



UKRAINE



ANNUAL REPORT

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STATE  
INTELLECTUAL  
PROPERTY  
SERVICE  
OF UKRAINE

2015

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Dear friends, colleagues, and international partners!

We bring to your notice the Annual Report of the State Intellectual Property Service of Ukraine (SIPS) for 2015. The year, marked with a new stage of development of intellectual property sphere; adjustment of the effective bilateral cooperation between SIPS and business, professional associations and organizations; extensive work with the public; as well as the continuation of the successful Twinning technical assistance project «Strengthening the Protection and Enforcement of Intellectual Property Rights in Ukraine».

By signing the Association Agreement between the European Union and Ukraine (EU-Ukraine Association Agreement) our country has undertaken certain obligations, including bringing Ukrainian legislation in line with the European standards. Through close collaboration with the European experts of the Twinning project, we managed to develop high-quality draft laws in the field of copyright and related rights, as well as in the field of industrial property. In July, 2015, SIPS submitted certain draft laws for the approval by the interested authorities, thus completing the government task on performance of the Action Plan for implementation of the EU-Ukraine Association Agreement, prior to the due term. One should specially note the draft laws, drawn up along with the European experts, «On amending certain legislative acts related to the enforcement of copyright and related rights on the Internet» and «On the collective management of proprietary rights of copyright and related rights holders».

The leading ideas contained in these draft laws provide a systematic approach and a clear mechanism for their implementation, which will certainly accelerate progress in resolving issues of illegal use of copyright and related rights on the Internet, and the system of collective management.

Over the past year, SIPS was focused on the field of copyright and related rights – namely, the ways to overcome the negative phenomena in this area were investigated. It is, among other things, about resolving issues associated with optimization in the collective management, arranging combating Internet piracy and reducing the number of unlicensed software in the executive branch.

The State Organization «Ukrainian Agency of Copyright and Related Rights» (UACRR) is the first illustration of implementation of the standards of transparency and quality of collective management organizations (CMOs). For this purpose, pursuant to the order of SIPS, the UACRR official website

started publishing accurate information about the organization starting from 2011, including data on the allocation of royalties.

Furthermore, SIPS intensified negotiations between CMOs within carrying out mediation in negotiations and resolving conflicts among CMOs, as well as between CMOs and copyright and (or) related rights holders. Since 2016, a constructive cooperation aimed at resolving issues between right holders, CMOs and the UACRR has started.

On May 19, 2015, on the results of meetings with the participation of SIPS, the State Service of Special Communications and Information Protection of Ukraine and the State Agency on e-Government of Ukraine, inspections of the central office of executive authorities commenced. By the end of the last year, 25 of the said authorities were subjected to inspections for the use of computer software, and the results were published on the SIPS website. It is planned to complete the work in this regard by the end of 2016.

SIPS also established the working group to elaborate the Conceptual Framework for the Intellectual Property Sphere Development, and invited, in particular, lawyers, patent attorneys, legal experts, representatives of the Ministry of Economic Development and Trade of Ukraine, the Secretariat of the Committee of the Verkhovna Rada of Ukraine on Science and Education, as well as the «EasyBusiness» project experts. The work done by the group resulted in drafting the Conceptual Framework for the Intellectual Property Sphere Development – a document, important to the intellectual property field.

Another highly anticipated event in the last year was the unanimous support by the countries – members of the World Intellectual Property Organization (WIPO) on the initiative of Ukraine to become the International Searching Authority (ISA) and the International Preliminary Examining Authority (IPEA). On November 27, 2015, SIPS and the International Bureau of WIPO signed the Agreement in relation to the functioning of the State Enterprise «Ukrainian Intellectual Property Institute» (Ukrpatent) as an ISA and IPEA under the Patent Cooperation Treaty. On February 5, this year, Ukrpatent commenced critical activity in the aforesaid statuses.

Since 2015, in order to ensure transparency and openness in its activities, SIPS has started to publish the current information from the state intellectual property registers and decisions of the Chamber of Appeals on its website.

It is worth noting, that the successful development of the Ukrainian authority, as well as the intellectual property field in general, is based on high skills, experience and professionalism of everyone involved in the reform of the field. Therefore, the input of each expert of the state system of intellectual property legal protection and its European counterparts into the common goal – support of the European vector of the intellectual property sphere development in Ukraine – is undoubtedly invaluable.

# 1 Improvement of National Intellectual Property Legislation

In 2015, SIPS ensured the implementation of a number of measures to adapt national legislation in the field of intellectual property to the EU law and the implementation of the EU-Ukraine Association Agreement according to the Action Plans, approved by the Orders of the Cabinet of Ministers of Ukraine No. 847-r and No. 164-r.

Given the importance of the integration direction of our country to the European Community and the priority of all related processes, SIPS developed and submitted several bills to the Ministry of Economic Development and Trade of Ukraine to adapt the relevant EU Directives and Regulations and the provisions of Chapter 9 of the EU-Ukraine Association Agreement:

- the Draft Law of Ukraine «On Amending Certain Legislative Acts Related to the Enforcement of Copyright and Related Rights»;
- the Draft Law of Ukraine «On Collective Management of Proprietary Rights of Copyright and Related Rights Holders»;
- the Draft Law of Ukraine «On Amending Certain Legislative Acts of Ukraine on Intellectual (Industrial) Property»;
- the Draft Law of Ukraine «On Amending Certain Legislative Acts of Ukraine (Regarding Intellectual Property Rights Enforcement)».

The Draft Law «On Amending Certain Legislative Acts Related to Enforcement of Copyright and Related Rights» eliminates the existing conflict between the provisions of the Civil Code of Ukraine and the Law of Ukraine «On Copyright and Related Rights» on property rights to the office software; enshrines «freedom of panorama» (exception to copyright, which provides

the possibility of free photography of architecture and sculpture works in public places); introduces an innovative concept for the Ukrainian legislation on public licensing agreement for legalization of electronic contracts, common in the digital environment, – end-user licenses for the use of software copies and licenses for «free software» (e.g., Linux, Open Office) and other «free content» (e.g., Wikipedia); abolishes the term «videogram», which is always criticized by international experts; introduces the term «producer of the first record of a film», etc.

The Draft Law «On Collective Management of Proprietary Rights of Copyright and Related Rights Holders» takes into account the basic provisions of Directive 2014/26/EU on the collective management of copyright and related rights and multi-territorial licensing of rights to music pieces for online use in the internal market. In addition, changes concern bringing the legal framework in this field in accordance with the laws of Ukraine «On Principles of State Supervision (Control) of Economic Activities», and «On Administrative Services».

General changes to the Draft Law «On Amending Certain Legislative Acts of Ukraine on Intellectual (Industrial) Property» relate to the electronic filing of applications and the implementation of electronic record keeping on them; electronic editions of the Official Bulletin; keeping registers of industrial property rights in electronic form; publication of information on applications for filing objections; appeals to the Chamber of Appeals regarding the decisions taken on applications by persons, who filed objections during examination; publication of

decisions of the Chamber of Appeals; and restoration of applicants' rights, etc.

Major changes, introduced by this draft law to the Law of Ukraine «On Protection of Rights to Inventions and Utility Models», are related to the list of objects, not covered by legal protection; provision of temporary legal protection to utility models after the publication of information on the application; introduction of a supplementary protection certificate; features of the legal protection of biotechnological inventions.

Major changes to the Law of Ukraine «On Protection of Rights to Industrial Designs» consist in introduction of the concept of a multiple application; the possibility of postponing the publication of the submitted application; establishment of the owner's rights to an unregistered industrial design, brought to the public, prohibition of its copying; establishment of the court's right to decide (rule) on compensation to a patent owner for losses incurred in the result of filing of application violating others' rights, or compensation in lieu of restitution; distribution of jurisdiction of courts and establishment of the owner of an unregistered industrial design, as well as violations of rights of its owner.

In order to approach to the European standards of protection, there were provided amendments to the Law of Ukraine «On Protection of Rights to Marks for Goods and Services», which relate

to the collective trademark; grounds for refusal in legal protection, which are stated in this draft law according to their definitions in the Directive and Regulations of the EU (including fixed grounds for refusal when the application is filed by the agent or representative of a person, using a trademark in another country, without appropriate permission); establishment of the term of non-use of a trademark up to 5 years.

Major changes in the Law of Ukraine «On Protection of Rights to the Topographies of Integrated Circuits» are: a new-calculated term of a certificate (from the end of a calendar year, in which a topography of integrated circuit was used for the first time, or from the end of the calendar year, in which the appropriately drawn application was filed); another topography of integrated circuit, created following the analysis, estimation or study of the concept, process, systems or methods, embodied in the registered layout, is not considered to be a violation of rights to the topography of integrated circuit.

The Law of Ukraine «On Protection of Appellations of Origin» was amended in the part regarding the name of the object by replacing it with «geographical indication»; direct protection of geographical indication and the appellation of origin as a type of geographical indication; registration of the right to use a geographical indication, which is not mandatory now, but voluntary, and many other significant changes in the regulation of legal protection of geographical indications.

The purpose of drafting the Law of Ukraine «On Amending Certain Legislative Acts of Ukraine (Related to the Strengthening of Intellectual Property Rights Enforcement)» is to agree current legislation of Ukraine with the EU legislation, namely the implementation of Directive 2004/48/EU of the European Parliament and of the Council of April 29, 2004 on the enforcement of intellectual property rights and the relevant provisions of the EU-Ukraine Association Agreement. The changes made to the laws of Ukraine relate, particularly, to the compensation for violation of intellectual property rights, persons who are entitled to apply to court to protect those rights, obtaining evidence and the right to information in cases of violation of these rights, and alternative measures, which a court can take in cases related to the infringement of intellectual property rights.

Measures, taken by SIPS, in terms of legislative activity during 2015, were also aimed at bring-



ing legislation on intellectual property rights in line with the laws on administrative services. To cope with this challenge, SIPS worked out the Draft Law «On Amending Certain Laws of Ukraine Related to Settlement of Rendering the Administrative Services in the Field of Intellectual Property». Position of SIPS and the Ministry of Economic Development and Trade of Ukraine, as a body shaping the policy on administrative services, is that the actions related to the protection of industrial property rights (inventions, utility models, industrial designs, trademarks, geographical indications, and topographies of integrated circuits) can not be classified as administrative services, which was reflected in the draft law accordingly. The draft law passed the legal examination of the Ministry of Justice of Ukraine and was submitted to the Ministry of Economic Development and Trade of Ukraine.

In order to create an effective mechanism to combat Internet infringements of the legal rights and interests of copyright and related rights entities, which will contribute to the fulfillment by Ukraine of its international obligations to ensure effective protection of intellectual property rights at the national and international levels, SIPS elaborated the Draft Law of Ukraine «On Amending Certain Legislative Acts Related to Enforcement of Copyright and Related Rights on the Internet».

Following the results of the working group, in summer of 2015, the final version of the draft law was prepared by the Ministry of Economic Development and Trade of Ukraine; in autumn of the reporting year, it was published on the official website of the Ministry of Economic Development and Trade of Ukraine, and was submitted for approval to the concerned executive agencies.

The basis is the draft version, drawn up at the end of 2014 by the experts of SIPS following the results of the work with international experts within the Twinning project «Strengthening the Protection and Enforcement of Intellectual Property Rights in Ukraine» and the CLDP (Commercial Law Development Program of the U.S. Department of Commerce).

At the end of 2015, the Draft Law «On Amending Certain Legislative Acts Related to Enforcement of Copyright and Related Rights on the Internet» was registered in the Verkhovna Rada of Ukraine (Registration No. 3353 of October 23, 2015).

At the same time, it is important to develop partnership between market participants, primarily right holders and providers.

Given the fact that relations between providers and right holders in Ukraine have not reached the stage of systematic cooperation yet, it is necessary to stimulate market players to develop such partnership.

Thus, SIPS elaborated the Draft Order of the Cabinet of Ministers of Ukraine «On Implementation of the Pilot Project in the Field of Copyright and Related Rights», which was submitted for approval to the Ministry of Economic Development and Trade of Ukraine in autumn, 2015.

The pilot project anticipates the establishment of a depositary of copyright and related rights objects, or their representative samples, which can be used to track evidence of illegal content on the Internet. This will allow to take prompt measures to stop the said violations. It is also planned to provide open access to the depositary of information about owners and their rights, which will be useful for potential users of the content, as well as on information intermediaries, who receive requirements for the elimination of «pirated» content on the Internet.

In addition, the pilot project aims at developing effective mechanisms to solve issues related to the calculation and payment of remuneration for the use of copyright and (or) related rights objects on the Internet, as well as fixing the facts of posting of the information, which is a proof of copyright and (or) related rights infringement, on a website.

In November 2015, employees of SIPS and the State Enterprise «Intelzakhyst» took part in the conciliation meeting on the draft order, which was held at the Ministry of Economic Development and Trade of Ukraine, and presented the convincing arguments in favor of the pilot project.



To address the issues that have recently arisen in law enforcement and related to the so-called «patent trolling», in 2015, the work on approval of the Draft Law «On Amending the Law of Ukraine «On Protection of Rights to Industrial Designs», drawn up by SIPS, was continued.

The draft law anticipates introducing changes to the current laws in terms of examination of applications for industrial designs, particularly rules on electronic publication of applications on a website and making them available to the public to submit objections to the registrations of industrial designs, while at the examination stage, are introduced. Such mechanism of preventing unfair registrations of industrial designs, based on international experience, including the EU countries, is recognized as the most effective by members of the working group, established specifically to elaborate the conceptual basis of the draft law, and included a number of leading experts of the state system of intellectual property legal protection (SIPS, examination authority, patent attorneys), as well as the representatives of businesses and the public (including EBA). The draft law was agreed with the concerned authorities and received the opinion of the Ministry of Justice of Ukraine. However, on March 10, 2015, the Verkhovna Rada of Ukraine registered the Draft Law of Ukraine «On Amending the Law of Ukraine «On Protection of Rights to Industrial Designs»» (to change the procedure for obtaining patents for industrial designs), Reg. No. 2352, submitted by a member of parliament of Ukraine. The draft law also aims to solve the aforesaid problem, and therefore SIPS and the Ministry of Economic Development and Trade of Ukraine agreed to support it. Currently, this draft law is under discussion in the committees of the Verkhovna Rada of Ukraine.

Also, to improve legislation on copyright and related rights, SIPS has developed the following bylaws:

1. The Draft Resolution of the Cabinet of Ministers of Ukraine «On Coordination Council for Intellectual Property Rights Enforcement».

It aims to establish a permanent advisory body under the Cabinet of Ministers of Ukraine to promote coordination on intellectual property rights enforcement.

It was submitted to the Ministry of Economic Development and Trade of Ukraine for approval.

2. The Draft Resolution of the Cabinet of Ministers of Ukraine «On Amending and

Invalidating Certain Acts of the Cabinet of Ministers of Ukraine».

The draft was drawn up in accordance with paragraph 17 of Resolution No. 13046/1/1-15 of April 09, 2015 by Arsenii Yatseniuk, the Prime Minister of Ukraine, with regard to the Law of Ukraine No. 222-VIII of March 2, 2015 «On Licensing Economic Activities». The draft resolution is aimed at bringing into line the regulatory acts to the acts of higher legal force (the Laws of Ukraine «On Licensing Economic Activities», «On Basic Principles of State Supervision (Control) in the Field of Economic Activities»), at resolving the existing inconsistencies and contradictions between these laws and regulations of the Cabinet of Ministers of Ukraine.

It was approved by the Ministry of Economic Development and Trade of Ukraine without comments. Currently, its approval with the concerned authorities is in progress.

3. The Draft Resolution of the Cabinet of Ministers of Ukraine «On Amending Resolution of the Cabinet of Ministers of Ukraine No. 253 of March 4, 2004».

It is aimed at settling institutional and legal framework of the Interagency Working Group on Software Legalization, expanding its mandate and ensuring promotion of its activities at the regulatory level.

The draft was submitted to the Ministry of Economic Development and Trade of Ukraine for approval.

4. The Draft Joint Order of the Ministry of Economic Development and Trade of Ukraine and the Ministry of Education and Science of Ukraine «On Amending the Order of the Ministry of Education and Science of Ukraine No. 311 of May 21, 2003 «On Approval of Registration of Collective Management Organization and Supervision of Activities Thereof»».

It was drafted to stop the uncontrolled increase in the number of collective management organizations in Ukraine until the corresponding law is adopted.

The draft was submitted to the Ministry of Economic Development and Trade of Ukraine for approval and posted on the official website of the Ministry for public discussion.

By order of Arsenii Yatseniuk, the Prime Minister of Ukraine, in relation to the development of proposals for reforming the system, given the world experience, SIPS established a working group to develop the Conceptual Framework for the



Intellectual Property Sphere Development, which involves academics, lawyers, patent attorneys, court experts, representatives of the Ministry of Economic Development and Trade of Ukraine, the Secretariat of the Verkhovna Rada of Ukraine on Science and Education, the Cabinet of Ministers of Ukraine, the Administration of the President of Ukraine, the Association of Patent Attorneys of Ukraine, the Bar Association of Ukraine, the Association of Lawyers of Ukraine, research institutions, the «EasyBusiness» project experts and other experts in the field. The Draft Conceptual Framework is published on SIPS official website for public discussions. The Draft Conceptual Framework, revised given the results of the survey, was submitted to the working group and the Scientific Advisory Board under SIPS, who endorsed the proposed wording of the document in general and recommended SIPS to submit it to the Ministry of Economic Development and Trade of Ukraine for consideration when developing the National Strategy of Intellectual Property Sphere Development in Ukraine.

The Conceptual Framework contains proposals for the development of intellectual property sphere, problems to be solved to achieve the objectives, principles and defining directions of

development, as well as defines the place of the national intellectual property office in the system of central executive authorities of Ukraine, and the main functions it should perform to provide adequate legal protection of intellectual property in modern conditions of development of innovative economy.

In particular, priority activities, related to the development of the national legal framework and its harmonization with the EU regulations, have been identified:

- completing the Action Plan for implementation of the EU-Ukraine Association Agreement;
- providing necessary conditions for the functioning of the free trade area;
- implementing the recommendations of the Hearings in the Verkhovna Rada of Ukraine on Science and Education of June 17, 2015 «Intellectual Property in Ukraine. Status and Conceptual Framework of Development»;
- improving legal protection of inventions and utility models in line with the EU countries experience;
- improving legal protection of industrial designs in line with the EU countries experience;
- improving legal protection of commercial names (trademarks, geographical indica-



tions, trade names) in line with the EU countries experience;

- improving legal protection of copyright and related rights;
- improving legal protection of non-traditional intellectual property rights;
- improving the nomenclature used in the industry legislation on intellectual property and bringing it to the same understanding;
- improving the allocation of intellectual property rights to objects created in connection with the employment agreement or contract for customized creation and use of intellectual property rights, agreement on implementation of research and development work, etc.;
- improving the allocation of intellectual property rights to objects created at the expense of the state budget;

- improving the legislation on notaries in terms of securing notaries' right to provide evidence of the use of intellectual property rights on the Internet;

- improving the legislation on television and radio broadcasting in order to strengthen the enforcement of intellectual property rights;

- improving provisions of the Criminal Code of Ukraine and the Code of Ukraine on Administrative Offences regarding liability for violation of intellectual property rights.

On December 21, 2015, the Conceptual Framework of the Intellectual Property Sphere Development of Ukraine was submitted for consideration to the Ministry of Economic Development and Trade of Ukraine, as well as posted on SIPS official website.



## 2 Industrial Property Rights Protection



Andrew Kudin  
Director General of the State Enterprise «Ukrainian Intellectual Property Institute»

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

In 2015, about 48 thousand applications for industrial property rights, including nearly 4.5 thousand applications for inventions, more than 8.6 thousand those for utility models, about 2.1 thousand applications for industrial designs and over 32.8 thousand applications for trademarks and service marks (including about 24.7 thousand those under the national procedure), were filed with the State Enterprise «Ukrainian Intellectual Property Institute» (Ukrpatent) as an authorized

body for the examination of applications for industrial property rights (Table 2.1).

During the year under review, 2,507 applications for industrial property rights were filed through the electronic filing system, including 221 application for inventions (8.8% of all electronic applications), 168 (6.7%) those for utility models, 2,118 (84.5%) for trademarks and service marks (Table 2.2., Figure 2.1).

Also, like in 2014, the top users of the electronic filing system were applicants from the Cities of Kyiv and Kharkiv (about 70% of the total amount of electronic filings).

Table 2.1: Applications for industrial property rights protection \*

Industrial property categories	Number of applications filed				
	2011	2012	2013	2014	2015
Inventions	5,247	4,944	5,418	4,813	4,497
Utility models	10,437	10,229	10,175	9,384	8,616
Industrial designs	1,761	1,851	3,778	2,664	2,080
Trademarks and service marks	29,759	32,051	34,226	27,526	32,618
national procedure	21,094	22,781	24,471	18,796	24,652
Madrid system	8,665	9,270	9,755	8,730	7,966
Topographies of integrated circuits	1	3	3	1	–
Qualified indications of the origin of goods	4	3	–	3	3

\* Data for the preceding years are corrected

Table 2.2: Filing of applications through the electronic filing system

Industrial property categories	2011	2012	2013	2014	2015
Total	911	1,867	2,031	1,896	2,507
Inventions	71	143	169	161	221
Utility models	80	159	134	115	168
Trademarks and service marks	760	1,565	1,728	1,620	2,118

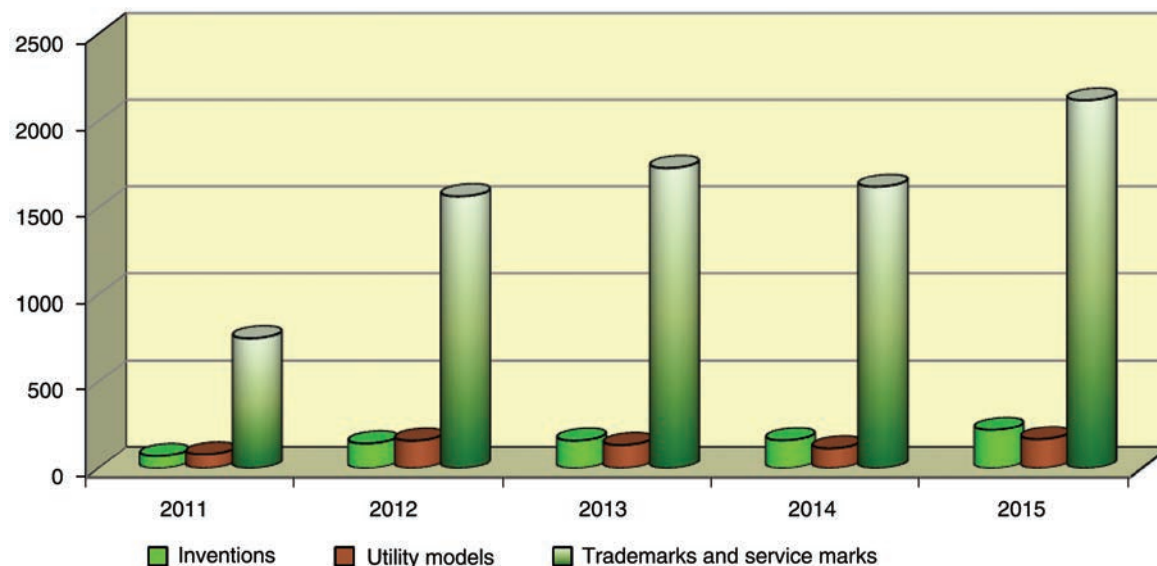


Figure 2.1: Trends in electronic filing

### Inventions

Over the course of 2015, 4,497 applications for inventions were filed that is 6.6% less as compared with the previous year (Table 2.3., Figure 2.2). The number of applications filed by residents decreased by 7.7%, the number of non-

resident applications – by 5.4%, including entries under the PCT which decreased by 6.8%.

To protect inventions abroad under the PCT procedure, 130 resident applications were filed.

