patent Organization.

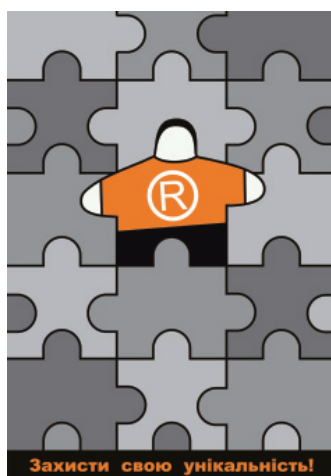
Information arrays of the Ukrainian patent data were monthly generated within the framework of the common information array of CIS countries patent data and forwarded to the Federal Institute of Industrial Property (FIIP, Moscow), which is the technical executor of the project.

In 2011, information arrays were sent to FIIP to be included in the issues of the «CIS Patent» regional CD-ROMs, which contain information on a total of 14,352 patents for inventions and utility models published in 24 bulletins «Promyslova Vlasnist» for 2011.

## 5.7. Digital Patent Library

The analysis of patent information related publications in the world intellectual property system within the last five years gives convincing evidence of many patent offices abandoning the practice of issuing official publications (bulletins, specifications to patents, reports) on paper and creating electronic (paperless) and interactive publications. Thus, the potential of access to electronic patent information resources through the Internet greatly increases.

Taking the above-mentioned into consideration, a number of measures were taken in 2011 to create a Digital Patent Library (DPL). To fulfill the endorsed conception of the digital patent library, a set of works was carried out to establish the first stage of the DPL, in particular, the DPL web-site was developed comprising catalogues and information files available to users through the Internet at <http://library.ukrpatent.org/>.



### 5.8. «Geographical Indications of the Source of Goods and the Rights to Use the Registered Qualified Indications of the Source of Goods» Automated System

In 2011, within the framework of the works on development of the automated system for generating, storing, updating, interactive access and displaying the data concerning appellations of origin and geographical indications of the source of goods and the rights to use the registered qualified indications of the source of goods, a scheme was developed, according to which the DB structure and system software were created, the interactive DB was filled with content and tested. The search mechanism software provides efficient data search in the mentioned DB by specified criteria.

### 5.9. Implementation of the Paperless Technologies and Electronic Application Filing System

In 2011, the pilot use of the electronic application filing system was continued. Within its framework, measures were taken to manage and improve the system's performance characteristics.

Electronic keys certificates were granted to patent attorneys taking part in the pilot use of the system.

The statistics of filing electronic applications from March 1, 2011 to December 30, 2011 is as follows:

Total number of applications, including:	911
inventions	71
utility models	80
trademarks and service marks	760

In order to store the original electronic applications and other electronic documents of the examination body, a set of works was carried out in 2011 to design and develop an appropriate automated system.

The structure of the database of the electronic storage of archive cases concerning IPRs was developed and integrated with the technological databases; subsystems of automated database updating and information search were elaborated. The integrated complex of the database of the electronic storage

with technological automated systems was filled with content and tested.

In 2011, a new version of the system of registration and scanning of incoming documents concerning IPRs was developed and implemented.

The automated systems supporting the procedures and functions of the Division of State Registration of IPRs, Department of Database Creation and Patent Information Support Division were analyzed; on the basis of this analysis proposals were elaborated to take measures on changeover to paperless record-keeping technologies.

The document registration and scanning procedure was improved. Works on conversion the application archive files on paper carriers to electronic form were carried out.

### 5.10. Examination Body IT Infrastructure Development

In 2011, systematic control of the efficiency parameters of the local computer network, server equipment and information storages was established in the examination body in order to detect «bottlenecks» and optimize the information infrastructure. Recent trends in building and development of the information infrastructure of data processing centers were analyzed with the aim to further use the up-to-date solutions in the examination body. The network domain structure was improved; two new state-of-the-art servers, two LAN commutation switches, two disk arrays (information storages) and one SAN commutation switch were put into operation. Organization and technical measures were taken to remove obsolescent equipment and furnish the State Service and the examination body with state-of-the-art computer equipment.

The examination body's internal computer network ensures interaction between examiners and their access to the resources of application automated systems, databases, search systems and Internet resources.

The following standard software is used in the examination body:

- Microsoft Windows Server 2008R2, 2008, 2003; Microsoft Windows 7, XP;



- Microsoft SQL 2008R2, 2005, 2000; Microsoft Office 2010, 2007, 2003;

- Kaspersky Antivirus.

In 2011, a range of measures aimed at enhancing the stability of functioning of information systems and databases were taken:

- a license for the MSSQL Server 2008 database management system was purchased; the system was installed for testing on the Central Electronic Document Archive server in order to explore its functionalities;

- the work of the algorithm of sectioning of database large tables was analyzed and their optimal adjustment was implemented;

- the processes of database file backup were

optimized using a specialized network of data storage devices and database updating;

- systematic monitoring and analysis of the servers efficiency was established.

To upgrade the users' skills, training sessions and consultations on the matters of handling technological automated systems, new software and computer equipment were provided by the specialists of examination and auxiliary subdivisions.

The examination body staff's working stations having obsolete Windows 2000 OS were equipped with the up-to-date Windows XP SP3 or Windows 7 OS; the RAM capacity on the examiners' problem workstations was increased to 1 Gb.



## 6 International Cooperation in the Field of Intellectual Property



Signing of the Memorandum of Understanding between the State Intellectual Property Service of Ukraine and the Danish Patent and Trademark Office

### 6.1. Cooperation with the World Intellectual Property Organization

In 2011, the World Intellectual Property Organization traditionally acted as co-organizer of the International Research and Training Conferences in Lviv and Yalta. In the course of the Conference in Lviv, Interregional Seminar on Economic Aspects of Intellectual Property in the Countries with Economies in Transition was held under the auspices of WIPO. The most important objective of the seminar was to identify main points in exploitation of intellectual property for economic advancement of the countries with economies in transition. Experts from the countries of the Central and Eastern Europe, Central Asia, etc., took part in the event. Their work has resulted in preparation of the respective tools, which will be developed by WIPO for representatives of the governments, economists, members

of Parliaments and those persons, whose activity is aimed at the advancement of economies of the countries. Furthermore, in the course of the Conference in Yalta, WIPO held the Interregional Seminar on Intellectual Property as a Tool for Innovation Activities for the Countries with Economies in Transition. Intellectual property specialists from different countries, namely, Ukraine, Georgia, Turkey, Hungary, and Kyrgyzstan, who have shared views and experience on the specified issue, were involved in the event.

In March, 2011, the seminar on the discussion of provisions of the Madrid Agreement Concerning the International Registration of Marks and the Madrid Protocol was held. The seminar welcomed representatives of the institutes of higher education, state enterprises and business companies, patent attorneys, specialists of the state system of intellectual property rights protection of Ukraine. WIPO specialists brought the provisions of the Madrid Agreement and the Madrid Protocol, in particular, practicalities of their application, to the attention of seminar participants.

Seminar on the Provisions of Singapore Treaty on the Law of Trademarks has been held. Singapore Treaty on the Law of Trademarks has been elaborated on the basis of regulations and procedures accepted in international practice, which reflect modern trends in the field of intellectual property protection, with the purpose of development of the priority goals in this area and further harmonization of the effective regulations and rules, and also simplification of the procedures in the field of protection of rights in a mark.



Alexander Ryan, Economic Officer, Economic Section, Embassy of the United States of America to Ukraine

Provisions of the Treaty cover the data transmission technology by electronic means, regulate the issues of license registration, etc.

In May, 2011, regional seminars on the Patent Cooperation Treaty (PCT) and the Madrid System for the International Registration of Marks were held in Zaporizhzhia and Donetsk. The seminars welcomed WIPO specialists, representatives of the state system on intellectual property rights protection of Ukraine, law firms, professional associations in the field of intellectual property, research institutes and universities, patent attorneys, as well as media representatives.

In June, delegation of Ukrainian judges visited WIPO Headquarters and Arbitration and Mediation Center in Geneva, Switzerland. In the course of the visit, Ukrainian judges had the possibility to get acquainted with the history of creation, organizational structure, functions and procedures of WIPO, as well as to consider legal aspects of use of ROMARIN database and specifics of legal protection of the new types of marks: taste marks, holograms, sound marks, etc. In the course of the visit to the WIPO Arbitration and Mediation Center, Ukrainian delegation has got acquainted with practice of the Center, aimed at adjudication in the field of intellectual property, in particular, on domain names. Taking into account increasing number of disputes concerning domain names, adjudicated by the Superior Economic Court of Ukraine, the tutorials held will promote more efficient consideration of such cases in Ukraine.

In July, 2011, Odessa National Academy of Law hosted successfully the 3rd WIPO-Ukraine Summer School on Intellectual Property. Interna-

tional School gives opportunity for advanced students and young professionals to extend their knowledge in the field of intellectual property, to appraise intellectual property as instrument of economic, social, cultural and technological progress of society. This year the Summer School welcomed representatives from Malaysia, Belarus, Russian Federation, Azerbaijan, Austria, Kenya and Ukraine. Moreover, students of the International Summer School on IP took part in the meeting with Mevlüt Çavusoglu, President of the Parliamentary Assembly of the Council of Europe, who paid the Odessa Academy of Law an official visit.

