

# 2006

Seventy Ninth Annual Report of the Controller  
of Patents, Designs and Trade Marks

An Naoú dTuarascáil is Seachtú de chuid an  
Cheannasaí Paitinní, Dearaí agus Trádmharcanna



IRISH PATENTS OFFICE  
OIFIG NA bPAITINNÍ



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2006

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## INTRODUCTION

I have the honour to submit my Report to the Oireachtas for the year ended 31 December 2006, in accordance with the provisions of Section 103 of the Patents Act, 1992.

Following the retirement of Mr. Sean Fitzpatrick as Controller of Patents, Designs and Trade Marks on the 28th July 2006, the Minister of State at the Department of Enterprise, Trade and Employment, Mr Michael Ahern, T.D., appointed the undersigned to perform the duties of the Controller from 28th July 2006, in accordance with Section 97(4) of the Patents Act, 1992, until such time as a new Controller is appointed by the Government.

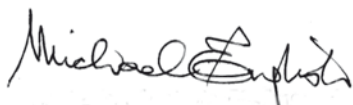
My statutory functions as Controller are set out in the Patents Act, 1992, the Trade Marks Act, 1996; the Industrial Designs Act, 2001, the Statutory Rules and Regulations made under these Acts; and the European Communities (Supplementary Protection Certificate) Regulations. Decisions under these Acts, Rules and Regulations rest with me in my statutory capacity, subject to certain rights of appeal to the High Court.

The Controller also has extensive statutory functions under the Copyright and Related Rights Act, 2000 which came into operation on 1 January 2001; this replaced the Copyright Act, 1963. The 2000 Act considerably extended the Controller's statutory functions in the copyright domain. In addition to the dispute resolution functions of the 1963 Act, I must now deal also with references of licensing schemes and proposed licensing schemes in various matters subject to copyright and other rights, the terms of licences, applications for licences where operators of schemes have refused to grant licences, certain cases where licences are expiring and with registration of licensing bodies.

In addition, my Office makes information available on Industrial and Intellectual Property.

The Intellectual Property Unit of the Department of Enterprise, Trade and Employment has responsibility for intellectual property policy and preparation of legislation in this field. The Patents Office furnishes advice in these matters to the Department, including comments on the impact on its the work of proposed legal or regulatory changes.

In my report, unless the context otherwise indicates, a reference to the 1963 Act means the Trade Marks Act, 1963, to the 1964 Act means the Patents Act, 1964, to the 1992 Act the Patents Act, 1992, to the 1996 Act the Trade Marks Act, 1996 and a reference to the 2001 Act means the Industrial Designs Act, 2001.



Michael English  
Acting Controller

Dated 7 June 2007

## RÉAMHRÁ

Is onóir dom de réir fhorálacha alt 103 d'Acht na bPaitinní, 1992, Tuarascáil a chur faoi bhráid an Oireachtais don bhliain dar críoch 31 Nollaig 2006.

I ndiaidh don Uasal Seán Fitzpatrick dul ar scór ón obair mar Cheannasaí Paitinní, Dearaí agus Trádmharcanna ar 28ú Iúil 2006, cheap an tAire Stáit ag an Roinn Fiontar, Trádála agus Infheistithe, An tUasal Michael Ahern, T.D., an duine atá thíos luaite le dualgais an Cheannasaí a chur i ngníomh ó 28ú Iúil 2006, faoi réir Alt 97(4) Acht na bPaitinní, 1992, go dtí go bhfuil Ceannasaí nua ceaptha ag an Rialtas.

Tá mo chuid feidhmeanna reachtúla leagtha amach in Acht na bPaitinní, 1992; in Acht na dTrádmharcanna, 1996; san Acht um Dhearaí Tionscail, 2001; sna Rialacha agus sna Rialacháin Reachtúla a rinneadh faoi na hAchtanna sin; agus i Rialacháin na gComhphobal Eorpach (Deimhniú Cosanta Forlíontach). Fúmsa atá sé, i mo cháil reachtúil, cinntí faoi na hAchtanna, na Rialacha agus na Rialacháin sin a dhéanamh, faoi réir cearta áirithe achomhairc chun na hArd-Chúirte.

Tá feidhmeanna leathana ag an gCeannasaí freisin faoin Acht Cóipchirt agus Ceart Gaolmhar, 2000 (chuaigh sé sin in áit an Achta Cóipchirt, 1963) a tháinig i ngníomh ar 1 Eanáir 2001. Chuir an tAcht sin go mór le mo chuid feidhmeanna reachtúla i gcúrsaí cóipchirt. I dteannta feidhmeanna faoi Acht 1963 chun díospóidí a réiteach, ní mór dom anois plé le scéimeanna ceadúnúcháin agus scéimeanna ceadúnúcháin beartaithe a chuirtear faoi mo bhráid i ndáil le réimsí éagsúla atá faoi réir cóipchirt agus cirt eile; le nithe a bhaineann le téarmaí ceadúnas a chuirtear faoi mo bhráid; le hiarratais ar cheadúnais i gcás ina bhfuil oibríteoirí scéimeanna tar éis diúltú ceadúnais a thabhairt; le cásanna áirithe ina bhfuil ceadúnais ag dul in éag; agus le clárú comhlachtaí ceadúnúcháin.

Ina theannta sin, cuireann m'Oifig faisnéis ar fáil i ndáil le Maoín Tionscail agus Intleachtúil.

Tá an fhreagracht ar an Aonad Maoine Intleachtúla sa Roinn Fiontar, Trádála agus Fostaíochta as an bpolasaí i leith maoine intleachtúla agus as reachtaíocht a ullmhú sa réimse sin. Cuireann an Oifig comhairle ar fáil sna cúrsaí sin don Roinn, ar a n-áirítear tuairimí ar an tionchar a bheadh ar obair na hOifige ag athruithe beartaithe.

Le linn an chuid eile de mo Thuarascáil seo, mura n-éilíonn an comhthéacs a mhalairt, ciallaíonn tagairt d'Acht 1963 tagairt d'Acht na dTrádmharcanna, 1963; tagairt d'Acht 1964 tagairt d'Acht na bPaitinní, 1964; tagairt d'Acht 1992 tagairt d'Acht na bPaitinní, 1992, tagairt d'Acht 1996 tagairt d'Acht na dTrádmharcanna, 1996; agus tagairt d'Acht 2001 tagairt don Acht um Dhearaí Tionscail, 2001.



Mícheál English  
An Ceannasaí Gníomhach

Dáta 7 Iúin 2007

## GENERAL

Intellectual property rights are being increasingly acknowledged as important assets, enabling companies to enhance their competitiveness and thereby promoting economic growth. The administration of these rights is fundamental for optimising innovation. Consequently, during 2006 my Office sought to provide Irish business, industry and individual entrepreneurs with an efficient system of protection for their intellectual property rights.

### Mission & Objectives

The central mission of the Patents Office continues to be:

*"To provide an efficient and effective system of industrial property protection that will encourage technological progress and promote enterprise through the implementation by the Office of the relevant legislation".*

The Office's Strategy Statement for the period 2004 to 2007 sets out the following four objectives, the achievement of which is seen as central to fulfilling the mission of the Office. They also support the wider national objectives of supporting and encouraging enterprise and innovation and the fostering of an effective business environment in Ireland.

#### Objective (1)

Continue to grant patents and register trade marks and designs based on efficient administrative procedures and standards of service which reflects best international practice and meets the needs of customers.

#### Objective (2)

Seek to incorporate new technology in order to improve systems and procedures and service to customers and which will also have regard to the demands of the information society and e-business.

#### Objective (3)

Implement any new IP legislation which creates functions for the Controller.

#### Objective (4)

Recognise staff as a key asset of the office and utilise business planning and individual performance management and development in order to improve business performance and processes and enhance organisational effectiveness.

The information in this Report reflects the extent to which achieving these objectives continued to be to the fore in the work of the Office during 2006. I would like to acknowledge here formally the commitment of the staff of the Patents Office to meeting these objectives, the customer service targets and the key tasks set out in the Office's Business Plan.

## GINEARÁLTA

Aithnítear níos mó ná riamh gur sócmhainní tábhachtacha iad cearta intleachtúla, lena gcumasaítear do chuideachtaí cur lena n-iomaíochas agus, dá bharr sin, lena gcuirtear a bhfás eacnamaíoch chun cinn. Tá riarachán na gceart sin bunúsach ó thaobh an nuáil a uasmhéadú. Dá thoradh sin, le linn 2006 thriail m'Oifig córas éifeachtach a sholáthar do lucht gnó, lucht tionscail agus d'fhiontraithe aonair in Éirinn chun a gcearta maoine intleachtúla a chosaint.

### Bunchuspóir agus Cuspóirí Eile

Is é bunchuspóir lárnach Oifig na bPaitinní i gcónaí ná:

"Córas éifeachtach agus éifeachtúil cosanta maidir le maoine thionsclaíoch a sholáthar lena spreagfar dul chun cinn teicneolaíoch agus lena gcuirfear an fhiontraíocht chun cinn trí chur chun feidhme na reachtaíochta cuí ag an Oifig."

I Ráiteas Straitéise na hOifige don tréimhse 2004 go 2007, leagtar amach na ceithre chuspóir seo a leanas, agus tá baint amach na gcuspóirí sin rithábachtach maidir le bunchuspóir na hOifige a chur i gcrích. Ina theannta sin, nascann siad leis na cuspóirí náisiúnta is leithne ná sin maidir le tacaíocht agus spreagadh a thabhairt don fhiontraíocht agus don nuáil agus timpeallacht éifeachtach gnó a chothú in Éirinn.

#### Cuspóir (1)

Leanúint ar aghaidh ag bronnadh paitinní agus ag clárú trádmharcanna agus dearai bunaithe ar nósanna imeachta agus caighdeáin seirbhíse éifeachtacha ar léiriú iad ar an gcleachtas idirnáisiúnta is fearr agus a fhreastalaíonn ar riachtanais na gcustaiméirí

#### Cuspóir (2)

Díriú ar an nuatheicneolaíocht a bhunú chun feabhas a chur ar chórais agus nósanna imeachta agus ar an tseirbhís do chustaiméirí, agus aird a thabhairt ar éilimh na sochaí faisnéise agus an ríomhghnó.

#### Cuspóir (3)

Aon reachtaíocht nua IP lena gcruthaítear feidhmeanna nua don Cheannasaí a chur chun feidhme.

#### Cuspóir (4)

An fhoireann a aithint mar acmhainn rithábachtach de chuid na hOifige agus leas a bhaint as pleanáil gnó agus as bainistiú agus forbairt feidhmíochta aonair d'fhonn feabhas a chur ar an bhfeidhmíocht ghnó agus ar phróisis ghnó agus cur le héifeachtúlacht na heagraíochta.

Is léiriú i an fhaisnéis sa Tuarascáil seo ar an méid a raibh baint amach na gcuspóirí sin chun tosaigh i gcónaí in obair na hOifige le linn 2006. Ba mhaith liom aitheantas foirmeálta a thabhairt do thiomantas fhoireann Oifig na bPaitinní maidir leis na cuspóirí sin, na spriocanna seirbhíse do chustaiméirí agus na tascanna rithábachtacha atá leagtha amach i bPlean Gnó na hOifige a bhaint amach.

### Receipts and Expenses

The receipts and expenses for the year amounted to €9.725 million and €4.165 million respectively. Further particulars are given in Appendix B.

### Office – Staff and Structure

The number of staff serving as at 31 December 2006 was 69. A breakdown of the staff serving at the end of the year is given in Appendix A. Some eleven staff availed of a worksharing scheme which permits a variety of attendance patterns. Four staff availed of a teleworking scheme which permits staff to carry out their duties from home for part of the week.

### IP Information – Website

The Office has successfully progressed one of its strategic objectives of using technology in order to facilitate e-business activities and the dissemination of intellectual property information via its website. An Irish language version of the site is currently under development.

The website facilitates the perusal of Irish patent, trade mark and design registers on-line and free of charge. In addition, a computerised search facility facilitates the inspection of details of Irish published patent applications and granted patents and pending and registered trade marks. The Office's website also permits free access to the esp@cenet database and search engine which hosts the largest volume of patent documentation available on the Internet. On-line access to the Office's Official Journal is also provided free of charge, is searchable and allows for flexible viewing of trade marks in colour.

The online renewal system which facilitates the payment of patent, trade mark and design renewal fees by credit and debit cards continues to be extensively utilized with transactions totalling some €6.5 million processed online in 2006.

Web traffic analysis shows that the general public as well as Intellectual Property professionals make extensive use of the search facilities and information available on our website. The online search systems are particularly popular. There were on average, in excess of 780,000 hits to the web site per month during 2006.

### Promotion of IP Awareness, Exhibitions/Seminars

As in previous years, the Patents Office was an exhibitor at the annual BT Young Scientist & Technology Exhibition. With over 35,000 visitors each year the exhibition affords the Office a unique opportunity to raise awareness of intellectual property amongst second level students, teachers and parents. The Office again sponsored a special award in the competition, which was won by Fionan Murray a student of Blackwater Community School, Lismore, Co. Waterford, for his project – "The Unbreakable Hurley".

The Office sought to promote awareness of intellectual property, particularly for SME's, in cooperation with a number of County Enterprise Boards. Staff gave talks on IP with an emphasis on trademarks to participants at "start your own business courses" organised by the County Enterprise Boards in Carlow, Kilkenny,

### Fáltais agus Caiteachais

Ba iad na fáltais agus na caiteachais don bhliain ná €9.725 milliún agus €4.165 milliún faoi seach. Tugtar sonraí breise i bhFoscábhinn B.

### An Oifig – Foireann agus Struchtúr

Ba é an líon foirne a bhí ag fónamh amhail ar 31 Nollaig 2006 ná 69. Tugtar cur síos ar an bhfoireann a bhí ag fónamh i ndeireadh na bliana i bhFoscábhinn A. Ba é dhuine dhéag na foirne a bhain leas as an scéim chun obair a roinnt, rud a cheadaítear patrúin fhreastail éagsúla Bhain ceathrar na foirne leas as scéim teilíobre, rud a cheadaíonn don fhoireann a gcuid dualgas a chomhlíonadh sa bhaile i rith chuid den tseachtain

### Faisnéis faoi Mhaoin Intleachtúil (MI) – Suíomh Gréasáin

D'éirigh leis an Oifig le dul ceann chinn le ceann dena gcuspóirí straitéiseacha, úsáid teicneolaíochta chun gníomhaíochtaí ríomhghnó a éascú agus craobhscaoileadh faisnéise maoiní intleachtúla trínár suíomh gréasáin a chumasú. Tá leagan Gaeilge den suíomh á fhorbairt faoi láthair.

Leis an suíomh gréasáin, éascaítear an t-iniúchadh ar-líne ar chláracha paitinní, trádmharcanna agus dearáí na hÉireann ar-líne agus saor in aisce. Ina theannta sin, le háis cuardaigh ríomhairithe, éascaítear an t-iniúchadh ar na mionsonraí sna hiarratais paitinne fhoilsithe agus sna paitinní atá deonaithe agus sna trádmharcanna atá ar feitheamh agus cláraithe in Éirinn. Le suíomh gréasáin na hOifige, ceadaítear rochtain saor in aisce ar bhunachar agus inneall cuardaigh esp@cenet ar a bhfuil an líon is mó de dhoiciméid phaitinne atá ar fáil ar an Idirghréasáin. Cuirtear rochtain ar-líne ar Iris Oifigiúil na hOifige ar fáil saor in aisce freisin. Tá an Iris inchuadaithe agus is féidir radharc solúbtha daite a fháil ar thrádmharcanna ansin.

Leanann úsáid fhorleathan den chóras athnuachana ar-líne, córas lena n-éascaítear táilli athnuachana paitinne, trádmhairc agus dearáí a íoc trí chártaí creidmheasa agus cártaí dochair agus idirbhearta ar fiú €6.5 milliún san iomlán iad ar-líne sa bhliain 2006.

Taispeánann anailís ar an trácht Líonra go mbaineann an pobal i gcoitinne agus gairmiúlaigh Maoiní Intleachtúla araon úsáid fhorleathan as na háiseanna cuardaigh agus as an bhfaisnéis atá ar fáil ar an suíomh gréasáin againn. Baintear úsáid an-mhór as na córais cuardaigh ar-líne. Bhí os cionn 780,000 aimsiú, ar an meán, ar an suíomh gréasáin gach mí le linn na bliana 2006.

### Dul chun cinn tuiscint MI, Taispeántais/Seimineáir

Mar a rinneadh blianta eile, bhí taispeántas ag Oifig na bPaitinní ag an ócáid bhliantúil, Taispeántas Eolaí Óig agus Teicneolaíochta ESAT BT. Tugann os cionn 35,000 duine cuairt ar an ócáid sin gach bliain agus is deis ar leith é an Taispeántas don Oifig cur leis an bhfeasacht ar mhaoiní intleachtúil i measc mac léinn, múinteoirí agus tuismitheoirí dara leibhéal. Rinne an Oifig urraíocht arís ar ghradam speisialta sa chomórtas, a bhí bainte ag Fionan Murray, mac léinn as Pobalscoil na hAbhann Móire, Lios Mór, Co. Phort Láirge, as a thionscadal – "An Camán Dobhriste".

Rinne an Oifig iarracht ar mhaoiní intleachtúil a chur chun cinn, go hairithe le haghaidh Gnóthais bheaga agus mheánmheide (SME), i gcomhoibriú le méid Boird Fhiontar na gContaetha. Thug foireann na hOifige cainteanna ar MI agus leis an bhéim ar thrádmharcanna do rannpháirtithe ag cúrsaí "Cuir Tús le do Ghnó Féin a d'eagraigh

Tipperary and Wexford. Staff also gave seminars and workshops to participants at events organised by the Offaly and Wicklow County Enterprise Boards. In addition staff attended the National Ploughing Championships. A representative from the Office also attended the annual meeting and conference of the International Trade Mark Association in Toronto, Canada.

Throughout the year staff from the Office provided advice to the public in response to queries on various aspects of intellectual property.

### Service Standards

The customer service actions which were set out in the Office's Customer Services Action Plan for the period 2002 to 2005 reflected the ongoing modernisation process underway in the Office; in particular increased efficiencies gained from the use of technology. When implementing customer service actions, the focus of the Office has been to wherever possible improve its internal business processes and provide a more efficient and effective service to its internal and external customers.

A new Customer Service Action Plan for the period 2006 to 2009 continues to emphasise the promotion and development of a strong customer service ethos in the Office. The new plan and the standards which have been set out, take account of the generally accepted public service principles of quality customer service. The new plan afforded the opportunity to revise some of the existing targets and to set some new and specific standards which the Office sees as essential to providing a quality service.

The level of performance against specific customer service targets achieved during 2006 (details of which are shown at Appendix J) was quite satisfactory overall; in many cases the targets set were met fully

The Office will, through the relevant bodies and the Patents Office User's Council, continue to consult users/customers about the discharge of the Office's functions vis-à-vis their expectations.