Residents filed 2,267 applications for inventions in 2015 (50.4% of the total filings). The

Table 2.3: Applications for inventions filed and patents granted

Subject matter	2011	2012	2013	2014	2015
Applications filed:	5,247	4,944	5,418	4,813	4,497
under the national procedure	2,926	2,834	3,132	2,674	2,505
by residents	2,638	2,483	2,854	2,454	2,265
by non-residents	288	351	278	220	240
under the PCT procedure	2,321	2,110	2,286	2,139	1,992
including resident applications	1	1	3	2	2
Patents for inventions granted:	4,061	3,405	3,635	3,319	3,014
to residents	1,902	1,557	1,743	1,701	1,516
to non-residents	2,159	1,848	1,892	1,618	1,498
Patents in force by the end of the year	24,773	25,276	26,033	26,183	25,736

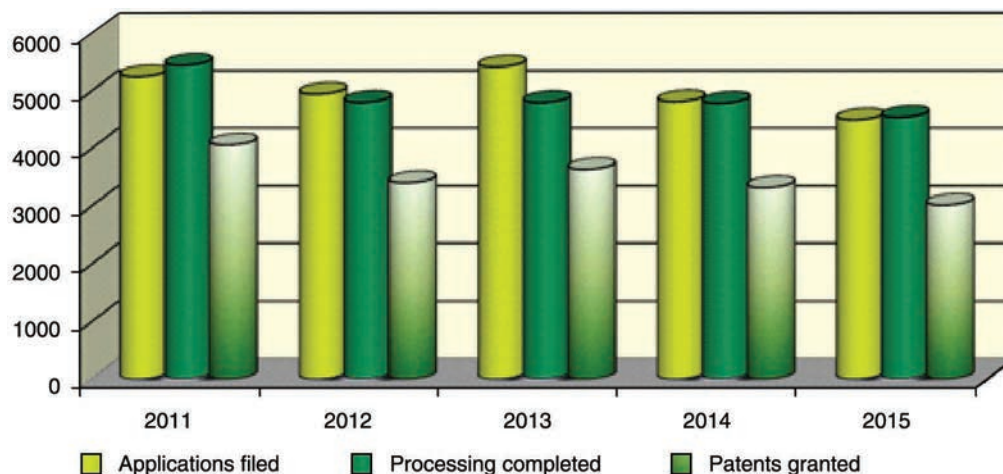


Figure 2.2: Trends in filings, disposals and grants of patents for inventions

distribution of resident applications by Ukraine regions during 2011-2015 is shown in Figure 2.3. The largest number of resident filings came from the City of Kyiv (31.9%), Kharkiv Region (13.6%), Dnipropetrovsk Region (10.3%), Donetsk Region (6.0%), Odesa Region (5.3%), Lviv Region (4.0%), Zaporizhia (3.5%) and Kyiv Region (3.4%).

The share of non-resident applications amounted to 49.6% of total filings. The largest number of non-resident filings came from the USA (688

applications), Germany (304), Switzerland (235), France (111), the United Kingdom (103), Japan (73), Italy (69), the Russian Federation (61), Denmark (45), Austria and the Netherlands (42 applications each).

The number of the PCT national phase entries amounted to nearly 90% of total non-resident filings in 2015 (Figure 2.4). The distribution of applications for inventions according to the IPC classes is shown in Table 2.4. Data on applications processing activities are presented in Table 2.5.

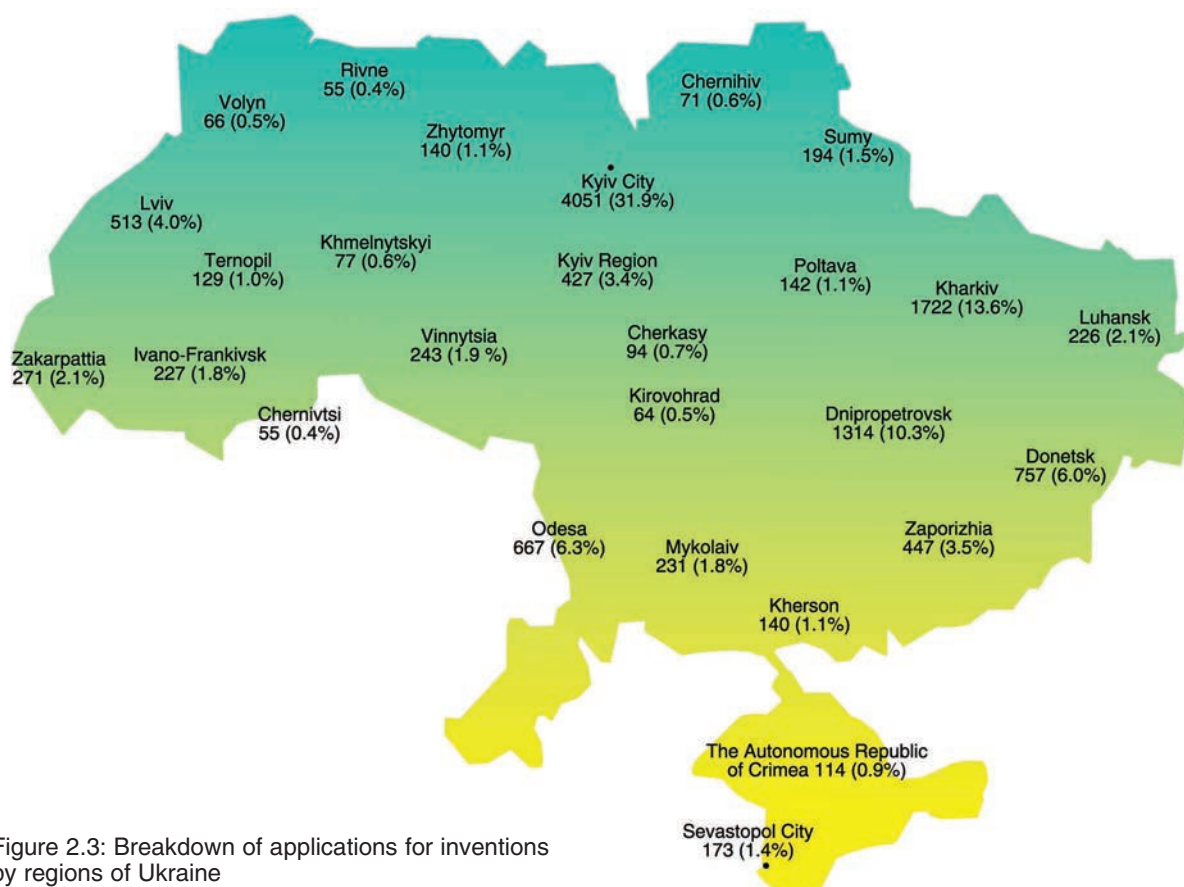


Figure 2.3: Breakdown of applications for inventions by regions of Ukraine

During the year under review, 3,014 patents for inventions were granted. Patents granted to residents amounted to 1,516 (50.3%) (Table 2.2).

As of January 1, 2016, a total of 115,328 pat-

ents for inventions were entered into the State Register of Patents of Ukraine for Inventions, including 25,736 patents for inventions being in force.

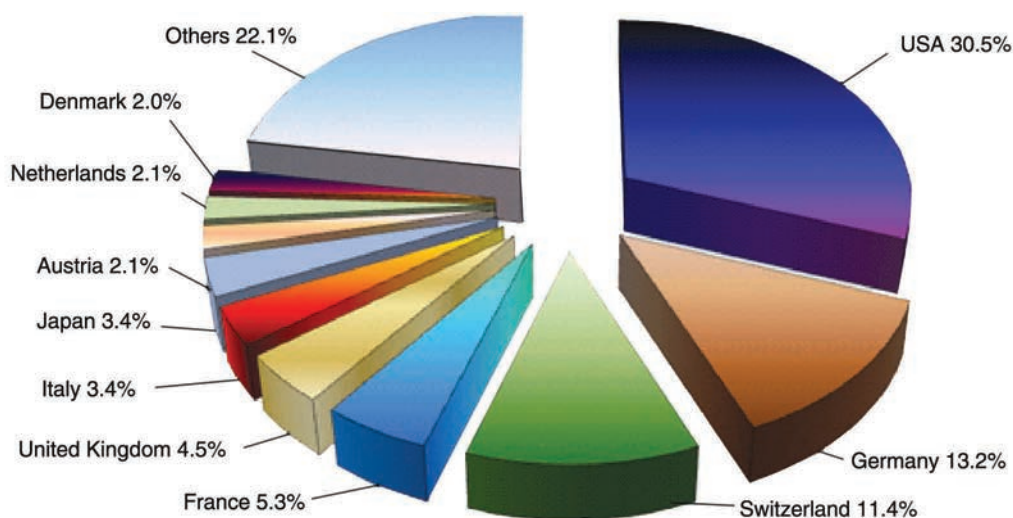


Figure 2.4: Breakdown of PCT applications by origin

Table 2.4: Breakdown of applications for inventions according to the IPC

IPC class	Class headings	Total number of applications	Resident	Non-resident
A61	Medical or veterinary science; hygiene	631 (14.0%)	253 (11.2%)	378 (17.0%)
C07	Organic chemistry	452 (10.1%)	16 (0.7%)	436 (19.6%)
A01	Agriculture; forestry; animal husbandry; hunting; trapping; fishing	313 (7.0%)	63 (2.8%)	250 (11.2%)
G01	Measuring; testing	178 (4.0%)	144 (6.4%)	34 (1.5%)
C12	Biochemistry; beer; spirits; wine...	136 (3.0%)	29 (1.3%)	107 (4.8%)
B65	Conveying; packing; storing; handling thin or filamentary material	117 (2.6%)	27 (1.2%)	90 (4.0%)
A23	Foods or foodstuffs; their treatment, not covered by other classes	103 (2.3%)	62 (2.7%)	41 (1.8%)
A24	Tobacco; cigars; cigarettes...	87 (1.9%)	2 (0.1%)	85 (3.8%)
B01	Physical or chemical processes or apparatus in general	69 (1.5%)	29 (1.3%)	40 (1.8%)
H04	Electric communication technique	68 (1.5%)	10 (0.4%)	58 (2.6%)
H01	Basic electric elements	60 (1.3%)	42 (1.9%)	18 (0.8%)
F16	Engineering elements or units	57 (1.3%)	42 (1.9%)	15 (0.7%)
H02	Generation, conversion, or distribution of electric power	56 (1.2%)	44 (1.9%)	12 (0.5%)
E21	Earth or rock drilling; mining	53 (1.2%)	36 (1.6%)	17 (0.8%)
C10	Petroleum, gas or coke industries; technical gases containing carbon monoxide; fuels; lubricants; peat	48 (1.1%)	21 (0.9%)	27 (1.2%)
F24	Heating; ranges; ventilating	46 (1.0%)	39 (1.7%)	7 (0.3%)
G06	Computing; calculating; counting	46 (1.0%)	33 (1.5%)	13 (0.6%)
C08	Organic macromolecular compounds...	45 (1.0%)	11 (0.5%)	34 (1.5%)

**Table 2.5: The substantive examination of invention applications**

Year	Number of requests for substantive examination	Allowed applications	Refused applications	Abandoned applications	Total disposals in the substantive examination procedure	Number of pending applications undergoing substantive examination
2011	4,386	4,132	38	911	5,081	3,974
2012	4,410	3,707	44	696	4,447	3,918
2013	4,721	3,699	40	731	4,470	4,154
2014	4,651	3,455	45	854	4,354	4,398
2015	4,040	3,101	68	1,373	3,995	4,257

*Utility Models*

In 2015, more than 8.6 thousand utility model applications, including 98.5% resident applications, were filed (Table 2.6, Figure 2.5).

Non-residents filed 132 applications. The distribution of utility model applications from non-resident applicants by origin is shown in Figure 2.6. Processing of 8,391 applications for utility

**Table 2.6: Utility model applications filed and patents granted**

Subject matter	2011	2012	2013	2014	2015
Applications filed:	10,437	10,229	10,175	9,384	8,616
Under the national procedure	10,425	10,224	10,152	9,373	8,601
by residents	10,285	10,030	9,977	9,243	8,484
by non-residents	140	194	175	130	117
Under the PCT procedure	12	5	23	11	15
including resident applications	–	–	–	1	–
Patents granted:	10,291	9,951	10,137	9,196	8,153
to residents	10,108	9,800	9,946	9,015	8,035
to non-residents	183	151	191	181	118
Patents in force by the end of the year	38,225	40,168	41,124	40,268	37,416

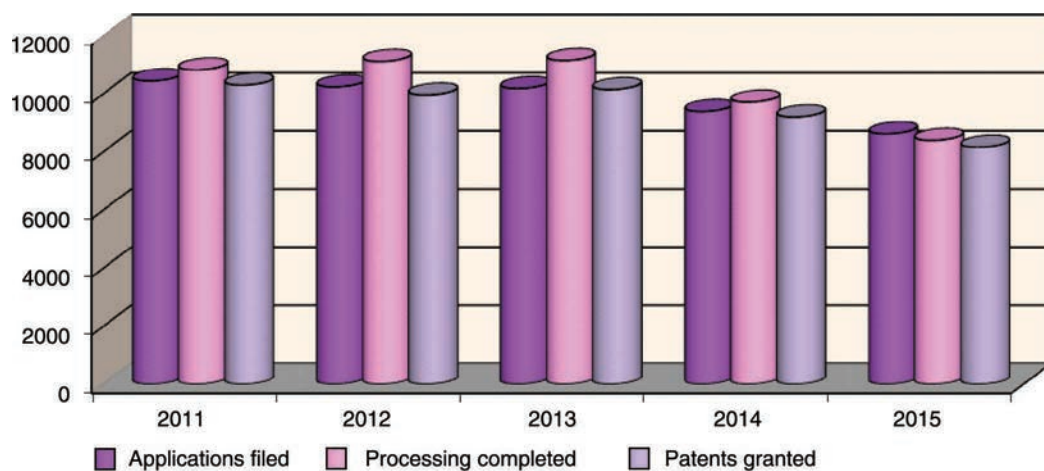


Figure 2.5: Trends in utility model filings, disposals and grants

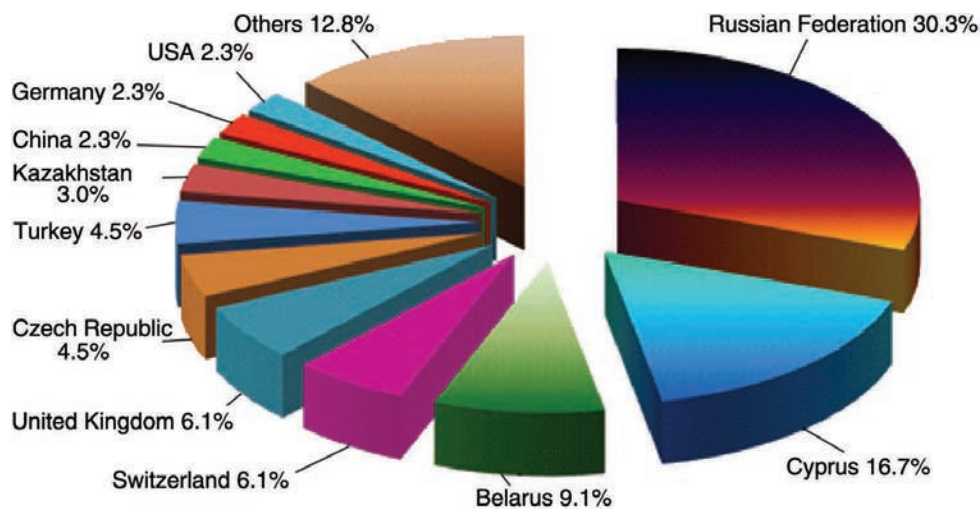


Figure 2.6: Breakdown of utility model applications by origin

Table 2.7: Breakdown of utility model applications and registrations according to the IPC

IPC class	Class headings	Applications	Registrations
A61	Medical or veterinary science; hygiene	1,353 (15.7%)	1,887 (23.1%)
G01	Measuring; testing	699 (8.1%)	926 (11.4%)
A01	Agriculture; forestry; animal husbandry; hunting; trapping; fishing	349 (4.1%)	460 (5.6%)
A23	Foods or foodstuffs; their treatment, not covered by other classes	313 (3.6%)	344 (4.2%)
B65	Conveying; packing; storing; handling thin or filamentary material	145 (1.7%)	150 (1.8%)
F16	Engineering elements or units...	144 (1.7%)	205 (2.5%)
B23	Machine tools; metal-working not otherwise provided for	135 (1.6%)	151 (1.9%)
B01	Physical or chemical processes or apparatus in general	129 (1.5%)	156 (1.9%)
H03	Basic electronic circuitry	129 (1.5%)	135 (1.7%)
E04	Building	100 (1.2%)	124 (1.5%)
E21	Earth or rock drilling; mining	98 (1.1%)	117 (1.4%)
C12	Biochemistry; beer; spirits; wine...	97 (1.1%)	127 (1.6%)
H02	Generation, conversion, or distribution of electric power	89 (1.0%)	110 (1.3%)
H01	Basic electric elements	87 (1.0%)	142 (1.7%)
G06	Computing; calculating; counting	86 (1.0%)	125(1.5%)
C02	Treatment of water, waste water, sewage, or sludge	84 (1.0%)	112 (1.4%)
B60	Vehicles in general	77 (0.9%)	108 (1.3%)
A21	Baking; equipment for making or processing doughs; doughs for baking	74 (0.9%)	73 (0.9%)
B21	Mechanical metal-working without essentially removing material; punching metal	74 (0.9%)	88 (1.1%)
F24	Heating; ranges; ventilating	72 (0.8%)	94 (1.2%)
E02	Hydraulic engineering; foundations; soil-shifting	71 (0.8%)	83 (1.0%)
B61	Railways	64 (0.7%)	54 (0.7%)



models was completed, including 7,964 with decisions on grant, 43 refusals and 384 abandoned applications. The breakdown of applications and patents for utility models according to the IPC classes is shown in Table 2.7.

Over the course of 2015, more than 8.1 thousand patents for utility models were granted, including 98.6% to resident applicants. Non-resident applicants were granted 118 patents, including 47 grants to applicants from the Russian Federation, 12 – from Belarus, 11 – from Cyprus, 7 – from Germany, 6 – from the United Kingdom, from Switzerland and the Czech Republic – 4 grants each.

As of January 1, 2016, 103,847 patents for utility models were entered into the State Register of Patents of Ukraine for Utility Models, including 37,416 patents being in force.

#### Industrial Designs

In 2015, 2,080 applications for industrial designs were filed (Table 2.8, Figure 2.7). The share of applications filed by non-resident applicants amounted to 12.9% of total filings.

Over the course of 2015, the top non-resident

applicants were from the Russian Federation with 67 applications (24.9%), the USA – 45 (16.7%), Cyprus – 34 (12.6%), Japan – 23 (8.6%), Poland – 12 (4.5%) and China – 10 (3.7%). The share of applications filed by applicants of listed countries amounted to 71.0% of total filings from non-resident applicants.

The total number of processed applications amounted to 3,200, including 2,932 with decisions on grant, 3 refusals and 265 withdrawn applications.

In 2015, a total of 2,521 industrial design patents were granted, including 564 (22.4%) non-resident patents (Table 2.8).

As of January 1, 2016, 31,154 patents for industrial designs were entered into the State Register of Patents of Ukraine for Industrial Designs, including 12,041 patents being in force.

Over the course of 2015, the effect of 622 international registrations under the Hague Agreement Concerning the International Registration of Industrial Designs was extended to the territory of Ukraine (Figure 2.8).

The most of industrial designs international registrations referred to the following classes

Table 2.8: Industrial design applications filed and patents granted

Subject matter	2011	2012	2013	2014	2015
Applications filed:	1,761	1,851	3,778	2,664	2,080
by residents	1,439	1,517	3,191	2,045	1,811
by non-residents	322	334	587	619	269
Patents granted:	1,337	1,541	2,010	2,464	2,521
to residents	1,098	1,225	1,682	1,780	1,957
to non-residents	239	316	328	684	564
Patents in force by the end of the year	9,454	8,084	10,051	11,095	12,041

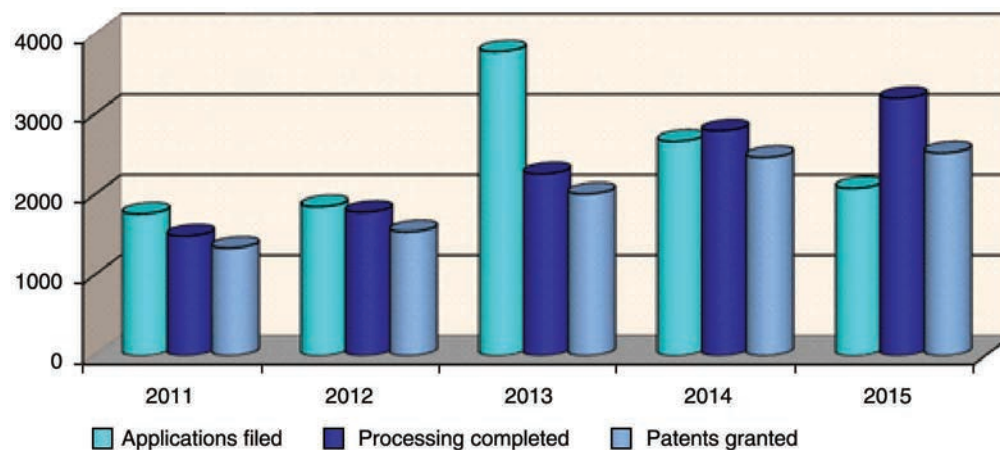


Figure 2.7: Trends in filings, disposals and grants of patents for industrial designs

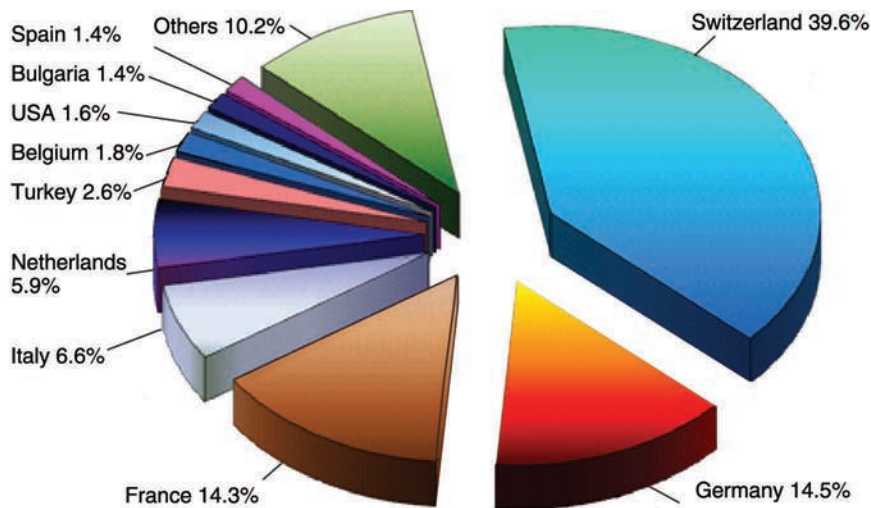


Figure 2.8: Breakdown of registrations under the Hague Agreement by origin

of the Locarno Classification: Class 10 (Clocks and watches and other measuring instruments, checking and signaling instruments) – 182 registrations; Class 09 (Packages and containers for the transport or handling of goods) – 59; Class 12 (Means of transport or hoisting) – 49; Class 23 (Fluid Distribution Equipment ...) – 40; Class 11 (Articles of adornment) – 38; Class 03 (Travel goods, cases, parasols and personal belongings, not elsewhere specified) – 31; and Class 32 (Graphic symbols and logos, surface patterns, ornamentation) – 26.

### Trademarks and Service Marks\*

#### National Procedure

During the year under review, the activity of resident applicants increased by 40.3%, and the activity of non-resident applicants decreased by nearly 7% (Table 2.9, Figure 2.9). The number of non-resident applications amounted to more than 3.4 thousand or 13.8% of the total filings under the national procedure.

\* For the sake of simplicity, the term «trademark and service mark» is often used interchangeably with «mark» or «trade-mark» in this publication, regardless of whether the registration concerns goods or services

Table 2.9: Trademark applications and registrations

Subject matter	2011	2012	2013	2014	2015
Applications filed:	21,094	22,781	24,471	18,796	24,652
by residents	16,836	17,940	19,769	15,140	21,246
by non-residents	4,258	4,841	4,702	3,656	3,406
Marks registered:	16,677	15,459	14,981	14,698	12,388
to residents	12,854	11,611	11,249	11,150	9,539
to non-residents	3,823	3,848	3,732	3,548	2,849
Registrations in force by the end of the year	133,411	144,481	153,548	161,592	167,166

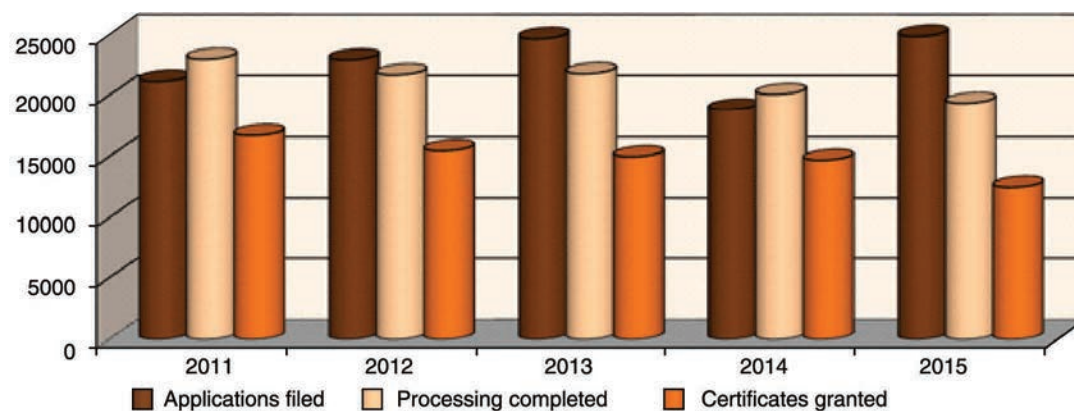


Figure 2.9: Trends in trademark filings, disposals and registrations under the national procedure

The most active were applicants from the USA with 737 (21.6%) applications, Cyprus – 487 (14.3%), Switzerland – 297 (8.7%), India – 230 (6.8%), the United Kingdom – 191 (5.6%), the Russian Federation – 127 (3.7%), Japan – 100 (2.9%), Germany – 95 (2.8%), France – 79 (2.3%), Austria – 78 (2.3%), China – 73 (2.1%) and the Netherlands – 71 (2.1%).