In September, 2011, according to the Program of Cooperation between the State Enterprise «Ukrainian Industrial Property Institute» and the International Bureau of WIPO concerning PCT and patent issues hereto, Ukraine welcomed WIPO experts. The visit aimed at familiarization with professional, technical and functional capacities of the Ukrainian industrial property examination body. In the course of the visit, WIPO experts noted that the Ukrainian examination body has at its disposal highly skilled patent examiners, speaking three or more languages, up-to-date and productive automated system of patent procedures, accurate quality management system, effective internal control instruments, etc. The visit resulted in specifying certain directions of further activity which have been introduced to the action plan for the next year: training of specialists of the State Enterprise «Ukrainian Industrial Property Institute» at WIPO, arrangement of IT seminars, provision of access to new databases, etc.

In October, a seminar on the role of copyright in the development of publishing business was held, involving domestic and foreign copyright and related rights professionals, and representatives of the publishing sector. This international event was arranged by WIPO, State Intellectual Property Service of Ukraine, International Publishers Association, International Federation of Reproduction Rights Organisations, and Ukrainian Publishers and Booksellers Association.

State Intellectual Property Service of Ukraine continues to keep up with implementation of just personnel policy on the part of WIPO regarding evenness of representation of the WIPO member states according to geographical criterion.

With the purpose of implementation of the WIPO policy and advocating the interests of Ukraine, representatives of the state system of intellectual



property rights protection of Ukraine take active part in the work of the WIPO governing bodies and committees, in particular, Committee on Development and Intellectual Property, Standing Committee on Copyright and Related Rights, Standing Committee on the Law of Patents, Committee on WIPO Standards, Program and Budget Committee, Committee of Experts of the Nice Union, etc.

## 6.2. Cooperation with the European Commission

In 2011, representatives of the State Intellectual Property Service of Ukraine took part in the regular rounds of negotiations on the establishing of the free trade area between Ukraine and the European Union, which were held in Kyiv and Brussels. The State Intellectual Property Service of Ukraine, within its competence, takes part in position building of the Ukrainian party concerning the setting-up a free trade area between Ukraine and the European Union under the Part «Intellectual Property» of the Free Trade Agreement. Ukrainian professionals are directly involved in negotiations and expert consultations, as well as in sessions and meetings with representatives of the other governmental authorities and manufacturers.

During the reporting year, representatives of the State Intellectual Property Service of Ukraine, within their competence, took part in preparation of the research and information and reference materials concerning provisions of the Agenda of the 13th meeting of the EU-Ukraine Parliamentary Cooperation Committee, as well as the accomplishment of EU-Ukraine Association Agenda.

In 2011, European Commission adopted the project proposal from the Ukrainian party, titled «Strengthening the Protection and Enforcement of Intellectual Property Rights in Ukraine», to TWINNING project. Danish Patent and Trademark Office was elected as a Project Leader.

It is expected that after passing all necessary procedures of concurrence, namely, preparation of the draft proposal and signing of the agreement, implementation of the project will start in spring, 2012. The Project covers the analysis of the Ukrainian legislation on intellectual property against EU legislation, arrangement of training and number of tutorials for the officers of the State Intellectual Property Service of Ukraine, examiners of the State Enterprise «Ukrainian Industrial Property Institute», representatives of the Ministry

of Internal Affairs of Ukraine, State Customs of Ukraine and judges trying cases on intellectual property.

## 6.3. Bilateral Cooperation

The State Intellectual Property Service of Ukraine implements the state policy in the field of intellectual property by cooperating with patent offices of foreign countries and international organizations involved in the intellectual property rights protection.

One of the achievements of bilateral cooperation of the State Intellectual Property Service of Ukraine in 2011 was the establishment of contacts and stepping up of mutually beneficial collaboration with the Danish Patent and Trademark Office. Professional experience of the Danish Patent and Trademark Office is of great interest for the Ukrainian party in the context of implementation of legislative initiatives, building up intellectual property market, introducing the best standards and practices, etc.

Aspiration of both sides for cooperation resulted in Memorandum on Understanding between the State Intellectual Property Service of Ukraine and the Danish Patent and Trademark Office signed on October 11, 2011 by the heads of the both Offices at the meeting in Kyiv. The signed Memorandum covers the main trends of bilateral cooperation between the Offices, implementation of which will promote the improvement of intellectual property rights protection in Ukraine, as well as in Denmark.

In 2011, the State Intellectual Property Service of Ukraine continued to fulfil its obligations stipulated by the Action Plan on the Improvement of Intellectual Property Rights Enforcement in Ukraine (the IPR Action Plan), elaborated based on the American Party Recommendations on the Intellectual Property Rights Enforcement in Ukraine.

Two regular sessions of the Ukrainian-American Intellectual Property Enforcement Group has been held to discuss the status of the IPR Action Plan with the participation of the State Intellectual Property Service of Ukraine, US Embassy in Ukraine and other central executive bodies of Ukraine.

The State Intellectual Property Service of Ukraine will continue to monitor the fulfilment of all obligations, anticipated by the IPR Action Plan, to ensure the effective intellectual property rights enforcement in Ukraine since it affects the



status, which will be granted to Ukraine by the US Government in spring 2012 within the so-called Special 301 Watch List prepared annually by the Office of the US Trade Representative.

Last year, the State Intellectual Property Service of Ukraine stepped up considerably the cooperation with the United States Patent and Trademark Office.

In March, 2011, the international workshop on Intellectual Property Management and Commercialization of Technologies for Universities, Governmental Research Centers and Small/Medium Enterprises in CIS Countries was arranged with the support of the United States Patent and Trademark Office, Science and Technology Center in Ukraine (STCU) and the Public Intellectual Property Resource for Agriculture (PIPRA) organization. The above mentioned event dealt with issues of intellectual property management and commercialization of technologies for universities and governmental research centers. The seminar aroused interest among scientists, officials in education, business representatives, and specialists in intellectual property from Ukraine, Republic of Moldova, Azerbaijan and Georgia.

At the end of March, specialists of the United States Patent and Trademark Office arranged a round table for the officials of the state intellectual property protection system of Ukraine, at which American experts introduced specifics of the United States Patent and Trademark Office organization, main aspects of its work at the stage of receiving of applications and carrying out examination, utilizing databases, etc. The above mentioned event gave Ukrainian specialists a possibility to extend their professional knowledge, compare experience of the US with their own techniques that will have beneficial effect on the performance quality of the Ukrainian examination body and the state intellectual property rights protection system as a whole.

It is worth mentioning that officials of the State Intellectual Property Service of Ukraine proceed

with preparation of Memorandum on Cooperation to be signed with the United States Patent and Trademark Office.

In the course of exchange of experience, training and professional development, Ukrainian specialists took part in training programs and courses, organized by the world patent offices, namely, training course of the Global Intellectual Property Academy of the United States Patent and Trademark Office, which covered issues on the legal protection of industrial designs, international training course «Industrial Property in the Global Economy» organized by the World Intellectual Property Organization in cooperation with the Swedish Patent and Registration Office and the Swedish International Development Cooperation Agency.

Representatives of the State Intellectual Property Service of Ukraine, within their competence, processed materials and were involved in the sessions of intergovernmental commissions on trade and economic cooperation issues, namely, in the Ukrainian-French Intergovernmental Commission on Economic Cooperation, the Ukrainian-Swedish Committee on Trade and Economic Cooperation, the Joint Ukrainian-Georgian Intergovernmental Commission on Economic Cooperation, the Ukrainian-German High Level Group on Economic Cooperation, etc.

#### **6.4. Cooperation with the European Patent Office**

Ukrainian examiners regularly take part in professional trainings and workshops, organized by the EPO European Patent Academy, this allows keeping up with the latest global tendencies in the examination of applications for industrial property rights protection, stay informed on the specifics of patent search and utilization of various databases.

In October, 2011, Ukrainian delegation took part in the international workshop on the Innovation Policy and Patent System in Kishinev, Republic of Moldova. The workshop dealt with specific activities and measures, which help national patent offices to promote implementation of the national innovation strategies.

In December, 2011, reconnaissance visit of the Ukrainian delegation to the EPO headquarters in Munich, Germany, concerning appeal procedure issues was organized. During the visit, guests learned about the structure and work of the EPO Board of Appeal, database of its decisions, and took part in the panel session. In the course of the

visit, Ukrainian delegation met with the Head of the EPO Board of Appeal and discussed matters important for the Ukrainian party. On the results of this event, proposals on the improvement of the work of the Appeals Chamber of the State Intellectual Property Service of Ukraine will be drafted.

#### **6.5. Cooperation with CIS countries**

The State Intellectual Property Service of Ukraine has been promoting cooperation with CIS member-states in the field of intellectual property.

On November 19, 2010, at the meeting of the CIS Heads of Governments Council in Saint-Petersburg, Russian Federation, Agreement on Cooperation on Intellectual Property Rights Protection and Enforcement and Establishment of the Interstate Council for Intellectual Property Rights Protection and Enforcement.