### Training and Development

During 2006 staff development continued with the aim of ensuring that all staff obtained training in the skills and competencies required to undertake their jobs to the highest standard. In accordance with the Performance Management Development System (PMDS) operated in the Office, a development plan for training was drafted which took into account the various training needs which individual members of staff had identified in their personal development plans.

In 2006, staff in my Office undertook a total of 100 training days in areas such as, legislative process, effective writing, project management, clear and critical thinking, time management, problem solving decision making, minute taking, personal development, German, Irish and sign language training. My staff liaised closely with the Training and Development Unit of the Department of Enterprise, Trade and Employment in organising training that could not be delivered in Kilkenny.

Boird Fhiontar na gContaetha i gCeatharlach, i gCill Chianaigh, i dTiobraid Árann agus i bPort Láirge. Thug foireann seimineáir agus ceardlanna do rannpháirtithe ag imeachtaí eagraithe ag Boird Fhiontar Chontae Uíbh Fhailí agus Chill Mhantáin chomh maith. Ina theannta sin bhí foireann i láthair ag an gComórtas Náisiúnta Treabhdóireachta. Bhí ionadaí de chuid na hOifige i láthair ag cruinniú agus comhdháil bhliantúil Chumann Idirnáisiúnta na dTrádmharcanna in Toronto, Ceanada.

I rith na bliana, thug foireann de chuid na hOifige comhairle don phobal mar fhreagra ar fhiosrúcháin faoi ghnéithe éagsúla a bhaineann le maoin intleachtúil

### Caighdeán Seirbhíse

Léiríodh próiseas leanúnach nuachóirithe atá ag dul ar aghaidh san Oifig sna gníomhaíochta seirbhíse custaiméirí mar atá leagtha amach i bPlean Gníomhaíochta Seirbhíse Custaiméara na hOifige don tréimhse 2002 go 2005; go háirithe méadú sna héifeachtacha as úsáid teicneolaíochta. Agus i ag cur gníomhaíochta seirbhíse custaiméirí i bhfeidhm díreach an Oifig isteach in áiteanna ár féidir léi, lena cuid próiseas gnó inmheánach a fheabhsú agus seirbhís níos éifeachtaí a sholáthair dena custaiméirí inmheánacha agus seachtracha.

Leanann an Plean nua Gníomhaíochta Seirbhíse Custaiméara don tréimhse 2006 go 2009 le díriú isteach ar chur chun cinn agus fhorbairt éiteas seirbhíse custaiméara láidir san Oifig. Cuirtear san áireamh sna caighdeáin seo, atá leagtha amach sa phlean, prionsabail na seirbhíse cháilíochta do custaiméirí sa tseirbhís phoiblí, prionsabail a bhfuil glacadh leo go forleathan, agus leagtar amach an cháilíocht seirbhíse ar féidir dár gcustaiméirí a bheith ag súil léi. Bhí deis ag an bplean nua athbhreithniú a dhéanamh ar chuid de na spriocanna atá ann faoi láthair agus caighdeáin nua áirithe a leagadh síos, rud atá riachtanach, dar leis an Oifig, chun seirbhís cáilíocht a sholáthair.

Bhí an leibhéal feidhmíochta, de réir spriocanna seirbhíse custaiméara sonracha, a baineadh amach le linn 2006 (a dtaispeántar mionsonraí fúthu i bhFoscáirbhinn J) sásúil san iomlán; i gcásanna go leor, bhí an fheidhmíocht ar 100%.

Leanfaidh an Oifig ar aghaidh, trí na comhlachtaí cuí agus trí Chomhairle Úsáideoirí Oifig na bPaitinní, ag dul i gcomhairle le húsáideoirí/custaiméirí i dtaobh chomhall fheidhmeanna na hOifige ó thaobh a bhfuil siad ag súil leis mar thoradh.

### Oiliúint agus Forbairt

Le linn 2006 leanadh le forbairt na foirne agus an aidhm againn a chinntiú go bhfuair an fhoireann go léir oiliúint sna scileanna agus sna cumais atá ag teastáil chun a gcuid oibre a dhéanamh ar an gcaighdeán is airde. De réir an Chórais Bainistíochta Forbartha Feidhmíochta (CBFF) a oibrítear san Oifig, rinneadh plean forbartha leis an oiliúint a dhreachtú lena cuireadh san áireamh na riachtanais éagsúla oiliúna a d'aithin an fhoireann ina gcuid pleananna forbartha pearsanta.

Sa bhliain 2006, ghlac an fhoireann san Oifig páirt i 100 de laethanta oiliúna in ábhair a leithid den Próiseas Reachtach, scríbhneoireacht éifeachtach, bainistíocht tionscadail, réasúnaíocht glan agus géar, bainistíocht ama, fadhbriteach agus cinnteoireacht, miontuairiscí a ghlacadh forbairt phearsanta, Oiliúint sa Ghearmáinis, sa Ghaeilge sa teanga chomharthaíochta Rinne an fhoireann tadhall dlúth le hAonad Oiliúna agus Forbartha



Staff also attended training and seminars organised by the European Patent Academy, namely "Patenting in Biotechnology", "Search and Documentation Working Methods", "Electronic Publications", "PATLIB 2006" and "Management of patent documentation and classification". In addition one staff member participated in the first two modules of the Innovation Support Training Programme organised by the European Patent Academy.

### Patents Office Users Council

In May 1997, the Minister for Enterprise, Trade and Employment established a Patents Office Users Council. The terms of reference given to it were:

*"To consider and report to the Minister on the administration of industrial property protection by the Patents Office and to advise on appropriate changes and innovations in the operation of the Office."*

The Council comprises the Controller and representatives of the Association of Patent and Trade Mark Agents, Enterprise Ireland, IBEC, University College Dublin and the Licensing Executives' Society. The Council is chaired by a senior official from the Department of Enterprise, Trade and Employment. The duration of the term of appointment of members (other than the Controller, President of the Association of Patent and Trade Mark Attorneys and the Departmental representative) is limited to a three year term. The present Council, appointed with effect from 1 January, 2006, met on one occasion during the year.

### Enactments and Statutory Instruments

Appendix I lists the enactments and statutory instruments made during the year.

na Roinne Fiontar, Trádála agus Fostaíochta chun oiliúint a eagrú nach bhféadfaí a sheachadadh i gCill Chainnigh.

D'fhreastail an fhoireann freisin ar sheimineáir traenála eagraithe ag Acadamh Paitinní na hEorpa, eadhon "Paitinní i mBítheolaíocht", "Modh Oibre Cuartaíthe agus Cáipéisíochta", "Foilseacháin Leictreonacha", "PATLIB 2006" agus "Bainistíocht Cháipéisíocht Paitinní agus Aicmiúcháin". Ina theannta sin rannpháirtigh ball foirne sa chéad dhá mhodúl sa Chlár Traenála Tacaíochta Nuálaíochta eagraithe ag Acadamh Paitinní na hEorpa.

### Comhairle na n-Úsáideoirí

Bealtaine 1997, chinn an tAire Fiontar, Trádála agus Fostaíochta Comhairle Úsáidirí Oifig na bPaitinní a bhunú. Ba iad na téarmaí tagartha a tugadh don Chomhairle ná na cinn seo a leanas:

*"Breithniú a dhéanamh agus tuairisciú don Aire ar riaradh na cosanta maoine tionsclaíche ag Oifig na bPaitinní agus comhairle a thabhairt faoi athruithe agus nuálacha cuí in oibriú na hOifige."*

Is é an Ceannasaí agus ionadaithe Chumann na nGníomhairí Paitinne agus Trádmharcanna, Fhiontraíocht Éireann, IBEC, Choláiste na hOllscoile, Baile Átha Cliath agus Chumann na bhFeidhmeannach Ceadúnúcháin atá ar an gComhairle. Oifigeach sinsearach de chuid na Roinne Fiontar, Trádála agus Fostaíochta a dhéanann cathaoirleacht uirthi. Tá ré cheapacháin na gcomhaltaí (seachas an Ceannasaí, Uachtarán Chumann na nGníomhairí Paitinne agus Trádmharcanna agus ionadaí na Roinne) teoranta do théarma trí bliana. Bhí cruinniú amháin le linn na bliana ag an gComhairle láithreach, a bhí ceaptha le héifeacht ón 1 Eanáir, 2006.

### Achtacháin agus Ionstraimí Rachtúla

Tá liosta achtachán nó ionstraimí rachtúla a rinneadh le linn na bliana i bhFoscábhinn I.

## PATENTS

As at 31 December 2006, there were a total of 2,125 pending applications on hand. Of these, 915 applications were awaiting the submission of evidence of novelty.

### Applications and Grants

The number of applications for patents received was 935, an increase of 71 on the corresponding 2005 figure. In addition, 16 divisional patent applications were filed, these applications result from the division of earlier filed patent applications and they retain the filing date of the original application.

Applications claiming priority under the Paris Convention totalled 261.

Analyses by country of the applications received and patents granted are given in Appendix C and Appendix D, respectively. The number of applications received from applicants in the State was 838 compared with 789 in 2005.

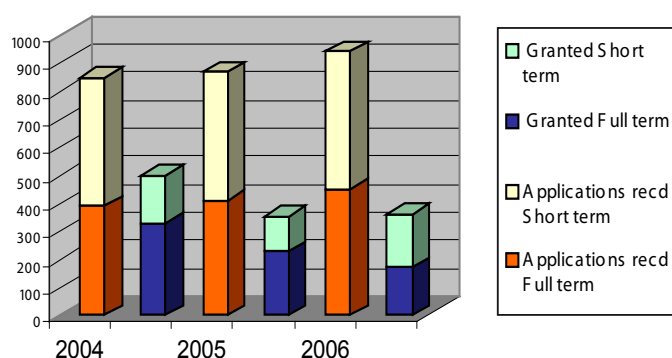
Figures showing the numbers of patent applications received and patents granted by the Office during the past three years are shown in the following Table:

YEAR	APPLICATIONS RECEIVED			PATENTS GRANTED		
	For Full 20 year Term	For Short Term (10 year)	TOTAL	For Full 20 year Term	For Short Term (10 year)	TOTAL
2004	385	460	845	326	170	496
2005	406	458	864	226	123	349
2006	448	487	935	167	190	357

The downward trend in the number of patents granted since 2003 is as a result of the gradual reduction over recent years in the backlog of patent applications (particularly chemical applications), which has resulted in smaller volumes of applications coming through for final examination and decision.

An analysis of the patents granted as classified according to the subsections of the International Classification of Patents for Inventions is given in Appendix E

PATENT APPLICATIONS AND GRANTS 2004 - 2006



## PAITINNÍ

Amhail ar 31 Nollaig 2006, bhí 2,125 iarratas ar feitheamh san iomlán. Díobh sin, bhí 915 iarratas ag feitheamh ar fhianaise maidir le húrnuacht.

### Iarratais agus Deontais

Ba é an líon iarratas ar phaitinní a fuarthas ná 935, méadú de 71 ar fhigiúr comhfhreagrach 2005. Ina theannta sin, comhdaíodh 16 iarratas rannáin ar phaitinní, iarratais a tháinig as rannáin iarratas a comhdaíodh níos luaithe agus lena raibh dáta an bhuniaratais

Bhí 261 iarratas san iomlán ann a d'éiligh tosaíocht faoi Choinbhinsiún Pháras.

Tugtar anailís de réir tíre ar na hiarratais a fuarthas agus ar na paitinní a deonaíodh i bhFoscúbhinní C agus D, faoi seach. Ba é 838 líon na n-iarratas a fuarthas ó iarratasóirí sa Stát, i gcomparáid le 789 sa bhliain 2005.

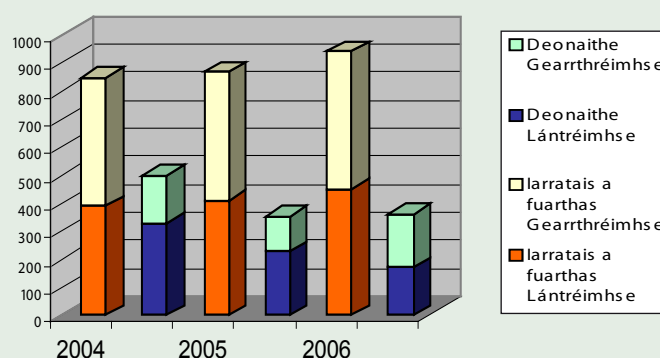
Taispeántar figiúir sa Tábla a leanas faoi líon na n-iarratas a fuair agus líon na n-iarratas a dheonaigh Oifig na bPaitinní le trí bliana anuas:

BLIAIN	IARRATAIS A FUARTHAS			PAITINNÍ A DEONAÍODH		
	Don Téarma Iomlán 20 Bliain	Do Théarma Gearr (10 mbliana)	IOMLÁN	20 Bliain	Téarma gearr (10 mbliana)	IOMLÁN
2004	385	460	845	326	170	496
2005	406	458	864	226	123	349
2006	448	487	935	167	190	357

Eascaíonn an claonadh síos ar líon na bPaitinní a deonaíodh ón mbliain 2003 i leith as laghdú de réir a chéile ar riaráiste na n-iarratas paitinne le blianta beaga anuas (iarratais cheimice, go háirithe), rud a fhágann go bhfuil líon níos lú iarratas ag teacht ar aghaidh le haghaidh an scrúdaithe agus an chinnidh deiridh.

Tugtar anailís i bhFoscúbhinn E ar na paitinní a deonaíodh arna n-aicmiú de réir na bhfo-ranna den Aicmiú Idirnáisiúnta Paití

IARRATAIS AGUS DEONUITHE PAITINNÍ 2004 - 2006





European applications designating Ireland (first arising in 1992) are not included in the above chart and amount to:

Year	Filings
1992	11,755
1993	35,762
1994	40,705
1995	44,161
1996	52,755
1997	41,875
1998	61,584
1999	65,708
2000	76,806
2001	103,659
2002	96,779
2003	104,529
2004	111,537
2005	117,096
2006	123,912

In 2006, the number of granted European patents designating Ireland was 33,895.

These patents were entered in the National Register of Patents. They have the same legal status in Ireland as if they had been granted by my Office.

#### Assignments and other miscellaneous matters

Applications approved under Section 85 of the 1992 Act for registration of assignments, etc. of patent applications, patents and supplementary protection certificates affected a total of 818 patents and patent applications.

The Office acts as a receiving office for European patent applications and for international applications filed under the Patent Co-Operation Treaty (PCT), which was ratified by Ireland during 1992. The number of international applications received at the Office, as a receiving office under the PCT, was 145. Following completion of the receiving office functions under the PCT, these applications are transmitted to the World Intellectual Property Organisation (WIPO). The number of European applications filed for onward transmission to the European Patent Office was 27, of which 8 were filed by applicants whose places of residence or principal places of business were outside the State.

#### Revocation of Patents

Of the three applications for revocation pending at the end of 2005, one was concluded during the year. One application for revocation was received during 2006, leaving a total of three applications pending at the end of the year.

#### Surrender of Patents

Offers to surrender patents may be made under Section 39 of the Patents Act 1992. No patents were surrendered in 2006.

Níl iarratais Eorpacha lenar ainmníodh (a tháinig chun cinn i dtosach sa bhliain 1992) san áireamh sa chairt thuas agus is iad na figiúir chuí dóibh sin:

Bliain	Comhduithe
1992	11,755
1993	35,762
1994	40,705
1995	44,161
1996	52,755
1997	41,875
1998	61,584
1999	65,708
2000	76,806
2001	103,659
2002	96,779
2003	104,529
2004	111,537
2005	117,096
2006	123,912

Sa bhliain 2006, ba é líon na bpaitinní Eorpacha a deonaíodh lenar ainmníodh Éire ná 33,895.

Taifeadadh na paitinní sin sa Clár Náisiúnta Paitinní. Tá an stádas dlíthiúil céanna acu in Éirinn agus a bheadh dá mba í m'Oifig a dheonaigh iad

#### Sannta agus nithe ilghnéitheacha eile

Maidir le hiarratais a ceadaíodh faoi alt 85 d'Acht 1992 le haghaidh clárú sannta srl ar iarratais ar phaitinn, paitinní agus deimhnithe cosanta forlíontacha, bhaineadar sin le 818 paitinn agus iarratas ar phaitinn san iomlán.

Féidhmíonn an Oifig mar oifig glactha d'iarratais paitinní Eorpacha agus d'iarratais idirnáisiúnta a chomhdaítear faoin gConradh um Chomhoibriú Paitinne (CCP), a dhaingnigh Éire sa bhliain 1992. Ba é líon na n-iarratas a fuarthas san Oifig, mar oifig glactha faoi CCP na 145. Tar éis chríochnú fheidhmeanna na hoifige glactha faoi CCP, déantar na hiarratais sin a aistriú chuig Cumann Maoine Intleachtúla an Domhain (CMID). Ba é 27 líon na n-iarratas Eorpach a comhdaíodh lena n-aistriú ar aghaidh chuig Oifig Paitinní na hEorpa, agus is iarratasóirí ar lasmuigh den Stát a bhí a n-áit chónaithe nó a bpríomh-áit ghnó a chomhdaigh 8 díobh sin.

#### Paitinní a Chúlghairm

As an trí iarratas ar chúlghairm a bhí ar feitheamh, deireadh 2005, cuireadh críoch le ceann amháin i rith na bliana. Fuarthas iarratas amháin ar chúlghairm le linn 2006, rud a d'fhág trí iarratas san iomlán ar feitheamh i ndeireadh na bliana

#### Paitinní a Ghéilleadh

Is féidir tairiscintí chun paitinní a ghéilleadh a dhéanamh faoi alt 39 d'Acht na bPaitinní, 1992. Níor géilleadh aon phaitinn ghearrthréimhseach amháin sa bhliain 2006.

### Patents in force

The number of patents in force on the 31 December 2006 was 68,298. The number of patents in respect of which renewal fees were paid was 38,692 of which particulars are given in Appendix F, together with figures from the previous nine reports. Patents that lapsed due to the non-payment of renewal fees numbered 17,286 and 368 expired through the passage of time.

### Restoration of Lapsed Patents

At the end of 2005, nineteen applications for restoration of lapsed patents were pending. Fifteen applications for restoration were received during 2006. A total of nineteen patents were restored, two applications for restoration were withdrawn, leaving thirteen applications for restoration pending at the end of 2006.

### Requests for Supplementary Protection Certificates

A total of 38 requests for Supplementary Protection Certificates were received during the year under the European Communities (Supplementary Protection Certificates) Regulations, 1992 (medicinal) and 1996 (plant protection products). During the year, 56 certificates were granted (medicinal and plant protection). 9 requests were rejected. At the end of the year there were 42 requests pending.

### Patent Hearings

One *inter-partes* hearing took place during 2006.

### Register of Patent Agents

At the end of the year, there were forty eight individuals and five partnerships entered in the Register of Patent Agents.