The breakdown of applications according to the classes of the Nice Classification is shown in Table 2.10.

The total number of disposals amounted to 19,333, including 13,448 decisions on trademark registrations, 1,852 refusals and 4,036 withdrawals.

Over the course of 2015, the total number of nearly 12.4 thousand of trademark certificates was registered. The share of resident registrations amounted to 77.0% (Table 2.9).

As of January 1, 2016, 207,603 certificates for trademarks and service marks were registered, of which 167,166 certificates were in force.

**Table 2.10: Breakdown of trademark applications to the classes of the Nice Classification**

Class of the Nice Classification	Class Headings	Total number of marks	Resident	Non-resident
35	Advertising; business management; business administration; office functions	9,244 (21.9%)	8,660 (23.9%)	584 (9.8%)
41	Education; providing of training; entertainment; sporting and cultural activities	2,887 (6.8%)	2,630 (7.2%)	257 (4.3%)
5	Pharmaceuticals, medical and veterinary preparations; sanitary preparations for medical purposes...	2,771 (6.6%)	1,657 (4.6%)	1,114 (18.6%)
30	Coffee, tea, cocoa and artificial coffee; rice...	2,023 (4.8%)	1,794 (4.9%)	229 (3.8%)
33	Alcoholic beverages (except beers)	1,628 (3.9%)	1,416 (3.9%)	212 (3.5%)
25	Clothing, footwear, headgear	1,623 (3.8%)	1,500 (4.1%)	123 (2.1%)
43	Services for providing food and drink; temporary accommodation	1,551 (3.7%)	1,440 (4.0%)	111 (1.9%)
42	Scientific and technological services and research and design relating thereto...	1,426 (3.4%)	1,233 (3.4%)	193 (3.2%)
9	Scientific, nautical, surveying... apparatus and instruments...	1,276 (3.0%)	939 (2.6%)	337 (5.6%)
29	Meat, fish, poultry and game; meat extracts...	1,255 (3.0%)	1,134 (3.1%)	121 (2.0%)
3	Bleaching preparations and other substances for laundry use...	1,160 (2.7%)	832 (2.3%)	328 (5.5%)
16	Paper and cardboard; printed matter; bookbinding material; photographs...	1,146 (2.7%)	987 (2.7%)	159 (2.7%)
38	Telecommunications	1,087 (2.6%)	953 (2.6%)	134 (2.2%)
44	Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services	960 (2.3%)	869 (2.4%)	91 (1.5%)
36	Insurance; financial affairs; monetary affairs; real estate affairs	958 (2.3%)	843 (2.3%)	115 (1.9%)
37	Building construction; repair; installation services	957 (2.3%)	890 (2.5%)	67 (1.1%)
39	Transport; packaging and storage of goods; travel arrangement	826 (2.0%)	745 (2.1%)	81 (1.4%)
32	Beers; mineral and aerated waters and other non-alcoholic beverages...	799 (1.9%)	678 (1.9%)	121 (2.0%)

### International Procedure

In 2015, 7,966 international applications were received from the International Bureau of WIPO. Legal protection was granted to 8,121 international marks (Table 2.11, Figure 2.10).

In 2015 the top users of the Madrid System were applicants from Germany (1,247), the USA (723), Switzerland (640), France (593), the Russian Federation (523), China (508), Italy (489), Turkey

(362), the United Kingdom (299), Hungary (241), Poland (181), the Netherlands (180), Japan (172), Spain (157), Austria (152) and Belarus (105). The share of applications from these countries amounted to 84.2% (Figure 2.11).

Over the course of 2015, 450 applications by the resident applicants were sent to the International Bureau of WIPO for international registration of trademarks (Figure 2.12).

**Table 2.11: International trademark applications filed and registered under the Madrid System**

Subject matter	2011	2012	2013	2014	2015
Applications filed*	9,030	8,775	9,924	8,487	7,966
including those under the Madrid Protocol	2,414	2,422	3,252	2,958	2,892
Protection granted	5,875	8,194	8,232	9,879	8,121

\* Data corrected according to the date of the notification of indication of Ukraine in the international registration or on the extension of the international registration to the territory of Ukraine

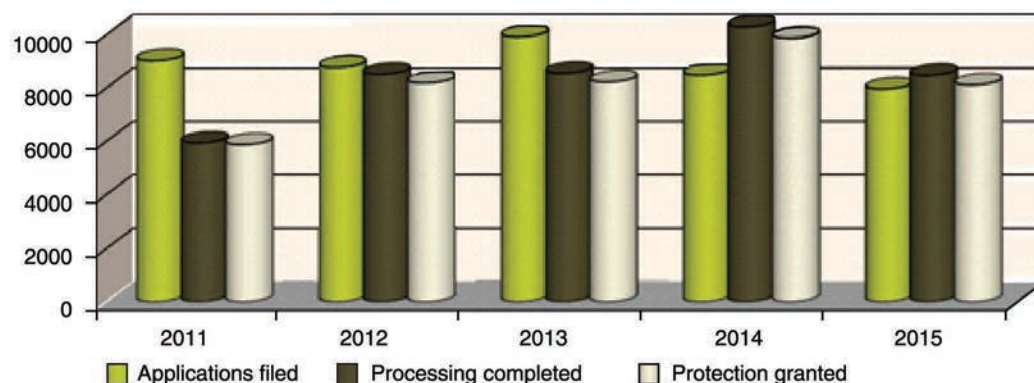


Figure 2.10: Trends in trademark filings, disposals and registrations under the Madrid System

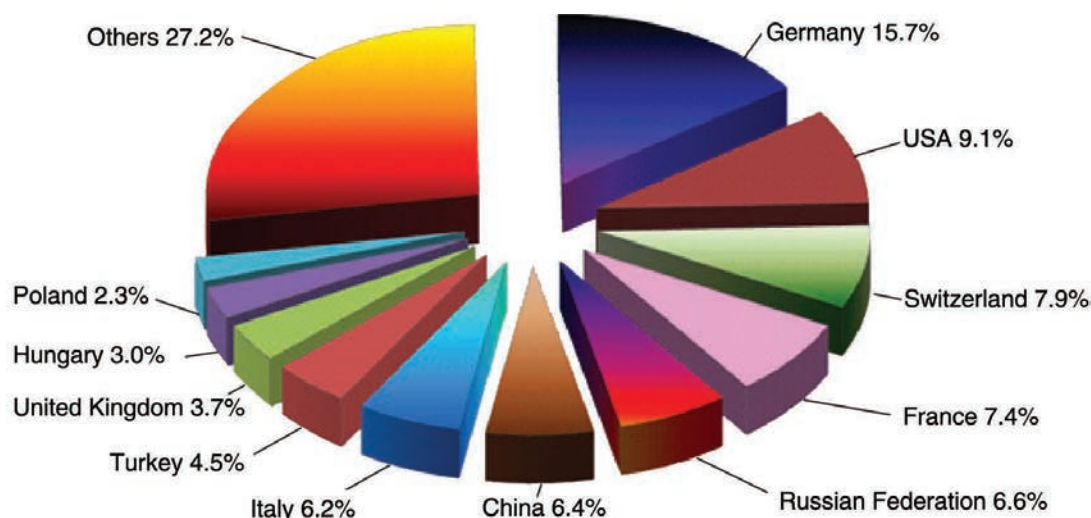


Figure 2.11: Breakdown of applications filed under the international procedure by origin

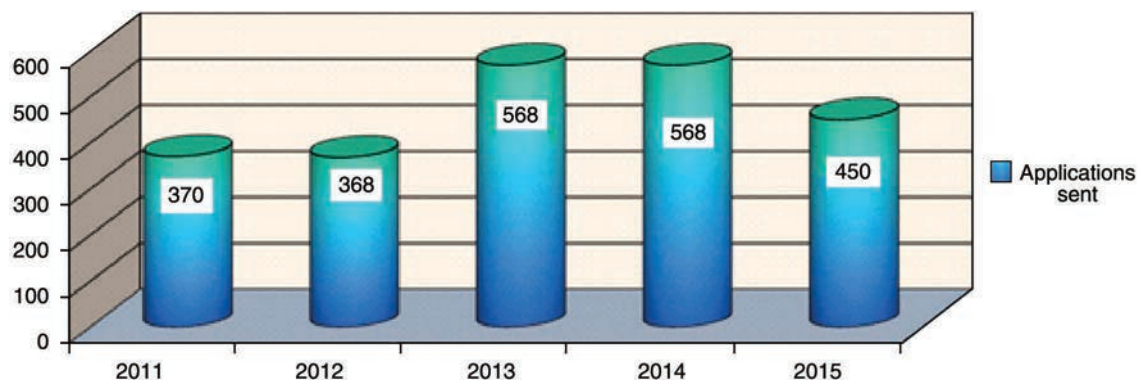


Figure 2.12: Trends in residents activity in the international registration of trademarks

## 2.2. Oppositions against Decisions on Applications and Invalidation of Titles of Protection

### Industrial Property Rights Enforcement in Administrative Form

In 2015, a total of 95 oppositions against the SIPS decisions were filed with the Appeals Chamber, 10 relating to inventions and 85 relating to trademarks and service marks among them (Table 2.12).

The Appeals Chamber boards held 244 sessions dealing with 11 oppositions against decisions on invention applications, 2 oppositions against decisions on utility model applications, 68

oppositions against decisions on trademark and service mark applications (Table 2.13).

A total of 81 decision of the Appeals Chamber were forwarded to appellants, in particular, 38 decisions were to fully satisfy the opposition, 5 decisions – to partially satisfy the opposition and 38 decisions were to dismiss the opposition. Four oppositions were withdrawn.

During the year under review, 12 applications on declaration of the marks to be well-known in Ukraine were filed with the Appeals Chamber. The Appeals Chamber boards held 25 sessions. A total of 6 decisions of the Appeals Chamber were forwarded to applicants, among which all

Table 2.12: Breakdown of oppositions by industrial property rights

Industrial property categories	2011	2012	2013	2014	2015
Inventions	18	16	16	11	10
Utility models	2	2	1	5	–
Industrial designs	1	–	–	–	–
Trademarks and service marks	67	134	63	71	85
Total	88	152	80	87	95

Table 2.13: Appeals Chamber decisions on oppositions concerning applications for industrial property rights

Industrial property categories	2011	2012	2013	2014	2015
Inventions	13	13	12	9	11
Utility models	1	1	2	4	2
Industrial Designs	–	1	–	–	–
Trademarks and service marks	60	62	65	115	68
Total	74	77	79	128	81

decisions declared the marks to be well-known in Ukraine.

In 2015, a total of 177 inquiries from individuals and legal entities were considered, studied and responded.

#### Industrial Property Rights Enforcement in Legal Form

In 2015, the Courts of Ukraine commenced proceedings on 220 cases related to industrial property rights enforcement where one of the litigants was SIPS and/or Ukrpatent. The breakdown of the cases is as follows:

- on invalidation of: certificates for trademarks and service marks – 64; patents for industrial designs – 22; patents for inventions – 5; patents for utility models – 20;
- on early termination of: the effect of certificates for trademarks and service marks – 37; the effect of international registrations on the territory of Ukraine – 4;
- on declaration of the marks to be well-known in Ukraine – 5;
- on industrial property rights recognition, enforcement and termination of infringements – 18;
- on invalidation of contracts on the assignment of rights in trademarks and service marks – 8;
- against the SIPS decisions on applications for trademarks and service marks, inventions, utility models, industrial designs and rights transfer – 24.

The cases on industrial property rights enforcement were examined in courts of general jurisdiction (106 cases), economic courts (80) and administrative courts (29 cases).

Over the course of 2015, SIPS and/or Ukrpatent took part in 1,343 court sessions with the aim of their interests representation.

SIPS enforced 87 judgements of court, in particular:

- on invalidation of certificates for marks in full – 21, partially – 6;
- on early termination of the effect of certificates for marks in full – 15, partially – 8;
- on early termination of the effect of marks international registrations in full – 6, partially – 2;
- on invalidation of patents for industrial designs – 11;
- on invalidation of patents for utility models – 8;
- on declaration of the marks to be well-known in Ukraine – 3;
- on renewal of a mark – 1;
- on a mark application proceeding – 3;
- on invalidation of contracts on the assignment of industrial property rights – 3.

In 2015, a total of 78 titles of protection invalidated by court decisions were entered by SIPS into the state registers (Table 2.14):

- certificates for marks in full – 20, partially – 6;
- international registrations of marks in full – 4, partially – 1;
- patents for utility models – 8;
- patents for industrial designs – 39.

#### 2.3. Registration of Data on Disposition of Industrial Property Rights

The total number of registrations of contracts on disposition of industrial property rights amounted to 2,086 in 2015, and decreased by about 3% as compared with the previous year (Figure 2.13), among them:

- 1,832 registrations concerning the assignment of exclusive industrial property rights;
- 114 registrations concerning issuance of licenses on the exploitation of industrial property rights;

Table 2.14: Titles of protection invalidated by court decisions

Industrial property categories	2011	2012	2013	2014	2015
Inventions	–	–	2	–	–
Utility models	1	–	6	8	8
Industrial designs	7	7	12	45	39
Trademarks and service marks	22	28	21	60	31
Total	30	35	41	113	78

- 140 open licenses on the exploitation of rights in inventions and utility models.

As compared to previous years, there remains the trend of the number of registrations of the contracts on assignment of exclusive industrial property rights considerably exceeding the number of registered licenses on the exploitation of industrial property rights.

The total number of industrial property rights in respect of which data on assignment of exclusive economic rights and granting licenses were entered into respective state registers amounted to 3,988, including 376 inventions, 206 utility models, 242 industrial designs and 3,164 trademarks and service marks.

As of December 31, 2015, data concerning 25,805 contracts on disposition of industrial prop-

erty rights were entered into the state registers, including 5,440 contracts concerning inventions and utility models, 19,076 – trademarks and service marks, 1,289 – industrial designs.

The information on entering data on disposition of industrial property rights into the state registers is represented in Table 2.15.

The data show that in 2015 the number of registered license contracts on exploitation of industrial property rights decreased by 27% as compared with the previous year (non-exclusive, exclusive and sole licenses). The number of entries on the assignment of rights in utility models, industrial designs, trademarks and service marks decreased too. However, the number of registered contracts on the assignment of rights in inventions has increased.

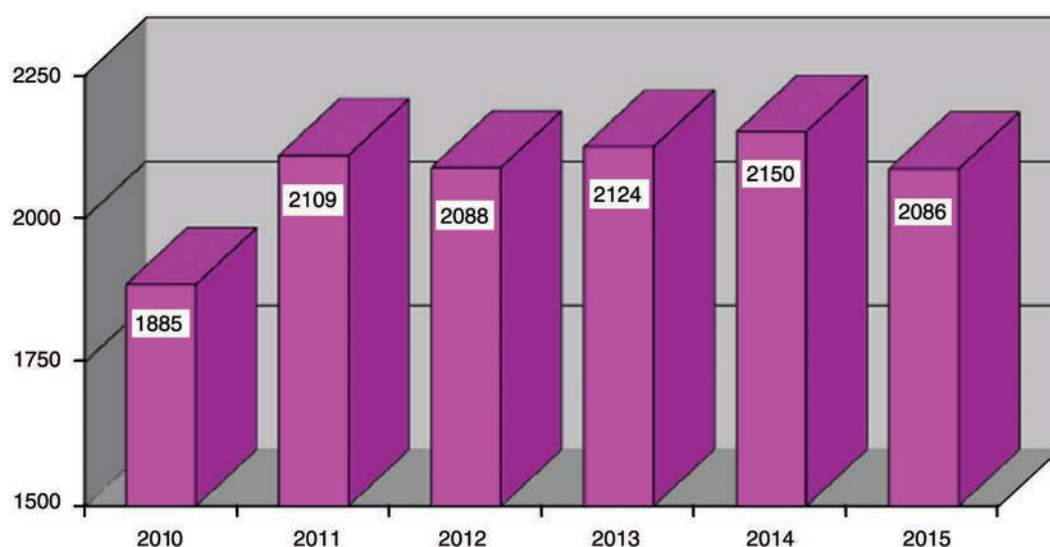


Figure 2.13: Trends in registration of contracts on disposition of industrial property rights in 2010-2015

Table 2.15: Breakdown of registered contracts on disposition of industrial property rights

Kind of contract	Number of contracts registered									
	Inventions		Utility models		Industrial designs		Trademarks		Total	
	2014	2015	2014	2015	2014	2015	2014	2015	2014	2015
Total, incl.	146	179	120	121	108	107	1,776	1,679	2,150	2,086
Non-exclusive licenses	3	1	16	2	2	3	88	74	109	80
Exclusive licenses	2	–	3	3	1	1	43	30	49	34
Sole licenses	–	–	–	–	–	–	–	–	–	–
Assignment of right	96	103	66	51	105	103	1,645	1,575	1,912	1,832
Open licenses	45	75	35	65	–	–	–	–	80	140

**Table 2.16: Data on disposition of economic rights in trademarks by Ukrainian owners and by foreign owners**

Kind of contract	Number of contracts		Number of trademarks and service marks	
	2014	2015	2014	2015
Contracts on assignment of exclusive economic rights in trademarks and service marks, incl.	1,645	1,575	2,927	2,997
by Ukrainian owners	1,238	1,260	2,077	2,228
by foreign owners	407	315	850	769
License contracts on exploitation of trademarks and service marks, incl.	131	104	182	167
by Ukrainian owners	83	81	92	128
by foreign owners	48	23	90	39

The number of publications concerning open licenses for inventions and utility models almost doubled as compared with the previous year.

Data presented in Table 2.16 show that, comparing to the previous year, the activity of Ukrainian right owners in transfer of economic rights somehow increased and granting licenses on exploitation of trademarks and service marks hasn't essentially changed.

To compare with the year 2014, the activity of foreign right owners in disposition of economic rights in trademarks and service marks considerably decreased in the domestic Ukrainian market: registrations on assignment of exclusive economic rights decreased by 23%, amount of registrations of license agreements decreased by 52%.

#### **2.4. Automation. Information Technologies Implementation**

Automation of procedures, as a means of improving staff productivity and ensuring high quality examination of applications, is the subject of constant attention at Ukrpatent. Annual development plans provide for measures to improve the existing automated systems, increasing their functionality and performance.

In 2015, major efforts were concentrated on implementing the paperless technology in processing applications and in information exchange, general electronic document management integrated with technological automated systems, creating an automated document management system for the International Searching Authority (ISA) and International Preliminary Examining

Authority (IPEA) procedures. There were also implemented comprehensive technical solutions aimed at the development of information infrastructure of Ukrpatent.

#### **Electronic Document Management System**

An important result of 2015 is the completion of development and testing of the general Electronic Document Management System (EDMS). All workstations of Ukrpatent employees are connected to the system, directories of departments and employees are generated, user accounts are entered, images of personal signatures are collected and uploaded to the database. The system is integrated with the technological automated systems «Vynakhody» (Inventions), «Znaky dlia Tovariv i Posluh» (Trademarks and Service Marks) and «Promyslovi Zrazky» (Industrial Designs) that allows for inter-system information interaction. The system is also enabled to send, receive and process legally significant electronic documents, i.e. to exchange electronic documents internally and externally.

The general EDMS is built in compliance with the national standards, regulatory requirements for electronic documents and electronic document management, and in full compliance with the internal document management regulations of Ukrpatent.

The developed functionality of the system provides for registration of documents received by any means: in paper form, by e-mail to the official Ukrpatent address ([office@ukrpatent.org](mailto:office@ukrpatent.org)), by fax or other telecommunication networks. There were implemented document routing and personnel



actions control functions at all the stages of creation and processing of documents. All actions by personnel are recorded in the system protocol. The document card stores full information about an electronic document, including dates, resolutions, assigned persons, and information on the completed actions.

Since the start of operation in July 2015, more than 3 thousand electronic documents have already been registered, which helped to save a large amount of paper and simplify procedures for searching and processing documents.

### **Inventions**

In 2015 actions were taken to modernize the «Vynakhody» (Inventions) Automated System (AS), which resulted in development of new functions of the quality control subsystem for examination of invention applications. Special program modules provide transfer of applications from an examiner, who applies for consultation, to the unit for quality control and improvement of examination of applications for inventions. Recommendations, comments and resolutions by the consultant are returned to the examiner, who applied for consultation. The consultant has the opportunity to generate automatically a report for a certain period, which reflects requests of examiners, numbers of applications, recommendations, comments, resolutions as well as time commitment for consulting examiners.

An important task was solved to provide automated generation of monthly progress reports by units for examination of applications for inventions, utility models and topographies of integrated circuits. For this purpose, the subsystem for generating reports and the document editor were reworked, a new function for accuracy control of the data entered into the report was developed, technological procedures and features for signing and returning for refinement of such documents were added. The existing program modules were also modified («Current Works», «Documents for Signature»), a new module «Units Progress Reports» was developed along with the server data collection procedure for reporting and displaying a list of the existing/signed reports for a specified period of time. The effect of the automated creation of monthly reports introduction consists in saving the time which heads of units spend on their formation. Keeping reports in the database provides quick access for viewing at any time. Subsequently, the information contained in

the reports, if necessary, can be used for other purposes. The subsystem controls will not allow including to the next reports data presented in previous reports.

Within the «Vynakhody» AS modernization the databases from the 2005 version of SQL-server were moved to the new 2014 version of SQL-Server in order to extend functionality of the database server, to increase the speed and reliability of automated systems functions.

In order to support character values (char, varchar data types) in Unicode format (nchar, nvarchar data types) the structure of the «Vynakhody» AS was amended. The need to support character values in Unicode format is predetermined by the fact that the database contains information on applications from other countries (PCT Applications) in the original language (for example, address for correspondence). To support Unicode format when entering character values to the editor program modules, changes were introduced to the interface forms and internal data storage formats. The necessary changes were also made to the subsystem for creating and printing documents and the full-text search engine.

In 2015, within the concept of transition to paperless documents management information technology, the project for automation of procedures and functions of the State Register of Patents of Ukraine for Inventions and the State Register of Patents of Ukraine for Utility Models in electronic form was drafted. The project offers functional decomposition and proposed technical solutions to develop a series of program modules within the structure of the «Vynakhody» AS for the procedures and functions of keeping registers electronically. Practical implementation of the project is scheduled for 2016.

Upgrade of the software for automated documents management systems of the Receiving



Office (RO) took place in 2015. As part of the modernization, the existing program modules were modified to implement functions of a new file creation with taking into account the method of filing an international application in electronic format, calculation and registration of fees, technological control of documents management terms. Additional program modules were also created in the system, providing implementation of the following new features:

- creation of outbound documents based on the International Bureau of WIPO forms;
- adding scanned application materials and additional materials submitted in paper form to an electronic file after processing by the Receiving Office;
- transfer of outbound documents to the International Bureau of WIPO through the secure PCT-EDI system for exchange of electronic documents;
- registration of incoming documents and formation of their list;
- formation of statistical indicators on filing and technological processing of applications.

The measures implemented to modernize the automated documents management system of the Receiving Office have made it possible to implement electronic documents management in the department of international applications and to eliminate a large number of paper documents from circulation.

#### **Trademarks and Service Marks. Industrial Designs**

In 2015, development of the special software to automate the collection of statistical information from databases and forming statistical reports was completed. This software is a part of the technological automated systems «Znaky dlia Tovariv i Posluh» (Trademarks and Service Marks) and «Promyslovi Zrazky» (Industrial Designs) and are intended for use, in particular, in the following processes:

- preparing statistical reports for WIPO;
- forming statistical data on the requests of governmental authorities;
- forming statistical indicators on the status of processing documents by industrial property rights (trademarks and service marks, industrial designs, international registrations of marks).

Data collecting for preparing statistical reports is performed based on 30 statistical indicators.

Software tools allow for the possibility of extension of the range of statistical indicators and their details. Accumulation of statistical information in the sub-database is automatically implemented by the statistics application server. While executing the function, information is loaded from the databases of technological systems. The required statistical indicators are calculated and stored in the statistics sub-database. Subsequently, the data are used to create statistical reports.

#### **IT Infrastructure**

Document management processes for industrial property rights applications and other procedures and functions, related to the activities of Ukrpatent, are supported through the program-and-technical complex (PTC) located in the computer network of Ukrpatent. The PTC is an integrated information system that includes automated technological systems, databases, electronic documents management, electronic documents archive, documents record system, accounting fees, forming sets of data for publications and others.

Automated systems are built on a client-server technology. The PTC resiliency technology, virtualization of servers and data storage are implemented.

Technical resource of Ukrpatent includes over 700 workstations based on personal computers, 33 physical servers, 10 data storage systems based on disk arrays, with the total capacity of more than 200 terabytes.

At the physical level, the IT infrastructure consists of a structured cabling system (SCS) of the building, data processing center (DPC) and workstations.

Automated worksites of examiners consist of personal computers, printers, scanners and other peripheral equipment. Connection to the Internet is implemented for users of information systems to search for and view information.

The Active Directory (AD) domain structure is in operation, which allows for central management of all enterprise information resources, including users, computers, files, peripherals, access to services, network resources, websites, databases and more.

For providing fault-tolerance of the domain structure multiple domain controllers are used.

The WSUS server provides the servers operating systems and client computers update.