On December 21, 2011, the Law of Ukraine No. 4211-VI «On Ratification of the Agreement on Cooperation on Intellectual Property Rights Protection and Enforcement and Establishment of the Interstate Council for Intellectual Property Rights Protection and Enforcement» was adopted by Verkhovna Rada of Ukraine and signed by the President of Ukraine.

This Agreement provides for incorporation of functions of the Interstate Council for Intellectual Property Protection and Joint Working Commission of the member-states of the Agreement on Cooperation on Combating Intellectual Property Infringements within the new Interstate Council with the purpose of coordination of joint efforts on the improvement of the interstate intellectual property rights protection and enforcement system, and combating intellectual property rights infringements.



# 7 Professional Training and Skill Upgrading in the Field of Intellectual Property. Creativity Encouragement

## 7.1. Professional Training and Skill Upgrading

The State Intellectual Property Service, according to the tasks allotted, organizes the work on training, retraining and skill upgrading of the specialists on intellectual property, and performs certification of the intellectual property representatives (patent attorneys).

The course «Intellectual property» was taught in 145 higher education institutions of Ukraine of the III-IV level of accreditation in 2010/2011. More than 120 thousand students studied Specialist and Master educational and professional programs. In the majority of higher education institutions duration of the course was 54 hours.

15 higher education institutions were licensed by the Ministry of Education, Science, Youth and Sport of Ukraine (the Ministry) to perform educational activity on the staff training and skills development in specialty 7(8).18010011 «Intellectual Property» of the Specialist's and Master's degree. Total license amount of the staff training in the field of intellectual property in 2011 was 1,535 students, including 785 full-time students. Furthermore, license amount of Master training in the field of intellectual property was 730 students, 385 of which were full-time. Total license amount for performing training of foreign citizens in «Intellectual Property» for the Master's degree was 55 students.

In 2011, one more higher education institution – Donetsk National Technical

University, submitted a request for licensing to perform Master training in this specialty.

Two education institutions have licenses to perform training and educational activity according to the appropriate qualification requirements for skill upgrading of the specialists in the field of intellectual property, namely, Intellectual Property Institute of the Odessa National Academy of Law in Kyiv (250 students per year) and Intersectoral Institute of Postgraduate Education of the National Technical University «Kharkiv Polytechnic Institute» (300 students per year).

According to the Resolution of the Cabinet of Ministers of Ukraine No. 709 dated July 8, 2011 «On State-Guaranteed Order for Training of Specialists, Scientific/Pedagogic and Labor Personnel, Skill Upgrading and Retraining of Personnel (Postgraduate Education) for State Demands in 2011», state order in specialty 7.18010011 «Intellectual Property» in 2011 amounted to 112 places for the full-time attendance and 60 places for extramural training; in specialty 8.18010011 «Intellectual Property» – 116 places for the full-time attendance and 56 places for extramural training.

In 2011, state order in specialty 7.18010011 «Intellectual Property» at the higher education institutions subordinated to the Ministry amounted to 63 places for the full-time attendance and 30 places for extramural training; in specialty 8.18010011 «Intellectual Property» –



124 places for the full-time attendance and 56 places for extramural training.

In 2011, higher education institutions have trained 257 Masters in the field of intellectual property, 111 of which were full-time students, 74 studied at public expense, and 146 studied by correspondence, 40 of which studied at public expense, as well as 205 Specialists, 111 of which were full-time students and 94 studied by correspondence, including 78 persons who studied at public expense.

In the same year, the above mentioned higher education institutions admitted 332 persons for Master degree training, and 133 persons for Specialist degree training, 273 of which for studying at public expense.

Primary higher education institution for training, retraining and skill upgrading of specialists in the field of intellectual property, that is Intellectual Property Institute of the Odessa National Academy of Law in Kyiv (the Institute), have trained 130 Specialists and 40 Masters in specialty «Intellectual Property», including 62 persons on the request from the central agencies of state administration, namely: SIPS – 39 persons, courts – 6 persons, Security Service of Ukraine – 6 persons, State Customs of Ukraine – 6 persons, Antimonopoly Committee of Ukraine – 4 persons, and Ministry of Justice of Ukraine – 1 person. Furthermore, 4 Masters of Law were trained in specialty «Intellectual Property Rights».

In 2011, the Institute admitted 234 persons for study: 79 Masters and 80 Specialists in specialty «Intellectual Property», 105 of which at public expense, as well as 75 persons in specialty «Jurisprudence» («Intellectual Property Rights» specialization), 60 of which at public expense.

In 2011, the Institute's license to perform training and educational activity according to the appropriate qualification requirements for skill upgrading of the specialists in the field of intellectual property (250 persons per year) was renewed.

Moreover, during the reporting period, the Institute continued training of foreign citizens from Kazakhstan in the «Intellectual Property» Master program.

The Institute paid special attention to training of specialists in the field of intellectual property commercialization. Thus, within the memorandum with Leif Gram – head of the «Support of High-Tech and Innovation Enterprises and Technology Transfer to Business in Ukraine» EU project, the training center has been established at the Institute, followed by the elaboration of guidelines for this center and training course «Support of Innovations», under which two three-day-trainings for scientists and entrepreneurs, hosted by the Institute and the Ukrainian Chamber of Commerce and Industry, were held.

On April 21–22, the Institute arranged the XI National Research to Practice Conference «Problems of Training of Specialists in the Field



Graduates of the WIPO-Ukraine Summer School 2011, Odessa

of Intellectual Property, Information-Analytical and Innovation Activities in Ukraine» in Kyiv under the auspices of SIPS. 67 people were involved in the Conference, including representatives of Verkhovna Rada of Ukraine, the Cabinet of Ministers of Ukraine, lecturers and academic teaching staff of the higher education institutions, specialists from other institutions and organizations.

According to the program of scientific methodological conferences on the problems of higher education and science in the system of the Ministry, there was the III International Research to Practice Conference «Place and Role of Intellectual Property in the Innovative Development of Economy» held on November 9-11 in Kyiv. It welcomed representatives of the higher education institutions, industrial enterprises, research and production associations, and scientific research institutes of Ukraine, Azerbaijan, Kazakhstan and the Russian Federation.

On March 19, the final part of the National Contest of the student research papers on intellectual property was held in the Pryazovskyi State Technical University. 50 student papers from 24 higher education institutions were submitted to the Contest, 2 of which were from Moldova and 1 from Belarus. Students of the National Technical University «Kharkiv Polytechnic Institute», Dnipropetrovsk Academician Lazarian National University of Railway Transport, and Intellectual Property Institute of the Odessa National Academy of Law in Kyiv took first three places accordingly.

According to the Order of the Ministry of Education and Science of Ukraine No. 1190 dated December 2, 2010 «On the Conduction of the National Student Academic Competition in 2010/2011», the 2nd round of the student academic competition in specialty 7(8).18010011 «Intellectual Property» was hosted by the Institute on April 22. 33 students from 13 higher education institutions of Ukraine – winners of the 1st round of the Academic Competition, took part in it. This Academic Competition is conducted annually to search, select and support the talented students,

create conditions for their creative growth, inspire their creative work, and improve the quality of training of specialists in the field of intellectual property. The Academic Competition was conducted under the auspices of SIPS. Winners of the Academic Competition, namely, M. Pohorila – National Metallurgical Academy of Ukraine (Dnipropetrovsk), A. Bolbat – Pryazovskyi State

Technical University (Mariupol), and S. Davydovskyi – National Technical University «Kharkiv Polytechnic Institute», were awarded 1st, 2nd and 3rd Degree Certificates of the Ministry. 7 best students were awarded certificates of honour of the State Department of Intellectual Property. Those students represented 6 higher education institutions-participants of the Academic Competition, namely, Pryazovskyi State Technical University, Intellectual Property Institute of the Odessa National Academy of Law in Kyiv, Dnipropetrovsk Academician Lazarian National University of Railway Transport, National Metallurgical Academy of Ukraine, Volodymyr Dahl

East Ukrainian National University (Luhansk), and National Technical University «Kharkiv Polytechnic Institute».

In 2011, the Institute organized and conducted advanced training within the professional course «Intellectual Property» for 78 academic teachers of higher education institutions from all regions of Ukraine, and preparatory courses for nominees for intellectual property representatives (patent attorneys).

In 2011, SIPS Examination Board certified 14 candidates for intellectual property representatives (patent attorneys). As of December 31, 2011, total number of the registered patent attorneys in Ukraine amounted to 375 persons in 38 cities of 21 regions of Ukraine and Autonomous Republic of Crimea.

## 7.2. Research to Practice Conferences and Workshops

In the year under report, SIPS organized and held 5 conferences, 3 of which were international, 24 special-purpose workshops, including 9 international and 7 regional, on topical issues related to the acquisition, protection, exercise and enforcement of intellectual property rights (Annex 2).