### Paitinní i bhFeidhm

Ba é líon na bpaitinní a bhí i bhfeidhm, an 31 Nollaig 2006, ná 68,298. Ba é an líon paitinní ar íocadh táillí athnuachana ina leith ná 38,692 agus tugtar sonraí ina leith sin i bhFoscábhinn F, maille le figiúir as na naoi dtuarascáil roimhe seo. Ba é líon na bpaitinní a thit i léig toisc nár íocadh na táillí athnuachana ná 17,286 agus thit 368 i léig le himeacht aimsire

### Paitinní Tite i Léig a Aisiriú

I ndeireadh 2005, bhí naoi n-iaratas déag ar aisiriú paitinní a bhí tite i léig ar feitheamh. Fuarthas cúig iaratas déag ar aisiriú le linn 2006. Rinneadh naoi bpaitinn déag san iomlán a aisiriú agus baineadh siar dhá iaratas ar aisiriú, rud a d'fhág trí iaratas déag ar aisiriú ar feitheamh i ndeireadh 2006.

### Iarrataí ar Dheimhnithe Cosanta Forlíontacha

Fuarthas 38 iarraidh ar Dheimhnithe Cosanta Forlíontacha le linn na bliana faoi Rialacháin na gComhphobal Eorpach (Dheimhnithe Cosanta Forlíontacha), 1992 (leigheasach) agus 1996 (táirgí cosanta planda). Le linn na bliana, deonaíodh 56 dheimhniú (leigheasach agus cosaint planda). Diúltaíodh do 9 gcinn d'iarrataí. I ndeireadh na bliana, bhí 42 iaratas ar feitheamh.

### Éisteacht Paitinní

Tionscnaíodh éisteacht *inter-partes* amháin le linn na bliana 2006.

### Clár na nGníomhairí Paitinne

I ndeireadh na bliana, bhí ochtar is daichead de phearsana aonair agus cúig chomhpháirtíocht cláraithe i gClár na nGníomhairí Paitinne

## DESIGNS

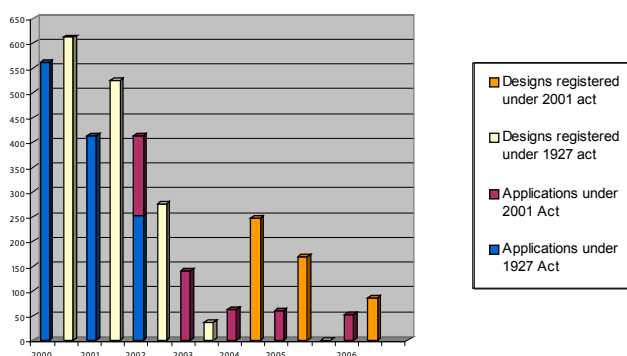
There were 53 applications for registration of designs filed in 2006. The 53 applications were in respect of a total of 90 designs as some 14 of the applications received related to more than one design.

An analysis by country of origin of the applications received is given in Appendix C. Applications filed by residents in the State totalled 38 compared to 43 in 2005.

The number of designs registered during the year under the 2001 Act was 86. Particulars of registration by Country of origin of proprietor are given in Appendix D. The period of protection was extended for a second period of five years in 199 cases and a third period of five years in 114 cases of designs registered under the 1927 Act. 362 registrations lapsed. The number of designs in force at the end of the year was 2,125 registered under the 1927 Act and 934 registered under the 2001 Act.

The number of designs registered according to the International Classification of Designs is shown in Appendix H.

DESIGN APPLICATIONS AND REGISTRATIONS 2000-2006



### Community Designs

In the same way as applicants for a Community Trade Mark may file their applications to the OHIM (Office for Harmonisation in the Internal Market) in Alicante (Spain) through my Office, applicants for a Registered Community Design may also file their applications to the OHIM through the Office. During 2006, a total of 10 Community Design Applications were filed through the Office and forwarded to OHIM. The Office receives a €25 handling fee in respect of each application.

## DEARÁÍ

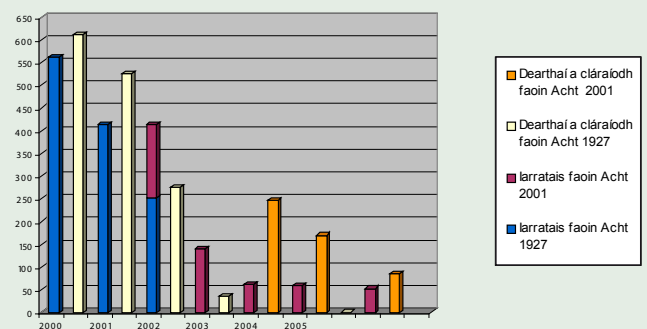
Comhdaíodh 53 iarratas ar chlárú dearáí sa bhliain 2006. Bhain na 53 iarratas le 90 de dhearáí san iomlán toisc gur bhain 14 de na hiarratais le níos mó ná dearadh amháin.

Tugtar anailís i bhFoscábhinn C, de réir tíre bunaidh, ar na hiarratais a fuarthas. Ba é 38 líon na n-iarratas a chomhdaigh iarratasóirí sa Stát, i gcomparáid le 43 sa bhliain 2005.

Ba é líon na ndearáí a cláraíodh i rith na bliana faoi Acht 2001 ná 86. Tugtar sonraí i bhFoscábhinn D ar an gclárú de réir thír bhunaidh an dilseánaigh. Cuireadh leis an tréimhse cosanta do dhara téarma cúig bliana i 199 cásanna agus do thríú téarma cúig bliana i 114 cásanna maidir le dearáí a cláraíodh faoi Acht 1927. Thit 362 chlárú i léig. Ba é líon na ndearáí a bhí i bhfeidhm i ndeireadh na bliana agus a cláraíodh faoi Acht 1927 ná 2,125 agus ba é 934 líon na ndearáí san earnáil sin a cláraíodh faoi Acht 2001.

Taispeántar i bhFoscábhinn H líon na ndearáí a bhí cláraithe de réir Aicmiú Idirnáisiúnta na nDearaí.

IARRATAIS DEARHAÍ AGUS CLÁRÚCHÁIN 2000-2006



### Dearáí Comhphobail

Sa tsli chéanna agus is féidir le hiarratasóirí ar Thrádmharc Comhphobail a n-iarratais a chomhdú chuig OCMI (Oifig um Chomhoiriúnú sa Mhargadh Inmheánach) in Alicante (An Spáinne) tríd an Oifig 's agamsa, is féidir le hiarratasóirí ar Dhearadh Cláraithe Comhphobail a n-iarratais a chomhdú chuig OCMI tríd an Oifig. Le linn na bliana 2006 comhdaíodh 10 n-iarratas Deartha Comhphobail tríd an Oifig agus cuireadh ar aghaidh chuig OCMI iad. Faigheann an Oifig táille láimhseála €25 i ndáil le gach iarratas.

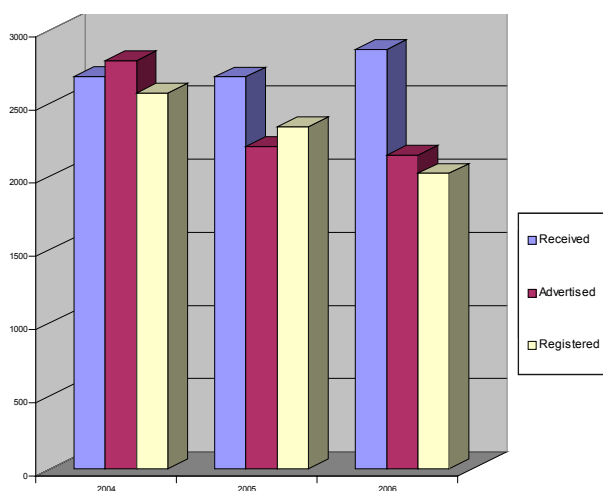


## TRADE MARKS

### National Applications and Registrations

The number of national applications for the registration of trade marks received during the year under the Trade Marks Act 1996, together with the number of marks advertised in the Journal and registered, are given in the table below, with comparative figures for the previous two years.

Year ended	National Applications		
	Received	Advertised	Registered
2004	2,681	2,788	2,568
2005	2,677	2,202	2,338
2006	2,864	2,143	2,019



Analysis by country of the applications received and trade marks registered are given in Appendix C and Appendix D, respectively. Applications filed by persons resident in the State totalled 1725 compared with 1,506 in 2005. The 2,864 national trade mark applications received in 2006 include 1,339 applications in respect of services. Details of the international classification of goods and services into which the trade marks registered in 2006 fall are shown in Appendix G. The number of trade marks registrations which were renewed was 6,052. The number removed from the Register for non-payment of renewal fees was 1,991. The number of trade marks restored by order of the Controller was 2. The number of trade marks surrendered was 16. On 31<sup>st</sup> December 2006, the number of national registered trade marks in force was 88,501 and the number of International Marks in force was 14,311 resulting in a grand total of 102,812 marks in force.

### International Registrations designating Ireland

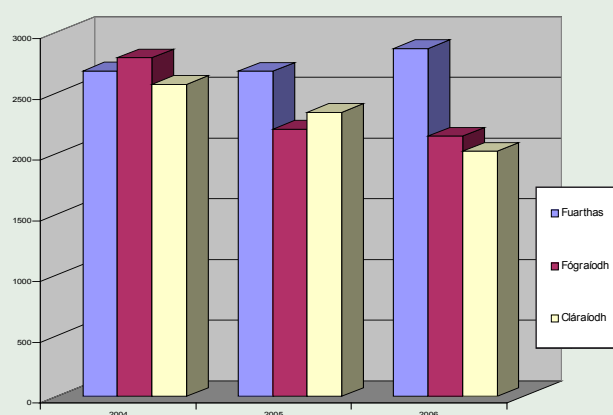
The number of international trade mark registrations designating Ireland received during the year, together with the number of these marks advertised in the Journal and protected, are given in the table below, together with comparative figures for the previous 2 years:

## TRÁDMHARCANNA

### Iarratais agus Clárúcháin Náisiúnta

Tugtar sa Tábla thíos líon na n-iarratas náisiúnta ar chlárú trádmharcanna a fuarthas i rith na bliana faoi Acht na dTrádmharcanna 1996, in éineacht le líon na marcanna a fógraíodh san Iris agus a cláraíodh, agus tugtar figiúirí comparáideacha don dá bhliain roimhe sin.

An bhliain dar críoch	Iarratais Náisiúnta		
	Fuarthas	Fógraíodh	Cláraíodh
2004	2,681	2,788	2,568
2005	2,677	2,202	2,338
2006	2,864	2,143	2,019



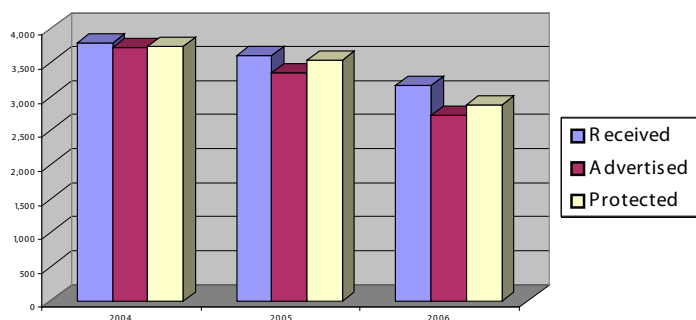
Tugtar i bhFoscúbhinn C agus i bhFoscúbhinn D, faoi seach, anailís de réir tíre bunaidh ar na hiarratais a fuarthas agus ar na trádmharcanna a cláraíodh. Ba é 1,725 líon na n-iarratas a chomhdaigh daoine a chónaíonn sa Stát i gcomparáid le 1,506 sa bhliain 2005. As na 2,864 iarratas náisiúnta ar thrádmharcanna a fuarthas sa bhliain 2006, baineann 1,339 iarratas le seirbhísí. Taispeántar mionsonraí i bhFoscúbhinn G ar aicmiú idirnáisiúnta na n-earraí agus na seirbhísí lena mbaineann na trádmharcanna a cláraíodh sa bhliain 2006. Ba é 6,052 líon na gclárúcháin trádmharcanna a rinneadh a athnuachan. Ba é 1,991 an líon a baineadh den Chlár as gan na táillí athnuachana a íoc. Ba é líon na dtrádmharcanna a aisíodh ar ordú ón gCeannasaí ná 2. Ba é líon na dtrádmharcanna a géilleadh ná 16. An 31 Nollaig 2006, ba é 88,501 líon na dtrádmharcanna náisiúnta cláraithe a bhí i bhfeidhm agus ba é 14,311 líon na Marcanna Idirnáisiúnta a bhí i bhfeidhm, rud a d'fhág mór-iomlán 102,812 marcanna i bhfeidhm.

### Clárúcháin Idirnáisiúnta lena nAinmnítear Éire

Tugtar sa tábla thíos líon na gclárúcháin trádmharcanna idirnáisiúnta lena n-ainmnítear Éire a fuarthas anuraidh, in éineacht le líon na marcanna sin a fógraíodh san Iris agus atá cosanta, i dteannta na bhfigiúirí comparáideacha don dá bhliain roimhe sin:

Year ended	International Registrations		
	Received	Advertised	Protected
2004	3,784	3,718	3,736
2005	3,599	3,348	3,528
2006	3,172	2,726	2,882

INTERNATIONAL TRADEMARKS 2004 - 2006



During 2006 a total of 33 international trade mark applications in which Ireland was the Office of origin were filed through the Office and transmitted to the International Bureau of WIPO.

### Hearings in Trade Mark cases

Section 71 of the Trade Marks Act, 1996 provides that the Controller shall not exercise any discretionary power adversely to an applicant for, or proprietor of, a trade mark or to any other person without first affording that person an opportunity of being heard on the matter. The provisions governing *inter-partes* proceedings (opposition, revocation, invalidation) also require that the parties must be heard before the matter is decided. In 2006, hearings were taken in 23 *ex-parte* and 21 *inter-partes* cases leaving 12 *ex-parte* and 30 *inter-partes* cases awaiting hearing at the end of the year.

### Appeals

Section 79 of the Trade Marks Act, 1996 provides for appeals to the High Court against decisions of the Controller. Of the five notices of Appeal that were pending at the end of 2005, two were not proceeded with by the Appellants, two were decided by the Court and the other was still pending at the end of 2006. Two further notices of Appeal were filed during 2006, one of which was decided by the Court leaving two cases pending at the end of the year.

### Oppositions to Registration

There were 259 notices of opposition pending at the end of 2005. During the year 98 further notifications were received. Taking into account cases decided during the year, withdrawals of oppositions and withdrawals of certain applications for registration following receipt of notice of opposition, there were 219 notices of opposition pending at the end of 2006.

### Assignments and Transmissions

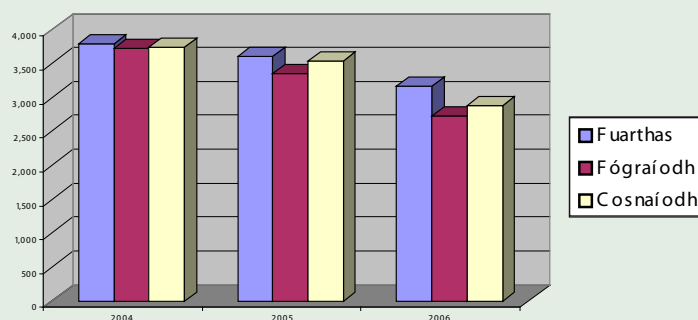
During the year 471 persons were entered in the Register as proprietors of trade marks consequent on assignments or transmissions. The number of trade marks affected was 1,512.

### Other Matters affecting the Register of Trade Marks

The single remaining application under Section 40 of the 1963 Act for rectification of the Register that was pending at the end of 2005 was decided during 2006.

An bhliain dar críoch	Clárúcháin Idirnáisiúnta		
	Fuarthas	Fógraíodh	Cosnaíodh
2004	3,784	3,718	3,736
2005	3,599	3,348	3,528
2006	3,172	2,726	2,882

TRÁDMHARCANNA IDIRNÁISIÚNTA 2004 - 2006



Le linn 2006, comhdaiodh tríd an Oifig 33 thrádmharcanna idirnáisiúnta san iomlán a raibh Éire mar Oifig bhunaidh acu agus tarchuireadh iad chuig Biúró Idirnáisiúnta EDMI.

### Éisteachta i gCásanna Trádmharcanna

Foráiltear in Alt 71 d'Acht na dTrádmharcanna, 1996, nach bhfeidhmeoidh an Ceannasaí aon chumhacht roghnach chun dochair d'iarratasóir, nó do dhilseánach, ar thrádmharc ná d'aon duine eile gan an deis a thabhairt don duine sin i dtosach báire éisteacht a fháil ar an ábhar. Ina theannta sin, is gá de réir na bhforálacha lena rialaítear imeachtaí *inter-parte* (freasúra, cúlghairm, neamhbhailíocht) éisteacht a thabhairt do na páirtithe sula gcinnefar an ábhar. Sa bhliain 2006 glacadh éisteachta i 23 cásanna *ex-parte* agus i 21 cásanna *inter-partes*, rud a d'fhág 12 cásanna *ex-parte* agus 30 cásanna *inter-partes* ag feitheamh ar éisteacht ag deireadh na bliana.

### Achomhairc

Le halt 79 d'Acht na dTrádmharcanna, 1996, foráiltear d'achomhairc chun na hArd-Chúirte in aghaidh chinntí an Cheannasaí. As an cúig fhógra Achomhairc a bhí ar feitheamh ag deireadh na bliana 2005 níor imigh an tAchomharcóir ar aghaidh le dhá cheann acu, dhiúltaigh an Chúirt dhá cheann agus bhí an ceann eile ar feitheamh fós ag deireadh 2006. Comhdaiodh dhá fhógra Achomhairc eile le linn 2006, ceann amháin acu cinnte ag an Chúirt, rud a d'fhág ceann amháin ar feitheamh ag deireadh na bliana.

### Freasúra Clárúcháin

Bhí 259 fhógra freasúra ar feitheamh ag deireadh na bliana 2005. Le linn na bliana, fuarthas 98 fógra eile. Ag cur san áireamh cásanna a cinneadh i rith na bliana, aistarraingt freasúra agus aistarraingt iarratas áirithe ar chlárú tar éis fógra freasúra a fháil, bhí 219 bhfógra freasúra fós ar feitheamh i ndeireadh 2006.

### Sannta agus Tarchuir

Le linn na bliana, taifeadh 471 duine sa Chlár mar dhilseánaigh trádmharcanna de dhroim sannta nó tarchuir. Ba é 1,512 líon na dtrádmharcanna a bhí i gceist.

### Nithe Eile a Fhearann ar Chlárú Trádmharcanna

Cinntíodh an t-aon iarratas amháin, a bhí fágtha faoi Alt 40 na hAcht 1963 le haghaidh coigeartú an Chláir, a bhí ar feitheamh

There were 17 applications under Section 51 of the 1996 Act for revocation of registration pending at the end of 2005. In 2006 a further 6 applications were received. During the year 11 cases were decided leaving 12 applications pending at the end of 2006.

There were 11 applications under Section 52 of the 1996 Act for declarations of invalidity of registration pending at the end of 2005. In 2006 a further 8 applications were received. During the year 5 cases were decided leaving 14 applications pending at the end of 2006.