In 2015, a number of measures were implemented aimed at support and development of the IT infrastructure of Ukrpatent:

- purchase and implementation of powerful technical equipment, used for the replacement of obsolete and worn out equipment and enhancing capacity for further virtualization of the IT infrastructure at Ukrpatent;
- introduction of the System Center Configuration Manager 2012R2 software tool, which allows to centrally install operating systems and software, set security policies, carry out an inventory of a computer and software composition, as well as monitoring of computers condition;
- training and testing of the Virtual Desktop Infrastructure (VDI) system. The phased deployment of desktop virtualization technology is planned starting from 2016.

#### **Key Certification Center**

Over the course of the 2014-2015 biennium, the key certification center was established at the premises of Ukrpatent, which received the certificate of accreditation.

Functioning of the own official key certification center allows for full provision of the Ukrpatent employees with digital signature services, as well as other individuals and entities that file applications through the electronic filing system.

#### **2.5. Information Support of Examination of Applications for Industrial Property Rights**

In order to meet the examiners need in true and up-to-date information, primarily for proper patent information provision of functions as an ISA and IPEA, formation of a number of patent information funds and resources, that make the patent information base for examination purposes, was provided at Ukrpatent during 2015.

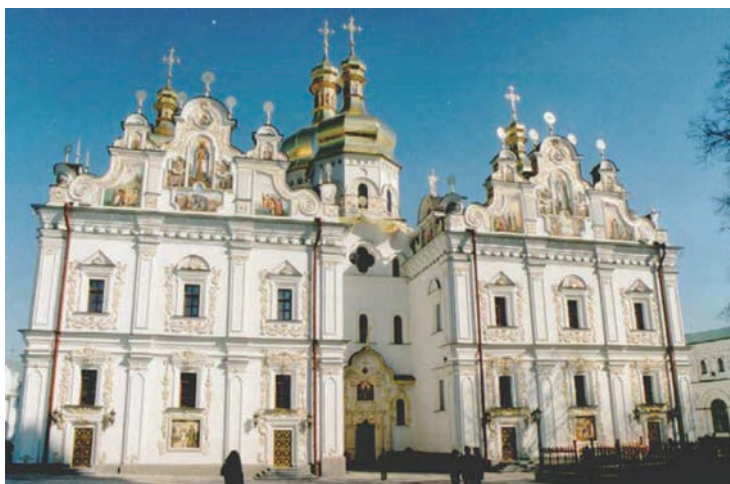
Replenishment of foreign patent documents collection on optical discs was in progress. Main source of acquisition of foreign patent documents for examination purposes and for the public needs is a bilateral international exchange of patent documentation with foreign patent offices, carried out by Ukrpatent as the center of international exchange of publications. Over the course of

2015, Ukrpatent received over 600 CDs from 14 national patent offices and the Eurasian Patent Office.

According to the approved composition of information resources for information searches, for the purpose of filling the contents of electronic information resources of Ukrpatent for the examination purposes, data sets from 386 optical discs, received within the international exchange of patent documentation, were used. It should be noted that the decrease tendency retained in the number of disks with foreign patent documents received by Ukrpatent, which is connected with discontinuation by some foreign patent offices of traditional ways of publishing patent documents on physical carriers and making them available through the Internet, spreading of data exchange via FTP-servers. In 2015, offices of the Russian Federation and Japan, which ceased publication of national documentation on physical media and its dissemination through international exchange, provided exchange partners with access to it through their FTP-servers.

The Reference and Information File (RIF) of examination was replenished in 2015 by 943 copies of books, booklets, periodicals, as well as national patent documentation – current publications of the Official Bulletin «Promyslova Vlasnist» (Industrial Property) on DVD and the national CD-ROM «Vynakhody v Ukraini» (Inventions in Ukraine).

The works on expanding the «Knowledge Base» (KB) of non-patent literature were continued by digitalizing the Ukrpatent's own collections of printed publications and article copies obtained from other information sources. The access to the KB is provided through the internal network (Intranet). Throughout the reporting period the base was replenished by over 4,200 documents.



The RIF of examination was also replenished by the national standards of Ukraine on the topic «Information and Documentation. Information Technologies» to provide measures, defined by the Concept of Information and Technical Support of the Main Activities of the Enterprise for 2013–2015, as well as for updating normative documents available in the RIF of examination. During the year, on a regular basis, the «Standarty» («Standards») periodical information index, published by the State Enterprise «Ukrainian Research, Development and Training Centre for the Matters of Standardization, Certification and Quality» functioning under the Ministry of Economic Development and Trade of Ukraine, was processed. The revealed information on changes and amendments was entered directly to documents and to the electronic information resource «Catalogue of regulations of Ukraine, available in information resources of Ukrpatent», formation of which and practical implementation at Ukrpatent was completed in the reporting year.

An important component in the information support of examiners remained the system of providing materials through inter-library loans using the collections of 74 Ukrainian libraries. Totally, according to the examiners queries, 2,253 documents were provided, 69% of which – in electronic form, indicating a steady increase trend in the share of electronic documents in user service.

The works were continued relating to the conclusion of agreements for examiners access to foreign commercial databases and information products, the use of which is mandatory and which provided full access to the PCT Minimum Documentation during 2015, namely:

- the EPO's EPOQUE Net system (Germany);
- REAXYS database (Netherlands);
- Derwent World Patent Index (DWPI) database (United Kingdom), accessible through the EPO's EPOQUE Net system;
- STN files and features by FIZ Karlsruhe (Germany).

Examiners requests for non-patent literature, including the PCT Minimum Documentation, were provided using the Access to Research for Development and Innovation (ARDI) program, coordinated by WIPO (Switzerland), «ScienceDirect ArticleChoice» Service by Elsevier B.V. (Netherlands), content of the IEEE Xplore Digital Library of the Institute of Electrical and

Electronics Engineers (USA), ACS products of the American Chemical Society (USA) and the Wiley Online Library by Wiley Subscription Services, Inc. (USA). As in previous years, free national and foreign Internet resources were used.

### **International Classifications of Industrial Property Rights**

To provide the use of International Classifications of industrial property rights in the process of applications examination and their use by applicants and general public (in the scope defined by the relevant regulatory legal acts), as well as to fulfil the commitments under the international agreements on International Classifications acceded by Ukraine, works were continued on updating the Ukrainian translations of international classifications and on implementation of new versions of the classifications in the state system of intellectual property legal protection, in line with the adopted WIPO strategy and practice.

In connection with the adoption of amendments and additions to the International Patent Classification (IPC) by WIPO and its new version entering into force on January 1, 2016, the following was provided in 2015:

- translation from English into Ukrainian, scientific and terminological, scientific and technical editing of the amendments and additions to the IPC with the aim of its updating and implementation as of January 1, 2016 of the Ukrainian version of IPC-2016.01;
- creation of a new IRS «International Patent Classification. Ukrainian Version (2016.01)», free access to which is provided as from January 2016 through the SIPS and Ukrpatent web-resources.

At the same time, verification of the terminological unity compliance in the previously translated text of the IPC in accordance with modern Ukrainian lexical and spelling norms and the state of the art in certain technical fields, differing with more rapid development, was in progress.

In connection with the fact that WIPO introduced amendments to the 2015 version of the tenth edition of the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification), and the Nice Classification (10-2016) entered into force on January 1, 2016, the following was provided in 2015:

- translation from English into Ukrainian,

scientific and terminological, scientific and technical editing of the amendments and additions to the Nice Classification (10-2015) were carried out in order to provide the use of Nice Classification (10-2016), translated into Ukrainian, in the state system of intellectual property legal protection;

– creation of the IRS «International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification). Tenth Edition, version 2016», which is freely accessi-

ble as from January 2016 through the SIPS and Ukrpatent web-resources.

Over the course of 2015, the Ukrainian translation of the Nice Classification was continuously refined for its further update with taking into account the norms of the modern Ukrainian language, increase of the scope of names of goods and services offered to consumers in line with the trends in goods/services market development, etc. These works will continue in the next periods.



# 3 Copyright and Related Rights

## 3.1. State Copyright Registration

Over the course of 2015, a total of 5,526 applications for registration of copyright on a work were filed with SIPS and 5,413 state registrations of copyright on a work were effected, which is 7% more than in the previous year (Figure 3.1).

Over the report period, some 1,050 registrations of copyright on works made for hire were effected, which is about 12% down compared with 2014 (1,195 registrations). As in the previous year, registrations of works for hire wherein economic rights belong to employers prevail (744 registrations). The number of registrations of works for hire wherein economic rights belong jointly to the employee and their employer amounts to 306 registrations.

In 2015, SIPS registered 246 agreements on author's rights for a work (Figure 3.2); 255 applications for the registration of agreements on author's rights for a work were filed. The largest number of registered agreements concerned the transfer (alienation) of proprietary rights for a work (216). A total of 15 agreements on transfer of exclusive rights and 15 agreements on transfer of non-exclusive rights for the use of a work were registered.

The data on registrations effected in 2015 were published in the SIPS Official Bulletin «Avtorske Pravo i Sumizhni Prava» (Copyright and Related Rights) and in the State Registration Catalogue.

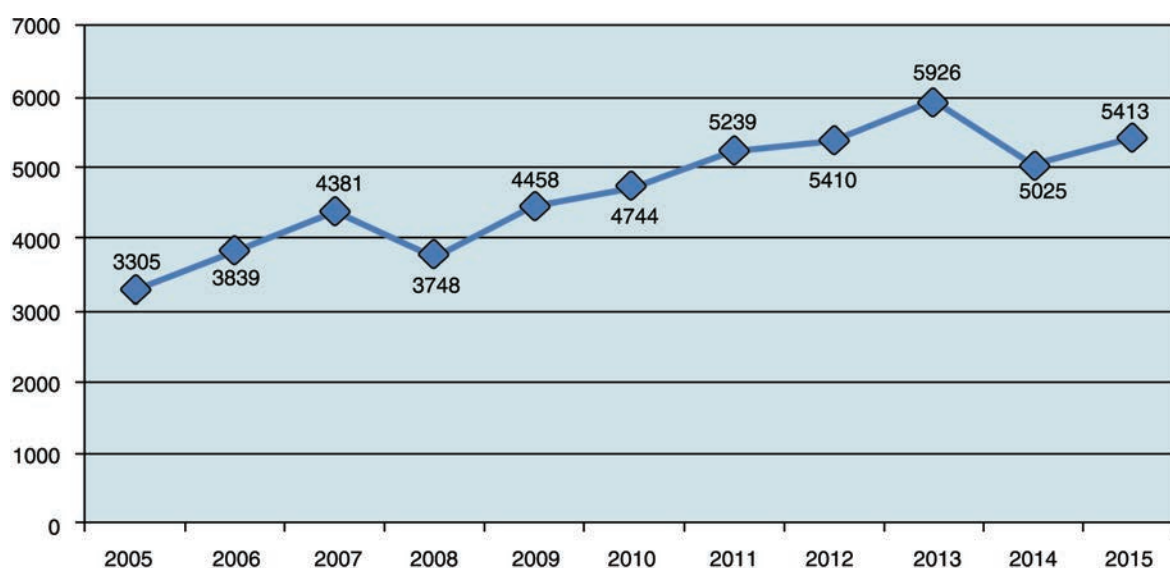


Figure 3.1: Trends in state copyright registrations

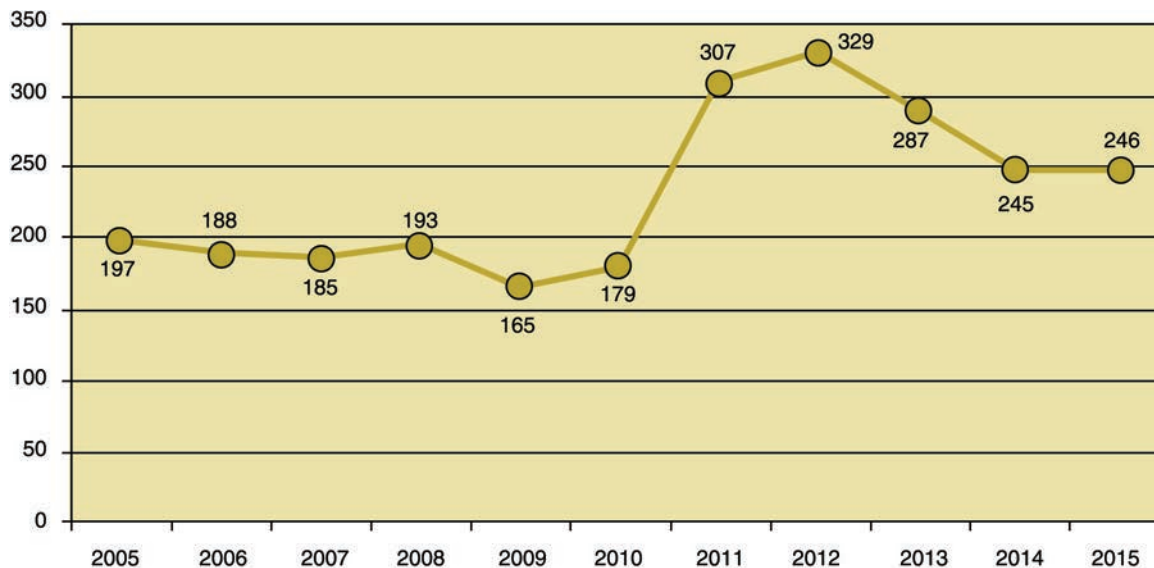


Figure 3.2: Trends in state agreement registration

### 3.2. Activities of Collective Management Organizations

As of the end of 2015, 19 collective management organizations were in the SIPS register.

In accordance with the Resolution of the Plenum of the Supreme Economic Court of Ukraine of December 17, 2013 No. 13 «On the amendment of some resolutions of the plenum of the Supreme Economic Court of Ukraine», all collective management organizations acting in the copyright sphere in Ukraine are effectively allowed to exercise extended collective management of proprietary rights, i.e. collect remuneration for an unlimited amount of copyright objects. This makes parallel licensing possible and creates chaos in the extended collective management system.

SIPS elaborated the Draft Law of Ukraine «On Collective Management of Proprietary Rights of Copyright and Related Rights Subjects». If adopted, the law will allow, in particular, to:

- legislate the matters of activities of collective management organizations in Ukraine;
- implement the basic provisions of Directive 2014/26/EU on collective management of copyright and related rights and multi-territorial licensing of rights in musical works for online use in the internal market;
- provide transparency of activities of collective management organizations.

SIPS prepared this draft law after extensive consultations with members of the public and international experts.

Thus, SIPS conducted a survey among the

Ukrainian public to determine the conceptual principles of the draft law.

In 2015, a number of international experts assisted in elaborating the draft law within the framework of the workshop under the Commercial Law Development Program of the U.S. Department of Commerce (CLDP) where the SIPS representatives were able to discuss the key provisions of the draft law with the representatives of international associations of collective management organizations. The draft law was, as a whole, highly appraised by the international specialists, whose recommendations were duly taken into account by SIPS.

While elaborating the Draft Law of Ukraine «On Collective Management of Proprietary Rights of Copyright and Related Rights Subjects», SIPS held consultations with the European experts within the EU Twinning project «Strengthening the Protection and Enforcement of Intellectual Property Rights in Ukraine».

The amended draft law was submitted to the Ministry of Economic Development and Trade of Ukraine by the SIPS letter of March 31, 2015 No. 1-6/2582.

Simultaneously, before the adoption of the law, SIPS took appropriate actions to stop the uncontrolled expansion of the number of collective management organizations in Ukraine.

With this aim, the Draft Joint Order of the Ministry of Economic Development and Trade of Ukraine and the Ministry of Education and Science of Ukraine «On the amendment of the Order of the Ministry of Education and Science of Ukraine

of May 21, 2003 No. 311 “On the approval of the collective management organizations registration procedure and supervision of their activities”». The draft order is not a substitute for the draft law and cannot resolve the issues in this sphere. However, registration of new collective management organizations will be stopped until the relevant law is adopted.

The said draft order was submitted to the Ministry of Economic Development and Trade of Ukraine for approval by the SIPS letter of October 26, 2015 No. 1-6/8412.

SIPS initiated the implementation of standards of transparency and quality of collective management organizations activities through the example of the State Organization «Ukrainian Agency of Copyright and Related Rights» (UACRR). With this aim, in order to execute the SIPS order of November 9, 2015 No. 182-n «On guaranteeing the transparency of the activities of the State Organization “Ukrainian Agency of Copyright and Related Rights”», reliable information on the organization’s activities since 2011, in particular on royalty distribution, started to be published on the website of the latter.

The UACRR is an organization of collective management of copyright on the basis of agreements signed directly with authors or right holders or with respective foreign copyright organizations. Through its membership in the International Confederation of Societies of Authors and Composers (CISAC), the UACRR, being the only CISAC member in Ukraine, is able to represent the interests of over 5 thousand Ukrainian as well as of over 3 million foreign authors.

Today, the UACRR is a leader in terms of the number of agreements signed with international collective management organizations and the amount of remuneration collected and paid. It is of crucial importance for the UACRR to not only maintain its best practices in the sphere of collective management of proprietary rights of copyright and (or) related rights holders, but also to provide transparency in its work with due regard to the EU standards.

Beside this, the UACRR, together with other collective management organizations, supported the SIPS initiative on the stepping up of the SIPS functioning as a mediator in negotiations and conflict resolution between collective management organizations and between these organizations and copyright and (or) related rights holders as provided for by article 4 of the Law of Ukraine «On Copyright and Related Rights».

Over the course of 2015, the UACRR energetically collaborated with the users of both, «big» rights – theatres, and «small» rights – concert organizers, TV and radio broadcasting companies, restaurants, cafes, bars and hotels. Notwithstanding the challenging economic situation, the total sum of royalties increased and reached UAH 40.4 million, which exceeds the last year amount by almost UAH 9 million. UAH 30.6 were collected immediately in Ukraine (Figure 3.3), and UAH 9.8 million were received from foreign partners.

During the report year, 10 agreements on mutual representation of interests were signed with such countries as Chile, South Korea, Hong Kong, Denmark, Azerbaijan, Georgia, Kenia,

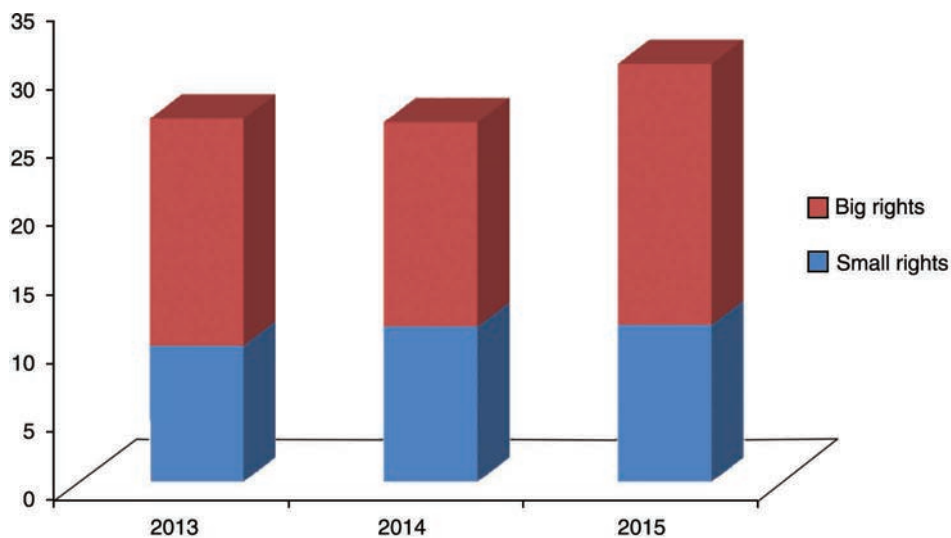


Figure 3.3: Trends in collecting royalties by the UACRR on the territory of Ukraine (million UAH)\*

\* Exclusive of the costs received from foreign partners



Zimbabwe. As of the end of 2015, the number of agreements in force on mutual representation of interests signed with foreign collective management organizations reached 116.

Beside this, 17 license agreements with foreign holders of rights for dramatic works were signed, whereby the total number of license agreements in force with foreign right holders reached 128.

Close attention is currently being paid to the collection of royalties for Ukrainian authors from foreign partners and sending royalties to foreign authors whose works are performed in Ukraine. Thus, in 2015, royalties in the amount of UAH 6.18 million were duly sent and UAH 9.8 million were duly received (Figure 3.4).

Apart from that, in 2015, the UACRR aimed to maximally increase the transparency of its work according to the international standards and continued to update international databases with the list of works belonging to Ukrainian right holders, combining it with active work immediately with Ukrainian right holders and foreign partners. Thus, in 2015, a total of UAH 25.4 million was paid to Ukrainian and foreign right holders, which exceeds the 2014 amount by 12%.

The UACRR continuously carries out judicial and claim settlement activities on collecting debts from users and paying compensations for unlawful use of copyright-protected items.

Throughout 2015, as much as UAH 332 thousand of compensations were transferred to the agency's account. Such actions urge many users to sign agreements with the UACRR through the pre-trial process, which contributes to the larger amount of remuneration being paid to authors.

### 3.3. Software Legalization

In accordance with the Procedure of computer software legalization in executive power bodies endorsed by the Order of the Cabinet of Ministers of Ukraine of March 4, 2004 No. 253, SIPS summarizes the information submitted by executive power bodies on the list and number of copies of computer software to be legalized.

In 2015, SIPS made the software inventory. In execution of Item 17 of the Procedure of using computer software in executive power bodies endorsed by the Order of the Cabinet of Ministers of Ukraine of September 10, 2003 No. 1433, in April 2015 SIPS sent aggregated information on the results of computer software inventorying in executive power bodies to the Ministry of Economic Development and Trade of Ukraine.

Numerous mistakes and inaccuracies are made in the process of computer software inventorying by executive power bodies, which does not allow determining the actual number and list of such software. SIPS therefore made a decision to carry out the state audit of the use of computer software in executive power bodies, supported by the Ministry of Economic Development and Trade of Ukraine and the Cabinet of Ministers of Ukraine.

At the same time, SIPS made great efforts to raise the status of Ukraine in the U.S. Government Special 301 Report. In particular, according to the instruction of the Vice-Prime-Minister of Ukraine, the Minister of Culture of Ukraine, Mr. Viacheslav Kyrylenko, of March 4, 2015 No. 8424/1/1-15, SIPS was tasked to ensure the carrying out of

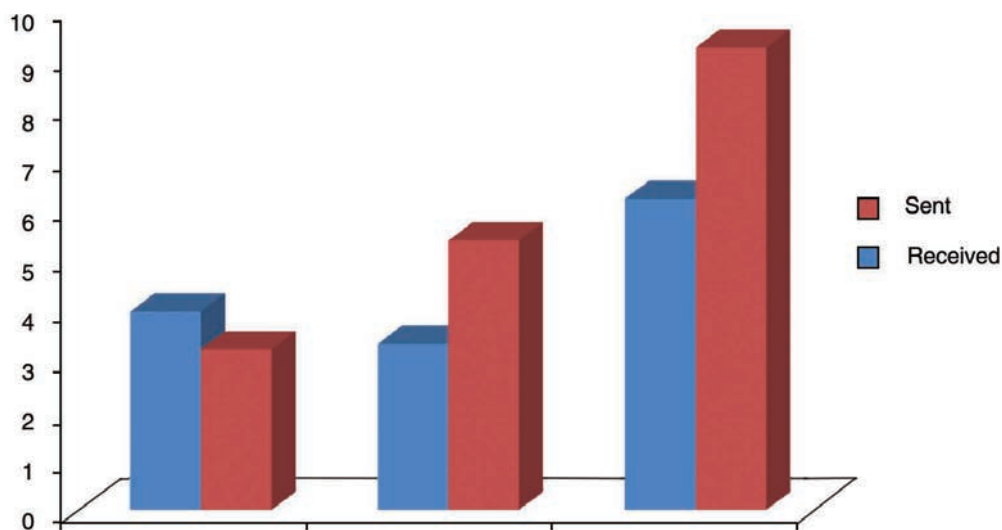


Figure 3.4: Amounts of royalties sent to foreign partners and received from them (million UAH)

inspections of the software used in executive power bodies.

The scheduled work lies in determining the exact number of computer software used in executive power bodies and its further legalization.

In 2015, based on the results of the working meetings held with the participation of representatives of SIPS, the State Service of Special Communication and Information Protection of Ukraine and the State Agency of Electronic Governance of Ukraine, inspections of the establishment of the central executive power bodies commenced. This event was supported by representatives of right holders, in particular, Microsoft, Oracle, ABBYY.

Subsequent to the results of working meetings, on May 19, 2015, SIPS together with the State Service of Special Communication and Information Protection of Ukraine commenced the inspections of the central executive power bodies offices.

During the reporting year, a total of 25 executive power bodies were inspected as to their use of unlicensed copies of computer software.

Furthermore, in execution of the instruction of the Vice-Prime-Minister of Ukraine, the Minister of Culture of Ukraine, Mr. Viacheslav Kyrilenko, of September 30, 2015 No. 27365/3/1-15, SIPS elaborated and sent by the letter of October 13, 2015 No. 1-6/8115 for the approval of the Ministry of Economic Development and Trade of Ukraine the Draft Resolution of the Cabinet of Ministers of Ukraine «On the amendment of the resolution of the Cabinet of Ministers of Ukraine of March 4, 2004 No. 253» as it pertains to the broadening of powers of the Interagency Task Force on computer software legalization.