Thus, on February 21–25, the XVII International Conference on Topical Issues on Intellectual Property (Lviv), organized by the State Department of Intellectual Property together with WIPO and EPO, took place. Main topics of the Conference were the following: development strategy of the intellectual property rights protection system of Ukraine; copyright and related rights on the Internet; legal protection, enforcement and use of geographical indications within the European practice; intellectual property rights protection and enforcement; trademarks and service marks: aspects of the legal protection and enforcement; patent information support and automation of the examination body proceedings; innovation activities and commercialization of intellectual property rights. Representatives from Belarus, Kazakhstan, Kyrgyzstan, the Russian Federation, Republic of Moldova, Tajikistan, Austria, Bulgaria, Georgia, Denmark, Slovakia, Slovenia, the USA, France, Czech Republic, Switzerland and Japan, as well as officials of the WIPO, EPO, EAPO, UNECE, CISAC and others, took part in the Conference.

On May 27–29, in Mariupol (Donetsk region), the IV International Research to Practice Conference on Theoretical and Practical Aspects of Innovation Activities under the Global Economic System was held in accordance with Memorandum between the State Department of Intellectual Property, Pryazovskiy State Technical University and Mariupol State Administration. Agenda of the Conference covered

the following topics: intellectual property management; innovation activities; research and practice and methodological aspects of industrial enterprise management; regional problems of innovation activities in the modern context.

On September 12–16, in Yalta (AR Crimea), the XVIII International Research to Practice Conference on Topical Intellectual Property Issues organized by SIPS in cooperation with WIPO, EPO and the Council of Ministers of AR Crimea, under the auspices of the Ministry of Education, Science, Youth and Sport of Ukraine, Ministry of Internal Affairs of Ukraine, Antimonopoly Committee of Ukraine, State Customs of Ukraine, Supreme Court of Ukraine, Higher Economic Court of Ukraine, Higher Administrative Court of Ukraine and National Academy of Legal Sciences

of Ukraine, took place. The Conference welcomed officials of the governmental and administrative agencies, industrial enterprises, judicial system, research and development institutions, higher education institutions, public organizations, lawyers and patent attorneys from Ukraine and foreign countries, as well as specialists and managers in the field of intellectual property, representatives of intellectual property offices of Azerbaijan, Georgia, Belarus, Bulgaria, Republic of Moldova, Kazakhstan, Kyrgyzstan, the People's Republic of China, Poland, the Russian Federation, Romania, Turkey, Hungary, Ukraine, Germany, Switzerland, the USA and international organizations – WIPO, EPO and EU, – 196 participants in total. In the course of this annual meeting of specialists on the problems of protection, exercise and enforcement of intellectual property rights, the following issues were raised: problems and prospects for further development of the state intellectual property rights protection system of Ukraine; elaboration of the strategy in the field of intellectual property as a tool of innovation activities for the countries with economies in transition; exercise of copyright and related rights; intellectual property rights protection in court; legal protection, use and enforcement of trademarks, geographical indications and industrial designs; practical application of the Ukrainian legislation on intellectual property for trademarks; examination of inventions; as well as combating the intellectual property rights infringements.

A round table on Further Development of Legal, Administrative and Financial Infrastructures and Motivation for Building-up Intellectual Property in Higher Education Institutions was held within the Conference.

On September 23, Ukrainian Industrial Property Institute housed the Doors Open Day, dedicated to the Day of Inventor and Innovator. The President of Ukraine, the Head of Verkhovna Rada of Ukraine and the Prime Minister of Ukraine sent their official congratulations to the inventors and innovators of Ukraine, which were published on the SIPS official website. A round table on the issues of the pilot testing of the industrial property application e-filing system was held within the Open Day.

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According to the schedule of regional workshops in the host cities, approved by the Order

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of SIPS No. 02-H «On Approving of the Plan of Activities According to the Task No. 11 of the State Target Program on Preparation and Holding of the EURO 2012 for 2011», a number of research to practice workshops on the Acquisition, Exercise and Enforcement of Intellectual Property Rights of the UEFA and its Business Partners took place, namely, in Kharkiv (September 21), Lviv (September 28), Donetsk (October 12) and Kyiv (October 26). The workshops dealt with practical aspects of intellectual property rights enforcement during the UEFA EURO 2012™, namely, illegal commercial activity, which prejudices UEFA. The workshops welcomed representatives of the governmental authorities, state administrations of the host cities, territorial branches of the Antimonopoly Committee of Ukraine, customs agencies, specialists of the state intellectual property rights protection system of Ukraine, as well as patent attorneys, lawyers, legal experts, educators, businessmen and media agents.

Round tables, workshops, meetings and press conferences of the SIPS executives, involving the leading information agencies, were held during the reporting year. In particular, round tables dealing with the following topics: «Interpreting the Provisions of the Madrid Agreement Concerning the International Registration of Marks and Protocol hereto», «Use of Computer Programs as Copyright Objects»; «Judicial Examination of Administrative Cases and Topical Issues of the State Control over Observance of the Ukrainian Legislation on Copyright and Related Rights»; press conference on the TV Channel Coding initiated by the media consulting company Media Resource Management; press-conference on the Protection of Television Content on the Internet organized by the Industrial Television Committee; and press conference on the Possibility to Eradicate Unlicensed Software in Ukraine and Presentation of BASCAP (Business Action to Stop Counterfeiting and Piracy) Project in Ukraine.

Moreover, specialists of the state intellectual property rights protection system took active part in more than 20 conferences and workshops, including international ones, as well as in workshops and other activities arranged in Ukraine by other organizations.

### 7.3. Creativity Encouragement

SIPS continues to carry on the tradition of the State Department of Intellectual Property on the activity aimed at encouraging and supporting the talented and creative work, promotion of inventive and innovative activity among the wide circles of the sci-tech community of Ukraine to draw attention of the national and foreign investors and companies to the interesting and advanced developments.

SIPS continues to provide assistance in organization of the Week of National and International Research and Education Projects for the Youth «Ukraine-Europe-World» to establish conditions for building-up intellectual capacity of the nation, spiritual, creative and intellectual evolution of Ukrainian children, reveal and support the gifted youth, involve it in the research and experimental activities. Within the framework of the said event, on February 1–3, 2011, the Ministry and National Ecological and Naturalistic Youth Centre in Kyiv organized the National Contest of Junior Innovators and Inventors «Nature – Human – Production – Ecology» and National IT Championship «Ecosoft-2011».

On the results of the National Contest of Junior Innovators and Inventors «Nature – Human – Production – Ecology», 31 young innovators and inventors were honoured with diplomas of the State Department of Intellectual Property for their creative achievements in the field of ecology, chemistry, biology, agricultural research and invention, environmentally safe technologies, energy saving and physics. 10 of them were absolute winners of the Contest, 5 – winners in nomi-

nation «For the Scholarly Status», 10 – «For the Non-Ordinary Creative Product» and 8 – «For the High Engineering Relevance».

Furthermore, on April 14, a representative of the state intellectual property legal protection system took part in the expert assessment of the research papers of the students – members of the Minor Academy of Sciences of Ukraine (MASU), submitted to the All-Ukrainian Contest, organized under the auspices of the President of Ukraine and with support of the Government. Contestants

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represented their own research papers in 56 sections, combined in 10 branches, namely, mathematics, physics, chemistry and biology, computer sciences, economics, etc.

On March 31, the Contest Committee of SIPS summed up the results of the All-Ukrainian Contest «Invention of the Year» (the Contest) and decided the winners for 2010. The Contest is held annually to promote inventive activity among the wide circles of the sci-tech community of Ukraine, to encourage employers to implement the results of intellectual labour in manufacturing, as well as to reveal the most talented and advanced products and draw attention of the national and foreign businessmen and inventors to them. The Contest is open for companies, institutions, organizations and research groups regardless their departmental affiliation, pattern of ownership and location, as well as for private inventors.

All 337 inventions, submitted to the Contest, were examined in the absolute nomination «The Best Invention of the Year», and 148 inventions – in the nomination «The Best Invention Among Youth».

«Rocket and Space System and Method for Orbital Payload Injection» (patent No. 89490), created by the employees of the YanhelDesignOffice «Pivdenne», was declared the best invention of 2010. The Contest Committee noted its magnitude, hi-tech capacity and significance for the international image of the state. It is symbolic that this project took the first place on the 50th Anniversary of the first human space flight.

The Contest Committee awarded the 1st, 2nd and 3rd prizes in nomination «The Best Invention among Youth» and awarded three special insignias. The Contest Committee proposed T. Boiko and O. Shapovalova – authors of the utility model «Method for Determination of the Type of Collagen Fibers» (patent No. 51016), as the candidates for WIPO medal under the category «Women-Inventors».

Winners of the Contest were awarded on April 27 within the celebration of the World IP Day.

On February 28, submission of works to the All-Ukrainian Youth Poster Contest «Create, Embody, Obtain!» was ceased. The main goal of the Contest is to promote, promulgate and

encourage the youth to master fundamentals of intellectual property, to impart interest to this field, and to understand its role in social life and fair use. Students and young graduates of up to 35 years old from 24 higher education institutions, representing all regions of Ukraine, took part in the Contest. After accurate consideration of each from 300 works, the Select Committee decided 72 posters, which met the Contest subject, peculiarities of the genre of poster creation, and which had sufficient artistic standard of performance. All selected works have been later represented in the contest exhibition catalogue. Contest awards included Grand Prix, 1st, 2nd and 3rd prizes. Winners of the Contest were awarded on April 27 within the celebration of the World IP Day.