### Community Trade Mark Applications

During 2006, a total of 2 Community Trade Mark (C.T.M.) applications were filed through the Office and forwarded to the Office for Harmonisation in the Internal Market (O.H.I.M.), Alicante, Spain. The Office receives a €25 handling fee in respect of each application.

### Conversion of Community Trade Mark Applications

The Trade Marks Act, 1996 (Community Trade Marks) Regulations, 2000 (S.I. No. 229 of 2000) provides a legislative basis for the conversion of European Community Trade Mark applications into national applications in certain circumstances. The most significant effect of conversion is that the Community application retains its original filing date for the purposes of its examination and registration as a national mark. Such applications are processed in the same way as national applications. 57 conversion applications were received in 2006.

### Protocol relating to the Madrid Agreement concerning the International Registration of Marks

The Protocol relating to the Madrid Agreement concerning the International Registration of Marks is an international agreement under the aegis of the World Intellectual Property Organisation (WIPO), which allows a trade mark proprietor to make a single application to WIPO for registration of his or her mark in any or all of the countries that are party to the Protocol. Ireland ratified the Madrid Protocol on 19 July, 2001 and the State could be designated in international applications since 19 October, 2001.

During the year 3,172 international registrations designating Ireland were notified to the Office. These are examined for registrability (or "protection", as it is referred to in the Protocol) in the same way as national applications made directly to the Office under the 1996 Act. The number of international registrations designating Ireland continues to exceed the number of national applications filed directly with the Office.

### Licences/Registered Users

During the year, 17 applications under Section 29 of the 1996 Act were dealt with, leaving 20 applications pending at the end of the year.

Of the applications under the 1963 Act to register registered users of marks, which were pending on 1 July 1996, 4 such applications were pending at the end of 2006.

### Register of Trade Mark Agents

At the end of the year under review, there were 169 individuals and 5 partnerships entered on the Register.

le linn na bliana 2006.

Bhí 17 n-iarratas ar feitheamh i ndeireadh 2005 faoi Alt 51 na hAhta 1996 le haghaidh cúlghairm clárúcháin. Sa bhliain 2006, fuarthas 6 iarratas eile. I rith na bliana, cinneadh 11 cásanna, rud a d'fhág 12 iarratais ar feitheamh i ndeireadh 2006.

Bhí iarratas déag ar feitheamh i ndeireadh 2005 faoi alt 52 d'Acht 1996 le haghaidh dearbhú neamhbhailíochta clárúcháin. Fuarthas ocht n-iarratas eile sa bhliain 2006. I rith na bliana, cinneadh cúig chás, rud a d'fhág 14 iarratais ar feitheamh ag deireadh na bliana 2006.

### Iarratais ar Thrádmharcanna Comhphobail

Le linn 2006, comhdaiodh 2 Thrádmharc Comhphobail (T.M.C.) tríd an Oifig agus cuireadh ar aghaidh iad chuig Oifig an Chomhchuibhithe sa Mhargadh Inmheánach (O.C.M.I) in Alicante na Spáinne. Faigheann an Oifig táille láimhseála €25 i ndáil le gach iarratas

### Comhshó Iarratas Trádmharcanna Comhphobail

Leis na Rialacháin um Acht na dTrádmharcanna, 1996 (Trádmharcanna Comhphobail), 2000 (I.R. Uimh. 229 de 2000), cuirtear bonn reachtach ar fáil chun iarratais ar Thrádmharcanna Comhphobail Eorpaigh a chomhshó ina n-iarratais náisiúnta in imthosca áirithe. Is é an toradh is suntasaí ar chomhshó gur coimeádann an t-iarratas Comhphobail an dáta bunaidh comhdaithe ar mhaithe lena scrúdú agus lena chlárú mar mharc náisiúnta. Ní mór don Oifig iarratais den sórt sin a phróiseáil sa tslí chéanna is a dhéantar iarratais náisiúnta a phróiseáil. Fuarthas 57 iarratais ar chomhshó sa bhliain 2006.

### Prótacal a bhaineann le Comhaontú Mhaidrid maidir le Clárú Idirnáisiúnta Marcanna

Is comhaontú idirnáisiúnta faoi choimirce na hEagraíochta Domhanda um Maoin Intleachtúil (EDMI) é an Prótacal a bhaineann le Comhaontú Mhaidrid maidir le Clárú Idirnáisiúnta Marcanna agus, leis sin, cuirtear ar chumas dílseánaigh trádmhairc iarratas aonair a dhéanamh chuig EDMÍ chun go gclárófar a thrádmharc nó a thrádmharc in aon cheann de na tíortha ar páirtí don Phrótacal iad nó iontu go léir. Dhaingnigh Éire Prótacal Mhaidrid an 19 Iúil 2001 agus is féidir an Stát a ainmniú in iarratais idirnáisiúnta ó bhí an 19 Deireadh Fómhair 2001 ann.

I rith na bliana, cuireadh 3,172 clárúchán idirnáisiúnta lenar ainmníodh Éire in iúl don Oifig. Déantar iad sin a scrúdú le haghaidh inchláraitheachta (nó "cosaint", mar a ghairtear de sa Phrótacal) sa tslí chéanna is a dhéantar iarratais náisiúnta a dhéantar go díreach leis an Oifig faoi Acht 1996 a scrúdú. Corpar oibre is ea é sin atá ag fás i gcónaí, agus is mó i gcónaí líon na n-iarratas idirnáisiúnta lena n-ainmnítear Éire ná líon na n-iarratas náisiúnta a chomhdaítear go díreach leis an Oifig.

### Ceadúnais/Úsáideoirí Cláraithe

Le linn na bliana, pléadh le 17 iarratais faoin Alt 29 d'Acht 1996, rud a d'fhág 20 iarratas ar feitheamh i ndeireadh na bliana.

As na hiarratais faoi Acht 1963 chun úsáideoirí cláraithe marcanna a chlárú a bhí ar feitheamh an 1 Iúil 1996, bhí 4 cinn de na hiarratais sin ar feitheamh i ndeireadh 2006.

### Gníomhairí Trádmharcanna a Chlárú

Ag deireadh na bliana atá faoi athbhreithniú, bhí 169 dhuine aonair agus 5 chomhpháirtíocht ar taifead sa Chlár.



## COPYRIGHT

### Disputes Referred under Section 31 of the Copyright Act, 1963

Under this Section, disputes between persons using sound recordings in public, and the owner of the copyright subsisting in the recordings, regarding the equitable remuneration payable to the copyright owner, were referred to me for determination. In the period September 1989 to December 1995, 62 references were made by establishments using sound recordings.

Following lengthy legal proceedings before the High Court and Supreme Court, which I outlined in previous reports, I was able to appoint an arbitrator, who was agreed upon by the copyright licensing body and the legal representative of the establishments involved in the references. The arbitrator was appointed on 15 July 1996, and in June 2002 he delivered his award in respect of two cases. Following this, the two establishments in question initiated High Court proceedings by way of appeal against the arbitration awards. Ms Justice Laffoy's decision dated 12 May 2004, was to vitiate the arbitrators award in these two cases and to subsequently issue an Order varying the arbitrator's award and establishing a new tariff formulated having regard to the perspectives in her judgement. The arbitrator did not deliver any further arbitration awards during 2006.

### Disputes Referred under Section 38 of the Copyright & Related Rights Act, 2000

Under this section, if a person intending to play sound recordings in public and the relevant licensing body fail to reach agreement as to fair payment, the terms of the proposed agreement shall be referred to me for determination of the amount and terms of payment. There were 23 references under Section 38(4) of the Copyright & Related Rights Act, 2000 pending before me at the end of 2005. Six new references were received during 2006. During the year, the licensing body informed me that 10 venues which had references pending before me, had settled their disputes with it consequent on the introduction of the new tariff in respect of the public playing of sound recordings, arising from Ms Justice Laffoy's judgement as referred to above. A further 6 references were either determined, withdrawn or deemed invalid. Of the 13 references pending at the end of 2006, I have requested the parties to review the issues with a view to resolution in 2 cases and I understand that in the 11 remaining cases, the venues are in negotiation with the licensing body with a view to resolving their respective disputes.

### Disputes Referred under Section 152 of the Copyright & Related Rights Act, 2000

Under this section, a dispute concerning a licensing scheme operated by licensing bodies in relation to the copyright in works of more than one copyright owner may be referred to the Controller for determination. To-date, one reference under Section 152 has been received and this was pending at the end of 2006. I am awaiting a communication from the parties in this dispute, who I understand are endeavoring to come to an agreement regarding the person they wish to be appointed as arbitrator.

## COÍPCHEART

### Díospóidí a dTagraítear dóibh faoi Alt 31 den Acht Cóipchirt, 1963

Faoin alt sin, cuireadh faoi mo bhráid le haghaidh cinnidh díospóidí idir daoine a úsáideann taifeadtaí fuaime go poiblí agus úinéir an chóipchirt atá ar marthain sna taifeadtaí, maidir leis an íocaíocht chothrom is iníoctha leis an úinéir cóipchirt. Sa tréimhse Meán Fómhair 1989 go Nollaig 1995, chuir forais a úsáideann taifeadtaí fuaime 62 chás faoi mo bhráid.

Tar éis imeachtaí fada dlíthiúla faoi bhráid na hArd-Chúirte agus na Cúirte Uachtaraí, atá leagtha amach agam i dtuarascálacha roimhe seo, bhí ar mo chumas eadránaí a cheapadh, a ndearna an comhlacht ceadúnúcháin cóipchirt agus ionadaí dlíthiúil na bhforas a bhí páirteach sna tarchuir a chomhaontú. Ceapadh an t-eadránaí an 15 Iúil 1996 agus thug sé a chinneadh i ndáil le dhá chás, Meitheamh 2002. Ina dhiaidh sin, thionscain an dá fhoras a bhí i gceist imeachtaí Ard-Chúirte ar mhodh achomhairc in aghaidh an dá chinneadh eadrána. Ba é cinneadh an Bhreithimh Laffoy, dár dáta 12 Bealtaine 2004, neamhbhailíocht a dhéanamh ar chinneadh an eadránaí sa dá chás sin agus Ordú a eisiúint ina dhiaidh sin lenar ndearnadh cinneadh an idirghabhálaí a athrú agus lenar bunaíodh taraif nua, a foirmlíodh ag féachaint do na léargais ina breithiúnas. Níor thug an t-eadránaí aon chinneadh idirghabhála eile le linn 2006.

### Díospóidí a Cuireadh faoi mo Bhráid faoi Alt 38 den Acht Cóipchirt agus Ceart Gaolmhar, 2000

Faoin alt seo, má theipeann ar dhuine, a bhfuil sé i gceist aige nó aici taifeadtaí fuaime a sheinm go poiblí, agus an t-údarás ceadúnúcháin iomchuí teacht ar chomhaontú i ndáil le híocaíocht chóir, déanfar téarmaí an chomhaontaithe bheartaithe a chur faoi mo bhráide chun méid agus téarmaí na híocaíochta a chinneadh. Bhí 23 tagairtí faoi Alt 38(4) an Achte Cóipchirt agus Ceart Gaolmhar, 2000 ar feitheamh ag deireadh na bliana 2005. Fuarthas sé chás nua le linn na bliana 2006. Le linn na bliana, chuir an comhlacht ceadúnúcháin in iúl dom gur réitigh 10 láthair a raibh cásanna ar feitheamh romham, a gcuid díospóireachta de bhun an taraif nua a thabhairt isteach i leith seinm taifeadtaí fuaime go poiblí, ag eascairt as breithiúnas an Bhreithimh Laffoy dár tagairíodh thuas. Maidir le 6 chás a cuireadh faoi mo bhráid, rinneadh iad a chinneadh, a aistarraingt nó a mheas neamhbhailí. As na 13 cásanna a bhí ar feitheamh ag deireadh na bliana 2006, d'iarr mé ar páirtithe in dá chás athbhreithniú ar na saincheisteanna chun iad a réiteach agus tuigim gur sa 11 cásanna atá fágtha, go bhfuil na suíomhanna i mbun idirbheartaíochta leis an gcomhlacht ceadúnúcháin lena a gcuid díospóidí a réitigh.

### Díospóidí a Cuireadh faoi mo Bhráid faoi Alt 152 den Acht Cóipchirt agus Ceart Gaolmhar, 2000

Faoin alt sin, is féidir díospóid a bhaineann le scéim ceadúnúcháin a oibríonn comhlachtaí ceadúnúcháin i ndáil le cóipcheart i saothair de chuid níos mó ná úinéir amháin cóipchirt a chur faoi bhráid an Cheannasaí lena cinneadh. Cuireadh cás amháin faoi mo bhráid faoi alt 152 le linn 2006 agus bhí an cás sin ar feitheamh ag deireadh na bliana. Tá mé ag fanacht ar chumarsáid ó pháirtithe sa díospóid seo, atá, de réir mar a thuigim, ag iarraidh theacht chun réitigh ar an duine is mian leo cheapadh mar eadránaí.

### Disputes Referred under Section 159 of the Copyright & Related Rights Act, 2000

Under this section, a person who has an expiring licence to undertake acts restricted by copyright, may apply to me on the ground that it is unreasonable in the circumstances that the licence should cease to be in force. There were no references pending at the end of the year.

### Registers

The Act also makes provision for me to establish and maintain the following Registers;

- Register of Copyright Licensing Bodies
- Register of Licensing Bodies for Performers' Property Rights
- Register of Licensing Bodies for Database Rights

One new application for registration was received in 2006 and to-date I have registered 9 bodies in the Register of Copyright Licensing Bodies.

I also have one application on hands for registration in the Register of Licensing Bodies for Performers' Property Rights. A decision on that application will be made when the statutory instrument regulating the registration procedure in respect of this matter has been made by the Minister.

### Díospóidí a Cuireadh faoi mo Bhráid faoi Alt 159 den Acht Cóipchirt agus Ceart Gaolmhar, 2000

Faoi alt sin, féadfaidh duine, ag a bhfuil ceadúnas chun gníomhartha a dhéanamh a bhfuil srian cóipchirt leo, ar ceadúnas é atá ag dul in éag, iarratas a dhéanamh liomsa ar an bhforas go mbeadh sé míreasúnach sna himthosca go scoirfeadh an ceadúnas de bheith i bhfeidhm. Ní raibh aon chásanna ar feitheamh ag deireadh na bliana.

### Cláir

Ina theannta sin, tá foráil san Acht go ndéanfainn na Cláir seo a leanas a bhunú agus a chothabháil:

- Clár na gComhlachtaí Ceadúnúcháin Cóipchirt
- Clár na gComhlachtaí Ceadúnúcháin um Chearta Maoine Taibheoirí
- Clár na gComhlachtaí Ceadúnúcháin um Chearta Bunachair

Fuarthas iarratas ceadúnúcháin amháin sa bhliain 2006 Go dtí seo, tá 9 gcomhlacht cláraithe agam i gClár na gComhlachtaí Ceadúnúcháin Cóipchirt

Ina theannta sin, tá iarratas amháin agam le haghaidh clárú i gClár na gComhlachtaí Ceadúnúcháin um Chearta Maoine Taibheoirí. Déanfar cinneadh ar an iarratas sin nuair a bheas an ionstraim reachtúil lena rialófar an nós imeachta clárúcháin déanta ag an Aire.

## INTERNATIONAL MATTERS

### **Proposal for a Council Regulation on the Community Patent and Future Patent Policy**

In March 2003, the EU Competitiveness Council agreed on a common political approach for the proposed Community Patent. This would set out the parameters to apply on the contentious elements of jurisdiction, language regimes, costs, the role of national patent offices and the distribution of fees.

Subsequent Councils progressed the matter but did not secure the unanimous agreement required due to issues around the accuracy of translations.

In June 2004 the European Council concluded that "a period of reflection should be used to see how to move forward, taking account of the support by all Member States for the principle of a Community Patent."

In January 2006, the Commission initiated a consultation process on Future Patent Policy in Europe with industry and other stakeholders. This was followed by a Public Hearing in Brussels on 12th July 2006. The Commission is due to bring forward a Communication on EU Patent Strategy in 2007. Its focus will be on the jurisdictional arrangements for European Patents as the Community Patent and improvements of the current litigation arrangements for European Patents should not be mutually exclusive initiatives.

The Commission is also due to present a further Communication on a comprehensive IPR strategy in 2007.

### **Regulation 816/2006 of the European Parliament and of the Council on compulsory licensing of patents relating to the manufacture of pharmaceutical products for export to countries with public health problems**

A Regulation of the European Parliament and the Council in relation to the compulsory licensing of patents relating to the manufacture of pharmaceutical products for export to countries with public health problems was adopted and entered into force on 29 June 2006.

The Regulation enables the manufacture of patented pharmaceutical products under license by someone other than the patent holder for export to countries with public health problems.

Most national laws do not allow compulsory licenses for export because, under Article 31 (f) of the TRIPs Agreement, products made under compulsory licensing must be "predominantly for the supply of the domestic market." The Regulation implements at EU level the WTO General Council Decision of 30 August 2003 which sets out a mechanism to allow export of medicines made under a compulsory licence to poor countries.

The Regulation prohibits re-importation into the EU of medicines produced under the compulsory licence system and provides for customs authorities to take action against goods being re-imported. Poor countries which are not members of the WTO may also take part in the scheme.

## NITHE IDIRNÁISIÚNTA

### **Togra le haghaidh Rialacháin ón gComhairle maidir le Polasaí ar Phaitinn an Chomhphobal agus le Polasaí ar Phaitinn sa Todhchaí**

Márta 2003, d'aontaigh an Chomhairle Iomaíochais cur chuige polaitiúil comónta i ndáil le togra a bhí dírithe ar chóras nua aonadach paitinní a chruthú a chlúdódh críoch uile an Chomhphobail. Sa chomhaontú, leagtar amach na teorainneacha a bheidh i bhfeidhm maidir le gnéithe conspóideacha dlínse, réimis teanga, costasaí, ról na n-oifigí náisiúnta paitinne agus dáileadh táillí.

D'éirigh le Comhairlí Iomaíochais ina dhiaidh sin dul chun cinn ar an ábhair ach níor éirigh leo theacht ar d'aon a bhí ag teastáil de dheasca saincheisteanna a bhain le cruinneas na n-aistriúcháin.

Meitheamh 2004, thátail Comhairle na hEorpa gur "chóir tréimhse machnaimh a úsáid féachaint conas a d'fhéadfaí bogadh ar aghaidh, ag cur san áireamh tacaíocht na mBallstát go léir do phrionsabal na Paitinne Comhphobail."

Eanáir 2006, chuir an Comhairle tús le próiseas comhairlithe ar Pholasaí ar Phaitinn sa Todhchaí in Eoraip in éineacht le tionscail agus le páirtithe leasmhara. Leanadh é seo le hÉisteacht Poiblí sa Bhruiséil 12ú Iúil 2006. Tá sé ag an gCoimisiún Cumarsáid um Straitéis Phaitinn an AE le tabhairt ar aghaidh sa bhliain 2007. Beidh a fhócas ar shocruithe ar bhonn dlísiúil le haghaidh Paitinní Eorpacha mar Phaitinn an Chomhphobail agus ba chóir nár thionscnaimh comheisiatach iad feabhsaithe ar shocruithe dlíthíochta reatha le haghaidh Paitinní Eorpacha.