In order to discontinue the unlawful use of unli-

censed computer software in executive power bodies, SIPS also suggested to the central executive power bodies to address software right holders on their own account in order to explore the possibilities of development and implementation of individual programs of legalization.

#### **3.4. Administrative Services Provided by SIPS in Copyright and Related Rights Sphere**

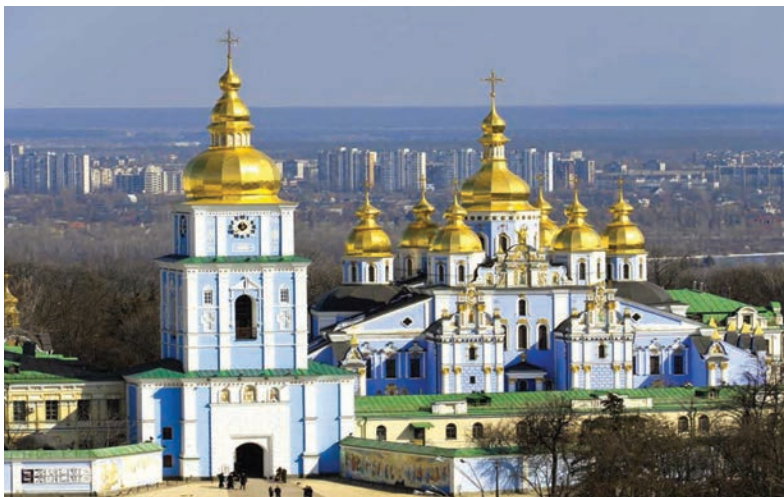
According to subparagraph 22, paragraph 4 of the Regulations for the State Intellectual Property Service of Ukraine and to implement the Order of the Ministry of Education and Science, Youth and Sports of Ukraine of March 22, 2012 No. 332 «On Endorsement of the Provision on the Register of Software Producers and Distributors», SIPS maintains such a register and issues certificates confirming entering data to the mentioned register.

Throughout 2015, 32 applications were filed and 28 certificates confirming data entering to the Register of Software Producers and Distributors were issued. A total of 1,826 certificates confirming data entering to the register have been issued since 2003.

In the report year, SIPS maintained the process of issuing control marks to importers, exporters and reproducers of copies of audio-visual works, phonograms, videograms, software and databases. According to the Law of Ukraine «On Distribution of Copies of Audio-Visual Works, Phonograms, Videograms, Software and Databases» SIPS also maintained the Single Register of Recipients of Control Marks.

A total of 1,473,207 control marks were issued during 2015, among them 557 of «A» series and 1,472,650 of «K» series. This is almost 1.5 times less than in the previous year. This trend is primarily connected with the rapid development of information and communication technologies, which facilitates distribution of copyright and related rights subject-matter through the Internet.

According to the Law of Ukraine «On the Peculiarities of the Government Control of the Economic Entities Activities Related to Production, Exportation and Importation of Disks for Laser-Reading Systems and Stampers» and the Law of Ukraine «On Licensing of Certain Kinds of



Economic Activities», during the first half-year of 2015, SIPS was engaged in licensing the production of disks for laser-reading systems and stampers. In the second quarter of the reporting year, one license for the production of laser-reading systems and stampers was issued, under which 3 economic entities produced disks for laser-reading systems under the respective licenses.

As a result of the ceasing to be in force of the Law of Ukraine «On Licensing of Certain Kinds of Economic Activities» which provided for the licensing of production of discs for laser-reading systems, stampers, putting together and maintaining by the licensing organ of a licensing register, and according to Article 7 of the Law of Ukraine «On Licensing of Kinds of Economic Activities» of March 2, 2015 No. 222-VIII, production of discs of laser-reading systems and stampers has been excluded from the list of kinds of economic activities to be licensed.

### **3.5. Control over the Observance of Legislation in the Use of Copyright and Related Rights Objects**

One of the principal tasks of SIPS is to carry out the control and supervision of the observance of the legislation in the intellectual property sphere. However, in 2015, a limitation on implementing the state supervision (oversight) measures was introduced on the legislative level. Thus, in accordance with Item 8 of Section III «Final Provisions» of the Law of Ukraine «On Amendment and Recognition as Void of Some Legislative Acts of Ukraine» of December 28, 2014 No. 76-VIII, inspections of enterprises, establishments, organizations and self-employed individuals by oversight organs (except the State Fiscal Service of Ukraine and the State Financial Inspection of Ukraine) had to be carried out in the period between January and June 2015, exclusively upon the authorization of the Cabinet of Ministers of Ukraine or on request of the economic entity for its inspection. As of July 2015, the limitations on implementing the inspection of enterprises, establishments, organizations and self-employed individuals by oversight organs was established by Item 3 of the «Final Provisions» Section of the Law of Ukraine December 28, 2014 No. 71-VIII «On Amendments to the Tax Code of Ukraine and Some Legislative Acts of Ukraine Concerning the Tax Reform». This means that SIPS, guiding itself by the norms

of the legislation, did not inspect economic entities which use intellectual property rights in their activities.

Starting from September 2015, SIPS inspected the activities of 17 collective management organizations with their consent.

State inspectors on intellectual property matters took part in 15 events jointly with the prosecution authorities, the National Police of Ukraine and the Security Service of Ukraine to control the observation of legislative requirements in the intellectual property sphere.

A special direction of the state inspectors work in the reporting period was participation in the activities of the Regional Coordination Councils on combating intellectual property rights infringement in Kharkiv, Lviv and Odessa Regions. A number of outreach campaigns were carried out dedicated, in particular, to the following matters: effecting contracts by economic entities on the right to use intellectual property subject matter; clarification of the legislation in the intellectual property sphere; lawfulness of using software in the executive power bodies and local self-governing authorities.

In 2015, the Courts of Ukraine commenced proceedings on 220 cases related to intellectual property rights enforcement, where one of the litigants was SIPS and/or Ukrpatent. In particular, the following cases concerned copyright and related rights:

- on copyright enforcement and holding copyright and/or certificates invalid – 14, among them:
  - on copyright enforcement and termination of infringements – 7;
  - on acknowledgement of copyright – 2;
  - on holding certificates for copyright registration invalid – 1;
  - on holding agreements on transfer of ownership invalid – 1;
  - on disputing the SIPS decisions on collective management organizations – 3.

### **3.6. Activities of the State Enterprise «Intelzakhyst»**

At the beginning of 2015, SIPS resumed the work of the State Enterprise «Intelzakhyst». Its activities have been expanded and directed predominantly at intellectual property rights protection, in particular on the Internet (earlier the enterprise's function was to issue control marks for

marking the copies containing intellectual property rights and related rights objects).

Throughout 2015, the new management of the enterprise made great efforts to modernize the available automated systems and implement new technologies and services, took active part in round tables, conferences (including international ones), etc.

Within the framework of the International Forum on Combating Counterfeiting and Piracy, which took place in April 2015, the State Enterprise «Intelzakhyst» presented the projected directions of its activities, which encompass intellectual property rights enforcement, in particular in the Ukrainian segment of the Internet, mediation in dispute resolution in the intellectual property rights sphere, pre-court domain dispute resolution; documentation of facts of hosting websites, their addresses, contents and access through the Internet; deposit of copyright and related rights objects (their master samples) in a depository institution and maintaining respective registers on its basis, technological and patent audit, etc. The presentation was greeted with great interests by the forum participants.

On November 16, 2015, SIPS sent to the Ministry of Economic Development and Trade for its approval the Draft Order of the Cabinet of Ministers of Ukraine «On realizing a pilot project in the sphere of copyright and related rights».

The draft order was elaborated with due account of the world experience, current level of technical and technological development, specific nature of the Internet network, need to develop the market of digital distribution of copyright and related rights objects, search for efficient ways of monitoring their distribution and use on the Internet, fair estimation and payment of remuneration for their

use, rendering impossible the pre-paid access to pirate websites and placing advertising on them, timely identification and discontinuing of copyright and related rights infringement on the Internet, as well as creating efficient mechanisms for enforcement of such rights.

The background for developing the draft order of the Cabinet of Ministers was, in particular, the reform of intellectual property enforcement (as it pertains to security) foreseen by the Strategy for Sustainable Development «Ukraine – 2020» approved by the Order of the President of Ukraine of January 12, 2015 No. 5/2015, and the need to raise the status of Ukraine in the Special 301 Report of the United States Trade Representative.

It is worth mentioning, that in 2012 Ukraine was included into the special Priority Watch List, and in 2013 it already received the status of «Pirate No 1» and was assigned the status of the Priority Foreign Country. In 2014, no sanctions were used against Ukraine because of the political situation that emerged on its territory, but in 2015 it was moved one level up to the Priority Watch List. Among the problems which lead to Ukraine's holding such position in this report are the non-transparent administration of the collection of remuneration for the use of copyright and related rights objects and inefficient ways of combating the websites distributing pirated content.

Thus, today the matters of strengthening enforcement of copyright and related rights is of great urgency for Ukraine, that is why SIPS elaborated the Draft Law of Ukraine «On Amendment of Some Legislative Acts Concerning Enforcement of Copyright and Related Rights on the Internet».

At the moment, this draft law, the final version of which was developed by the Ministry of Economic Development and Trade, is registered in the Verkhovna Rada of Ukraine (Registration No. 3353 of October 23, 2015). However, based on the results of its analysis and discussions with right holders, specialists in the spheres of intellectual property rights and telecommunications, representatives of non-governmental organizations, etc., in the said draft law SIPS detected a number of potential risks which



can significantly decrease the efficiency of the anti-piracy measures embedded in it.

Foreign experience has proven that anti-piracy laws as such are not sufficient to solve the problem of piracy. A complex approach is needed to create a legal market for digital content distribution. The overcoming of digital piracy can be guaranteed by the development of a multi-stakeholder model of cooperation (multilateral cooperation) between businesses, public and the state, which is marked by the positive international experience (by the example of the Internet Corporation of Assigned Names and Numbers – ICANN). Actual absence of systemic cooperation in this direction makes the role of the state in stimulating its formation more prominent.

Alongside this, keeping in mind the long duration of the law adoption procedure, SIPS initiates the resolution of issues in the mentioned sphere through the pilot project with due regard to the principles of the multi-stakeholder cooperation model.

The pilot project offers to create a depositary of copyright and related rights objects or their master samples, which will enable to trace the facts of unlawful content use on the Internet and immediately discontinue the infringement of copyright and related rights. It is also planned to open the access to the depositary concerning the information on right holders and rights that belong to them, which can be of service for potential content users, and for information intermediaries who receive the demands for taking the pirate content down from the Internet (the possibility to implement this initiative was noted by the international experts of the EU technical assistance Twinning project in the course of the consultation at SIPS at the end of 2014).

Beside this, the pilot project provides for the development of efficient mechanisms of resolution of problems connected with calculation and payment of remuneration for the use of copyright and related rights objects on the Internet and with documenting the facts of placing electronic (digital) information containing copyright and related rights objects and hyperlinks to such information on the Internet.

The most initiatives presented in the draft order are expected to be realized through the State Enterprise «Intelzakhyst».

Four largest media groups of Ukraine came forward with the «Clear Sky» initiative aimed at resolving the matters encompassed by the SIPS

pilot project, which testifies to the existence of the need to regulate the relevant legal relations.

What has been mentioned above, once again emphasizes that social relations develop more rapidly than legislation regulating them is implemented. For that reason, implementation of the SIPS pilot project will allow to test the measures provided by it and develop relevant essential mechanisms with due regard of Ukrainian content providers (owners of file and storage services), telecommunication operators and providers, their associations and cable-casting organizations, right holders and distributors of advertising services, which has to become the basis for bringing relevant amendments to the legislation. As a result, this will allow to improve the international image and investment attractiveness of Ukraine, which will sustain its economic development.

All the arguments in support of the pilot project were presented by the SIPS representatives and representatives of the State Enterprise «Intelzakhyst» in November 2015 before the Ministry of Economic Development and Trade in the course of a coordination meeting on the draft order of the Cabinet of Ministers of Ukraine.

On December 24, 2015, SIPS together with Ukrpatent held a workshop on the topic «Court practices of disputes resolution on intellectual property matters in Ukraine». Topical issues of enforcement intellectual property rights through legal proceedings (jurisdictions, amenability, specialization of courts), the practice of application of legislation in the intellectual property sphere, etc., were discussed.

In the course of the panel discussion, where these matters were considered, building on the novel legal positions of the Supreme Court of Ukraine and Supreme Specialized Courts of Ukraine, the Acting Director of the State Enterprise «Intelzakhyst» and the Director of the Enterprise Association «Ukrainian Network Information Center» presented the report on enforcement of intellectual property rights on the Internet. Among the basic problems of providing the appropriate enforcement of these rights, infringer identification (determining the appropriate bearer of responsibility) and collection of necessary and sufficient proofs of rights infringement on the Internet were pointed out.

A project of the system of documenting and analyzing the contents of web-pages on the Internet was presented; the system is being developed and will be implemented by the State Enterprise

«Intelzakhyst» at the beginning of 2016. Among its advantages are the following:

- possibility of filing requests through the «WEB-fixation» online service on the State Enterprise «Intelzakhyst» web-portal (with their automatic registration) for immediate fixation of web-pages without waiting for the fee for these actions to be received;
- automatic drafting of a report on the results of fixation and analysis which will contain maximum information concerning the website;
- creation of a private cabinet for each applicant (with personal login and password), where the mentioned report, screenshots of web-pages in JPG and PDF formats will be available for viewing together with files with the source code of respective web-pages;
- application a special time code to the web-page screenshot, consisting of the date and the time of fixation as well as the enterprise logotype;
- ability to order an expert judgement with the

information on the web-page, whose integral part will be a printout of the screenshot of the web-page on the Internet, a digital carrier like CD-R or DVD-R containing the screenshot of such a web-page in the form of a graphic file in JPG and PDF formats and a text file with the source code of such a web-page.

The introduction of the presented system of documenting and analyzing the content of web-pages on the Internet is mostly directed towards creating the possibilities to collect proofs for pre-trial resolution of disputes as an alternative mechanism.

Consequently, today the State Enterprise «Intelzakhyst» is turning into a Center of Competence, whose services are planned to be a convenient and civilized way of enforcing intellectual property rights, in particular on the Internet, to help applicants to spare money and time and to help gain income from the intellectual property rights commercialization.



# 4 International Cooperation

## 4.1. Cooperation with the World Intellectual Property Organization

One of the priority directions of the SIPS international cooperation activities is the effective and mutually beneficial cooperation with the World Intellectual Property Organization (WIPO).

In 2015, an event important for our country in the context of the cooperation with WIPO took place. In October, at the meeting of the International Patent Cooperation Union Assembly which took place within the 55th series of meetings of the Assembly of the WIPO governing bodies, the delegations of the WIPO member states unanimously voted to approve the amendments to the agreement between WIPO and SIPS which will allow SIPS and Ukrpatent to act as an International Searching Authority and International Preliminary Examining Authority under the PCT.

In November, a new edition of the Agreement between the State Intellectual Property Service of Ukraine and the International Bureau of World Intellectual Property Organization in relation to the functioning of the State Enterprise «Ukrainian Intellectual Property Institute» as an International Searching Authority and International Preliminary Examining Authority under the Patent Cooperation Treaty was signed by correspondence by the WIPO Director General Francis Gurry and the SIPS Chairwoman Alla Zharinova.

In June, within the framework of the 2014-2016 Cooperation Program between SIPS and WIPO, the representatives of the state system of intellectual property legal protection of Ukraine took part in the study visit to the WIPO headquarters, which was dedicated to traditional knowledge, folklore and geographical indications.

The consultations provided by experienced foreign experts, allowed the Ukrainian delegation to study international legislative mechanisms of traditional knowledge, traditional cultural expressions and geographical indication protection. The information and skills gained by the Ukrainian specialists will allow them to participate in the discussions on determining the directions of further development of instruments protecting and enforcing these rights, as well as on creating a database of traditional knowledge in future on the international level.

Throughout the year, the representatives of the state system of intellectual property legal protection of Ukraine traditionally participated in the work of the main WIPO working groups and com-



International Forum on Combating Counterfeiting and Piracy, under the Government patronage, dedicated to the World Intellectual Property Day

mittees in order to follow the current trends in the intellectual property protection and enforcement, regulate the strategic orientation of the WIPO activities and effectively control its expenses, as well as to advocate Ukraine's interests in this sphere. The active participation of Ukrainian representatives in the work of such authoritative and influential international organization as WIPO, allows to effectively implement the state policy in this sphere and contributes to creating a positive image of our country on the international arena.

WIPO pays close attention to the organization of training on intellectual property matters aimed at raising the awareness and professional level of diverse target audiences on different aspects of intellectual property. Besides the effective functioning of the WIPO Academy, yearly regional seminars, training courses and programs on intellectual property matters are held under this organization's auspices.

Representatives of the state system of intellectual property legal protection are traditionally invited to take part in such WIPO events. In particular, last year Ukrainian specialists participated in the Advanced Course on Intellectual Property for Government Officials organized in cooperation with the World Trade Organization (Geneva, Switzerland); the Regional Workshop «Hope Project 2015» organized in cooperation with the World Women Inventors and Entrepreneurs Association and the National Intellectual Property Center of Georgia (Batumi, Georgia); the Danube Innovation Partnership Summer School held in cooperation with the Hungarian Intellectual Property Office, Semmelweis University and University of Debrecen (Budapest, Hungary); the International Conference Focusing on Geographical Indications organized together with the National Intellectual Property Center of Georgia (Tbilisi, Georgia); the International Education Program on Idea, Invention, Innovation and Intellectual Property «Seed Project 2015» (Seoul, Republic of Korea).

One more result of the cooperation between the state system of intellectual property legal protection specialists and WIPO since 2013 was the creation of the Ukrainian language version of the «Madrid Goods and Services Manager» on-line tool (MGS) developed by WIPO with the aim to assist applicants in drafting lists of goods and services for the purpose of filing international applications under the Madrid System. The Ukrainian version became the 17th language version of

MGS and has been functioning on the WIPO website since February 2015 (<https://webaccess.wipo.int/mgs/>).

MGS will assist applicants in drafting lists of goods/services for the international registration of marks and can serve as an auxiliary tool for drafting applications for the registration of marks for goods and services under the national procedure.

The Ukrainian language version of MGS provides access to the alphabetical lists of goods/services and class titles of the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) in the Ukrainian language. At the moment, the Ukrainian language version of MGS is being filled with content which will improve its serviceability for Ukrainian applicants.

## 4.2. Cooperation with the European Union

Ukraine continues to implement the European Union (EU) technical assistance Twinning project «Strengthening the Protection and Enforcement of Intellectual Property Rights in Ukraine», launched in April 2014.

Last year, with active support from experienced European experts and involvement of the public, Internet providers and right holders, Ukrainian specialists finally managed to finalize the work on important draft laws, in particular, the Draft Law «On amending some legislative acts of Ukraine concerning protection of copyright and related rights on the Internet» and the Draft Law «On collective management of proprietary rights of copyright and related rights holders».

In January, the training «Managing a Modern Intellectual Property Office» was held for the top management of SIPS, Ukrpatent and other interested state bodies of Ukraine. Danish colleagues made the participants aware of the strategy of development of the intellectual property sphere in Denmark and the Danish Patent and Trademark Office, national and international projects, the quality and HR management systems.

Also in January, European experts held the workshop «Experience of the European Union in Combating Copyright and Related Rights Infringement». Specialists of SIPS, Ukrpatent, the State Organization «Ukrainian Agency of Copyright and Related Rights», Ukrainian Music Industry Association, Ministry of Internal Affairs of Ukraine, State Fiscal Service of Ukraine, representatives of Internet providers participated in



the event. The topics of the training workshop encompassed different types of copyright and related rights infringements, their impact on the country economics as a whole and on its particular spheres. During the event, adverse manifestations of organized crime in this sphere, direct and indirect responsibility of infringers, methods of combating «offline piracy» and «online piracy» were addressed.

Beside this, in January, a study visit to the Spanish Patent and Trademark Office (SPTO) and the Office for Harmonization in the Internal Market (OHIM) was organized for representatives of the state system of intellectual property legal protection of Ukraine. In the course of the visit the Ukrainian delegation learned the historic background of development and current aspects of the activities of the system of protection and enforcement of intellectual property rights of the Kingdom of Spain. The event program envisaged, among other things, the overview of the Spanish system of institutional coordination, learning the peculiarities of functioning of task forces on legislation, statistics, public outreach matters, etc. Participation in this event enabled the Ukrainian delegates to present the state system of intellectual property legal protection of Ukraine on the international level and explore the world experience and current tendencies in the sphere of legal protection of intellectual property rights.

In February, the training course «Patents. Specific Matters» was held within the project aimed at the professional development of the Ukrpatent examiners who carry out examination of applications for industrial property rights. Specialists of the SPTO made interesting and helpful presentations on the following topics: patent classification systems, technical features in patent claims; independent and dependent patent claims; patents in biotechnology; pharmaceutical patents; patents in nanotechnology; computer implemented inventions, etc. Separate presentations were made on such topics as technological information services of patent offices and quality management systems in patent prosecution. The training modules, which included both theoretical and practical studies, used examples from the Spanish specialists working experience.

In March, the training seminar «International Experience on Piracy Level Assessment» was held, in which representatives of law-enforcement, supervisory, customs authorities and courts, as well as specialists of the state system



Training for the general jurisdiction courts of Ukraine representatives in the framework of the EU Twinning project «Strengthening the Protection and Enforcement of Intellectual Property Rights in Ukraine»

of intellectual property legal protection took part. The seminar was provided by the Danish Patent and Trademark Office advisors. In their presentations and during practical exercises the European experts analyzed international experience on piracy level assessment and paid special attention to the processing of Ukrainian statistics and determining the level of corresponding infringements in Ukraine. European specialists informed on the impact intellectual property crimes make on economy, intellectual property products value for society, consumer health care and security aspects, fighting against organized crime, etc.

One of the Twinning project components is aimed at professional development of judges of economic, administrative courts and local courts of general jurisdiction of Ukraine. Throughout the year, Spanish judges carried out first trainings for judges of commercial courts and courts of general jurisdiction. It is of great importance that such training events are carried out by practicing European judges, which significantly facilitates communication between participants and enables domestic judges to effectively master and understand the learning material.

In April, a judge of the Supreme Court of Italy, member of the Chamber on consideration of cases in intellectual property field, bankruptcy and family cases, Mr. Vittorio Ragonesi made a visit to Ukraine. Mr. Ragonesi analyzed the provisions of the Economic Procedural Code and the Civil Procedural Code of Ukraine for their conformity with the requirements of Directive 2004/48/EU and provided his recommendations to the SIPS experts for taking them into account during further legislation development.

In May, European experts and Ukrainian specialists worked on adaptation of the Ukrainian

legislation to the EU norms, in particular on the developed draft laws on legal protection of trademarks, arrangement of semiconductor products, legal protection of industrial designs, inventions and utility models.

In September, Mrs. Patricia Garcia-Escudero, Director General of the SPTO, visited our country. It is most pleasant to note that the head of one of the leading European patent offices found it possible to visit Ukraine, especially in the current difficult period of changes and reforms in its economic and political spheres.

In the course of her visit, Mrs. Garcia-Escudero got acquainted with the activities of the Ukrainian authority carrying out the examination of applications for industrial property rights and visited the exposition of the Intellectual Property Protection Museum at Ukrpatent. The main objective of the SPTO Director General visit to Ukraine was presentation of the experience gained by Spain in the field of intellectual property legal protection in recent years. Ukrainian specialists learned about the SPTO organizational structure and basic functional principles, mechanisms of interagency cooperation with other Spanish authorities, principles of cooperation with small and medium-sized businesses, work of e-services on application registration, experience on carrying out informational campaigns and mass events dedicated to intellectual property legal protection.

In spring, European experts held a number of meetings with representatives of the State Fiscal Service in order to determine training demands and develop training programs for Ukrainian customs officers, planned to take place next year.

Throughout the year, within the framework of the «Strengthening the SIPS Analytical Potential» project, European experts together with their Ukrainian colleagues from SIPS, law-enforcement bodies and private sector held a number of meetings in order to discuss the piracy level in Ukraine. The result of this meticulous work was the development of draft methodology of piracy level assessment. It is expected that, after the European colleagues have prepared guidelines on using this methodology, all interested parties will be able to determine the level of piracy in our country and receive objective data.

Also, quarterly meetings of the Supervisory Council of the project were held with participation of the projects leaders representing Ukraine, Spain and Denmark, representatives of the National Agency of Ukraine on Civil Service and

the EU Delegation to Ukraine. The Supervisory Council is the platform for the effective dialogue between all participating parties which enables to detect pressing issues and their solutions.

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

Throughout the year, the European Patent Office (EPO) traditionally invited Ukrainian examiners to participate in the work of specialized trainings and seminars of the EPO's European Patent Academy to provide them an opportunity to learn the latest global trends in application examination, peculiarities of patent search and know-how of using diverse search databases.

Given the rapid development of innovation technologies, in the recent few years the EPO has been laying emphasis on organizing distance-learning courses, which enables it to reach a greater number of specialists, Ukrainian examiners in particular.