On September 22, grand opening of the VII International Salon of Inventions and New Technologies «New Time» under the slogan «Constant Development within Changes», and the VI International Contest of Youth Innovations and Projects «New Time» took place in Sevastopol (AR Crimea). Sevastopol Salon «New Time» is famous all over Ukraine, as well as abroad. In 2011, more than 350 representatives (one third is youth) of the leading organizations of inventors, scientists, firms and enterprises from almost 30

countries, namely, Azerbaijan, Argentina, Belgium, Bulgaria, Bosnia and Herzegovina, Armenia, India, Iran, Spain, Italy, Kazakhstan, Canada, Kyrgyzstan, Republic of Korea, Republic of Moldova, Germany, Poland, Russian Federation, Romania, Serbia, Turkmenistan, Ukraine, France, Croatia, Switzerland, Estonia, Japan, took part in it. All of them are regular participants of the Exhibition. SIPS and Ukrainian Industrial Property Institute were involved in organization of this event.

Following the results of the VII Exhibition, its participants were awarded about 50 various prizes from invention, innovation and scientific organizations of the countries, representatives of which were involved in the event.

SIPS has presented special award to the research team of the Poltava State Agrarian Academy for the projects in the field of innovative technologies, in particular for the energy-efficient

technology for sugar beet growing (patents of Ukraine No. 54488, No. 60011, No. 60283); State Industrial Property Institute has presented special award to the group of inventors of the Vinnytsia National Technical University for the microelectronic gas flowmeter and gaussmeter, protected by the patents of Ukraine No. 54121 and No. 61609.

For the active inventive, creative and scientific work the following persons were awarded SIPS diplomas and «Creator» insignias:

Oleksandr Andriets – associate professor of the Sevastopol National Technical University;

Mykola Babych – Director, LLC «TOV «Intertech», Sevastopol;

Oleksandr Karpin – representative of LLC «TOV «Aliumel», Sevastopol;

Oleksii Serhiechko – researcher, convener of the International Exhibition of Inventions and Innovative Technologies «New Time», LLC «TOV «Aliumel», Sevastopol;

Lidia Skrypka – Director, College of Processing and Food Industry of the Kharkiv Petro Vasylenko National Technical University of Agriculture.

SIPS and Ukrainian Industrial Property Institute were awarded Gold Medals of International Exhibition «New Time» for an

outstanding contribution to the support of inventive activity, development of intellectual property in Ukraine and active part in the work of the VII Exhibition. Mykola Paladii – Head of SIPS, and Alla Zharinova – Director of the Ukrainian Industrial Property Institute, were awarded the European Innovation Awards – Diplomas of Officer.

On September 27–30, the International Innovation Forum of CIS Countries, dedicated to the development of the innovation sector, took place at the «KyivExpoPlaza» exhibition center. This event was organized by the State Agency for Science, Innovation and Information Technologies and the National Academy of Sciences of Ukraine. The Forum included thematic exhibitions, workshops, sections and round tables. The Ukrainian Center of Innovations and Patent Information Services – branch office of the Ukrainian Industrial Property Institute, has participated in the exhibition «Innovations of the CIS Countries – 2011».

On invitation of the Ministry of Defense of Ukraine, specialists of the state intellectual property rights protection system took part in the work of the Contest Committee of the All-Army Contest «The Best Invention of the Year», held at the Central Armament Research Institute of the Armed Forces of Ukraine.



## Annexes

### 1. Statistics

#### 1.1. Applications for patents for inventions (breakdown by countries)

Code	Country	National procedure					PCT procedure				
		2007	2008	2009	2010	2011	2007	2008	2009	2010	2011
	Total	3,766	3,149	2,682	2,811	2,935	2,397	2,548	2,134	2,500	2,321
UA	Ukraine	3,440	2,823	2,432	2,552	2,652	–	2	–	1	1
AT	Austria	3	9	6	8	4	48	54	41	37	47
AU	Australia	–	–	–	1	–	28	26	10	15	24
BE	Belgium	4	4	2	5	5	98	73	70	52	57
BG	Bulgaria	1	–	1	1	–	2	3	–	2	1
BY	Belarus	15	10	7	9	11	4	–	1	–	1
CA	Canada	1	2	2	6	4	21	21	27	19	7
CH	Switzerland	13	8	16	5	14	139	216	195	226	221
CN	China	1	4	1	4	3	10	14	11	20	32
CZ	Czech Republic	1	2	–	2	4	15	15	20	19	12
DE	Germany	77	61	43	45	49	435	479	380	414	458
DK	Denmark	2	3	3	5	4	51	66	43	55	52
ES	Spain	2	3	1	1	3	26	16	19	26	34
FI	Finland	2	1	3	4	2	19	22	32	37	23
FR	France	33	45	23	15	13	140	165	130	139	165
GB	United Kingdom	3	–	3	4	2	90	132	78	97	110
HU	Hungary	–	–	–	–	–	14	34	23	18	15
IE	Ireland	–	–	1	–	–	25	11	2	10	5
IL	Israel	3	3	–	1	1	16	19	12	15	10
IN	India	–	–	–	1	1	37	27	10	23	26
IT	Italy	19	9	5	4	3	68	65	51	62	73
JP	Japan	3	6	1	1	5	77	88	92	134	105
KR	Republic of Korea	–	2	–	–	1	34	17	13	22	27
LU	Luxemburg	2	1	1	–	–	9	17	12	14	37
NL	Netherlands	–	–	1	2	4	82	82	59	81	70
NO	Norway	1	–	–	–	1	20	16	7	3	8
PL	Poland	14	16	3	8	6	8	4	10	7	7
RU	Russian Federation	36	44	45	22	24	45	49	54	90	48
SE	Sweden	8	2	2	5	–	87	81	72	62	36
SK	Slovakia	2	–	3	1	1	3	2	1	–	–
US	USA	72	67	64	92	100	676	657	582	742	540
	Others	8	24	13	7	18	70	75	77	58	69

## 1.2. Applications for patents for inventions (breakdown by IPC)

N	Technical Unit	IPC Classes	National procedure					PCT procedure				
			2007	2008	2009	2010	2011	2007	2008	2009	2010	2011
	Total		3,766	3,149	2,682	2,811	2,935	2,397	2,548	2,134	2,500	2,321
1	Agriculture	A01, except A01N	207	143	135	120	169	26	45	22	27	27
2	Foodstuffs; Tobacco	A21–A24	133	69	64	70	61	80	65	91	92	128
3	Personal or domestic articles	A41–A47	32	12	17	25	35	24	26	19	21	21
4	Health; Life-saving; Amusement	A61–A63, except A61K	199	224	175	206	184	79	92	81	89	84
5	Preparations for medical, dental, or toilet purposes	A61K	130	120	125	141	87	401	360	274	252	310
6	Separating; Mixing	B01–B09	185	144	121	124	107	74	88	73	101	83
7	Shaping (Metal)	B21–B23	151	136	96	110	75	75	89	61	49	69
8	Shaping (Material processing)	B24–B30, B32	85	69	33	52	36	62	44	60	45	31
9	Printing	B41–B44	9	7	8	7	9	9	15	8	9	9
10	Transporting	B60–B68	248	213	158	162	161	106	121	81	106	100
11	Micro-structural technology; Nano-technology	B81–B82	2	–	2	2	3	–	1	–	–	–
12	Chemistry (Inorganic)	C01–C05	202	190	207	152	98	67	99	61	69	73
13	Chemistry (Organic)	C07, A01N	102	80	67	83	67	685	761	649	679	652
14	Chemistry (Macromolecular compounds)	C08	45	26	23	40	23	38	46	30	29	48
15	Chemistry (Dyes, Animal or vegetable oils)	C09–C11	99	60	55	69	64	48	72	61	86	88
16	Chemistry (Biochemistry, Sugar industry, Leather)	C12–C14	95	62	51	68	41	60	78	60	88	90
17	Metallurgy	C21–C23, C25, C30	161	199	118	140	110	71	78	66	57	80
18	Textiles; Flexible materials	D01–D07	15	9	6	7	7	13	16	12	19	19
19	Paper (including class B31)	D21, B31	10	10	5	6	6	10	11	9	8	5
20	Building	E01–E06	146	109	101	81	73	71	82	67	73	44
21	Earth or rock drilling; Mining	E21	94	81	91	94	92	11	12	10	19	20
22	Engines or pumps	F01–F04	195	168	165	149	118	20	40	34	26	29
23	Engineering in general	F15–F17	98	91	61	54	61	22	30	31	34	28
24	Lighting; Heating	F21–F28	143	148	115	124	79	40	40	39	47	67
25	Weapons; Blasting	F41, F42, C06	63	32	32	34	30	3	2	6	5	7
26	Instruments (Measuring, Optics, Photography)	G01–G03	321	263	224	244	213	47	50	22	45	40
27	Instruments (Horology, Regulating, Computing)	G04–G08	91	62	43	62	54	41	31	24	24	25
28	Instruments (Musical instruments, Information storage)	G09–G12	30	32	25	19	17	12	7	12	8	6
29	Nucleonics	G21	14	19	6	8	7	10	1	3	6	6
30	Electricity (Electric techniques)	H01, H02, H05	226	162	183	178	143	62	58	34	31	46
31	Electricity (Electronic circuitry, Electric communication technique)	H03, H04	37	49	44	61	49	129	88	134	356	84
32	Others (unclassified)		198	160	126	119	656	1	–	–	–	2