Tá Cumarsáide eile ar straitéis cuimsitheach CMI (IPR) le chur i láthair ag an gCoimisiún sa bhliain 2007.

### **Rialúchán 816/2006 Pharlaimint na hEorpa agus na Comhairle um cheadúnú éigeantach ar phaitinní a bhaineann le táirgí cógaisíochta a mhonarú lena n-onnmhairiú chuig tíortha a bhfuil fadhbanna sláinte poiblí iontu**

Glacadh le agus cuireadh i bhfeidhm Rialúchán Parlaimint na hEorpa agus na Comhairle maidir le ceadúnú éigeantach ar phaitinní a bhaineann le táirgí cógaisíochta a mhonarú lena n-onnmhairiú chuig tíortha a bhfuil fadhbanna sláinte acu ar 29ú Meitheamh 2006.

Ceadaíonn an Rialúchán táirgí cógaisíochta atá faoi phaitinn a mhonarú faoi cheadúnas ag duine nach shealbhóir na paitinne é le haghaidh onnmhairithe chuig tíortha a bhfuil fadhbanna sláinte acu.

Ní cheadaíonn chuid mhór dlíthe náisiúnta ceadúnais éigeantacha le haghaidh a n-onnmhairiú mar, de réir Alt 31 (f) Chomhaontú TRIPS, ní mór do tháirgí déanta faoi gceadúnú éigeantach "a sholáthair don mhargadh baile é féin don chuid is mó." Cuireann an Rialúchán Cinneadh Ard-Chomhairle ETD (Eagraíocht Trádála an Domhain) 30 Lúnasa 2003 chun feidhme ar leibhéal AE, a leagann amach meicníocht chun cógais faoi phaitinn a tháirgeadh lena n-onnmhairiú chuig tíortha bochta a cheadúnú.

Leis an dréacht-rialachán, cuirtear cosc le cógais a tháirgeadh faoin gcóras ceadúnais éigeantaigh a ath-allmhairiú isteach san Aontas Eorpach agus foráiltear go ngníomhóidh údarais chustam in aghaidh earraí a bheidh á n-ath-allmhairiú. Féadfaidh tíortha bochta nach bhfuil ina mball de ETD (WTO) páirt a ghlacadh sa scéim freisin.



### **Ratification, by Ireland, of the World Intellectual Property Organisation (WIPO) Copyright Treaty and the WIPO Performances and Phonograms Treaty**

Following consideration by the Select Committee on Enterprise and Small Business, Dail Eireann agreed Motions on 12 December 2006 approving the ratification by Ireland of the :

- World Intellectual Property Organisation Copyright Treaty and the
- World Intellectual Property Organisation Performances and Phonograms Treaty

The Treaties concerned extend protection to computer programs and databases, and give exclusive distribution, communication, and rental rights to copyright holders. They also provide for the prevention of interference with rights management information – that is to say: copyright notices or warnings contained on CDs, DVDs and other copyright materials.

Both Treaties were originally adopted by a Diplomatic Conference in 1996. Since the adoption of the Copyright and Related Rights Act 2000, Ireland has been in compliance with the provisions of the Treaties and subject only to Government and Dail Eireann's approval has been in a position to ratify when fellow EU Member States were ready.

The Irish instruments of ratification are with the Department of Foreign Affairs pending agreement on a date in 2007 on which it is intended that all Member States of the European Union will simultaneously lodge their ratification instruments in Geneva.

### **Artist's Resale Right**

Regulations transposing EU Directive 2001/84/EC on Artist's Resale right came into effect in June 2006. The Regulations – the European Communities (Artists Resale Right) Regulations 2006 – are designed to provide for a payments system for artists when their original works are resold through the art trade.

### **Public Lending Right**

Preparatory work on legislation to introduce a Public Lending Right in respect of books lent out by Irish public libraries was undertaken in 2006. The objective is to provide for a payments system for authors whose works are lent by public libraries as required by the EU Rental and Lending Directive- 92/100/EC. It is intended to have this legislation enacted in 2007.

### **Adoption of revised Trademark Law Treaty**

A new international treaty on trademarks, to be known as the Singapore Treaty on the Law of Trademarks was adopted in March 2006. The new treaty concludes efforts by WIPO's member states to update the Trademark Law Treaty 1994 and bring it in line with the technological developments of the past decade.

The Treaty recognises developments in the branded goods industry in that protection can be afforded to non-traditional marks comprising of colour, sound, and hologram marks etc. The Singapore Treaty takes into account the potential afforded by

### **Daingniú, ag Éirinn, Chonradh Cóipchirt na hEagraíochta Domhanda um Maoin Intleachtúil (EDMI) agus Chonradh EDMÍ um Thaibhithe agus Fhónagraim**

I ndiaidh don Roghachóiste um Fhiontraíocht agus Mionghnóthaí dul i mbun breithniúcháin, comhaontaigh Dáil Éireann Tairiscintí ar 12 Nollaig 2006 a cheadaigh daingniú na hÉireann le haghaidh:

- Chonradh Cóipchirt na hEagraíochta Domhanda um Maoin Intleachtúil agus
- Chonradh Cóipchirt na hEagraíochta Domhanda um Thaibhithe agus Fhónagraim.

Baineann na Conarthaí le cosaint chlár ríomhaire agus bunachar sonraí, agus tugann cearta eisíatacha dáileacháin, cumarsáide agus ligean ar cíos do shealbhóirí cóipchirt. Soláthraíonn siad fosta do chosc ar thrasnaíocht le cearta bhainistíocht eolais – is é sin le rá: fógraí cóipchirt nó rabhaidh atá ar fáil ar dhlúthdhioscaí, DVDanna agus ábhair eile cóipchirt.

Glacadh leis an dá Chonradh ag Comhdháil Taidhleoireachta sa bhliain 1996, ón am ar glacadh leis an Ordú Cóipchirt agus Ceart Gaolmhar 2000, bhí Éire ag comhlíonadh forálacha na gConarthaí agus, faoi réir fhaomhadh an Rialtais agus Dháil Éireann, ar a dheis le daingniú nuair a bheadh ballraíocht eile an AE réidh.

Tá ionstraimí daingniúcháin na hÉireann leis an Roinn Gnóthaí Eachtracha agus ag feitheamh ar chomhaontú ar dháta sa bhliain 2007 ina bhfuil sé ar intinn ag gach Ballstát an Aontais Eorpaigh na hionstraimí daingniúcháin a chur isteach i gcomhthráth sa Ghinéiv.

### **Ceart Athdhiála Ealaíontóra**

Cuireadh foráil do thraschur Threoir CE 2001/84/EC um Cheart Athdhiála Ealaíontóra chun feidhme Meitheamh 2006. Tá na Rialacháin – Rialacháin na gComhphobal Eorpach (Ceart Athdhiála Ealaíontóra) 2006 – déanta chun córas iocaíochta a sholáthair d'ealaíontóirí agus a saothair bhunaídh á n-athdhiól trí thrádáil na healaíne.

### **Ceart Iasachta Poiblí**

Tugadh obair ullmhúcháin faoi sa bhliain 2006 ar reachtaíocht chun Ceart Iasachta Poiblí a thabhairt isteach i dtaca le leabhair atá tabhartha amach ar iasacht ag leabharlanna poiblí na hÉireann. Tá sé mar aidhm aice córas iocaíochta a sholáthair d'údair a ndéanann leabharlanna poiblí na hÉireann a saothair a thabhairt ar iasacht mar atá riachtanach de réir Threoir CE um Ligean ar Cíos nó ar Iasacht – 92/100/EC. Tá sé ar intinn an reachtaíochta a chur chun feidhme sa bhliain 2007.

### **Glacadh le Conradh Athbhreithnithe um an Dlí Trádmharcanna**

Glacadh le Conrad Nua ar Thrádmharcanna, Márta 2006 a dtugfar Conradh Shingeapór um Dlí Trádmharcanna air. Cuireann an Conradh Nua iarrachtaí ag ballstáit EDMÍ chun críoch leis an gConradh um an Dlí Trádmharcanna 1994 a nuashonrú agus é a thabhairt i gcomhréir le forbairtí teicneolaíochta le deich bliana anuas.

Athníonn an Conradh Shingeapór forbairtí i dtionscadal earraí brandáilte ionnas gur féidir cosaint a thabhairt do mharcanna neamh-thrádisiúnta arb iad dath, fuaime agus marcanna holagraim srl.

electronic communication, while recognising the varying needs of both developing and developed nations. Additionally, the Treaty provides for relief measures for the benefit of trade mark owners such as reinstatement of rights in instances where the trademark has inadvertently been allowed to lapse.

#### **Directive on the Enforcement of Intellectual Property Rights**

The Directive, which was published in the Official Journal of the European Union (L157) on 30 April 2004, was transposed into Irish national law on 5 July 2006 by Regulations entitled "European Communities (Enforcement of Intellectual Property Rights) Regulations 2006". These Regulations came into effect in July 2006 and give effect to those aspects of EU Directive 2004/48/EC not already available under Irish law. The objective of the directive is to harmonise, within the Community, relief measures which Intellectual Property rightsholders can resort to in respect of infringing activity affecting their IP interests.

#### **Proposal for a Decision of the European Parliament and of the Council on Criminal Measures on the Enforcement of Intellectual Property Rights**

In May 2006, the Commission adopted a proposal for a directive to combat intellectual property offences. This proposal replaces the Commission's previous proposals for a Directive and a Council Framework Decision issued in July 2005.

The proposed measures are designed to bring Member States' criminal legislation more closely into alignment and to improve European cooperation so as to combat more effectively counterfeiting and piracy. The directive, if adopted, would apply to all types of intellectual property right infringements. In the draft directive, all intentional infringements of an intellectual property right on a commercial scale, including attempting, aiding and abetting such infringements, would be treated as criminal offences. The minimum sentence proposed is a term of four years imprisonment where the infringement is committed under the aegis of a criminal organisation or carries a serious risk to the health and safety of individuals. The amount of the fine proposed would be at least €100,000 or €300,000 where there is a link with a criminal organisation or any risk to health and safety. The proposals would equally allow Member States to impose heavier penalties or fines.

Substantive discussion on the draft directive is expected to take place during 2007.

#### **Proposals by the European Commission to accede to the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs Adopted in Geneva 2 July 1999.**

The European Community acceded to the Geneva Act of the Hague Agreement which concerns the International Registration of Designs on 18 December 2006. Accession by the Community to the Geneva Act of Hague will now establish a link between the Community design system and the international design registration system established under the Geneva Act. As a result of this link, designers, through the filing of one international application under the Hague Agreement at WIPO, can now obtain protection for their designs, not only throughout the EU with the Community Design, but also in those countries which are members of the Geneva Act of the Hague Agreement.

Glacann Conradh Shingeapór san áireamh féideartha atá i gcumarsáid leictreonach, agus riachtanais éagsúla atá ag idir tíortha atá i mbéal forbartha agus atá forbartha. Ina theannta sin soláthraíonn an Conradh beart faoisimh de thairbhe úinéirí trádmharcanna a leithid d'aisiriú i gcásanna inar ligeadh an trádmharc titim i léig gan chuimhneamh.

#### **Treor ar Fhorfheidhmiú Ceart Maoine Intleachtúla**

Is í an Treoir, a foilsíodh in Iris Oifigiúil an Aontas Eorpaigh (L157) ar 30 Aibreán 2004, a bhí traschurtha i nDlí Náisiúnta na hÉireann ar 5 Iúil 2006 i Rialacháin darb ainm "Rialacháin na gComhphobal Eorpach (Forfheidhmiú Ceart Maoine Intleachtúla) 2006". Cuireadh na Rialacháin chun feidhme Iúil 2006 agus tugtar éifeacht do ghnéithe seo Threoir AE 2004/48/AE nach bhfuil ar fáil cheana faoi dlí na hÉireann. Is é aidhm na Treora bearta faoisimh a chomhchuihiú, laistigh den chomhphobal, inár féidir le sealbhoirí Cearta Maoine Intleachtúla feidhm a bhaint astu maidir le himeachtaí a chuireann isteach ar a leasa MI (IP)

#### **Togra um Chinneadh Pharlaimint na hEorpa agus na Comhairle maidir le Bearta i dtaobh Coireachta ar an bhForfheidhmiú Ceart Maoine Intleachtúla**

I Mí na Bealtaine 2006, ghlac an Coimisiún togra le haghaidh Treoir chun dul i ngleic coireanna maoine intleachtúla. Cuireann an togra seo in ionad togra an Choimisiúin roimh seo le haghaidh Treorach agus Creat-Chinnidh ón gComhairle a éisíodh Iúil 2005.

Tá na bearta atá molta deartha chun reachtaíocht coiriúil na mBallstát níos dluithe isteach i gcomhfhogasú agus feabhas a chur ar chomhoibriú Eorpach chun dul i ngleic góchumaidh agus píoráideachta níos éifeachtaí. Chuirfí an Treoir, dá nglacfaí é, i bhfeidhm maidir le gach sort sárú ar cheart maoine intleachtúla. De réir an dréacht-threoir, phléifí mar chionta coiriúla le gach sárú d'aon ghnó ar chearta maoine intleachtúla a dhéanfaí ar scála tráchtála agus le hiarracht ar sháruihte den saghas sin agus le cabhair agus cúnamh a thabhairt chun sáruihte den saghas sin a thabhairt i gcrích. Is téarma príosúnacht cheithre bliana an íosbhreith atá molta i gcásanna ina bhfuil an sárú déanta faoi choimirc eagraíocht coiriúil nó baol dáiríre ar shláinte agus ar shábháilteacht dhaoine. Ba €100,000 ar a laghad an méid fineála atá molta nó €300,000 i gcásanna ina bhfuil nasc le heagraíocht coiriúil nó baol dáiríre ar shláinte agus ar shábháilteacht. Cheadódh molta na mBallstát chun fineálacha nó pionóis níos troma a fhorchur chomh maith.

Táthar ag súil le díospóireacht substaintiúil ar dréacht-threoir le linn 2007.

#### **Tograí ag an gCoimisiún Eorpach chun aontú d'Ionstraim na Ginéive de Chomhaontú na Háige maidir le Clárú idirnáisiúnta Dearaí Tionsclaíocha arna glacadh sa Ghinéiv an 2 Iúil 1999.**

D'aontaigh Comhphobal na hEorpa Acht na Ginéive de Chomhaontú na Háige a bhaineann le Clárú Dearaí Idirnáisiúnta ar 18 Nollaig 2006. Bunfaidh an Comhphobal aontachas d'Acht na Ginéive de Chomhaontú na Háige nasc anois idir córas dearadh an Chomhphobail agus an córas idirnáisiúnta um chlárú dearáí a bunadh faoi Acht na Ginéive. De thairbe an naisc seo is féidir le dearthóirí, trí iarratas idirnáisiúnta amháin a chomhdú faoi Chomhaontú na Háige ag EDMÍ, cosaint ar a gcuid dearáí a fháil, ní amháin ar fud an AE leis an Dearadh Comhphobail, ach sna tíortha eile siúd atá ina mbaill d'Acht na Ginéive de Chomhaontú na Háige.

## INFORMATION TECHNOLOGY

The Department of Enterprise, Trade and Employment provides the IT infrastructure, support and maintenance for the Office's IT administration systems and the funding required

Enhancements to the Office's administration system have been ongoing throughout 2006. The most significant of these was an improvement to the design renewals system to facilitate customers who wish to renew their design registrations online via the Office's website.

A new Journal production system was put in place and has provided the Office with a more efficient method of producing the Journal for publication both on paper and electronically and with improved online search functionality.

A new "Member's Login" area was created on the office's website. This is principally aimed at facilitating the regular downloading of the Office's trade mark database by persons who have received a licence authorising the use of the Office's computerised trade mark database. The "Member's Login" area also includes functionality which allows registered trade mark agents to carry out specialised searches of the trade mark database and to build reports.

Further developments and initiatives planned for the coming year are equally aimed at ensuring that the Office will continue to provide its customers and the general public with the most up-to-date and efficient facilities and services.

## TEICNEOLAÍOCHT FAISNÉISE

Soláthraíonn an Roinn Fiontar, Trádála agus Fostaíochta an bonneagar teicneolaíochta faisnéise (TF) agus an tacaíocht agus an chothabháil ar chórais riaracháin TF na hOifige agus cuireann an maoiniú ar fáil le haghaidh an chaiteachais atá i gceist.

Le linn 2006 bhí roinnt uasghráduithe ag dul ar aghaidh ar Ailtireacht TF na hOifige. Ba é an ghné ba shuntasá de sin na feabhasú don chóras athnuachana dearáí lena n-éascaítear custaiméirí ar mian leo a gcuid dearáí a athnuacán ar-líne trí shuíomh gréasáin na hOifige.

Bunaíodh córas táirgeachta nua le haghaidh Irisí, rud a sholáthair don Oifig le modh níos éifeachtaí chun an Iris a tháirgeadh le haghaidh foilsitheoireachta idir ar pháipear agus go leictreonach agus le feabhas ar fheidhmiúlacht cuardaigh ar líne.

Rinneadh láthair "Log Ann Ballraíochta" ar shuíomh ghréasáin na hOifige. Tá sé seo dírithe, don chuid is mó, chun íoslódáil rialta bhunachar sonraí thrádmharcanna na hOifige a éascú ag daoine a bhfuil ceadúnas acu ag údarú úsáid bhunachar sonraí thrádmharcanna na hOifige. Áirítear fheidhmiúlacht chomh maith sa láthair "Log Ann Ballraíochta", rud a cheadaíonn gníomhairí trádmharcanna cuardaigh speisialaithe a dhéanamh ar an bhunachar sonraí thrádmharcanna agus tuarascálacha a thógáil.

Tá tuilleadh forbairtí agus tionscnamh beartaithe don bhliain atá le teacht chun cinntiú go leanfaidh an Oifig le saoráidí agus le seirbhísí éifeachtacha agus suas chun dáta a sholáthair dena gcustaiméirí agus don phobal.



## APPENDIX A

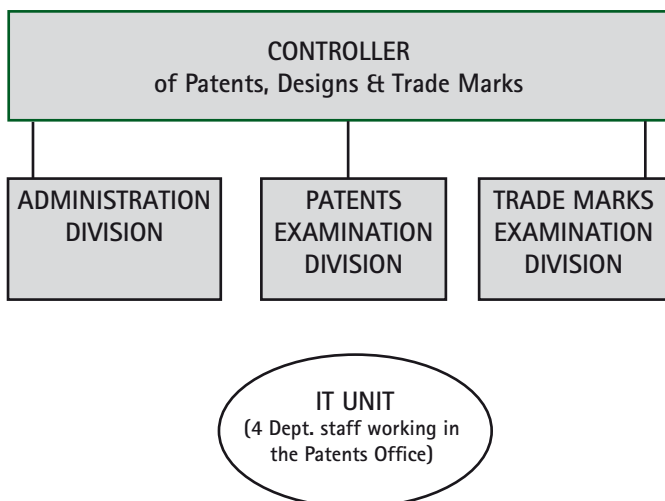
### STAFF SERVING AT 31 DECEMBER 2006

Approved Posts	Number Serving	Staff
1	1	Controller
2	2	Assistant Principal
1	1	Senior Patent Examiner
8	8	Higher Executive Officer
4	3	Patent Examiner
20	22	Executive Officer
4	2	Staff Officer
36	29	Clerical Officer
1	1	Services Officer
<b>77</b>	<b>69*</b>	

\* Includes 2 Higher Executive Officers, 4 Executive Officers and 5 Clerical Officers on work-sharing arrangements.