Beside this, Ukrainian specialists took part in the essential annual events held by the EPO, namely the meeting of the EPOQUE Net system users (Hague, the Netherlands) and the EPO Patent Information Conference (Copenhagen, Denmark).

It is devoutly hoped that after signing the EU-Ukraine Association Agreement the cooperation between SIPS and the EPO, the main patent office of the European Union, will only intensify and explore new perspectives.

#### **4.4. Cooperation with the U.S. Government in the Intellectual Property Field**

The United States of America, our strategic partner on the international arena, in its relations with Ukraine pays close attention to the matters of intellectual property rights protection.

Back in 2013, the Office of the U.S. Trade Representative (USTR) accorded our country the status of a Priority Foreign Country within the Special 301 Report in view of significant problems in the field of intellectual property rights enforcement. According to the American party, Ukraine had to resolve a number of issues in the intellectual property sphere, among which were, in particular, a high level of Internet piracy, improvement of the activities of collective management organizations and the use of counterfeit software by government bodies of Ukraine.

Considering the efforts made by the Ukrainian Government, in 2014, the Government of the

USA decided to set Ukraine off separately without assigning it the lowest status of Priority Foreign Country and waive extra measures in view of the complicated political situation in our country. This being said, de facto Ukraine remains the «Pirate No 1» – the largest intellectual property rights infringer in the world.

In February of the reporting year, the regular public hearings on the Special 301 Report took place in the Office of USTR (Washington, USA), with participation of the Ukrainian delegation. The American side was presented in the hearings by authorized representatives of nearly 10 U.S. federal government authorities, in particular the U.S. Department of State, Department of Commerce, Department of the Treasury, Department of Labor, Department of Health and Human Services and Department of Agriculture, as well as representatives of the U.S. Copyright Office and the Office of Intellectual Property Rights of the U.S. International Trade Administration, representatives of non-governmental organizations, in particular associations of right holders, including the International Intellectual Property Alliance which was the principal opponent of Ukraine within the special investigation.

At the public hearings, the representatives of Ukraine informed their American colleagues on the measures taken by the Government of Ukraine in order to improve the situation in the sphere of intellectual property rights protection and enforcement and answered the questions asked by the American party. According to the information received from the Embassy of Ukraine in the USA, the American officials responsible for the intellectual property policy implementation remained satisfied with the certain progress made by Ukraine in this sphere and, in particular, Ukraine's openness to dialogue.

This fact was confirmed by publishing in April 2015 of the annual Special 301 Report where Ukraine was officially moved into Priority Watch List.

At the same time, the American government officials noted that three problematic issues which had been the ground for assigning Ukraine the status of Priority Foreign Country in 2013 had not been completely solved (Internet piracy, the use of counterfeit software by executive authorities and the problematic situation in the sphere of collective management of copyright and related rights).

The United States of America approved the recent efforts made by Ukraine to solve the problematic issues in this sphere and expressed their hope that in future the activities of the Government of Ukraine would lead to significant improvement both in the context of legislative reforms and in the context of law enforcement.

In May, the fifth meeting of the Ukrainian-American Council on Trade and Investment took place. Among other matters, the ones concerning legal protection and enforcement of intellectual property were discussed. The SIPS representatives informed their American colleagues on the measures taken by the Government of Ukraine to combat Internet piracy, legalize the software used in the executive government bodies, as well as to improve the collective management system. Based on the results of the meeting, a joint statement was published in which the parties underlined the importance further progress in this sphere has for both countries. The United States noted Ukraine's aspiration to create a transparent and efficient system of legal protection and enforcement of intellectual property rights in the country and expressed their hope for further effective bilateral cooperation.

In cooperation with the American counterparts, SIPS holds annual outreach events in Ukraine aimed at raising public awareness in the intellectual property sphere.

One of the tools of such cooperation is the Commercial Law Development Program (CLDP) within the Office of the General Counsel of the U.S. Department of Commerce which has a unique task to render technical assistance in commercial law to the public and private sectors of the countries in transition to sustain their development goals.



In February of the reporting year, representatives of the state system of intellectual property legal protection participated in the workshop on collective copyright management in Ukraine, and in March – in the workshop on detection and prevention of circulation of counterfeit and pirated products in Ukraine. Both workshops offered a great chance for intellectual property community to discuss the problematic issues in this sphere and develop particular recommendations for their solution.

#### **4.5. Bilateral Cooperation**

In March, Alla Zharinova, the Chairwoman of SIPS, at the invitation of the President of the Patent Office of the Republic of Poland took part in the International Conference on Innovation and Creativity of Women which took place in Warsaw. The event was held under the patronage of the spouse of the President of the Republic of Poland and Deputy Prime Minister – Minister of Economy of the Republic of Poland.

The Conference was attended by representatives of the state bodies of the Republic of Poland, intellectual property offices of foreign countries,

associations of right holders, higher education institutions and business community.

This year's International Conference was dedicated to industrial design in business strategy. Among the various matters on the agenda, special attention was paid to legal protection of intellectual property, in particular industrial designs, which play a crucial role in increasing marketability of goods on the internal and external markets.

Special consideration was given by the participants to the role industrial design plays in the development of national economy, attracting foreign investment, creating a positive image of a country on the international arena, as well as to the matters of implementation of specialized information systems for the protection of the decision-making process, creation of a powerful educational basis for training of young professionals, etc.

Within the framework of the event, Mrs. Zharinova had a meeting with the President of the Patent Office of the Republic of Poland during which the parties discussed possible directions of bilateral cooperation and agreed to invigorate the cooperation between the two Offices next year.



# 5 Providing Public Access to Information Relating to Intellectual Property Rights Protection

## 5.1. Internet Resources of the State System of Intellectual Property Legal Protection

The state system of intellectual property legal protection in Ukraine is presented in the Internet through the following resources:

- [www.sips.gov.ua](http://www.sips.gov.ua);
- [www.ukrpatent.org](http://www.ukrpatent.org);
- [www.iii.ua](http://www.iii.ua);
- [www.uacrr.org](http://www.uacrr.org);
- [www.fabrikaidei.kiev.ua](http://www.fabrikaidei.kiev.ua).

In 2015 the works on updating and improving the official website of SIPS ([www.sips.gov.ua](http://www.sips.gov.ua)) continued.

During the reporting year, over 1,000 information items, among them nearly 500 «News» items, were published on the website pages in Ukrainian and English languages. Statistic and dynamic sections were updated by topical information on the events which took place in the state system of intellectual property legal protection throughout the year. Over 500 photographic materials from conferences, seminars, meetings, etc., were published. Sections and separate headings, useful for specialists of the system as well as for applicants and interested persons («About SIPS», «Administrative Services», «Laws and Regulations», «Access to the Public Information», «Community Council», «Copyright and Related Rights», «Feedback», etc.) were regularly updated.

In the framework of the cooperation project between authorities of the EU member countries and Twinning beneficiary countries «Strengthening the Protection and Enforcement of Intellectual Property Rights in Ukraine», information on the

events within the said project was presented on the SIPS official website. In total, over 70 publications in Ukrainian and English were posted on the website.

To increase the level of interaction with public, during 2015 new sections have been created: «SIPS Initiatives and Proposals», «Certification of Patent Attorneys», «Activity of the Collective Management Organizations», «Weekly Reports on the SIPS Work», etc. «Electronic Reception of the SIPS Chair» was also resumed.

To ensure transparency and openness of SIPS, electronic copies of the SIPS orders on approval of the Appeals Chamber decisions and texts of these decisions that were taken since September 23, 2011 were published. Publication of current information on intellectual property matters from the state registers was started in 2015 on the official website of SIPS.

The «State Registers» section was created in order to ensure free access of the intellectual community and interested public to information on registered intellectual property rights. Legal acts that establish procedure for keeping state registers, as well as open current information on intellectual property rights, representatives for intellectual property matters, collective management organizations, etc., are placed in this section. The section contains information from ten state registries.

SIPS opened access to the interactive database «Applications for Marks for Goods and Services Accepted for Examination» to ensure the rights of the right holders and other interested persons on filing objections against registration of trademarks and service marks that may violate

their rights and with the purpose of timely tracking such applications and prevent their registration.

In total, over 40 sections/subsections/headings were created on the official website of SIPS during the year.

Attendance of the [www.sips.gov.ua](http://www.sips.gov.ua) web-resource made up on average over 24 thousand users per month; in whole, over 290 thousand users visited the web-resource in 2015. During the reporting year, users from different countries (Ukraine, Russia, the USA, Germany,

India, Poland, etc.) reviewed over 1 million pages (Figures 5.1, 5.2, Table 5.1).

In 2015, over 500 letters, mostly concerning administrative services, copyright and related rights, industrial property rights protection were received on the email addresses of SIPS.

The website of Ukrpatent ([www.ukrpatent.org](http://www.ukrpatent.org)) also incurred changes and updates in 2015. Over 560 information materials, including nearly 300 news and over 350 photographs were placed on its pages. Traditionally, statistic sec-

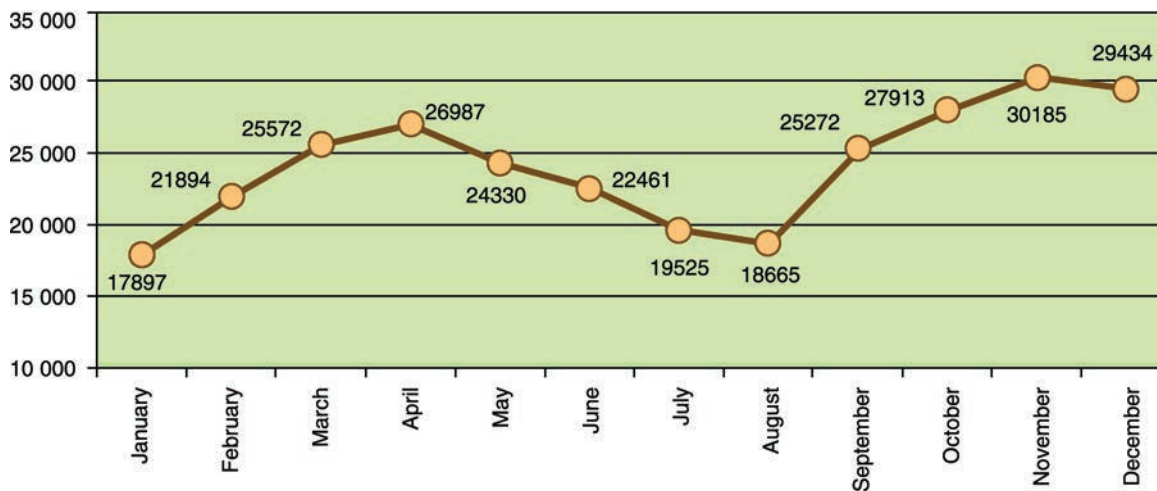


Figure 5.1: The number of web visitors to the official website of the State Intellectual Property Service of Ukraine ([www.sips.gov.ua](http://www.sips.gov.ua)) in 2015

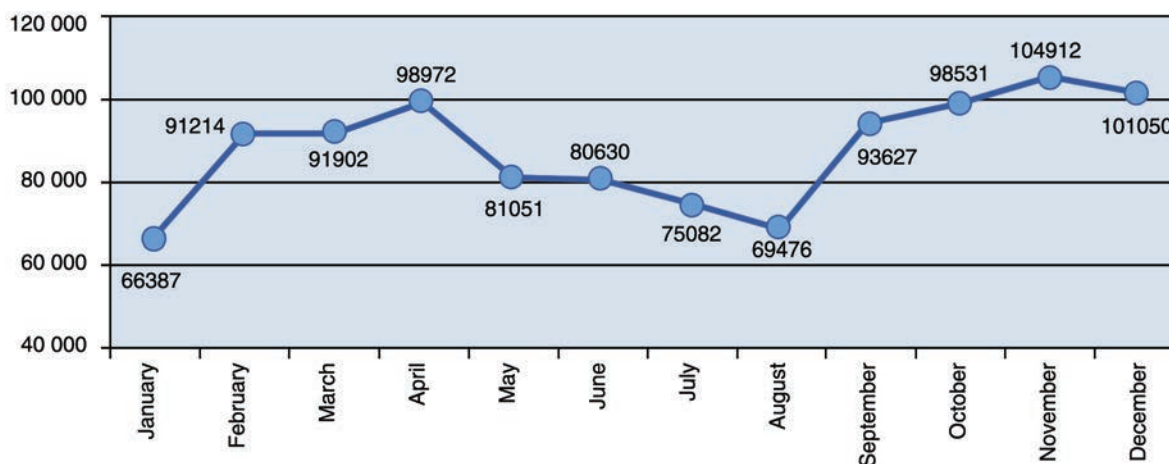


Figure 5.2: The number of pages visited on the official website of the State Intellectual Property Service of Ukraine ([www.sips.gov.ua](http://www.sips.gov.ua)) in 2015

Table 5.1: Countries the visitors to the official website of the State Intellectual Property Service of Ukraine ([www.sips.gov.ua](http://www.sips.gov.ua)), TOP-10, %

Ukraine	Russia	USA	Not defined	Germany	India	Poland	Belarus	United Kingdom	Netherland
92,0	1,8	1,2	0,3	0,4	0,4	0,3	0,3	0,2	0,2

tions were updated: «Databases and Information and Reference Systems», «Patent Information Collection», «Users of Patent Information», etc. Sections «Management», «Events», «Articles» were restructured.

Nearly 482 thousand people visited the Ukrpatent website in 2015. This figure is 50 thousand higher than that in 2014. The total number of visited pages of the web-resource exceeds 1 million 200 thousand (Figures 5.3, 5.4, Table 5.2.).

In order to keep the web-resources of the state

system of intellectual property legal protection up-to-date and informative, all sections and headings dedicated to patent information activities were closely monitored. Over the course of 2015:

- unofficial translations of the WIPO Standards ST.13 «Recommendations on the Numbering of Applications for Industrial Property Objects (IPOs)» and ST.1 «Recommendations on Minimum Data Elements Required to Uniquely Identify a Patent Document» were made for the first time and placed under the heading «WIPO

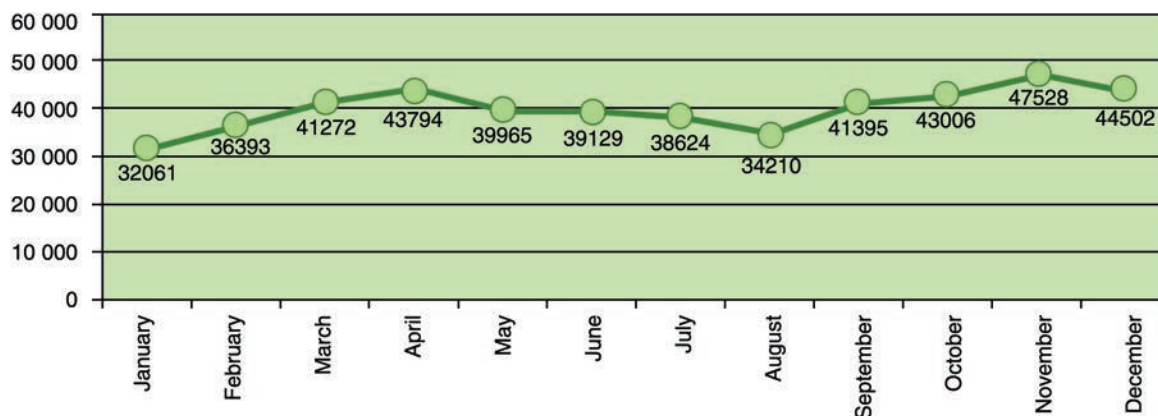


Figure 5.3: The number of visitors to the website of the State Enterprise «Ukrainian Intellectual Property Institute» (www.ukrpatent.org) in 2015

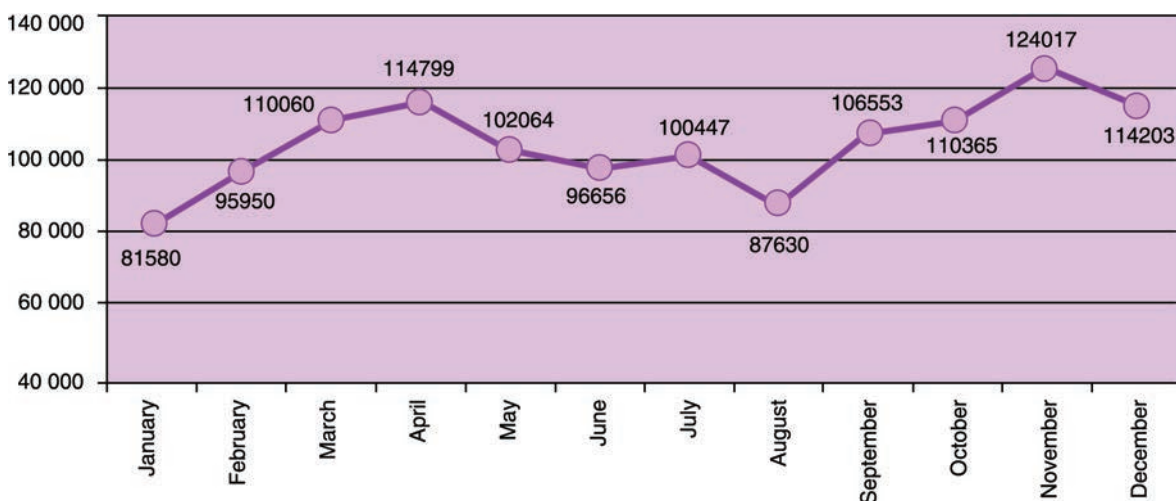


Figure 5.4: The number of pages visited on the website of the State Enterprise «Ukrainian Intellectual Property Institute» (www.ukrpatent.org) in 2015

Table 5.2: Countries the visitors to the website of the State Enterprise «Ukrainian Intellectual Property Institute» (www.ukrpatent.org), TOP-10, %

Country	Percentage (%)
Ukraine	93,0
Russia	1,6
USA	1,0
Germany	0,4
Not defined	0,3
Kenya	0,3
India	0,
Belarus	0,3
Netherlands	0,2
United Kingdom	0,2

Standards» of the Section «Standards in the Field of Intellectual Property». Information regarding WIPO standards and possibility of access to their texts in official languages of standards publication and in Ukrainian language was also updated;

- information under the headings «Specifications of Patents of Ukraine for Inventions and Utility Models» and «Official Bulletin “Promyslova Vlasnist” (Industrial Property)» of the Section «Official Publication», «Patent Information Products on Optical Data Carriers», in particular the subheading «Regional Patent Information Product of the CIS Countries CISPATENT», «Patent Information Collections», «International Classifications of Industrial Property Objects» and under the headings «General Information», «Patent Information and Documentation News» and «EPO Learning and Reference Materials Available Free of Charge» under the Section «Users of Patent Information» of the Ukrpatent website was also updated;

- the «List of Addresses of Foreign Databases Accessible Free of Charge on the Internet» and the «List of Scientific and Technical Databases and Reference Resources Accessible Free of Charge on the Internet» were updated.

## 5.2. Ensuring General Public Access to the Public Information

In 2015, to ensure transparency and openness of the SIPS activity and access of the general public to the information of social interest, and in order to comply with the requirements of the Law of Ukraine «On Access to the Public Information», the following registers were placed on the SIPS official website [www.sips.gov.ua](http://www.sips.gov.ua):

- State Register of Patents of Ukraine for Inventions
- State Register of Patents of Ukraine for Utility Models
- State Register of Patents of Ukraine for Industrial Designs

- State Register of Certificates of Ukraine for Marks for Goods and Services

- State Register of Ukraine for Names of Places of Origin and Geographical Indications of Origin of Goods and Rights to Use Registered Qualified Indications of Origin of Goods

- State Register of Ukraine for Topographies of Integrated Circuits

- Register of Collective Management Organizations

- Register of Authorized Collective Management Organizations

- Register of Producers and Software Distributors

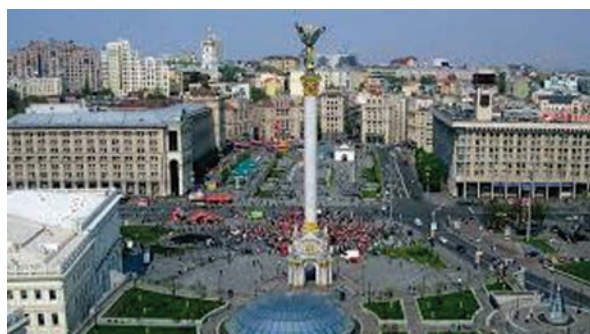
- Public Register of Representatives in Intellectual Property Matters (patent attorneys).

## 5.3. Interactive Databases and Information and Reference Systems

In the reporting year, interactive databases (DBs) and information-and-reference systems (IRSs) containing information about the industrial property rights were continuously improved. Based on the DBs and IRSs monitoring results, measures were taken to improve the specialized DB «Information about Inventions (Utility Models) Registered in Ukraine», DB «Information about Invention Applications Accepted for Examination», DB «Electronic Version of the Cumulative Official Bulletin “Promyslova Vlasnist”» (Industrial Property). In particular, the new format of classification symbols presentation of the IPC-2015.01 when publishing national patent documentation was taken into account. Also, DBs and IRSs were further improved regarding industrial property rights in the part of presentation bibliographic data, language interfaces, search functions and extensions of the volume of information available for users.

## 5.4. Official and Information Publications

According to the Regulations on the official publications of the state system of intellectual property legal protection, approved by the Order of SIPS of December 8, 2011 No. 243-n, in the reporting year, the Official Bulletin «Promyslova Vlasnist» (Industrial Property) was issued regularly twice a month and the Official Bulletin «Avtorske Pravo i Sumizhni Prava» (Copyright and Related Rights) – four times per year. The Catalogue of State Registrations and Annual Index to the Official Bulletin «Promyslova Vlasnist» (Industrial





Property) for 2014 were also issued in the reporting year.

Since 2015 the Official Bulletin «Avtorske Pravo i Sumizhni Prava» (Copyright and Related Rights) and the Catalogue of State Registrations have been issued in electronic format on CD-ROM in the widely used PDF format. They are an exact copy of the proof print that is published on paper. In addition, since December 2015, electronic versions of these publications are available on the official website of SIPS at [www.sips.gov.ua](http://www.sips.gov.ua).

In the reporting year, in order to improve the procedure of publishing the information on intellectual property rights in the official publications of the state system of intellectual property legal protection, amendments were brought to the «Guidelines on the Order of Publishing Information in Some Official Publications of the State System of Intellectual Property Legal Protection».

In Table 5.3 data on the total number of published information on the IPRs in 2015 are presented.

The Concept of the Development of the State System of Intellectual Property Legal Protection for 2009 – 2014 provided for implementation of

series of actions aimed at ensuring the continued acquisition of patent information resources of Ukraine with the national patent documentation, improvement of this process by means of gradual transition to acquisition with the official publications exclusively on electronic carriers.

As part of the implementation of the aforementioned actions and taking into account substantial reduction in the need for the publications on paper carrier through new opportunities for access to national patent documentation, in recent years publication and, accordingly, the acquisition of specifications for patents for inventions (utility models) on paper and the latest edition of the international classifications of the industrial property rights on paper (previously provided as attachments to the Official Bulletin «Promyslova Vlasnist» (Industrial Property) on paper) were ceased.

Considering the current global trends in the field of access to the patent documentation, starting from No. 1, 2015, distribution of the Official Bulletin «Promyslova Vlasnist» (Industrial Property) on paper for the purpose of acquisition of patent collections of Ukrainian organizations

**Table 5.3: Information on industrial property rights protection published in 2015**

Publication Kind	Number of Publication
Applications for inventions accepted for examination	4,286
Patents of Ukraine for inventions	3,013
Patents of Ukraine for utility models	8,153
Patents of Ukraine for industrial designs	2,521
Certificates of Ukraine for trademarks and service marks	12,388
Well-known marks in Ukraine	8
Applications for the registration of qualified indications of origin of goods and/or the right to use qualified indications of origin of goods accepted for examination	2
Registration of qualified indications of origin of goods	22
Registration of the right to use qualified indications of origin of goods	–
Marks registered under 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	8,206
Topographies of integrated circuits	–

Table 5.4: Distribution of the national patent information products on optical carriers in 2015

Patent information product	Free-of-charge distribution		Paid distribution	Total
	Ukrainian organization	Intellectual property offices or organizations		
Yearly sets				
CD-ROM «Official Bulletin “Industrial Property”»	31	16	1	48
CD-ROM “Inventions in Ukraine”	28	6	1	35
CD-ROM “Trademarks and Service Marks Registered in Ukraine”	5	–	14	19
CD-ROM “Industrial Designs Registered in Ukraine”	–	–	2	2
Retrospective accumulative discs				
DVD “Trademarks and Service Marks Registered in Ukraine” (for 1993–2015)	–	–	2	2
DVD “Industrial Designs Registered in Ukraine” (for 1993–2015)”	–	–	–	–

with the national patent documentation was discontinued.

However, an electronic version of the Official Bulletin «Promyslova Vlasnist» (Industrial Property) on CD-ROM in the widely used PDF format with integrated search system has been developed for the convenience of use of the information products of the state system of intellectual property legal protection of Ukraine. The disc contains a user-friendly interface and indexed PDF files of the bulletin sections. Integrated search system allows carrying out a search on an intuitive level under any keyword.