### 1.3. Patents for inventions (breakdown by countries)

Code	Country	2007	2008	2009	2010	2011
	Total	4,058	3,832	4,002	3,874	4,061
UA	Ukraine	2,618	2,399	2,395	2,034	1,902
AT	Austria	26	27	33	48	45
AU	Australia	13	7	17	13	11
BE	Belgium	33	30	65	50	78
BG	Bulgaria	7	2	2	2	4
BY	Belarus	16	22	15	5	1
CA	Canada	15	16	16	6	19
CH	Switzerland	79	83	105	155	190
CN	China	4	5	8	19	14
CZ	Czech Republic	10	12	12	5	13
DE	Germany	322	323	347	360	385
DK	Denmark	28	34	32	52	54
ES	Spain	21	13	18	18	13
FI	Finland	16	25	15	33	23
FR	France	174	150	122	140	172
GB	United Kingdom	42	26	36	69	80
HR	Croatia	3	3	2	1	3
HU	Hungary	13	16	12	14	12
IE	Ireland	6	8	9	10	10
IL	Israel	6	9	19	13	10
IT	Italy	38	35	36	64	69
JP	Japan	41	40	46	85	86
KR	Republic of Korea	8	25	21	24	22
LI	Liechtenstein	2	2	–	2	4
LU	Luxemburg	7	9	15	13	9
NL	Netherlands	51	54	46	76	65
NO	Norway	6	6	11	9	10
PL	Poland	6	10	2	6	14
RU	Russian Federation	67	52	72	64	80
SE	Sweden	59	62	50	35	48
SK	Slovakia	–	1	2	3	1
US	USA	265	275	357	371	539
	Others	56	51	64	75	75

## 1.4. Patents for inventions (breakdown by IPC)

N	Technical Unit	IPC Classes	National procedure					PCT procedure				
			2007	2008	2009	2010	2011	2007	2008	2009	2010	2011
	Total		2,780	2,609	2,623	2,221	2,147	1,278	1,223	1,379	1,653	1,914
1	Agriculture	A01, except A01N	211	160	103	120	109	18	15	25	25	19
2	Foodstuffs; Tobacco	A21–A24	69	63	69	51	74	29	26	46	64	74
3	Personal or domestic articles	A41–A47	15	12	15	18	23	6	8	10	23	25
4	Health; Life-saving; Amusement	A61–A63, except A61K	167	127	146	142	145	104	63	44	69	58
5	Preparations for medical, dental or toilet purposes	A61K	109	92	92	83	124	370	252	235	216	268
6	Separating; Mixing	B01–B09	163	125	138	101	104	46	36	43	64	69
7	Shaping (Metal)	B21–B23	150	121	136	112	94	51	48	56	75	82
8	Shaping (Material processing)	B24–B30, B32	50	43	77	47	43	25	18	42	51	38
9	Printing	B41–B44	11	4	5	7	5	13	5	13	15	16
10	Transporting	B60–B68	161	149	152	125	144	52	44	65	109	94
11	Micro-structural technology; Nano-technology	B81–B82	–	2	1	1	2	–	–	–	–	–
12	Chemistry (Inorganic)	C01–C05	136	167	139	136	136	47	35	41	61	60
13	Chemistry (Organic)	C07, A01N	67	78	103	64	47	264	311	347	333	470
14	Chemistry (Macromolecular compounds)	C08	27	38	38	21	25	12	22	25	26	26
15	Chemistry (Dyes, Animal or vegetable oils)	C09–C11	79	56	55	45	43	27	25	31	40	51
16	Chemistry (Biochemistry, Sugar industry, Leather)	C12–C14	61	62	42	44	66	17	23	30	30	50
17	Metallurgy	C21–C23, C25, C30	173	155	149	117	113	57	48	51	69	58
18	Textiles; Flexible materials	D01–D07	19	14	4	9	3	6	8	6	10	18
19	Paper (including class B31)	D21, B31	3	1	8	7	5	3	3	5	6	9
20	Building	E01–E06	84	72	71	57	55	23	47	45	57	57
21	Earth or rock drilling; Mining	E21	87	90	91	71	64	5	8	3	8	18
22	Engines or pumps	F01–F04	154	169	169	147	98	16	15	16	25	24
23	Engineering in general	F15–F17	94	100	74	72	47	14	12	7	19	27
24	Lighting; Heating	F21–F28	78	92	114	92	87	8	19	30	39	30
25	Weapons; Blasting	F41, F42, C06	43	60	51	24	24	3	6	–	7	3
26	Instruments (Measuring, Optics, Photography)	G01–G03	298	275	271	227	235	16	22	30	23	27
27	Instruments (Horology, Regulating, Computing)	G04–G08	59	47	66	48	28	4	9	8	23	32
28	Instruments (Musical instruments, Information storage)	G09–G12	15	22	22	16	16	3	10	5	7	14
29	Nucleonics	G21	17	17	9	4	7	4	6	6	1	4
30	Electricity (Electric techniques)	H01, H02, H05	156	165	183	159	150	13	15	26	37	25
31	Electricity (Electronic circuitry, Electric communication techniques)	H03, H04	24	31	30	54	31	22	64	88	121	168
32	Others (unclassified)		–	–	–	–	–	–	–	–	–	–

## 1.5. Applications and patents for utility models (breakdown by IPC)

N	Technical Unit	IPC Classes	Applications					Patents				
			2007	2008	2009	2010	2011	2007	2008	2009	2010	2011
	Total		8,870	9,600	9,208	1,0678	1,0427	9,215	9,282	8,391	9,405	10,291
1	Agriculture	A01, except A01N	509	510	639	711	533	521	535	507	685	663
2	Foodstuffs; Tobacco	A21–A24	335	409	414	479	391	385	409	368	454	467
3	Personal or domestic articles	A41–A47	104	98	110	94	91	127	109	97	85	107
4	Health; Life-Saving; Amusement	A61–A63, except A61K	1,378	1,448	1,439	1,773	1,460	1,542	1,516	1,487	1,665	1,745
5	Preparations for medical, dental or toilet purposes	A61K	425	644	531	629	426	473	589	477	519	551
6	Separating; Mixing	B01–B09	388	421	376	503	380	374	422	314	455	492
7	Shaping (Metal)	B21–B23	380	401	372	401	352	385	402	355	341	419
8	Shaping (Material processing)	B24–B30, B32	230	202	197	222	181	201	219	171	182	223
9	Printing	B41–B44	28	37	31	43	37	39	22	37	37	48
10	Transporting	B60 –B68	501	533	502	551	516	528	533	455	494	606
11	Micro-structural technology; Nano-technology	B81–B82	3	7	8	6	7	–	5	6	6	6
12	Chemistry (Inorganic)	C01–C05	265	302	308	328	249	289	316	269	324	355
13	Chemistry (Organic)	C07, A01N	180	178	150	144	121	212	191	122	124	165
14	Chemistry (Macromolecular compounds)	C08	52	77	64	65	52	46	65	53	77	47
15	Chemistry (Dyes, Animal or vegetable oils)	C09 –C11	146	184	120	124	105	164	207	125	138	119
16	Chemistry (Biochemistry, Sugar Industry, Leather)	C12 –C14	234	203	160	180	113	278	212	183	140	166
17	Metallurgy	C21–C23, C25, C30	255	307	255	284	213	269	295	273	260	250
18	Textiles; Flexible materials	D01–D07	63	79	83	76	63	62	51	83	74	78
19	Paper (including class B31)	D21, B31	14	14	10	25	6	11	17	10	15	11
20	Building	E01–E06	329	330	364	313	289	342	323	341	334	313
21	Earth or rock drilling; Mining	E21	252	277	214	237	198	266	280	208	209	237
22	Engines or pumps	F01–F04	262	228	234	245	210	281	239	219	242	244
23	Engineering in general	F15–F17	239	234	247	289	231	283	230	212	269	313
24	Lighting; Heating	F21–F28	255	301	292	348	285	287	275	272	311	341
25	Weapons; Blasting	F41, F42, C06	114	85	74	76	67	123	96	87	76	69
26	Instruments (Measuring, Optics, Photography)	G01–G03	823	930	946	1162	907	811	809	798	952	1087
27	Instruments (Horology, Regulating, Computing)	G04–G08	236	240	253	306	328	238	244	244	248	389
28	Instruments (Musical instruments, Information storage)	G09–G12	141	205	153	165	145	156	170	158	155	156
29	Nucleonics	G 21	17	10	11	12	10	27	16	16	8	13
30	Electricity (Electric techniques)	H01, H02, H05	401	318	324	401	310	360	361	333	348	388
31	Electricity (Electronic circuitry, Electric communication techniques)	H03, H04	122	117	139	213	216	135	120	109	173	222
32	Others (unclassified)		189	271	188	273	1935	–	4	2	5	1