In addition there are 4 staff members of the Department of Enterprise, Trade and Employment (1HEO, 2 EO's and 1 CO) working in the Office providing information technology services.

### OFFICE STRUCTURE



## FOSCRÍBHINN A

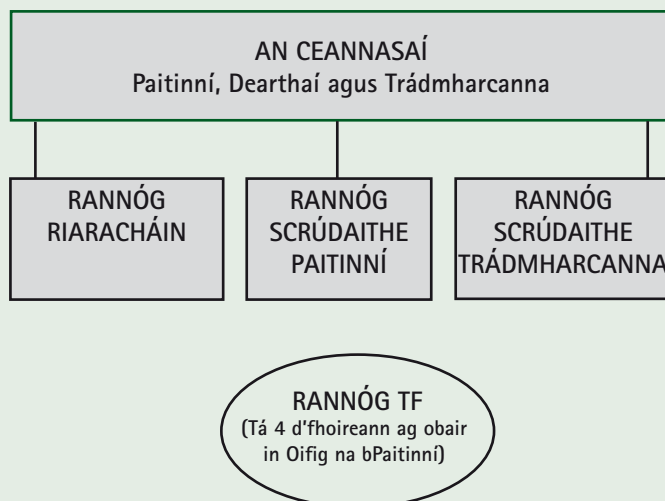
### FOIREANN I mBUN SEIRBHÍSE AN 31 NOLLAIG 2006

Poist Cheadaithe	An Líon i mbun Seirbhíse	Foireann
1	1	Ceannasaí
2	2	Leasphríomhoifigeach
1	1	Scrúdaitheoir Sinsearach Paitinní
8	8	Ardoifigeach Feidhmiúcháin
4	3	Scrúdaitheoir Paitinní
20	22	Oifigeach Feidhmiúcháin
4	2	Oifigeach Foirne
36	29	Oifigeach Cléireachais
1	1	Oifigeach Seirbhísí
<b>77</b>	<b>69*</b>	

\* Áirítear 2 Ardoifigeach Feidhmiúcháin, 4 Oifigeach Feidhmiúcháin agus 5 Oifigeach Cléireachais atá ar shocrúithe postroinnte.

Ina theannta sin, tá 4 bhall foirne den Roinn Fiontar, Trádála agus Fostaíochta (1 AF, 2 OF agus 1 OC) ag obair san Oifig agus iad ag soláthar seirbhísí teicneolaíochta faisnéise.

### STRUCHTÚR NA HOIFIGE



## APPENDIX B

### RECEIPTS AND EXPENSES – YEAR ENDED 31 DECEMBER 2006

Receipts	€000
Patent fees (Notes 1 and 2)	5,228
Trade Mark fees	2,660
International Trade Mark Registration – fees received from WIPO (Note 3)	1,017
Fees received for the searching of Community Trade Marks (Note 4)	859
Design fees	72
Other fees	67
Less refunds made in respect of Patents and Trade Mark fees paid in error	85
Less transaction fees arising in respect of online credit card payments	93
<b>Net receipts accruing to the exchequer</b>	<b>9,725</b>

Expenses	€000
Salaries	2,895
Travel & Subsistence	72
Miscellaneous and Incidental Expenses	78
Postal and Telecommunications Services	66
Office Machinery and other Office Supplies.	572
Office Premises Expenses	141
Information Resources, Books, Periodicals etc.	36
Subscriptions to Industrial Property Unions	305
Total	4,152

## FOSCRÍBHINN B

### FÁLTAIS AGUS CAITEACHAIS – BLIAIN DAR CRÍOCH 31 NOLLAIG 2006

Fáltais	€000
Táillí Paitinne (Nótaí 1 agus 2)	5,228
Táillí Trádmharcanna	2,660
Clárú Trádmharcanna Idirnáisiúnta – táillí a fuarthas ó EDMI (Nóta 3)	1,017
Táillí a fuarthas as cuardach a dhéanamh ar Thrádmharcanna Comhphobail (Nóta 4)	859
Táillí Deartha	72
Táillí Eile	67
Lúide aisíocaíochtaí a rinneadh i ndáil le Paitinní agus Trádmharcanna a íodadh de dhearmad	85
Lúide táillí idirbhirt a eascraíonn as íocaíochtaí cárta creidmheasa ar-líne	93
<b>Glanfháltais a thabhaíonn don Státchiste</b>	<b>9,725</b>

Caiteachais	€000
Tuarastail	2,895
Taisteal agus Cothabháil	72
Caiteachais Ilghnéitheacha agus Teagmhasacha	78
Seirbhísí Poist agus Teileachumarsáide	66
Meaisíní Oifige agus Soláthairtí Oifige eile	572
Caiteachais ar Áitreabh na hOifige	141
Acmhainní Faisnéise, Leabhair, Tréimhseacháin, srl.	36
Síntiúis le Cumainn Maoine Tionsclaíche	305
An tIomlán	4,152

## APPENDIX B (continued)

### Note 1

In accordance with the European Patent Convention, to which Ireland is a party, the Patents Office is obliged to remit to the European Patents Office 50% of all renewal fees received in respect of European Patents which have been validated in Ireland and which are entered in the national register of patents.

	€000
Patent fees	8,575
Less Proportion of patent renewal fees transferred to the European Patent Office, Munich.	3,347
Net Patent fees which accrue to the Exchequer	5,228

### Note 2

The Patents Office acts as a receiving Office for patent applications made under the Patent Co-operation Treaty and as such receives fees for onward transmission to both the European Patent Office and the World Intellectual Property Organisations. These fees do not accrue to the Irish exchequer and are therefore not included in the figure for net receipts. Details of the fees transferred to the EPO and WIPO during 2006 are as follows:

	€000
PCT Basic and Designation Fees transferred to WIPO, Geneva	161
PCT Search fees transferred to EPO, Munich	232
<b>Total</b>	<b>393</b>

### Note 3

As a consequence of Ireland's ratification of the Protocol relating to the Madrid Agreement concerning the International Registration of Marks (the Madrid Protocol) on 19 July 2001, the Office receives fees due in respect of International Trade Mark applications seeking protection in Ireland from the World Intellectual Property Organisation (WIPO).

### Note 4

Under Article 39(3) of Council Regulation No.40/94 of December 1993 on the Community Trade Mark, the Office may search CTM applications and convey the result of its search to OHIM. OHIM pays a search fee to the Patents Office for this service.

## FOSCRÍBHINN B (ar leanúint)

### Nóta 1

De réir Choinbhinsiún Paitinní na hEorpa, ar páirtí ann Éire, tá ceangal ar Oifig na bPaitinní 50% de na táillí athnuachana go léir atá faighte i ndáil le Paitinní Eorpacha a ndearnadh bailíocht orthu in Éirinn agus atá taifeadta i gclár náisiúnta na bpaitinní.

	€000
Táillí Paitinne	8,575
Lúide comhréir táillí athnuachana paitinne a aistríodh go dtí Oifig Paitinní na hEorpa, München, An Ghearmáin.	3,347
Glantáillí Paitinne a fhabhraíonn don Státhchiste	5,228

### Nóta 2

Feidhmíonn Oifig na bPaitinní mar oifig glactha le haghaidh iarratas paitinne a dhéantar faoin gConradh um Chomhoibriú Paitinní ) agus, mar sin faigheann an Oifig táillí as iarratais a chur ar aghaidh go hOifig Paitinní na hEorpa agus an Eagraíocht Dhomhanda um Maoin Intleachtúil. Ní fhabhraíonn na táillí sin do Státhchiste na hÉireann agus, mar sin, níl siad san áireamh san fhigiúr do ghlanfháltais. Seo a leanas mionsonraí ar na táillí a aistríodh chuig OPE agus EDMÍ le linn 2006:

	€000
Buntáillí CCP agus Táillí Ainmniúcháin a aistríodh chuig EDMÍ, An Ghinéiv	161
Táillí Cuardaigh CCP a aistríodh chuig OPE, München, An Ghearmáin	232
<b>Iomlán</b>	<b>393</b>

### Nóta 3

Mar thoradh ar dhaingniú na hÉireann ar an bPrótacal a bhaineann le Comhaontú Mhaidrid maidir le Clárú Idirnáisiúnta Marcanna (Prótacal Mhaidrid) an 19 Iúil 2001, faigheann an Oifig táillí i ndáil le hiarratais Trádmhairc Idirnáisiúnta lena lorgaítear cosaint in Éirinn ón Eagraíocht Dhomhanda um Maoin Intleachtúil (EDMÍ).

### Nóta 4

Faoi Airteagal 39(3) de Rialachán Uimh. 40/94, Nollaig 1993, ón gComhairle maidir leis an Trádmharc Comhphobail, féadfaidh an Oifig cuardach a dhéanamh ar iarratais TC agus an toradh a chur in iúl d'EDMÍ. Íocann EDMÍ táille cuardaigh le hOifig na bPaitinní as an tseirbhís seo.

APPENDIX C

APPLICATIONS ACCORDING TO COUNTRY OF ORIGIN OF  
APPLICANT

COUNTRY	PATENTS		TRADE MARKS		DESIGNS	
	No. of Applications	Percentage of total No.	No. of Applications	Percentage of total No.	No. of Applications	Percentage of total No.
REP. OF IRELAND	838	89.62	1725	60.23	38	71.70
ARGENTINA			1	0.03		
ARUBA			1	0.03		
AUSTRALIA	1	0.11	14	0.49	1	1.89
AUSTRIA	3	0.32				
BELGIUM			10	0.35		
BRAZIL			2	0.07		
CAYMAN ISLANDS			2	0.07		
CANADA	1	0.11	8	0.28		
CHILE			3	0.10		
CHINA			23	0.80		
CROATIA			1	0.03		
CYPRUS			3	0.10		
DENMARK			3	0.10		
FRANCE	1	0.11	40	1.40	2	3.77
GERMANY	2	0.21	46	1.61		
GREECE	1	0.11	4	0.14		
HONG KONG			6	0.21	5	9.43
ITALY	3	0.32	5	0.17		
JAPAN	4	0.43	14	0.49		
KOREA			4	0.14		
LIECHTENSTEIN			2	0.07		
LUXEMBOURG			18	0.63		
MAURITIUS			1	0.03		
NETHERLANDS			17	0.59		
NEW ZEALAND	2	0.21	3	0.10		
NORWAY			1	0.03		
POLAND	1	0.11	1	0.03		
PORTUGAL			4	0.14		
RUSSIA	1	0.11	4	0.14		
SAUDI ARABIA	1	0.11				
SEYCHELLES			4	0.14		
SINGAPORE			5	0.17		
SOUTH AFRICA			3	0.10		
SPAIN	2	0.21	4	0.14		
SRI LANKA			1	0.03		
SWEDEN			2	0.07		
SWITZERLAND	1	0.11	79	2.76	3	5.66
THAILAND			3	0.10		
TURKEY			4	0.14		
UNITED KINGDOM	39	4.17	489	17.07	4	7.55
USA	34	3.63	304	10.61		
TOTAL	935	100%	2864	100%	53	100%

FOSCRÍBHINN C

IARRATAIS DE RÉIR THÍR BHUNAIDH AN IARRATASÓRA

TÍR	PAITINNÍ		TRÁDMHARCANNA		DEARAÍ	
	An Lion Iarratas	Céatadán den Lion Iomlán	An Lion Iarratas	Céatadán den Lion Iomlán	An Lion Iarratas	Céatadán den Lion Iomlán
POBLACHT NA hÉIREANN	838	89.62	1725	60.23	38	71.70
AN AIRGINTÍN			1	0.03		
ARUBA			1	0.03		
AN ASTRÁIL	1	0.11	14	0.49	1	1.89
An OSTAIR	3	0.32				
AN BHEILG			10	0.35		
AN BHRASAÍL			2	0.07		
OILEÁIN CAYMAN			2	0.07		
CEANADA	1	0.11	8	0.28		
AN tSILE			3	0.10		
AN tSÍN			23	0.80		
AN CHRÓIT			1	0.03		
AN CHIPIR			3	0.10		
AN DANMHAIRG			3	0.10		
AN FHRAINIC	1	0.11	40	1.40	2	3.77
AN GHEARMÁIN	2	0.21	46	1.61		
AN GHRÉIG	1	0.11	4	0.14		
HONG CONG			6	0.21	5	9.43
AN IODÁIL	3	0.32	5	0.17		
AN tSEAPÁIN	4	0.43	14	0.49		
AN CHÓIRÉ			4	0.14		
AN LICHTINSTÉIN			2	0.07		
LUCSAMBURG			18	0.63		
OILEÁN MHUIRÍS			1	0.03		
AN ÍSILTÍR			17	0.59		
AN NUA-SHÉALAINN	2	0.21	3	0.10		
AN IORUA			1	0.03		
AN PHOLAINN	1	0.11	1	0.03		
AN PHORTAINGÉIL			4	0.14		
AN RÚIS	1	0.11	4	0.14		
AN ARAIB SHÁDACH	1	0.11				
NA SéisÉil			4	0.14		
SINGEAPÓR			5	0.17		
AN AFRAIC THEAS			3	0.10		
AN SPÁINN	2	0.21	4	0.14		
Srí LANCA			1	0.03		
AN tSUALAINN			2	0.07		
AN EILVÉIS	1	0.11	79	2.76	3	5.66
AN TÉALAINN			3	0.10		
AN TUIRC			4	0.14		
AN RÍOCHT AONTAITHE	39	4.17	489	17.07	4	7.55
STÁIT AONTAITHE MHEIRICÉA	34	3.63	304	10.61		
IOMLÁN	935	100%	2864	100%	53	100%



## APPENDIX D

### PATENTS GRANTED AND DESIGNS AND TRADEMARKS REGISTERED ACCORDING TO COUNTRY OF ORIGIN OF PATENTEE OR PROPRIETOR

COUNTRY	PATENTS		TRADE MARKS		DESIGNS			
	No. Granted	Percentage of Total No.	No. Registered	Percentage of Total No.	No. Registered Under 1927 Act	Percentage of Total No.	No. Registered Under 2001 Act	Percentage of Total No.
REP. OF IRELAND	286	80.11	1011	50.07			39	45.35
ARGENTINA			3	0.15				
AUSTRALIA			8	0.40				
AUSTRIA	2	0.56						
ARUBA			1	0.05				
BARBADOS			1	0.05				
BELGIUM			4	0.20				
BERMUDA			1	0.05				
BRAZIL			1	0.05				
CANADA	2	0.56	10	0.50				
CHILE			8	0.40				
CHINA			10	0.50				
CROATIA			1	0.05				
ECUADOR			1	0.05				
FINLAND			2	0.10				
FRANCE	1	0.28	28	1.39			1	1.16
GERMANY	3	0.84	41	2.03			34	39.53
GREECE			2	0.10				
HONG KONG			5	0.25			5	5.82
ITALY	1	0.28	14	0.69				
JAPAN	1	0.28	14	0.69			1	1.16
JORDAN			1	0.05				
KOREA			9	0.45				
LEBANON			4	0.20				
LIECHTENSTEIN			2	0.10				
LUXEMBOURG			3	0.15				
MALAYSIA			1	0.05				
MALTA			1	0.05				
MAURITIUS			5	0.25				
MEXICO			1	0.05				
NETHERLANDS	2	0.56	12	0.59				
NEW ZEALAND			3	0.15				
NORWAY	1	0.28	1	0.05				
POLAND			2	0.10				
PORTUGAL			3	0.15				
RUSSIA			1	0.05				
SAUDIA ARABIA			1	0.05				
SINGAPORE			3	0.15				

## FOSCRÍBHINN D

### PAITINNÍ A DEONAÍODH AGUS DEARAÍ AGUS TRÁDMHARCANNA A CLÁRAÍODH DE RÉIR THÍR BUNAITHE AN PHAITINNÍ NÓ AN ÚINÉARA

TÍR	PAITINNÍ		TRÁD MHARCANNA		DEARAÍ			
	An Lion a Deonaíodh	% den Lion Iomlán	An Lion a Cláraíodh	% den Lion Iomlán	An Lion a Cláraíodh Faoi Acht 1927	% den Lion Iomlán	An Lion a Cláraíodh Faoi Acht 2001	% den Lion Iomlán
POBLACHT NA hÉIREANN	286	80.11	1011	50.07			39	45.35
AN AIRGINTÍN			3	0.15				
AN ASTRÁIL			8	0.40				
AN OSTAIR	2	0.56						
ARUBA			1	0.05				
BARBADÓS			1	0.05				
AN BHEILG			4	0.20				
BEIRMIÚDA			1	0.05				
AN BHRASAÍL			1	0.05				
CEANADA	2	0.56	10	0.50				
AN tSILE			8	0.40				
AN tSÍN			10	0.50				
AN CHRÓIT			1	0.05				
ECUADOR			1	0.05				
AN FHIONLAINN			2	0.10				
AN FHRAINIC	1	0.28	28	1.39			1	1.16
AN GHEARMAIN	3	0.84	41	2.03			34	39.53
AN GHRÉIG			2	0.10				
HONG CONG			5	0.25			5	5.82
AN IODÁIL	1	0.28	14	0.69				
AN tSEAPÁIN	1	0.28	14	0.69			1	1.16
AN IORDÁIN			1	0.05				
AN CHÓIRÉ			9	0.45				
AN LIOBÁIN			4	0.20				
LIECHTENSTEIN			2	0.10				
LUCSAMBURG			3	0.15				
AN MHALAEISIA			1	0.05				
MÁLTA			1	0.05				
OILEÁN MHUIRÍS			5	0.25				
MEICSICEO			1	0.05				
AN ÍSILTÍR	2	0.56	12	0.59				
AN NUA-SHÉALAINN			3	0.15				
AN IORUA	1	0.28	1	0.05				
AN PHOLAINN			2	0.10				
AN PHORTAINGÉIL			3	0.15				
AN RÚIS			1	0.05				
AN ARAIB SHÁDACH			1	0.05				
SINGEAPÓR			3	0.15				