In the reporting period, free of charge updating of the Ukrainian organizations patent collections by national patent documentation was continued – the Official Bulletin «Promyslova Vlasnist» (Industrial Property) on CD-ROM and the National CD-ROM «Vynakhody v Ukraini» (Inventions in Ukraine), which are also used for the international exchange of patent documentation with foreign offices. As part of the exchange, sending of patent documents of Ukraine on optical discs to all partner offices was continued, except to those that initiated termination of mutual exchange. In Table 5.4 data on the distribution of national patent information products on optical carriers in 2015 are presented.

## 5.5. The Public Patent Documentation Collection

Throughout the reporting period, updating of the Public Patent Documentation Collection (PPDC), which serves to provide access of the wide range of general public to the patent information necessary for study and analysis in the process of creation, legal protection and use of industrial property rights, was continued. The PPDC was updated by national and foreign patent documentation, first of all on optical discs, and supplemented with nine copies of the official bulletins of patent offices on paper, over 5 thousand copies of patent specifications on paper and nearly 600 optical discs. As of December 31, 2015, the PPDC numbered nearly 20.7 thousand copies of official bulletins and over 433 thousand copies of patent specifications on paper, and the collection of patent documentation on optical discs contained over 28 thousand items.

Information about the content of the PPDC and its quarterly updates was published in the appropriate sections of the websites of SIPS ([www.sips.gov.ua](http://www.sips.gov.ua)) and Ukrpatent ([www.ukrpatent.org](http://www.ukrpatent.org)), as well as at the web-page of the Ukrpatent Innovation Department ([www.iii.ua](http://www.iii.ua)).

# 6 Professional Training and Skills Upgrading. Dissemination of Intellectual Property Knowledge

## 6.1. Professional Training and Skills Upgrading

In 2015, with the aim of spreading knowledge on intellectual property, SIPS together with Ukrpatent held seminars and roundtables on topics: «Procedure for Recognition of Prior Use of an Industrial Design», «Practice of Forensic Examination: Problems and Solutions», «Practice of Disputes Settlement on Intellectual Property in Courts of Ukraine», «Practice of Handling Objections by the Chamber of Appeals of the State Intellectual Property Service of Ukraine», «Execution of Judgments: Practice and Problems».

The list of events of the state system of intellectual property legal protection dedicated to intellectual property issues, held in 2015, is contained in Annex 2.

### Certification of Professional Intellectual Property Representatives (Patent Attorneys)

As of January 31, 2015, there are 467 registered professional intellectual property representatives (patent attorneys).

Within the training of professional intellectual property representatives for certification in 2015, due to staff changes, certain orders by SIPS were issued in regards of setting a new composition of the certification and appeals committees. A new version of the Procedure for passing qualifying examinations by potential professional intellectual property representatives (patent attorneys) and the criteria for assessing the results of these

examinations were elaborated and approved by the Certification Commission under SIPS. Examination tasks of the oral and written examinations for 2015 were approved for test control of knowledge of potential patent attorneys in the following fields: «Inventions and Utility Models», «Industrial designs», «Layouts (Topographies) of Integrated Circuits», «Trademarks and Service Marks», «Geographical Indications (Indications of Origin)» and «Legal Services». The composition of the Examination Committee was approved.

In the reporting year, SIPS received 35 applications for certification of potential patent attorneys, the consideration of which resulted in 35 candidates admitted to pass qualifying examinations and certification by the Certification Commission.

In accordance with the Provisions on Professional Intellectual Property Representatives (Patent Attorneys), approved by the Ordinance No. 545 of the Cabinet of Ministers of Ukraine of August 10, 1994 (as amended), qualifying examinations are a part of the procedure of patent attorneys certification and are required for certification of a potential patent attorney in all or several fields, applied for by a candidate.

Qualifying exams for potential patent attorneys were held in a higher education institution, specified by SIPS – the Intellectual Property Institute of the National University «Odesa Law Academy» in Kyiv. This institution is licensed to conduct educational activities related to the preparation and training of specialists with a degree in «Intellectual Property», and has the relevant material and technical resources for such qualifying exams.



Specialists of the state system of intellectual property legal protection were granted certificates of the training course completion in the framework of the EU Twinning project «Strengthening the Protection and Enforcement of Intellectual Property Rights in Ukraine»



As a result of interviews with potential patent attorneys held by the Certification Commission of SIPS on December 11, 2015, and taking into account the results of the qualifying exams, 28 persons were certified as professional intellectual property representatives (patent attorneys).

## 6.2. Creativity Encouragement

In order to popularize intellectual property, support and encourage inventive and innovative activities, SIPS, in 2015, held a series of educational activities.

On April 24, 2015, during the International Forum on Combating Counterfeiting and Piracy, Vadym Mashtalir, a Ukrainian inventor, was awarded with the WIPO Gold Medal.

Vadym Mashtalir – the Lieutenant Colonel, honored inventor of Ukraine, Ph.D., Head of Information and Analytical Department, Deputy Head of Information and Analytical Department of the Main Directorate of Staff of the General Staff of the Armed Forces of Ukraine, a combatant in the ATO area – is a specialist in the field of electromagnetic energy converters, aviation, aerospace technology, distance learning, interest-security activities and museums, and topographic surveying software, patent licensing, inventive and innovative work.

The inventor has significant creative achievements. He has over 40 scientific publications and over 50 patents for inventions, utility models, industrial designs, and a number of certificates for objects of copyright in various industries. He is the winner of the industry competition for the best invention of the year (awarded with I, II and III grade diplomas).

On September 17, 2015, during the meeting of the SIPS Board, the WIPO Medal was solemnly handed to the Ukrainian inventor Oleksandr Kolosov.

Mr. Kolosov received this honorary award dedicated to the Inventor and Innovator Day of Ukraine for his contribution to the scientific progress of chemical industry in our country. This is a well-deserved medal: Oleksandr Kolosov is a known scientist, inventor, patent researcher, academician of the general technical department of the Academy of Higher Education of Ukraine, Ph.D., senior researcher of the engineering and chemistry department of the National Technical University of Ukraine «Kyiv Polytechnic Institute», the honored inventor of the National Technical University of Ukraine «Kyiv Polytechnic Institute», patent attorney of Ukraine and a multiple winner of the national and international contests of inventions and new technologies. The very own creative achievement by Mr. Kolosov consists of more than 500 publications, including three monographs on the inventive activities. He is the author (co-author) of 26 USSR certificates of authorship, 93 patents of Ukraine for inventions and utility models (25 of them are owned by him solely).

On May 29, 2015, the Central Scientific and Research Institute of Weaponry and Military Equipment of the Armed Forces of Ukraine held a research-to-practice conference «Invention for the sake of the victory: sharing experience in improvement and repair of military equipment and weapons in the ATO area». SIPS awarded Ukrainian innovators for their achievements with honorary cups.

On July 20-26, the Taras Shevchenko National University of Kyiv (KNU) welcomed the Summer

School on Intellectual Property. The work of this year's Summer School was supported by the Scientific and Research Institute of Intellectual Property of the National Academy of Sciences of Ukraine jointly with the Department of Intellectual Property of the KNU, along with SIPS.

During the course, course participants, among them the final-year students, teachers and young specialists in intellectual property, mastered a theoretical course on intellectual property and had the opportunity to participate in thematic workshops.

On September 18, 2015, Kyiv hosted the III Ukrainian Research-to-Practice Conference of young scientists and students on intellectual property issues.

This year's event was held at the Taras Shevchenko National University of Kyiv and focused on the urgent topic «Ukrainian Intellectual Property Legislation and its Enforcement: National, European and International Dimensions».

The Conference was held under the auspices of SIPS, and was arranged by the Research Institute of Intellectual Property of the National Academy of Legal Sciences of Ukraine jointly with the Intellectual Property Institute of the National University «Odesa Law Academy» in Kyiv and the State Higher Education Institution «Azov State Technical University».

On October 22, 2015, in the Kyiv Officers Club, the Central Scientific and Research Institute of Weaponry and Military Equipment of the Armed Forces of Ukraine solemnly awarded the winners of the traditional All-Army Contest «Best Invention of the Year».

The contest was held with the active support of SIPS. It was attended by about 300 inventors from 18 military units, institutions and structural units of the Armed Forces of Ukraine, who submitted 226 applications to the contest Committee. It is important that among the contenders there

were inventors from the troops involved in military operations.

During December 2-11, 2015, within the framework of the All-Ukrainian Week of Law, experts from SIPS and Ukrpatent conducted the series of educational events on «Implementation of Human Rights Enforcement in Intellectual Property Field» at schools and enterprises. On December 2, the program started with an educational event on «How to protect the results of creative activities in science and technology?» for students and teachers of the National Technical University of Ukraine «Kyiv Polytechnic University».

On December 9, 2015, the Ukrainian Chamber of Commerce and Industry held a special research-to-practice conference «Intellectual Property and Pharmaceuticals» of the School of Young Scientists under the PJSC «Farmak».

The program of intellectual property events within the framework of the Week of Law continued on December 10, 2015, with the edutainment meeting with the students of Gymnasium No. 143 of the Obolon District in Kyiv. SIPS and Ukrpatent experts taught a lesson for the 11th form (specialized in mathematics).

On December 11, 2015, the All-Ukrainian Week of Law ended with a meeting with leading experts of the State Enterprise «Antonov», dedicated to the agreements on the transfer of intellectual property rights.

Summing up the intellectual property events, held within the framework of the Week of Law, it is worth noting: experts of the state system of intellectual property legal protection and employees of the said companies, as well as teachers, students and pupils noted the urgency and informative value of the meetings in the aforesaid forms. It was also emphasized, that there is a need to further conduct such meetings on a regular basis to disseminate intellectual property knowledge among the public.



## Annexes

### 1. Statistics

#### 1.1. Applications for inventions by origin

Code	Country name	National procedure					PCT procedure				
		2011	2012	2013	2014	2015	2011	2012	2013	2014	2015
	Total	2926	2834	3132	2674	2505	2321	2110	2286	2139	1992
UA	Ukraine	2638	2483	2854	2454	2265	1	1	3	2	2
AT	Austria	4	4	2	4	1	49	44	48	53	41
AU	Australia	–	2	2	1	3	24	16	11	16	12
BE	Belgium	5	7	–	2	2	56	54	42	44	39
BY	Belarus	11	16	3	8	–	1	1	–	–	1
CA	Canada	4	5	4	1	2	7	12	23	20	12
CH	Switzerland	14	26	7	8	8	220	218	245	257	227
CN	China	4	2	4	14	1	32	22	42	27	23
CY	Cyprus	1	3	7	2	6	2	3	4	2	–
CZ	Czech Republic	4	2	1	2	4	12	5	10	9	15
DE	Germany	49	51	59	27	42	459	360	359	309	262
DK	Denmark	4	3	5	2	5	50	38	41	44	40
ES	Spain	3	1	1	1	1	33	36	33	38	26
FI	Finland	2	1	2	1	1	22	30	15	22	20
FR	France	13	14	25	21	6	161	126	145	114	105
GB	United Kingdom	2	4	6	3	14	108	91	91	94	89
HU	Hungary	–	1	3	–	–	15	15	12	6	7
IE	Ireland	–	1	–	–	2	5	9	12	12	24
IL	Israel	1	3	1	1	1	10	12	12	22	30
IN	India	1	–	1	–	2	26	22	23	13	18
IT	Italy	3	2	7	4	1	73	67	78	56	68
JP	Japan	5	33	10	5	6	105	86	91	100	67
KR	Republic of Korea	1	1	2	2	1	28	11	23	13	19
LU	Luxemburg	–	2	1	–	2	41	13	21	20	24
NL	Netherlands	4	3	3	3	1	70	63	53	63	41
NO	Norway	1	–	–	–	–	9	9	12	7	13
PL	Poland	6	7	5	11	10	7	9	19	26	24
RU	Russian Federation	28	31	27	25	29	48	68	104	31	32
SE	Sweden	–	4	1	4	2	39	27	30	48	38
SK	Slovakia	1	–	–	–	–	–	5	1	2	2
US	USA	100	106	77	54	80	539	562	598	622	608
VG	Virgin Islands (British)	–	6	1	1	–	5	5	6	1	1
ZA	South Africa	1	–	–	–	–	11	7	17	3	–
	Others	16	10	11	13	7	53	63	62	43	62

## 1.2. Applications for inventions by regions of Ukraine

Region name	2011	2012	2013	2014	2015
Total	2639	2484	2857	2456	2267
The Autonomous Republic of Crimea	41	29	32	5	7
Vinnytsia	34	41	63	55	50
Volyn	18	12	7	15	14
Dnipropetrovsk	246	273	296	273	226
Donetsk	233	220	157	98	49
Zhytomyr	27	38	25	29	21
Zakarpattia	61	58	43	55	54
Zaporizhia	85	75	102	87	98
Ivano-Frankivsk	47	36	44	51	49
Kyiv	88	76	73	76	114
Kirovohrad	13	13	19	6	13
Luhansk	90	63	59	35	18
Lviv	100	96	104	119	94
Mykolaiv	42	41	46	69	33
Odesa	106	83	171	142	165
Poltava	34	28	30	23	27
Rivne	10	11	9	14	11
Sumy	35	29	55	40	35
Ternopil	21	21	17	49	21
Kharkiv	323	346	376	339	338
Kherson	43	23	28	30	16
Khmelnyskyi	15	20	17	12	13
Cherkasy	15	16	31	18	14
Chernivtsi	9	12	11	11	12
Chernihiv	21	13	14	14	9
Kyiv city	800	752	971	777	751
Sevastopol city	71	48	45	4	5
Not classified	11	11	12	10	10

### 1.3. Applications for inventions by fields of technology

Field of Technology	Resident applicants					Non-resident applicants				
	2011	2012	2013	2014	2015	2011	2012	2013	2014	2015
Total	2639	2484	2857	2456	2267	2608	2460	2561	2357	2230
Electrical engineering	236	275	245	212	153	199	151	164	165	120
Electrical machinery, apparatus, energy	141	146	129	124	80	46	63	59	47	35
Audio-visual technology	9	11	12	7	9	15	13	27	52	27
Telecommunications	19	23	20	20	14	9	6	6	6	1
Digital communication	–	8	5	4	3	98	39	32	25	25
Basic communication processes	18	19	26	7	5	0	2	7	11	–
Computer technology	33	40	43	31	33	16	18	20	15	25
IT methods for management	4	7	3	3	1	8	8	11	7	6
Semiconductors	12	21	7	16	8	7	2	2	2	1
Instruments	447	448	526	456	372	117	93	114	107	86
Optics	17	17	16	10	10	15	2	7	5	1
Measurement	209	219	213	176	123	23	26	37	42	23
Analysis of biological materials	20	22	25	31	30	5	7	10	9	9
Control	26	34	40	34	30	9	10	9	8	9
Medical technology	175	156	232	205	179	65	48	51	43	44
Chemistry	788	778	868	777	505	1664	1576	1616	1481	1397
Organic fine chemistry	61	68	59	30	27	468	385	384	396	358
Biotechnology	19	20	22	37	17	171	200	192	200	190
Pharmaceuticals	95	87	108	113	79	352	348	356	322	330
Macromolecular chemistry	17	11	21	20	10	42	26	37	27	29
Food chemistry	84	124	180	171	108	114	100	131	95	56
Basic materials chemistry	98	65	75	72	46	231	240	237	179	221
Materials, metallurgy	180	182	160	127	71	146	108	114	115	98
Methods of surface treatment, coating	41	35	66	46	31	33	33	49	40	32
Micro-structural and nanotechnology	4	–	4	5	5	–	–	3	1	–
Chemical engineering	117	104	111	105	65	65	91	74	69	55
Environmental technology	72	82	62	51	46	42	45	39	37	28
Mechanical engineering	820	669	886	635	493	426	448	448	353	352
Handing, conveying etc.	62	52	54	34	38	94	124	89	82	97
Machine tools	98	95	78	74	51	58	40	42	29	27
Engines, pumps, turbines	159	125	162	100	93	40	54	41	40	36
Textile and paper machines	13	22	21	12	11	18	31	18	16	19
Other special machines	233	173	263	188	107	80	93	119	97	105
Thermal process and apparatus	73	52	83	69	79	62	41	41	28	28
Mechanical elements	67	50	73	66	49	37	36	39	25	15
Transport	115	100	152	92	65	37	29	59	36	25
Other fields	232	213	188	177	127	189	178	197	234	193
Furniture, games	32	21	25	27	18	26	21	41	25	20
Other consumer goods	34	25	19	25	17	73	80	77	113	104
Civil engineering	166	167	144	125	92	90	77	79	96	69
Others and not classified	116	101	144	199	617	13	14	22	17	82



## 1.4. Patents for inventions by origin

Code	Country name	2011	2012	2013	2014	2015
	Total	4061	3405	3635	3319	3014
UA	Ukraine	1902	1557	1743	1701	1516
AT	Austria	45	30	42	45	49
AU	Australia	11	8	9	10	8
BE	Belgium	78	51	49	32	32
BG	Bulgaria	4	1	–	2	51
BY	Belarus	1	2	14	1	2
CA	Canada	19	16	18	14	13
CH	Switzerland	190	182	171	141	154
CN	China	14	15	30	24	21
CZ	Czech Republic	13	11	12	5	4
DE	Germany	385	332	306	306	239
DK	Denmark	54	52	38	29	24
ES	Spain	13	18	21	27	24
FI	Finland	23	26	41	22	20
FR	France	172	124	120	127	94
GB	United Kingdom	80	61	80	75	43
HR	Croatia	3	1	–	1	1
HU	Hungary	12	17	12	16	10
IE	Ireland	10	7	7	3	10
IL	Israel	10	10	10	6	4
IN	India	14	14	14	14	10
IT	Italy	69	51	63	56	41
JP	Japan	86	99	95	62	81
KR	Republic of Korea	22	20	16	17	13
LI	Liechtenstein	4	1	2	1	1
LU	Luxemburg	9	16	27	20	16
NL	Netherlands	65	62	52	31	50
NO	Norway	10	3	5	4	11
PL	Poland	14	13	7	13	14
RU	Russian Federation	80	54	101	66	50
SE	Sweden	48	35	32	20	26
SI	Slovenia	10	6	4	4	1
SK	Slovakia	1	2	2	1	1
US	USA	539	459	443	346	368
ZA	South Africa	5	14	6	9	6
	Others	46	35	43	68	6

## 1.5. Applications for inventions by fields of technology

Field of Technology	Resident owners					Non-Resident owners				
	2011	2012	2013	2014	2015	2011	2012	2013	2014	2015
Total	1902	1557	1743	1701	1516	2159	1848	1892	1618	1498
Electrical engineering	188	155	180	194	108	244	214	203	106	82
Electrical machinery, apparatus, energy	107	75	99	83	43	31	35	26	35	25
Audio-visual technology	13	9	5	6	3	14	7	14	17	14
Telecommunications	24	18	15	26	9	43	26	10	4	3
Digital communication	4	2	1	6	3	122	129	123	30	21
Basic communication processes	12	16	19	28	8	6	3	5	2	7
Computer technology	13	23	24	33	34	16	12	18	16	10
IT methods for management	–	–	2	–	–	10	2	5	2	2
Semiconductors	15	12	15	12	8	2	–	2	–	–
Instruments	343	287	328	357	307	105	98	99	60	51
Optics	8	8	9	9	5	3	4	9	4	3
Measurement	173	139	174	191	118	30	17	29	27	11
Analysis of biological materials	28	15	15	18	19	4	4	5	2	5
Control	14	17	26	22	14	17	12	7	8	7
Medical technology	120	108	104	117	151	51	61	49	19	25
Chemistry	716	506	580	590	600	1205	1017	1106	1020	983
Organic fine chemistry	33	43	36	60	51	356	315	279	274	289
Biotechnology	35	16	17	19	26	117	109	128	92	78
Pharmaceuticals	99	67	64	85	78	288	208	227	189	190
Macromolecular chemistry	20	12	9	13	13	21	12	23	26	11
Food chemistry	83	51	72	111	127	56	44	49	63	64
Basic materials chemistry	61	48	62	49	48	126	128	168	164	157
Materials, metallurgy	161	134	130	106	108	122	103	106	96	85
Methods of surface treatment, coating	44	28	36	38	52	34	18	27	27	26
Micro-structural and nanotechnology	2	1	1	3	2	–	–	–	–	–
Chemical engineering	83	65	78	70	67	62	48	70	59	52
Environmental technology	95	41	75	36	28	23	32	29	30	31
Mechanical engineering	493	456	518	451	401	430	345	333	298	249
Handling, conveying etc.	31	37	46	32	25	95	69	76	67	58
Machine tools	80	68	89	57	48	65	54	34	34	23
Engines, pumps, turbines	85	71	67	70	49	43	36	32	30	21
Textile and paper machines	9	11	13	15	7	26	21	11	12	15
Other special machines	123	120	138	147	132	94	76	62	72	66
Thermal process and apparatus	57	47	53	43	43	28	34	41	33	25
Mechanical elements	38	48	49	35	36	36	31	35	31	18
Transport	70	54	63	52	61	43	24	42	19	23
Other fields	146	146	130	106	97	175	171	144	125	127
Furniture, games	18	18	8	8	6	18	21	13	16	20
Other consumer goods	25	12	15	7	12	70	60	59	47	49
Civil engineering	103	116	107	91	79	87	90	72	62	58
Others and not classified	16	7	7	3	3	0	3	7	9	6

## 1.6. Applications and patents for utility models by fields of technology

Field of Technology	Applications					Patents				
	2011	2012	2013	2014	2015	2011	2012	2013	2014	2015
Total	10437	10229	10175	9384	8616	10291	9951	10137	9196	8153
Electrical engineering	977	846	851	759	498	937	906	826	772	653
Electrical machinery, apparatus, energy	325	271	303	264	158	320	293	295	282	219
Audio-visual technology	85	92	121	66	40	96	79	94	85	64
Telecommunications	55	56	55	57	34	57	60	48	55	46
Digital communication	19	33	24	13	13	22	22	27	17	13
Basic communication processes	182	101	81	115	129	141	148	60	101	135
Computer technology	213	177	175	142	79	213	195	190	142	109
IT methods for management	32	34	36	34	10	27	37	38	30	16
Semiconductors	66	82	56	68	35	61	72	74	60	51
Instruments	2876	3038	2707	2850	1826	2887	2890	3013	2620	2497
Optics	40	39	36	49	19	29	48	38	53	38
Measurement	748	836	758	591	424	770	778	840	624	577
Analysis of biological materials	306	244	258	419	276	292	285	276	324	343
Control	232	219	162	164	134	221	181	206	173	140
Medical technology	1550	1700	1493	1627	973	1575	1598	1653	1446	1399
Chemistry	2670	2635	2771	2441	1790	2814	2620	2811	2618	2187
Organic fine chemistry	133	153	165	131	52	133	125	177	154	94
Biotechnology	79	95	91	82	65	92	96	90	98	82
Pharmaceuticals	595	552	622	566	366	625	582	619	545	474
Macromolecular chemistry	59	36	63	34	35	43	56	43	61	35
Food chemistry	501	525	612	534	425	513	505	587	559	483
Basic materials chemistry	195	232	193	160	202	206	201	222	172	204
Materials, metallurgy	385	428	371	341	209	394	404	458	379	272
Methods of surface treatment, coating	117	88	103	78	52	110	119	96	96	67
Micro-structural and nanotechnology	11	5	8	11	12	6	8	8	8	17
Chemical engineering	401	322	364	340	245	445	340	324	375	290
Environmental technology	194	199	179	164	127	247	184	187	171	169
Mechanical engineering	2834	2614	2554	2271	1760	2861	2708	2629	2407	2195
Handing, conveying etc.	276	234	263	193	174	242	270	268	207	186
Machine tools	471	423	341	361	304	484	448	362	371	331
Engines, pumps, turbines	253	239	212	177	149	255	270	232	189	190
Textile and paper machines	98	107	101	123	76	91	104	105	106	111
Other special machines	864	789	749	639	506	850	830	822	710	630
Thermal process and apparatus	258	231	287	206	159	256	212	261	230	211
Mechanical elements	282	244	241	222	164	313	246	252	227	237
Transport	332	347	360	350	228	370	328	327	367	299
Other fields	790	808	838	673	487	765	814	838	763	589
Furniture, games	102	119	158	124	62	90	107	143	144	90
Other consumer goods	120	128	117	103	86	127	118	122	103	105
Civil engineering	568	561	563	446	339	548	589	573	516	394
Others and not classified	290	288	454	390	2255	27	13	20	16	32

## 1.7. National applications for utility model by regions of Ukraine

Region	2011	2012	2013	2014	2015
Total	10437	10229	10175	9384	8616
The Autonomous Republic of Crimea	224	229	220	38	6
Vinnytsia	445	432	496	807	578
Volyn	79	53	72	59	69
Dnipropetrovsk	677	694	701	696	658
Donetsk	792	724	747	377	254
Zhytomyr	33	36	24	18	62
Zakarpattia	89	80	55	75	89
Zaporizhia	367	290	308	282	309
Ivano-Frankivsk	177	144	118	131	134
Kyiv Region	171	165	181	163	183
Kirovohrad	124	86	72	39	55
Luhansk	528	597	712	310	162
Lviv	396	388	378	401	379
Mykolaiv	206	136	133	168	111
Odesa	431	408	346	379	357
Poltava	234	278	279	250	256
Rivne	142	146	140	124	132
Sumy	135	119	120	126	105
Ternopil	231	312	209	233	215
Kharkiv	1167	1172	1055	1129	1170
Kherson	100	118	136	81	99
Khmelnyskyi	84	94	115	105	80
Cherkasy	99	86	124	101	95
Chernivtsi	138	212	169	198	141
Chernihiv	39	30	41	39	28
Kyiv	3001	2828	2895	2815	2710
Sevastopol	35	40	46	12	3
Not classified	293	332	283	228	176