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

Code	Country	Applications					Patents				
		2007	2008	2009	2010	2011	2007	2008	2009	2010	2011
	Total	2,147	2,285	1,669	1,686	1,761	2,213	2,503	1,754	1,431	1,337
UA	Ukraine	1,746	1,945	1,413	1,442	1,439	1,803	2,085	1,425	1,258	1,098
AT	Austria	10	17	6	3	–	13	9	12	8	1
BG	Bulgaria	3	–	11	–	1	2	2	–	–	–
BY	Belarus	3	30	17	9	11	10	15	27	2	13
CH	Switzerland	5	5	3	8	14	6	4	5	6	10
CN	China	24	14	5	1	4	8	30	6	4	3
CY	Cyprus	4	3	–	2	19	13	3	1	–	16
CZ	Czech Republic	3	10	13	2	1	4	4	11	1	1
DE	Germany	19	9	9	13	21	15	20	12	8	11
FI	Finland	3	6	9	1	4	2	8	9	–	4
FR	France	4	6	1	4	1	9	9	–	3	3
GB	United Kingdom	16	34	12	7	10	4	41	14	7	9
IN	India	18	–	3	3	1	8	18	1	1	4
IT	Italy	17	5	7	6	6	19	16	9	3	7
JP	Japan	8	18	7	14	38	20	13	16	9	27
KR	Republic of Korea	–	9	5	1	–	8	6	3	6	–
LI	Liechtenstein	1	1	11	11	7	–	2	–	10	10
MD	Republic of Moldova	58	2	–	4	–	5	3	1	–	3
NL	Netherlands	9	2	3	5	3	11	4	2	5	3
PL	Poland	35	48	34	21	18	45	38	51	18	19
SE	Sweden	4	10	5	1	4	–	6	12	–	–
RU	Russian Federation	94	21	41	59	110	89	81	39	56	42
TR	Turkey	22	31	12	1	–	63	26	31	–	–
US	USA	19	29	19	37	37	25	26	35	14	33
	Others	22	30	23	31	12	31	34	32	12	20



## 1.7. International registrations under the Hague Agreement

Code	Country	Registrations				
		2007	2008	2009	2010	2011
	Total	489	569	440	484	552
AT	Austria	–	–	6	15	10
BE	Belgium	11	18	10	7	4
BG	Bulgaria	4	8	9	4	8
CH	Switzerland	230	228	159	155	184
CZ	Czech Republic	–	9	8	4	6
DE	Germany	114	140	76	80	124
ES	Spain	4	8	6	5	6
FI	Finland	–	13	11	13	10
FR	France	45	35	39	58	48
GB	United Kingdom	–	4	5	5	6
GR	Greece	6	2	1	3	7
HR	Croatia	2	2	1	–	5
HU	Hungary	3	2	1	2	2
IT	Italy	15	15	14	16	13
MD	Moldova	2	2	4	5	2
NL	Netherlands	26	43	34	44	31
TR	Turkey	17	15	16	11	16
LI	Liechtenstein	–	6	1	–	3
LU	Luxemburg	2	–	6	7	11
PL	Poland	-	1	4	8	18
RO	Roman	1	–	1	3	–
SE	Sweden	1	4	–	1	1
SI	Slovenia	1	2	1	4	3
US	USA	–	1	13	15	20
	Others	5	11	14	19	14

## 1.8. Applications and registrations of trademarks and service marks under the national procedure

Code	Country	Applications					Registrations				
		2007	2008	2009	2010	2011	2007	2008	2009	2010	2011
	Total	23,746	22,371	17,866	20,603	21,091	15,375	15,357	15,137	16,686	16,677
UA	Ukraine	19,887	18,497	14,744	16,711	16,837	12,130	11,974	12,027	13,058	12,854
AE	United Arab Emirates	19	10	20	38	14	22	10	8	14	34
AR	Argentina	32	7	7	6	2	6	19	11	12	6
AT	Austria	18	63	28	32	29	23	16	19	60	34
AU	Australia	9	2	15	10	14	7	6	4	4	6
BE	Belgium	17	17	7	37	9	16	7	20	16	30
BG	Bulgaria	12	15	38	15	18	15	16	14	18	23
BM	Bermuda	25	13	1	4	8	2	10	45	3	6
BR	Brasilia	19	17	6	13	15	14	51	8	17	6
BY	Belarus	58	165	146	42	53	51	38	116	118	43
CA	Canada	26	43	14	33	23	26	10	27	33	25
CH	Switzerland	217	224	159	346	191	135	173	209	193	341
CL	Chile	1	–	7	4	11	8	3	–	7	4
CN	China	126	119	73	78	111	57	109	105	97	74
CY	Cyprus	133	111	103	123	444	68	154	92	101	199
CZ	Czech Republic	28	14	15	34	40	25	31	22	14	19
DE	Germany	198	199	173	138	148	145	169	177	204	168
DK	Denmark	27	27	11	28	30	10	15	22	12	26
EE	Estonia	4	3	2	32	21	5	6	–	3	17
EG	Egypt	1	2	–	–	–	–	1	1	–	–
ES	Spain	17	16	23	15	16	11	24	12	15	24
FI	Finland	61	42	65	23	22	44	66	33	52	19
FR	France	68	98	62	81	86	53	74	74	95	92
GB	United Kingdom	205	211	152	164	269	171	169	146	207	178
GE	Georgia	11	6	15	10	8	5	4	8	15	13
GR	Greece	14	20	4	5	13	17	10	22	5	4
HR	Croatia	19	10	11	–	8	8	12	18	9	4
HU	Hungary	20	23	8	8	9	12	13	12	25	8
HK	Hong Kong	8	14	9	27	37	16	14	10	17	23
IE	Ireland	7	11	40	135	53	15	22	8	16	172
IL	Israel	35	21	26	26	22	14	28	24	21	28
IN	India	100	100	125	213	129	155	75	75	94	155
IT	Italy	48	39	28	22	23	15	40	28	41	29
JP	Japan	111	172	134	116	155	70	113	136	217	114
KR	Republic of Korea	21	55	62	77	107	45	30	31	67	87
KZ	Kazakhstan	6	–	–	3	1	2	4	1	2	2

Code	Country	Applications					Registrations				
		2007	2008	2009	2010	2011	2007	2008	2009	2010	2011
LB	Lebanon	1	–	1	2	–	4	3	–	1	1
LI	Liechtenstein	77	115	94	44	52	32	28	89	84	75
LK	Sri Lanka	3	5	7	10	15	1	4	2	7	6
LT	Lithuania	–	17	4	7	6	2	4	3	12	7
LU	Luxemburg	20	6	12	7	19	17	10	13	5	14
LV	Latvia	14	16	10	9	10	2	11	6	7	8
MD	Republic of Moldova	22	29	24	38	39	16	7	9	13	15
MX	Mexico	20	4	7	7	2	2	7	15	8	8
NL	Netherlands	86	41	55	100	94	87	87	72	40	103
NO	Norway	2	5	5	4	5	4	3	3	5	1
PA	Panama	5	2	7	101	25	4	4	5	4	42
PL	Poland	212	183	63	56	79	98	118	152	92	73
PT	Portugal	2	5	1	2	11	1	4	–	4	3
RO	Romania	31	19	3	2	3	17	13	10	13	1
RU	Russian Federation	497	380	289	396	424	596	394	284	327	290
SE	Sweden	29	19	8	43	24	58	19	19	11	40
SG	Singapore	17	15	14	16	10	19	22	14	21	10
SI	Slovenia	1	3	1	–	4	3	–	–	3	–
SK	Slovakia	2	–	2	–	18	4	4	–	2	–
TR	Turkey	91	37	41	39	95	40	91	37	30	33
TW	Taiwan	24	40	20	38	51	21	16	27	47	34
US	USA	817	853	710	760	885	829	821	691	877	832
VG	Virgin Islands	47	35	54	99	96	42	66	52	57	83
	Others	118	156	101	174	148	58	105	70	134	131

**1.9. Applications for trademarks and service marks under the Madrid System  
(breakdown by countries)**

Code	Country	2007	2008	2009	2010	2011
	Total	9,520	10,712	8,613	7,974	8,665
	<i>Under the Madrid Agreement</i>					
	Total	7,808	8,773	7,220	6,634	7,062
AM	Armenia	9	8	5	12	27
AT	Austria	304	370	268	197	207
BE	Belgium	179	210	162	136	134
BG	Bulgaria	132	124	86	81	80
BY	Belarus	29	49	34	83	116
CH	Switzerland	688	792	676	763	635
CN	China	391	486	425	551	619
CY	Cyprus	18	28	36	41	51
CZ	Czech Republic	276	302	241	170	169
DE	Germany	1,930	2,218	1,744	1,362	1,552
EG	Egypt	4	16	6	4	10
ES	Spain	210	240	160	131	167
FR	France	904	889	789	733	765
HR	Croatia	35	12	16	11	11
HU	Hungary	346	155	182	130	154
IT	Italy	883	893	655	621	636
KZ	Kazakhstan	10	19	18	22	29
LI	Liechtenstein	44	96	60	23	35
LU	Luxemburg	43	52	61	76	86
LV	Latvia	55	90	53	72	67
MC	Monaco	18	13	11	4	9
MD	Moldova	16	28	15	27	32
MK	The former Yugoslav Republic of Macedonia	–	4	6	5	2
NL	Netherlands	263	320	231	208	176
PL	Poland	246	271	327	224	270
PT	Portugal	29	23	24	51	25
RO	Romania	45	26	34	43	31
RS	Serbia	48	42	56	35	35
RU	Russian Federation	448	697	602	580	751
SI	Slovenia	76	95	113	96	50
SK	Slovakia	66	89	51	55	34
VG	Virgin Islands	17	29	18	12	30
VN	Viet Nam	7	5	12	3	17
	Others	39	82	43	72	50