## APPENDIX D (continued)

### PATENTS GRANTED AND DESIGNS AND TRADEMARKS REGISTERED ACCORDING TO COUNTRY OF ORIGIN OF PATENTEE OR PROPRIETOR

COUNTRY	PATENTS		TRADE MARKS		DESIGNS			
	No. Granted	Percentage of Total No.	No. Registered	Percentage of Total No.	No. Registered Under 1927 Act	Percentage of Total No.	No. Registered Under 2001 Act	Percentage of Total No.
SOUTH AFRICA			1	0.05				
SPAIN	4	1.12	3	0.15				
SRI LANKA			1	0.05				
SWEDEN	1	0.28	3	0.15				
SWITZERLAND	2	0.56	78	3.86			2	2.33
TAIWAN			1	0.05				
THAILAND			3	0.15				
TURKEY			2	0.10				
UNITED KINGDOM	23	6.45	389	19.27			3	3.49
USA	28	7.84	319	15.80			1	1.16
TOTAL:	357	100%	2019	100%			86	100%

### COMMENTARY ON THE PATENTS STATISTICS IN APPENDICES C & D

Appendix C indicates that applications for patents from applicants within the State accounted for 90% of the total applications for patents received during the year. As regards patents granted during the year, Appendix D indicates that grants to applicants within the State accounted for 80% of the total grants. These figures, taken in isolation, might tend to suggest that the level of innovative activity within the State is comparatively high. While the figures show precisely the outcome for 2006 in relation to applications received and patents granted, they should not be taken in isolation. To put them into the appropriate context it is necessary to recall that Ireland is a contracting party to the European Patent Convention and, under that Convention, applications are made annually directly to the European Patent Office designating Ireland and patents are granted annually by the European Patent Office with effect in Ireland (the same effect as if they had been granted by my Office). Accordingly, when account is taken of the Patents granted by the European Patent Office effective in the State in 2006, the following picture emerges:

## FOSCRÍBHINN D (ar leanúint)

### PAITINNÍ A DEONAÍODH AGUS DEARTHAÍ AGUS TRÁDMHARCANNA A CLÁRAÍODH DE RÉIR THÍR BHUNAIDH AN PHAITINNÍ NÓ AN ÚINÉARA

TÍR	PAITINNÍ		TRÁDMHARCANNA		DEARÁÍ			
	An Líon a Deonaíodh	Céatadán den Líon Iomlán	An Líon a Cláraíodh	Céatadán den Líon Iomlán	An Líon a Cláraíodh Faoi Acht 1927	Céatadán den Líon Iomlán	An Líon a Cláraíodh Faoi Acht 2001	Céatadán den Líon Iomlán
AN AFRAIC THEAS			1	0.05				
AN SPÁINN	4	1.12	3	0.15				
SRÍ LANCA			1	0.05				
AN tSUAILAINN	1	0.28	3	0.15				
AN EILVÉIS	2	0.56	78	3.86			2	2.33
TAIWAN			1	0.05				
AN TÉALAINN			3	0.15				
AN TUIRC			2	0.10				
AN RÍOCHT AONTAITHE	23	6.45	389	19.27			3	3.49
STÁIT AONTAITHE MHEIRICEÁ	28	7.84	319	15.80			1	1.16
AN tIOMLÁN:	357	100%	2019	100%			86	100%

### RÁITEAS AR NA STAITISTICÍ PAITINNÍ I bhFOSCRÍBHINNÍ C AGUS D

Léirítear i bhFoscríbhinn C gurbh ionann iarratais ar phaitinní ó iarratasóirí laistigh den Stát agus 90% de na hiarratais iomlána ar phaitinní a fuarthas le linn na bliana. . Maidir le paitinní a deonaíodh le linn na bliana, léirítear i bhFoscríbhinn D gurbh ionann deonuithe d'iarratasóirí laistigh den Stát agus 80% de na deonuithe iomlána. B'fhéidir go dtabharfadh na figiúirí seo le fios, astu féin, go bhfuil an leibhéal gníomhaíochta nuálaí sa Stát ard i gcomparáid le háiteanna eile. Cé go léiríonn na figiúirí an toradh cruinn don bhliain 2006 i ndáil le hiarratais a fuarthas agus paitinní a deonaíodh, níor chóir féachaint orthu ina n-aonar. Chun iad a chur sa chomhthéacs cuí, is gá a thabhairt chun cuimhne gur páirtí conarthach le Coinbhinsiún Paitinní na hEorpa í Éire agus, faoin gCoinbhinsiún sin, déantar iarratais go bliantúil go díreach le hOifig Paitinní na hEorpa lena n-ainmnítear Éire agus déanann Oifig Paitinní na hEorpa paitinní a dheonú go bliantúil agus éifeacht leo in Éirinn (an éifeacht chéanna is a bheadh leo dá mba í m'Oifigse a bhí tar éis iad a dheonú). Dá réir sin, nuair a chuirtear i gcountas na Paitinní a dheonaigh Oifig Paitinní na hEorpa agus a raibh éifeacht leo sa Stát sa bhliain 2006, tagann an pictiúr seo a leanas chun cinn:

Patents granted in 2006 having effect in the State

	Number	Number of patents granted to Applicants from within the State	% of patents granted to Applicants from within the State
Granted by Office	357	286	80%
Granted by EPO	33895	106	0.31%
<b>Total Grants</b>	<b>34252</b>	<b>392</b>	<b>1.14%</b>

Paitinní a deonaíodh sa bhliain 2006 agus a bhfuil éifeacht leo sa Stát

	Líon	An líon paitinní a deonaíodh d'arratasóirí laistigh den Stát	An % paitinní a deonaíodh d'arratasóirí laistigh den Stát
An líon a dheonaigh anOifig	357	286	80%
An líon a dheonaigh OPE	33895	106	0.31%
<b>Iomlán na nDeonuithe</b>	<b>34252</b>	<b>392</b>	<b>1.14%</b>

## APPENDIX E

### CLASSIFICATION OF PATENTS GRANTED BY THE OFFICE IN YEAR ENDED 31 DECEMBER 2006 ACCORDING TO THE INTERNATIONAL PATENT CLASSIFICATION (IPC)

CLASSIFICATION	No of grants in Classification *
A. HUMAN NECESSITIES	182
B. PERFORMING OPERATIONS	167
C. CHEMISTRY; METALLURGY	87
D. TEXTILES; PAPER	4
E. FIXED CONSTRUCTIONS	105
F. MECHANICAL ENGINEERING; LIGHTING; HEATING; WEAPONS; BLASTING	67
G. PHYSICS	189
H. ELECTRICITY	92

\* Because it is possible that a granted patent may be classified in more than one technical field, the number of classifications into which these patents fall will exceed the total number of patents granted.

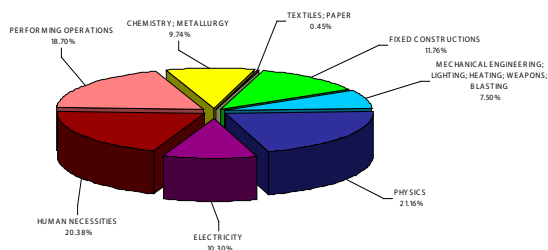
## FOSCRÍBHINN E

### AICMIÚ PAITINNÍ A DHEONAIGH AN OIFIG I RITH NA BLIANA DAR CRÍOCH 31 NOLLAIG 2006 DE RÉIR AN AICMITHE IDIRNÁISIÚNTA (IPC)

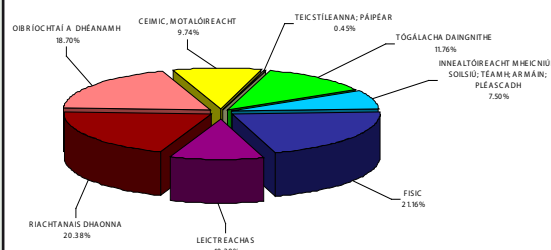
AICMIÚ	An líon deonuithe san Aicmiú *
A. RIACHTANAIS DHAONNA	182
B. OIBRÍOCHTAÍ A DHÉANAMH	167
C. CEIMIC; MIOTALÓIREACTH	87
D. TEICSTÍLEANNA; PÁIPÉAR	4
E. TÓGÁLACHA DAINGNITHE	105
F. INNEALTÓIREACTH MHEICNIÚIL; SOILSIÚ; TÉAMH; ARMÁIN; PLÉASCADH	67
G. FISIC	189
H. LEICTREACHAS	92

\* Toisc gur féidir paitinn dheonaithe a aicmiú i líon is mó ná réimse teicniúil amháin, is líonmhaire na haicmithe ina bhfuil na paitinní seo ná líon iomlán na bpaitinní a deonaíodh.

Classifications by IPC Sections for Granted  
Patents in 2006



Aicmithe de réir Choidanna IPC do Phaitinní  
Deonaithe in 2006





## APPENDIX F

### NUMBER OF RENEWAL FEES PAID TO KEEP PATENTS IN FORCE FOR YEARS 1997 TO 2006

Year for which paid	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
3rd year	1,520	293	232	751	814	504	472	602	494	432
4th year	2,019	848	486	962	1,044	941	1,221	1,173	1,265	1,149
5th year	2,955	1,924	1,218	1,906	2,142	1,540	2,298	2,792	2,409	2,310
6th year	2,253	2,644	1,840	2,972	3,338	2,414	2,704	3,547	4,103	3,648
7th year	1,550	1,726	1,847	3,454	4,144	3,181	3,300	3,580	4,241	4,751
8th year	1,446	1,140	637	3,488	4,546	3,414	3,580	3,718	3,958	4,555
9th year	1,216	1,171	639	1,951	3,780	3,453	3,427	3,713	3,820	3,954
10th year	1,052	994	667	1,105	2,204	3,307	3,486	3,410	3,598	3,725
11th year	814	915	563	1,078	1,336	1,606	2,731	3,082	3,109	3,319
12th year	696	725	550	910	1,199	891	1,492	2,586	2,825	2,839
13th year	627	623	408	821	1,040	916	844	1,436	2,349	2,484
14th year	555	550	357	647	862	730	808	794	1,266	2,033
15th year	466	495	275	531	683	675	627	751	722	1,111
16th year	413	411	271	473	599	539	588	578	694	618
17th year	300	362	239	413	553	444	470	516	522	596
18th year	247	270	198	348	452	386	401	419	476	444
19th year	220	217	151	290	441	319	341	347	384	408
20th year	164	185	114	207	248	263	274	292	308	316
<b>Total</b>	<b>18,513</b>	<b>15,493</b>	<b>10,746</b>	<b>22,307</b>	<b>29,425</b>	<b>25,523</b>	<b>29,064</b>	<b>33,336</b>	<b>36,543</b>	<b>38,692</b>

## FOSCRÍBHINN F

### AN LÍON TÁILLÍ ATHNUACHANA A ÍOCADH CHUN PAITINNÍ A CHOIMEÁD I bhFEIDHM DO NA BLIANTA 1997 TO 2006

An bhliain ar íocadh ina leith	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
3ú bliain	1,520	293	232	751	814	504	472	602	494	432
4ú bliain	2,019	848	486	962	1,044	941	1,221	1,173	1,265	1,149
5ú bliain	2,955	1,924	1,218	1,906	2,142	1,540	2,298	2,792	2,409	2,310
6ú bliain	2,253	2,644	1,840	2,972	3,338	2,414	2,704	3,547	4,103	3,648
7ú bliain	1,550	1,726	1,847	3,454	4,144	3,181	3,300	3,580	4,241	4,751
8ú bliain	1,446	1,140	637	3,488	4,546	3,414	3,580	3,718	3,958	4,555
9ú bliain	1,216	1,171	639	1,951	3,780	3,453	3,427	3,713	3,820	3,954
10ú bliain	1,052	994	667	1,105	2,204	3,307	3,486	3,410	3,598	3,725
11ú bliain	814	915	563	1,078	1,336	1,606	2,731	3,082	3,109	3,319
12ú bliain	696	725	550	910	1,199	891	1,492	2,586	2,825	2,839
13ú bliain	627	623	408	821	1,040	916	844	1,436	2,349	2,484
14ú bliain	555	550	357	647	862	730	808	794	1,266	2,033
15ú bliain	466	495	275	531	683	675	627	751	722	1,111
16ú bliain	413	411	271	473	599	539	588	578	694	618
17ú bliain	300	362	239	413	553	444	470	516	522	596
18ú bliain	247	270	198	348	452	386	401	419	476	444
19ú bliain	220	217	151	290	441	319	341	347	384	408
20ú bliain	164	185	114	207	248	263	274	292	308	316
An tImlán	18,513	15,493	10,746	22,307	29,425	25,523	29,064	33,336	36,543	38,692

## APPENDIX G

### INTERNATIONAL CLASSIFICATION OF GOODS AND SERVICES INTO WHICH MARKS REGISTERED IN 2006 FALL

Class	Classification of Goods	No of marks in classification
1	Chemical Products, etc.	31
2	Paints, etc.	51
3	Bleaching Preparations, etc.	175
4	Industrial Oils, etc.	22
5	Pharmaceutical Substances, etc.	289
6	Unwrought and Partly Wrought Common Metals and their Alloys	43
7	Machines and Machine Tools, etc.	36
8	Hand Tools and Instruments, Cutlery, etc.	25
9	Scientific Apparatus and Instruments, etc.	227
10	Surgical Instruments, etc.	63
11	Installations for Lighting, etc.	69
12	Vehicles; Apparatus for Locomotion by Land, Air or Water	41
13	Firearms, Ammunition and Projectiles; Explosive Substances; Fireworks	0
14	Precious Metals and their Alloys, etc.	44
15	Musical Instruments (other than talking machines and wireless apparatus)	10
16	Paper, etc.	261
17	Gutta Percha, India Rubber, etc.	13
18	Leather, etc.	51
19	Building Materials, etc.	51
20	Furniture, etc.	54
21	Small Domestic Utensils, etc.	67
22	Ropes, etc.	3
23	Yarns, Threads	0
24	Tissues (piece goods), etc.	35
25	Clothing, including Boots, Shoes and Slippers	187
26	Lace and Embroidery, etc.	10
27	Carpets, etc.	6
28	Games, etc.	90
29	Meat, Fish, Poultry and Game, etc.	165
30	Coffee, Tea, Cocoa, Sugar, Rice, etc.	197
31	Agricultural Products, etc.	50
32	Beer, etc.	96
33	Wines, Spirits and Liqueurs	52
34	Tobacco, etc.	17
35	Advertising, Business Management, etc.	246
36	Insurance, Financial Affairs, etc.	150
37	Building Construction, Repair, Installation Services.	66
38	Telecommunications	72
39	Transport, Packaging and Storage of Goods, etc.	50
40	Treatment of Materials	19
41	Education, Entertainment, etc.	261
42	Scientific and technological services	119
43	Providing food and drink	103
44	Medical services, etc	65
45	Personal and social services	26

## FOSCRÍBHINN G

### AICMIÚ IDIRNÁISIÚNTA EARRAÍ AGUS SEIRBHÍSÍ INA bhFUIL NA MARCANNNA A CLÁRAÍODH SA bhLIAIN 2006

Aicme	Aicmiú Earraí	An líon marcanna san aicmiú
1	Táirgí Ceimiciúla, srl.	31
2	Péinteanna, srl.	51
3	Ullmhúcháin Tuair, srl.	175
4	Oláí Tionsclaíocha, srl.	22
5	Substaintí Cógaisíochta, srl.	289
6	Miotail Choiteanna Neamhoibrithe agus Páirtoibrithe agus a gcuid Cóimhiotail	43
7	Meaisíní agus Uirlisí Meaisín, srl.	36
8	Uirlisí Láimhe agus Deiseanna, Sceanna, srl.	25
9	Fearas agus Uirlisí Eolaíochta, srl.	227
10	Uirlisí Máinliachta, srl.	63
11	Suiteálacha le haghaidh Soilsíú, srl.	69
12	Feithicilí; Gaireas Gluaiseachta de Thalamh, d'Aer nó d'Uisce	41
13	Airm Tíne, Armlón agus Teilgeáin; Substaintí Pléascacha; Tíne Ealaíne	0
14	Miotail Lómhara agus a gcuid Cóimhiotail, srl.	44
15	Uirlisí Ceoil (seachas meaisíní cainte agus gaireas raidió)	10
16	Páipéar, srl.	261
17	Gutta Percha, Rubar Indiach, srl.	13
18	Leathar, srl.	51
19	Ábhair Foirgníochta, srl.	51
20	Troscán, srl.	54
21	Uirlisí Beaga Tí, srl.	67
22	Rópaí, srl.	3
23	Abhras, Snáithe	0
24	Fíochán (gréasáin), srl.	35
25	Éadaí, ar a n-áirítear Buataisí, Bróga agus Bróigíní	187
26	Lása agus Bróidnéireacht, srl.	10
27	Brait Urláir, srl.	6
28	Cluichí, srl.	90
29	Feoil, Iasc, Éanlaith Chlóis agus Géim, srl.	165
30	Caife, Tae, Cócó, Siúcra, Rís, srl.	197
31	Earraí Talmhaíochta, srl.	50
32	Beoir, srl.	96
33	Fíon, Biotáille agus Licéir	52
34	Tobac, srl.	17
35	Fógraíocht, Bainistíocht Gnó, srl.	246
36	Árachas, Gnóthaí Airgid, srl.	150
37	Tógáil Foirgneamh, Deisiúchán, Seirbhísí Suiteála	66
38	Teileachumarsáid	72
39	Iompar, Pacáistiú agus Stóráil Earraí, srl.	50
40	Cóireáil Ábhar	19
41	Oideachas, Siamsa, srl.	261
42	Seirbhísí Eolaíochta agus Teicneolaíochta	119
43	Bia agus Deoch a Sholáthar	103
44	Seirbhísí Liachta, srl.	65
45	Seirbhísí Pearsanta agus Sóisialta	26

## APPENDIX H

### DESIGNS REGISTERED UNDER THE INDUSTRIAL DESIGNS ACT, 2001 DURING THE YEAR ENDED 31 DECEMBER 2006 LISTED ACCORDING TO THE INTERNATIONAL CLASSIFICATION

Class	Classification	Designs Registered
1	Foodstuffs	0
2	Articles of Clothing and Haberdashery	2
3	Travel Goods, Cases, Parasols and Personal Belongings, not elsewhere specified	1
4	Brushware	0
5	Textile Piecegood Articles, Artificial and Natural Sheet Material	0
6	Furnishings	10
7	Household Goods, not elsewhere specified	1
8	Tools and Hardware	11
9	Packages and Containers for the Transport or Handling of Goods	2
10	Clocks and Watches and other Measuring Instruments, Checking and Signalling Instruments	1
11	Articles of Adornment	12
12	Means of Transport or Hoisting	0
13	Equipment for Production, Distribution or Transformation of Electricity	3
14	Recording, Communication or Information Retrieval Equipment	1
15	Machines, not elsewhere specified	1
16	Photographic, Cinematographic and Optical Apparatus	0
17	Musical Instruments	1
18	Printing and Office Machinery	0
19	Stationery and Office Equipment, Artists' and Teaching Materials	0
20	Sales and Advertising Equipment, Signs	3
21	Games, Toys, Tents and Sports Goods	4
22	Arms, Pyrotechnic Articles, Articles for Hunting, Fishing and Pest Killing	0
23	Fluid Distribution Equipment, Sanitary, Heating, Ventilation and Air-Conditioning Equipment, Solid Fuel	2
24	Medical and Laboratory Equipment	1
25	Building Units and Construction Elements	27
26	Lighting Apparatus	3
27	Tobacco and Smokers' Supplies	0
28	Pharmaceutical Products and Cosmetic Products, Toilet Articles and Apparatus	0
29	Devices and Equipment Against Fire Hazards, for Accident Prevention and for Rescue	1
30	Articles for the Care and Handling of Animals	1
31	Machines and Appliances for Preparing Food or Drink, not elsewhere specified	0
99	Miscellaneous	0
	<b>TOTAL</b>	
	<b>*A Design maybe registered in more than one class, therefore the total number of classes exceeds the 86 Designs actually registered.</b>	<b>88*</b>