## 1.8. Industrial design applications and patents by origin

Code	Country name	Applications					Patents				
		2011	2012	2013	2014	2015	2011	2012	2013	2014	2015
	Total	1,761	1,851	3,778	2,664	2,080	1,337	1,541	2,010	2,464	2,521
UA	Ukraine	1439	1517	3191	2045	1811	1098	1225	1682	1780	1957
AT	Austria	–	1	1	1	–	1	–	1	1	1
BG	Bulgaria	1	9	–	1	–	–	1	1	–	–
BR	Brazil	–	–	–	5	–	–	–	–	–	–
BY	Belarus	11	26	31	4	5	13	11	17	23	9
BZ	Belize	2	–	8	8	–	3	1	–	137	179
CA	Canada	–	–	1	8	–	–	–	–	–	7
CH	Switzerland	14	6	4	4	3	10	11	4	2	3
CN	China	4	9	13	7	10	3	4	6	9	10
CY	Cyprus	19	34	94	72	34	16	25	33	69	81
CZ	Czech Republic	1	8	–	3	1	1	1	5	–	2
DE	Germany	21	23	9	26	4	11	25	5	9	27
ES	Spain	–	–	9	2	–	1	1	–	8	3
FI	Finland	4	10	4	–	7	4	4	6	4	–
FR	France	1	5	12	3	5	3	2	3	11	4
GB	United Kingdom	10	12	15	12	7	9	7	12	4	10
IL	Israel	–	–	2	6	2	–	–	–	1	5
IN	India	1	9	4	6	4	4	–	9	3	4
IT	Italy	6	9	2	2	7	7	6	6	2	2
JP	Japan	38	18	22	19	23	27	26	10	16	16
KR	Republic of Korea	–	9	66	4	–	–	6	2	65	4
LI	Lichtenstein	7	–	1	1	–	10	4	1	–	1
MD	Republic of Moldova	–	–	2	–	1	3	–	–	1	0
NL	Netherlands	3	3	1	19	6	3	3	2	–	19
PA	Panama	–	–	27	154	–	–	–	–	171	–
PL	Poland	18	21	6	7	12	19	16	17	3	5
RU	Russian Federation	110	75	191	176	67	42	127	123	105	121
SE	Sweden	4	3	–	2	2	–	4	2	–	2
SG	Singapore	–	–	5	4	–	–	–	–	4	1
TR	Turkey	–	1	12	2	3	–	–	4	8	4
US	USA	37	25	30	47	45	33	21	21	18	30
	Others	10	18	15	14	21	16	10	38	10	14

## 1.9. Registrations of industrial designs in 2015 by classes of the Locarno Classification

Rating	Class number	Class Name	Registrations	
			Units	%
		Усього	2521	100
1	9	Packages and containers for the transport or handling of goods	389	15,4
2	12	Means of transport or hoisting	377	15,0
3	19	Stationary and office equipment, artists` and teaching materials	345	13,7
4	32	Graphic symbols and logos, surface patterns, ornamentations	213	8,5
5	15	Machines, not elsewhere specified	159	6,3
6	23	Fluid distribution equipment, sanitary, heating, ventilation and air-conditioning equipment, solid fuel	123	4,9
7	5	Textile piece goods, artificial and natural sheet material	118	4,7
8	8	Tools and hardware	111	4,4
9	7	Household goods, not elsewhere specified	92	3,6
10	6	Furnishing	83	3,3
11	25	Building units and construction elements	76	3,0
12	2	Articles of clothing haberdashery	64	2,5
13	13	Equipment for production, distribution or transformation of electricity	59	2,3
14	11	Articles of adornment	41	1,6
15	26	Lightning apparatus	34	1,3
16	1	Foodstuffs	33	1,3
17	21	Games, toys, tents and sports goods	32	1,3
18	28	Pharmaceutical and cosmetic products, toilet articles and apparatus	25	1,0
19	14	Recording, communication or information retrieval equipment	24	1,0
20	24	Medical and laboratory equipment	24	1,0
21	10	Clocks and watches and other measuring instruments, checking and signaling instruments	22	0,9
22	20	Sales and advertising equipment, signs	21	0,8
23	3	Travel goods, cases, parasols and personal belongings, not elsewhere specified	10	0,4
24	22	Arms, pyrotechnic articles, articles for hunting, fishing and pest killing	9	0,4
25	27	Tobacco and smokers` supplies	8	0,3
26	30	Articles for the care and handling of animals	7	0,3
27	29	Devices and equipment against fire hazards, for accident prevention and for rescue	6	0,2
28	4	Brushware	5	0,2
29	31	Machines and appliances for preparing food or drink, not elsewhere specified	4	0,2
30	17	Musical instruments	3	0,1
	Others		4	0,1

## 1.10. International registrations of industrial designs under the Hague Agreement

Code	Country name	2011	2012	2013	2014	2015
	Total	552	498	677	594	622
AT	Austria	10	10	4	13	3
BE	Belgium	4	10	15	7	11
BG	Bulgaria	8	5	11	4	9
CH	Switzerland	184	160	212	248	246
CZ	Czech Republic	6	4	11	5	4
DE	Germany	124	87	140	84	90
DK	Denmark	–	5	1	1	1
ES	Spain	6	5	7	7	9
FI	Finland	10	8	9	8	2
FR	France	48	58	61	62	89
GB	United Kingdom	6	5	8	7	3
GR	Greece	7	4	1	–	–
HR	Croatia	5	5	9	7	3
HU	Hungary	2	3	3	3	1
IT	Italy	13	13	26	26	41
MD	Republic of Moldova	2	1	–	1	1
NL	Netherlands	31	42	52	29	37
NO	Norway	1	4	5	2	4
TR	Turkey	16	15	30	18	16
LI	Lichtenstein	3	2	4	–	–
LU	Luxemburg	11	5	4	5	2
LV	Latvia	–	1	1	2	–
PL	Poland	18	10	12	16	7
RO	Romania	–	1	1	1	4
RS	Serbia	1	5	–	2	1
SE	Sweden	1	2	10	1	2
SI	Slovenia	3	4	7	1	7
US	USA	20	9	4	4	10
	Others	12	15	29	30	19

## 1.11. Trademark applications and registrations under the national procedure by origin

Code	Country name	Applications					Registrations				
		2011	2012	2013	2014	2015	2011	2012	2013	2014	2015
	Total	21094	22781	24471	18796	24652	16677	15459	14981	14698	12388
UA	Ukraine	16836	17940	19769	15140	21246	12854	11611	11249	11150	9539
AE	United Arab Emirates	14	19	18	21	21	34	9	16	14	3
AR	Argentina	2	4	11	2	8	6	2	3	10	3
AT	Austria	29	29	63	35	78	34	30	19	53	34
AU	Australia	14	6	8	12	2	6	13	2	3	3
BE	Belgium	9	21	20	13	41	30	12	20	19	5
BG	Bulgaria	18	28	10	38	10	23	6	25	55	9
BM	Bermuda	8	1	–	2	5	6	9	4	–	2
BR	Brazil	15	10	15	8	8	6	18	11	7	7
BY	Belarus	53	87	39	54	30	43	45	58	27	24
CA	Canada	23	52	26	41	24	25	20	47	16	29
CH	Switzerland	191	328	226	270	297	341	260	175	174	179
CL	Chile	11	6	8	5	–	4	10	3	8	3
CN	China	111	136	179	90	73	74	102	85	133	62
CY	Cyprus	444	460	646	534	487	199	298	400	430	373
CZ	Czech Republic	40	32	46	13	27	19	41	34	30	16
DE	Germany	148	162	167	111	95	168	144	151	132	98
DK	Denmark	30	44	42	14	18	26	22	35	33	15
EE	Estonia	21	22	13	11	15	17	20	13	8	9
EG	Egypt	–	1	1	–	2	–	–	1	1	–
ES	Spain	16	35	27	30	7	24	13	30	22	32
FI	Finland	22	14	19	15	11	19	27	12	17	14
FR	France	86	87	77	64	79	92	73	77	55	63
GB	United Kingdom	269	291	304	269	191	178	310	170	215	197
GE	Georgia	8	9	7	31	22	13	5	1	8	21
GR	Greece	13	8	4	3	3	4	7	10	5	2
HK	Hong Kong	37	36	49	30	44	23	25	53	36	44
HR	Croatia	8	24	16	32	8	4	8	19	15	30
HU	Hungary	9	4	10	19	10	8	6	5	8	13
IE	Ireland	53	77	65	24	18	172	43	65	67	22
IL	Israel	22	26	37	23	26	28	28	12	24	14



Code	Country name	Applications					Registrations				
		2011	2012	2013	2014	2015	2011	2012	2013	2014	2015
IN	India	129	200	245	204	230	155	130	105	141	124
IT	Italy	23	29	36	17	16	29	18	24	23	27
JP	Japan	155	229	174	110	100	114	167	158	179	96
KR	Republic of Korea	107	111	81	80	57	87	107	102	59	96
KZ	Kazakhstan	1	–	3	–	3	2	1	–	–	1
LB	Lebanon	–	1	3	1	–	1	–	1	2	1
LI	Lichtenstein	52	2	8	28	16	75	57	4	8	27
LK	Sri Lanka	15	6	12	3	1	6	10	5	6	5
LT	Lithuania	6	9	11	15	19	7	1	4	11	9
LU	Luxemburg	19	10	24	20	9	14	14	14	18	7
LV	Latvia	10	7	5	10	7	8	3	5	3	3
MD	Republic of Moldova	39	18	15	7	2	15	20	12	4	8
MK	Macedonia (The Former Yugoslav Republic)	11	–	1	3	2	29	11	–	1	3
MX	Mexico	2	17	6	6	13	8	2	16	5	6
NL	Netherlands	94	114	84	79	71	103	82	91	68	51
NO	Norway	5	6	5	8	–	1	5	7	3	5
PA	Panama	25	20	25	26	10	42	12	20	17	14
PL	Poland	79	75	73	54	59	73	68	60	61	44
PT	Portugal	11	3	5	4	6	3	10	3	1	2
RO	Romania	3	4	–	–	8	1	3	1	–	–
RU	Russian Federation	424	582	501	265	127	290	317	435	359	202
SC	Seychelles	4	1	6	2	3	1	11	–	14	26
SE	Sweden	24	23	19	10	12	40	26	21	12	16
SG	Singapore	10	9	12	16	17	10	13	5	7	14
SI	Slovenia	4	–	14	7	–	–	12	–	12	3
SK	Slovakia	18	1	4	7	4	–	12	2	2	2
TH	Thailand	7	10	12	13	9	9	7	12	10	7
TR	Turkey	95	42	55	29	23	33	72	32	39	35
TW	Taiwan (province of China)	51	34	36	33	21	34	52	25	34	28
US	USA	885	942	835	618	737	832	837	821	689	527
VG	Virgin Islands (British)	96	123	95	73	31	83	69	86	68	52
ZA	South Africa	5	16	4	3	–	9	5	8	7	4
	Others	125	138	140	91		83	88	97	60	78

## 1.12. Trademark applications under the international procedure by origin

Code	Country name	2011	2012	2013	2014	2015
	Total	9030	8775	9924	8487	7966
UA	Ukraine	1	2	3	3	4
AM	Armenia	25	14	23	15	7
AT	Austria	215	197	226	178	152
AU	Australia	28	27	34	35	38
BE	Belgium	129	127	143	132	144
BG	Bulgaria	81	110	111	83	70
BY	Belarus	126	170	268	116	105
BZ	Belize	5	7	7	9	9
CA	Canada	2	3	9	8	5
CH	Switzerland	731	626	676	637	640
CN	China	672	566	738	535	508
CY	Cyprus	106	66	76	63	60
CZ	Czech Republic	165	184	218	161	89
DE	Germany	1564	1396	1452	1338	1247
DK	Denmark	77	61	79	74	68
EE	Естонія	26	18	35	31	15
EG	Estonia	10	6	5	3	4
ES	Spain	171	147	223	186	157
FI	Finland	83	85	126	53	50
FR	France	788	754	785	626	593
GB	United Kingdom	239	206	340	246	299
GE	Georgia	4	6	17	5	22
GR	Greece	21	13	21	22	11
HR	Croatia	11	15	12	12	12
HU	Hungary	161	203	221	163	241
IE	Ireland	42	32	46	22	29
IL	Israel	17	25	40	36	25
IN	India	0	11	6	20	28
IR	Iran, Islamic Republic	5	6	6	12	12
IS	Iceland	4	2	8	11	8
IT	Italy	686	651	669	583	489

Code	Country name	2011	2012	2013	2014	2015
JP	Japan	113	155	203	205	172
KR	Republic of Korea	52	50	50	71	66
KZ	Kazakhstan	33	26	18	14	15
LI	Lichtenstein	32	27	28	60	24
LT	Lithuania	32	49	24	23	21
LU	Luxemburg	111	91	119	93	102
LV	Latvia	62	43	53	38	33
MC	Monaco	10	10	16	13	8
MD	Republic of Moldova	30	45	39	31	38
MT	Malta	4	3	24	37	8
NL	Netherlands	182	185	210	186	180
NO	Norway	18	27	16	24	20
NZ	New Zealand	0	0	12	16	9
PL	Poland	253	251	215	163	181
PT	Portugal	21	33	26	18	23
RO	Romania	31	24	31	20	21
RS	Serbia	33	18	27	16	13
RU	Russian Federation	711	894	757	709	523
SE	Sweden	97	123	83	55	75
SG	Singapore	18	21	27	28	17
SI	Slovenia	33	68	69	34	51
SK	Slovakia	33	24	40	38	52
TR	Turkey	360	275	485	436	362
US	USA	479	483	623	636	723
VG	Virgin Islands (British)	27	36	44	35	30
VN	Viet Nam	17	22	7	3	4
	Others	43	56	55	67	54

## 2. The list of intellectual property events of the state system of intellectual property legal protection held in 2015

Item No	IP events	Event Date and Location	Organizer
<b>Seminars and Trainings</b>			
1.	Seminar for applicants in the round table format «Execution of Judgments: Practice and Problems»	Kyiv city, Ukrpatent March 19	SIPS, Ukrpatent
2.	Seminar for applicants «Peculiarities of the Examination of Applications for Inventions, Utility Models and Integrated Circuit Topographies»	Kyiv city, Ukrpatent March 31	SIPS, Ukrpatent
3.	Seminar for applicants «Peculiarities of the Examination of Applications for Marks and Industrial Designs»	Kyiv city, Ukrpatent April 28	SIPS, Ukrpatent
4.	Seminar for applicants «Practice of Consideration of Oppositions by the Appeals Chamber of SIPS of Ukraine»	Kyiv city, Ukrpatent November 19	SIPS, Ukrpatent
5.	Seminar for applicants «Practice of Consideration of Intellectual Property Disputes in Courts of Ukraine»	Kyiv city, Ukrpatent December 24	SIPS, Ukrpatent
<b>Round Tables and Meetings</b>			
1.	Round table meeting with intellectual property representatives (patent attorneys), lawyers and intellectual property experts regarding discussing the following issues: is there a necessity for a substantive examination during the consideration of applications for such industrial property objects as utility models and industrial designs	Kyiv city, Ukrpatent February 25	SIPS, Ukrpatent
2.	Round table between the SIPS and Ukrpatent specialists on court practice of law application	Kyiv city, Ukrpatent April 2	SIPS, Ukrpatent
3.	Round table «Procedure for recognition of the right of preliminary use to industrial designs»	Kyiv city, Ukrpatent April 9	SIPS, Ukrpatent
<b>Visits of Foreign Delegations/Persons</b>			
1.	Working visit of Mr. Keld Nymann Jensen and Mr. Paul Berendt Petersen, both Deputy Director General of the Danish Patent and Trademark Office, and Mr. Pablo Rodenas, the Resident Twinning Adviser, with assistants, for conducting a training seminar «Management of Intellectual Property Office» for the SIPS and Ukrpatent top management in the framework of the Twinning project «Strengthening the Protection and Enforcement of Intellectual Property Rights in Ukraine» (hereafter – Twinning project)	Kyiv city, Ukrpatent January 26–27	Twinning project, SIPS, Ukrpatent
2.	Working visit of Mr. Mihaly Ficsor and Mr. Kenneth Wright, European experts, and Mr. Pablo Rodenas, the Resident Twinning Adviser, with assistants, for conducting a training seminar «Presentation of the EU experience in combating copyright and related rights infringement» for representatives of SIPS, Ministry of Internal Affairs of Ukraine, State Fiscal Service of Ukraine, Ministry of Health of Ukraine, etc., within the Twinning project	Kyiv city, Ukrpatent January 28–30	Twinning project, SIPS, Ukrpatent

Item No	IP events	Event Date and Location	Organizer
3.	Working visit of experts of the Spanish Patent and Trademark Office Mr. Javier Vera Roa, Technical Adviser for the International Cooperation of the Patent Department, and Mrs. Blanca Vila, Head of the Documentation and Search Service, and Mr. Pablo Rodenas, the Resident Twinning Adviser, with assistants, for conducting a training seminar «Patents. Specific matters» for industrial property examiners of Ukrpatent aiming at improving their professional skills, within the Twinning project	Kyiv city, Ukrpatent February 2–6	Twinning project, SIPS, Ukrpatent
4.	Working visit of Mr. Kenneth Wright and Mr. Phil Lewis, European experts, and Mr. Pablo Rodenas, the Resident Twinning Adviser, with assistants, for conducting a training seminar «Presentation of International Experience on Piracy Level Assessment» for law-enforcement and supervisory authorities, within the Twinning project	Kyiv city, Ukrpatent March 10-11	Twinning project, SIPS, Ukrpatent
5.	Working visit of specialists of the U.S. Embassy in Ukraine Mr. Donald Tawnsend, Regional Intellectual Property Rights Attachй, Mr. David Gappa, Coordinator on Intellectual Property Issues of the U.S. Embassy in Romania, and Mr. Leri Pics, Diplomat of the Economic Department, with their assistants, for the purpose of discussing matters on registration/issuance of patents for pharmaceutical products	Kyiv city, Ukrpatent March 19	SIPS, Ukrpatent
6.	Working visit of Mrs. Monica Pop, a chief prosecutor of the Office attached to the Higher Cassation Court of Romania, and Mr. Pablo Rodenas, the Resident Twinning Adviser, with assistants, for conducting a seminar for the SIPS and Ukrpatent specialists on adopting provisions of the EU Directives to Ukrainian legislation regarding legal protection of trademarks, within the Twinning project	Kyiv city, Ukrpatent May 14	Twinning project, SIPS, Ukrpatent
7.	Working visit of the experts of the Spanish Patents and Trademarks Office Mrs. Silvia Navares Gonzalez and Mrs. Alejandra Gonzalez and Mr. Pablo Rodenas, the Resident Twinning Adviser, with assistants, for conducting a round table for the SIPS and Ukrpatent specialists on adaptation of the Ukrainian industrial property legislation to the EU Directives, within the Twinning project	Kyiv city, Ukrpatent May 21–22	Twinning project, SIPS, Ukrpatent
8.	Working visit of Mr. Pablo Rodenas, the Resident Twinning Adviser, with assistants, for granting certificates of the training course completion by the Ukrpatent specialists	Kyiv city, Ukrpatent June 2	Twinning project, SIPS, Ukrpatent
9.	Awareness-raising working visit of Mrs. Patricia Garcia-Escudero, Head of the Spanish Patents and Trademarks Office, and Mrs. Silvia Navares Gonzólez, Examiner of the Spanish Patents and Trademarks Office, and Mr. Pablo Rodenas, the Resident Twinning Adviser, with assistants, within the Twinning project	Kyiv city, Ukrpatent June 24	Twinning project, SIPS, Ukrpatent
10.	Working visit of the experts of the Spanish Patents and Trademarks Office Mrs. Patricia Garcia-Escudero, Head, Mrs. Silvia Navares, Examiner, as well as Mr. Luis Antonio Soler and Mr. Alberto Arribas Hernandez, Judges of the Economic Courts of Spain, and Mr. Pablo Rodenas, the Resident Twinning Adviser, with assistants, for conducting a seminar for judges of the economic courts of Ukraine, within the Twinning project	Kyiv city, Ukrpatent September 7	Twinning project, SIPS, Ukrpatent
11.	Working visit of the experts of the Spanish Patents and Trademarks Office Mrs. Patricia Garcia-Escudero, Head, Mrs. Silvia Navares, Examiner, as well as Mr. Luis Antonio Soler and Mr. Alberto Arribas Hernandez, Judges of the Economic Courts of Spain, and Mr. Pablo Rodenas, the Resident Twinning Adviser, with assistants, for conducting a seminar for judges of the economic courts of Ukraine, within the Twinning project	Kyiv city, Ukrpatent September 8-10	Twinning project, SIPS, Ukrpatent

Item No	IP events	Event Date and Location	Organizer
12.	Working visit of Mr. Enrique Garcia and Mr. Rafael Fuentes, Judges of the Appellate Economic Courts of Spain, and Mr. Pablo Rodenas, the Resident Twinning Adviser, with assistants, for conducting a seminar for judges of general jurisdiction courts of Ukraine, within the Twinning project	Kyiv city, Ukrpatent October 5–7	Twinning project, SIPS, Ukrpatent
13.	Working visit of Mr. Angel Galgo and Mr. Enrique Garcia-Chamon, Judges of the Economic Courts of Spain, and Mr. Pablo Rodenas, the Resident Twinning Adviser, with assistants, for conducting a seminar for judges of general jurisdiction courts of Ukraine, within the Twinning project	Kyiv city, Ukrpatent December 1–3	Twinning project, SIPS, Ukrpatent
<b>Other IP Events</b>			
1.	Meeting of intellectual property representatives (patent attorneys) in the framework of the All-Ukrainian Association of Patent Attorneys	Kyiv city, Ukrpatent February 11	Ukrpatent
2.	Visit of students of the Kyiv National University of Architecture and Construction to familiarize with the exposition of the Intellectual Property Legal Protection Museum	Kyiv city, Ukrpatent February 11	Ukrpatent
3.	Governance meeting of the All-Ukrainian Association of Patent Attorneys	Kyiv city, Ukrpatent April 15	Ukrpatent
4.	International Forum on Combating Counterfeiting and Piracy	Kyiv city, Ramada Encore Kyev Hotel, April 24	SIPS, Ukrpatent
5.	Governance meeting of the All-Ukrainian Association of Patent Attorneys	Kyiv city, Ukrpatent June 10	Ukrpatent
6.	Summer School on Intellectual Property	Kyiv city, Taras Shevchenko National University of Kyiv, July 20–26	T. Shevchenko National University, Intellectual Property Research Institute of the National Academy of Law Sciences of Ukraine, SIPS, Ukrpatent
7.	Participation of the Ukrpatent specialists together with Dr. Mihaly Fiscor, Head of the Hungarian Copyright Council, in working on improvement of the Ukrainian intellectual property legislation and discussion of the development of an effective model of methodology for estimating the level of piracy in Ukraine	Kyiv city, SIPS September 22	Twinning project, SIPS, Ukrpatent
8.	Working meeting with the Danish patent and Trademark Office advisors Mr. Kenneth Wright and Mr. Phil Lewis on discussion of the international experience on the piracy level assessment as well as consideration of matters on processing of the Ukrainian statistics and estimation of the relevant violations in our country	м. Київ, ДСІВ 23 вересня	Twinning project, SIPS, Ukrpatent
9.	Working meeting of Mr. Pablo Rodenas, the Resident Twinning Adviser, and the European experts Mr. Kenneth Wright and Mr. Phil Lewis with the SIPS and Ukrpatent representatives for discussing issues on the development of piracy level assessment methodology in Ukraine	Kyiv city, SIPS November 19	Twinning project, SIPS, Ukrpatent

### 3. Expenses for the functioning and development of the state system of intellectual property legal protection in 2015

Expense Items	Amount, Thousand UAH
Organization support for intellectual property rights protection, expenses associated with examination and grant of titles for industrial property objects	119,985.0
Expenses for information activities in the sphere of intellectual property rights legal protection	3,198.8
Expenses for editorial and publishing activities	625.7
Expenses for development of international cooperation in the sphere of intellectual property rights legal protection, organization and participation in exhibitions, competitions and seminars, etc.	1,806.3
Expenses for organization of training	86.4
Acquisition of licensed software and maintenance of automated systems	4,115.2
Expenses for research scientific works, translation of scientific, technical and normative documents	839.9
Expenses for the process organization of making and distribution of control marks as well as maintenance of the Uniform Register of Control Mark Holders	279.5
Total	130,936.8

OFFICIAL EDITION OF THE STATE INTELLECTUAL PROPERTY SERVICE OF UKRAINE

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