Code	Country	2007	2008	2009	2010	2011
		<i>Under the Madrid Protocol</i>				
	Total	1,712	1,939	1,393	1,340	1,603
AU	Australia	32	36	51	34	24
DK	Denmark	90	141	96	70	75
EE	Estonia	41	43	15	14	23
FI	Finland	77	97	73	60	83
GR	Greece	37	35	24	23	24
GB	United Kingdom	237	219	213	172	210
IE	Ireland	24	37	33	32	39
IS	Iceland	48	76	3	1	3
GE	Georgia	14	8	4	6	4
JP	Japan	135	135	93	92	104
KR	Republic of Korea	27	28	48	43	53
LT	Lithuania	29	46	20	21	33
NO	Norway	24	20	22	16	11
SE	Sweden	83	125	82	63	85
SG	Singapore	17	10	15	21	16
TR	Turkey	361	400	309	283	353
US	USA	418	466	276	375	432
UZ	Uzbekistan	1	2	2	–	–
	Others	17	15	14	14	31

## 2. List of Research and Practice Conferences and Workshops on Intellectual Property Issues of the State System of Intellectual Property Rights Protection Held in 2011

Date	Event Title and Location	Organizer
February 21-25	XVII International Conference on Actual Problems of Intellectual Property”, Lviv	State Department of Intellectual Property (SDIP), WIPO, EPO
March 14	Workshop on Interpreting the Provisions of the Madrid Agreement Concerning the International Registration of Marks and Madrid Protocol, Kyiv	SDIP, Ukrainian Industrial Property Institute, WIPO
March 15	Workshop on Provisions of the Singapore Treaty on the Law of Trademarks, Kyiv	SDIP, Ukrainian Industrial Property Institute, WIPO
March 16	Round Table Meeting on Interpreting the Provisions of the Madrid Agreement Concerning the International Registration of Marks and Madrid Protocol”, Kyiv	SDIP, Ukrainian Industrial Property Institute, WIPO
March 23	Press Conference on Presentation of BASCAP Project (Business Action to Stop Counterfeiting and Piracy) in Ukraine, Kyiv	SDIP, Ukrainian National Committee of International Chamber of Commerce (ICC Ukraine)
March 23-25	Training on Development of Innovations, Kyiv	Intellectual Property Institute of National University “Odessa Law Academy” in Kyiv under the aegis of European Union
March 28-29	International Workshop on Intellectual Property Management and Commercialization of Technologies for Universities, Government Research Centers, Small and Medium Enterprises in CIS Countries, Kyiv	SDIP, Ukrainian Industrial Property Institute, US Patent and Trademark Office (USPTO)
March 30- April 1	Training Workshop on Issues on Industrial Property Rights Examination and Management, Kyiv	SDIP, Ukrainian Industrial Property Institute, US Patent and Trademark Office (USPTO)
April 5	Workshop on Particular Issues Associated with the Examination of Applications for Inventions and Utility Models, Kyiv	SDIP, Ukrainian Industrial Property Institute
April 21-22	XI All-Ukrainian Workshop on State and Prospects for the Development of State System of Intellectual Property Rights Protection in Ukraine, Kyiv	Ministry of Education and Science, Youth and Sport of Ukraine, SDIP, Intellectual Property Institute of the Odessa National Academy of Law in Kyiv
April 27	Research to Practice Conference dedicated to the International Intellectual Property Day, Kyiv	SDIP, Ukrainian Industrial Property Institute
April 28	Workshop on Technical and Legal Aspects of the Implementation of Electronic Document Management and Digital Signature in the Context of Acquisition of Industrial Property Rights, Kyiv	SDIP, Ukrainian Industrial Property Institute,
April 29	Workshop on Certain Issues of Consideration Procedure for Public Appeals in the Context of Acquisition, Exercise and Enforcement of Intellectual Property Rights, Kyiv	SDIP, Ukrainian Industrial Property Institute
May 18	Regional Workshop on Intellectual Property Rights Protection, Commercialization, Enforcement and Management at Enterprises, Institutions and Organizations, Uzhhorod	SDIP, Uzhhorod National University
May 18-21	International Workshop on Identification and Interdiction of Counterfeit Medicines, Kyiv	SDIP, the United States Department of Commerce CLDP
May 24-25	Regional Workshop on Topical Issues of the Patent Cooperation Treaty (PCT) and Madrid System for the International Registration of Marks, Donetsk	SDIP, Donetsk National University
May 26	Workshop on Use of Paperless Information Technologies in the Context of Acquisition of Industrial Property Rights, Kyiv	SDIP, Ukrainian Industrial Property Institute

Date	Event Title and Location	Organizer
May 26-27	Regional Workshop on Topical Issues of the Patent Cooperation Treaty (PCT) and Madrid System for the International Registration of Marks, Zaporizhia	SDIP, WIPO, Zaporizhia
May 27-29	IV International Scientific Conference on Theoretical and Practical Aspects of Innovation Activities under Global Economic System, Mariupol, Donetsk Region	SDIP, Pryazovskyi State Technical University
June 7-9	International Workshop on Prevention of Copyright and Related Rights Infringement in the Digital Environment, Kyiv	SDIP, USPTO
June 30	Workshop on Actual Problems of Intellectual Property Rights Enforcement in a Judicial Procedure, Kyiv	SDIP, Intellectual Property Institute of the Odessa National Academy of Law in Kyiv
September 12-16	XVIII Research to Practice Conference on Actual Problems of Intellectual Property, Yalta, the Autonomous Republic of Crimea	State Intellectual Property Service of Ukraine (SIPS), WIPO, EPO
September 21	Regional Workshop on Acquisition, Exercise and Enforcement of Intellectual Property Rights of Union of European Football Associations (UEFA) and its Commercial Partners, Kharkiv	SIPS, Ukrainian Industrial Property Institute
September 22-24	VII International Salon of Inventions and New Technologies "New Time", Sevastopol, the Autonomous Republic of Crimea	SIPS, Ukrainian Industrial Property Institute
September 23	Doors Open Day dedicated to the Day of Inventor and Innovator, Kyiv	SIPS, Ukrainian Industrial Property Institute
September 28	Regional Workshop on Acquisition, Exercise and Enforcement of Intellectual Property Rights of Union of European Football Associations (UEFA) and its Commercial Partners, Lviv	SIPS, Ukrainian Industrial Property Institute
October 12	Regional Workshop on Acquisition, Exercise and Enforcement of Intellectual Property Rights of Union of European Football Associations (UEFA) and its Commercial Partners, Donetsk	SIPS, Ukrainian Industrial Property Institute
October 17-18	International Workshop on the Role of Copyright in the Development of Publishing Industry, Kyiv	WIPO, SIPS, International Publishers Association, Ukrainian Publishers and Booksellers Association
October 19	Workshop on Examination Body Feedback on Appeals Chamber Decisions, Kyiv	SIPS, Ukrainian Industrial Property Institute
October 21	Workshop on Digital Patent Library Services, Kyiv	SIPS, Ukrainian Industrial Property Institute
October 26	Regional Workshop on Acquisition, Exercise and Enforcement of Intellectual Property Rights of Union of European Football Associations (UEFA) and its Commercial Partners, Kyiv	SIPS, Ukrainian Industrial Property Institute
November 8	Workshop on Topical Issues of State Register Maintenance, Kyiv	SIPS, Ukrainian Industrial Property Institute
November 30	Round Table Meeting on Particular Issues Associated with Protection of Employee's Copyrighted Works, Kyiv	State Intellectual Property Service of Ukraine
December 14	Round Table Meeting on Judicial Examination of Administrative Cases and Topical Issues of Control over Observance of Ukrainian Legislation on Copyright and Related Rights", Kyiv	State Intellectual Property Service of Ukraine

### 3. Expenses for Functioning and Development of the State System of Intellectual Property Rights Protection in 2011

Expense items	Amount, Thousands UAH
Organization expenses, expenses connected with examination and grant of titles of protection for industrial property rights	82,515.1
Expenses for information activities in the sphere of intellectual property rights protection	10,670.6
Expenses for editorial and publishing activities	3,199.7
Expenses for development of international cooperation in the sphere of intellectual property rights protection, for organization and participation in exhibitions, competitions and workshops etc.	3,737.4
Expenses for organization of training	643.8
Acquisition of licensed software and maintenance of automated system	859.1
Expenses for research scientific works, translation of scientific, technical and normative documents	4,608.7
Expenses for organization of control marks making	1,832.6
Expenses for organization of control marks distribution, maintenance of a uniform register of control marks holders	733.7
Expenses for enforcement of intellectual property rights of UEFA and its commercial partners	558.6
Total	109,359.3

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