## FOSCRÍBHINN H

### DEARHAÍ A CLÁRAÍODH FAOI ACHT NA nDEARHAÍ TIONSCAIL, 2001, LE LINN NA BLIANA DAR CRÍOCH 31 NOLLAIG 2006 ARNA LIOSTÚ DE RÉIR AN AICMITHE IDIRNÁISIÚNTA

Aicme	Aicmiú	Dearthaí a Cláraíodh
1	Earraí Bia	0
2	Baill Éadaí agus Mionéadach	2
3	Earraí Taistil, Cásanna, Parasóil agus Giúrléidí Pearsanta, nach sonraítear aon áit eile	1
4	Scuaba	0
5	Earraí Teicstíle Mirfhaibrice, Bratábhar Saorga agus Nádúrtha	0
6	Iarmhais	10
7	Earraí Tí, nach sonraítear aon áit eile	1
8	Uirlisí agus Crua-Earraí	11
9	Pacáistí agus Coimeádáin chun Earraí a Iompar nó a Láimhseáil	2
10	Cloig agus Uaireadóirí agus Uirlisí eile Tomhais, Uirlisí Seiceála agus Comharthaíochta	1
11	Earraí Maisiúcháin	12
12	Córacha Iompair nó Ardaithe	0
13	Trealamh chun Leictreachas a Tháirgeadh, a Dháileadh nó a Aistriú	3
14	Trealamh Taifeadáin, Cumarsáide nó Aisghabháil Faisnéise	1
15	Meaisíní, nach sonraítear aon áit eile	1
16	Fearas Grianghrafach, Cineamatagrafach agus Súl	0
17	Uirlisí Ceoil	1
18	Meaisíní Oifige	0
19	Stáiseanóireacht agus Trealamh Oifige, Ábhair d'Ealaíontóirí agus Abhair Teagaisc	0
20	Trealamh Diolacháin agus Fógraíochta, Comharthaí	3
21	Cluichí, Bréagáin, Pubaill agus Earraí Spóirt	4
22	Airm, Earraí Píriteicniúla, Earraí Sealgaireachta, Iascaireacht agus Marú Lotnaidí	0
23	Trealamh Dáilte Leachta, Trealamh Sláintíochta, Téimh, Aerúcháin agus Aerchóiriúcháin, Breosla Soladach	2
24	Trealamh Liachta agus Saotharlainne	1
25	Aonaid Tógála agus Míreanna Foirgníochta	27
26	Fearas le haghaidh Soilsiú	3
27	Tobac agus Soláthairtí do Lucht Caite Tobac ina Dheatach	0
28	Táirgí Cógaisíochta agus Táirgí Cosmaideacha, Earraí agus Fearas Leithris	0
29	Sásraí agus Trealamh in aghaidh Contúirt Dóiteáin, chun Timpistí a Chosc agus le haghaidh Tarrthála	1
30	Earraí chun Aire a thabhairt d'Ainmhithe agus iad a Láimhseáil	1
31	Meaisíní agus Gairis chun Bia nó Deoch a Réiteach, nach sonraítear aon áit eile	0
99	Ilghnéitheach	0
	<b>AN TIOMLÁN</b>	
	<b>*Is féidir Dearadh a chlárú i líon is mó ná aicme amháin, mar sin is mó an líon iomlán aicmí ná an 86 Dearadh a cláraíodh iarbhair.</b>	<b>88*</b>

## APPENDIX I

### LEGISLATION ENACTED IN 2006

The Bill for the **Patents (Amendment) Act 2006 (No. 31 of 2006)** was signed by the President on the 11 December, 2006.

The Act updates the Patents Act, 1992, to accord with various international agreements and it amends other intellectual property legislation.

The Act deals with four distinct areas as follows:

- Amendments to give effect to certain provisions of the TRIPs Agreement.
- Amendments consequent on the revision of the European Patent Convention.
- Provisions to give effect to the Patent Law Treaty which was concluded under the auspices of the World Intellectual Property Organisation, the UN agency which administers international treaties in the field of intellectual property.
- Miscellaneous necessary amendments to intellectual property legislation, (Patents, Trade Mark, Design and Copyright), mainly by way of clarification or correction.

Certain sections of the Act, mainly relating to the revision of the European Patent Convention and the Patent Law Treaty, will be commenced at a later date, following accession to the relevant Agreement.

### STATUTORY INSTRUMENTS MADE DURING 2006

#### S.I. No 50 of 2006.

#### **European Communities (Limitation of Effect of Patent) Regulations 2006.**

These Regulations made pursuant to the European Communities Act, 1972, amend Section 42 of the Patents Act, 1992 to limit the rights conferred by a patent where certain acts are undertaken to fulfil the application requirements of Article 10 of Directive 2001/83/EC (as last amended by Directive 2004 /27/EC of the European Parliament and of the Council of 31 March 2004) for a marketing authorisation for a generic or similar biological medicinal product for human use and Article 13 of Directive 2001/82/EC (as last amended by Directive 2004/28/EC of the European Parliament and of the Council of 31 March 2004) for a marketing authorisation for a generic or similar biological medicinal product for veterinary use.

#### S.I. No 141 of 2006

#### **European Communities (Patent Agents) Regulations 2006.**

These Regulations, made pursuant to the European Communities Act, 1972, amend certain provisions of the Patent Act, 1992 in order to allow a person, established in another Member State of the European Community and qualified under the law of the State to act as a patent agent, to act for another person in relation to patent matters before the Controller of Patents, Designs and Trade marks.

## FOSCRÍBHINN I

### REACHTAÍOCHT RITE SA BHLIAIN 2006

Bhí an Bille um Acht na bPaitinní (Leasú) 2006 (Uimh. 31 de 2006) sínithe ag an Uachtarán 11 Nollaig, 2006.

Nuashonraíonn an tAcht Acht na bPainní, 1992, chun comhaontú le comhaontaithe idirnáisiúnta éagsúla agus leasaíonn sé reachtaíocht maoine inteactúla eile.

Pléann an tAcht le ceithre ábhair leithleach mar atá seo a leanas:

- Leasuithe chun éifeacht a thabhairt ar fhorálacha áirithe de chuid Chomhaontú TRIPS.
- Leasuithe iarmhartacha ar leasú Choinbhinsiúin um an bPaitinn Eorpach.
- Forálacha chun éifeacht a thabhairt don Chonradh Dlí na bPaitinní a cuireadh i gcrích faoi choimirce na hEagraíochta Domhanda um Maoin Intleachtúil, Gníomhaireacht an NA, a riarann conarthaí idirnáisiúnta i réimse maoine intleachtúil.
- Leasuithe riachtanacha ilghnéitheacha ar dlí maoine intleachtúil, (Paitinní, Trádmharc, Dearadh agus cóipchirt), i modh soiléirithe nó ceartúcháin don chuid is mó.

Cuirfear tús le hailt áirithe den Acht, a bhainnean, sa mhórchuid, le leasú Choinbhinsiúin um an bPaitinn Eorpach agus le Conradh Dlí na bPaitinní, ag am níos moille, i ndiaidh aontachais don Chonradh ábhartha.

### IONSTRAIM REACHTÚIL A RINNEADH LE LINN NA BLIANA 2006

#### I.R.Uimh. 50 de 2006.

#### **Rialacháin na gComhphobal Eorpach (Teorainn a chur le hÉifeacht Paitinne) 2006.**

Leasaíonn na Rialacháin seo, déanta de bhun Acht na gComhphobal Eorpach, 1972, Alt 42 Acht na bPaitinní, 1992, chun teorainn a chur ar chearta bronnta ag paitinn ina bhfuil gníomhaireachta áraithe tabhartha faoi chun riachtanais iarratais d'Alt 10 de Threoir 2001/83/AE a chomhlíonadh (mar a leasaithe roimhe ag Treoir 2004 /27/AE Phlairimint na hEorpa agus na Comhairle 31 Márta 2004) um údarás margaíochta le haghaidh táirgí cineálacha nó tairge cógaisíocht bitheolaíochta atá cosúil leis le haghaidh úsáid daonna agus Alt 13 de Threoir 2001/82/AE (mar a leasaithe roimhe ag Treoir 2004/28/AE Phlairimint na hEorpa agus na Comhairle 31 Márta 2004) um údarás margaíochta le haghaidh táirgí cineálacha nó tairge cógaisíocht bitheolaíochta atá cosúil leis le haghaidh úsáid tréidliachta.

#### I.R.Uimh. 141 de 2006

#### **Rialacháin na gComhphobal Eorpach (Gníomhairí Paitinní) 2006.**

Leasaíonn na Rialacháin seo, déanta de bhun Acht na gComhphobal Eorpach, 1972, forálacha áirithe Acht na bPaitinní, 1992 chun cead a thabhairt do dhuine, atá bunaithe i mBallstát eile na gComhphobail Eorpach agus cáilithe faoi dlí an stáit sin gníomhú mar Gníomhair Paitinne, gníomhú ar son duine eile maidir le cúrsaí paitinní atá os comhair Cheannasaí Paitinní, Dearaí agus Trádmharcanna.



#### **S.I. No 142 of 2006**

##### **Patents (Amendment ) Rules 2006.**

These Rules set out the evidential requirements with which a person established in another Member State of the European Community and qualified to act under the law of that State as a patent agent must comply in order to act for another person in relation to patent matters before the Controller of Patents, Designs and Trade Marks. They also set necessary consequential amendments to the Patents Rules, 1992.

#### **S.I. No 312 of 2006**

##### **European Communities (Artist's Resale Right) Regulations 2006.**

These Regulations transpose into Irish law Directive 2001/84/EC of the European Parliament and of the Council of 27 September 2001 on the resale right for the benefit of the author of an original work of art. This will allow creators of original works of visual and plastic art, through a system of royalty payments, to benefit from resales of those works when they are sold through the professional art market.

#### **S.I. No. 360 of 2006**

##### **European Communities (Enforcement of Intellectual Property Rights) Regulations 2006.**

These Regulations transpose into Irish Law aspects of Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 on the Enforcement of Intellectual Property Rights which are not currently available under Irish law. The directive harmonises civil remedies and measures available for the enforcement of Intellectual Property Rights across the European Community.

#### **S.I. No 646 of 2006**

##### **European Communities (Enforcement of Community Judgements on Trade Marks and Designs) Regulations 2006.**

These Regulations ensure that decisions, accompanied by an Order for costs, made by the Community Trade Mark and Industrial Design registration office better known as OHIM can be executed in Ireland.

#### **I.R.Uimh. 142 de 2006**

##### **Rialacha (Leasú ) na bPaitinní 2006.**

Leagtar amach sna rialacha seo riachtanais fhianaiseacha le comhlíonadh ag duine, atá bunaithe i mBallstát eile na gComhphobal Eorpach agus cáilithe faoi dlí an stáit sin gníomhú mar Gníomhair Paitinne, chun gníomhiú ar son duine eile maidir le cúrsaí paitinní atá os comhair Cheannasaí Paitinní, Dearaí agus Trádmharcanna. Leagann siad amach fósta leasuithe de bhun Rialacha na Paitinní, 1992.

#### **I.R. Uimh. 312 de 2006**

##### **Rialacháin na gComhphobal Eorpach (Ceart Athdhiól Ealaíontóra) 2006.**

Traschuireann na Rialacháin seo Treoir 2001/84/AE Pharlaimint na hÉorpa agus na Comhairle de 27 Meán Fómhair 2001 isteach i nDlí na hÉireann um cheart athdhiola ar mhaithe údar shaothair bhunaidh. Ceadóidh sé seo cruthaitheoirí shaothar bunadh d'amharcealaín agus d'ealaín phlaisteach, trí chóras íocaíochtaí dleachtanna, leas a bhaint as athdhiól trí thrádáil proifisiúnta na healaíne.

#### **I.R.Uimh. 360 de 2006**

##### **Rialacháin na gComhphobal Eorpach (Forfheidhmiú Cearta Maoine Intleachtúla) 2006.**

Traschuireann an Rialacháin seo i nDlí na hÉireann gnéithe de Threoir 2004/48/AE Pharlaimint na hÉorpa agus na Comhairle 29 Aibreán 2004 ar Fhorfheidhmiú Cearta Maoine Intleachtúla nach bhfuil ar fáil i ndlí na hÉireann faoi láthair. Comhchuibhíonn an Treoir seo leighis shibialta agus bearta atá ar fáil chun Cearta Maoine Intleachtúla ar fud Comhphobal na hEorpa a fhorfheidmiú.

#### **I.R. Uimh. 646 de 2006**

##### **Rialacháin na gComhphobal Eorpach (Forghníomhú Breithiúnas ón gComhphobal maidir le Trádmharcanna agus Dearaí) 2006.**

Cinntíonn na Rialacháin seo gur féidir le cinntí a chur i bhfeidhm in Éirinn, in éineacht le hOrdú le haghaidh costas, déanta ag Oifig Clárúchain um Thrádmharc Comhphobail agus Dhearaí Tionscúcháin ar a dtugtar OHIM.

## APPENDIX J

### PERFORMANCE TARGETS 2006

Area of Activity	Level of Achievement			
	Jan – Mar 06	April – June 06	July – Sept 06	Oct – Dec 06
Issue formal filing receipts for correctly filed applications within 7 working days.	76%	92%	99%	95%
Issue certified copies of patent documents within 5 working days of receipt of request.	100%	100%	100%	100%
Issue confirmation of payment of patent renewal fees within 7 working days of receipt.	98%	100%	99%	98%
Process applications for registration of assignments within 10 working days of submission of a properly fully completed application.	100%	100%	100%	95%
Issue confirmation that applications for amendments to the patents register in respect of names and address of applicants, proprietors and patent agents and address for service have been recorded within 7 working days of receipt of a properly completed application.	98%	100%	100%	92%
Grant patents within 10 working days of receipt of grant fee.	100%	100%	99%	100%
Issue patent certificate and specification within 10 working days of publication.	100%	100%	100%	100%
Transmit European and PCT applications and relevant statistical data to EPO/WIPO within 5 working days of receipt.	100%	100%	100%	100%
To approve the grant of short term patents within a period of 6 to 9 months from filing of a proper, complete application.	53%	90%	78%	50%
Following receipt of all necessary documents and responses to official objections associated with patent applications, to decide on whether to grant or refuse a patent within two months.	80%	76%	77%	89%
To ensure that notification of formal defects is issued within 15 working days of filing.	96%	91%	94%	100%
Issue confirmation that applications for amendments to the patent register (pending applications) have been recorded within 10 working days of receipt of properly completed application.	100%	100%	100%	100%
<b>Supplementary Protection Certificates</b>				
Issue notification of formal defects within 15 working days of filing date	100%	100%	100%	100%

## FOSCRÍBHINN J

### SPRIOCANNA FEIDHMÍOCHTA 2006

An Réimse Gníomhaíochta	An Leibhéal a Baineadh Amach			
	Ean – Már 06	Air – Mmh 06	Lúil – MF 06	DF – Noll 06
Admhálacha foirmeálta comhdaithe a eisiúint laistigh de 7 lá oibre ar iarratais a comhdaíodh i gceart.	76%	92%	99%	95%
Cóipeanna deimhnithe de dhoiciméid paitinne a eisiúint laistigh de 5 lá oibre tar éis iarraidh a fháil	100%	100%	100%	100%
Dearbhú ar íoc táillí athnuachana paitinne a eisiúint laistigh de 7 lá oibre.	98%	100%	99%	98%
Iarratais ar chlárú sannaíthe a phróiseáil laistigh de 10 lá oibre tar éis iarratas atá comhlánaithe go hiomlán agus i gceart a bheith tagtha isteach.	100%	100%	100%	95%
Dearbhú a eisiúint go bhfuil iarratais ar leasuithe ar chlár na bpaitinní maidir le hainmneacha agus seoltaí iarratasóirí, úinéirí agus gníomhairí paitinne agus seoladh na seirbhíse taifeadta laistigh de 7 lá oibre tar éis iarratas atá comhlánaithe i gceart a fháil.	98%	100%	100%	92%
Paitinní a dheonú laistigh de 10 lá oibre tar éis an táille deonaithe a fháil.	100%	100%	99%	100%
Deimhníú paitinne agus sonraíocht a eisiúint laistigh de 10 lá oibre tar éis foilsithe.	100%	100%	100%	100%
Iarratais Eorpacha agus CCP agus na sonraí staidrimh cuí a chur ar aghaidh chuig OPE/EDMI laistigh de 5 lá oibre tar éis iad a fháil	100%	100%	100%	100%
Deonú paitinní gearrthréimhseacha a cheadú laistigh de thréimhse 6 mhí go 9 mí tar éis d'iarratas cuí iomlán a bheith comhdaithe	53%	90%	78%	50%
Tar éis gach doiciméad riachtanach agus freagraí ar agóidí oifigiúla a fháil a bhaineann le hiarratais ar phaitinní, cinneadh a ghlacadh maidir le paitinn a dheonú nó a dhiúltú laistigh de dhá mhí.	80%	76%	77%	89%
A chinntiú go n-eisítear fógra i dtaobh fabhtaí foirmeálta laistigh de 15 lá oibre tar éis comhdaithe.	96%	91%	94%	100%
Dearbhú a eisiúint go bhfuil taifeadadh déanta ar iarratais ar leasuithe ar chlár na bpaitinní (iarratais ar feitheamh) laistigh de 10 lá oibre tar éis iarratas atá comhlánaithe i gceart a fháil.	100%	100%	100%	100%
<b>Deimhnithe Cosanta Forlíontacha</b>				
Fógra i dtaobh fabhtaí foirmeálta a eisiúint laistigh de 15 lá oibre tar éis an dáta comhdaithe	100%	100%	100%	100%

## APPENDIX J (Continued)

Area of Activity	Level of Achievement			
	Jan – Mar 06	April – June 06	July – Sept 06	Oct – Dec 06
Issue formal filing receipts for correctly filed trade mark applications within 7 working days.	39%	77%	100%	92%
Issue reminder for trade mark renewal not later than 4 weeks before the expiration of the registration of the trade mark or any Renewal thereof.	100%	100%	100%	100%
To process assignment applications within 10 working days of receipt of fully completed application	100%	100%	100%	100%
Issue certified copies and extracts from the Trade Marks Register within 5 working days of application.	100%	100%	100%	100%
Issue a request for payment of registration fees within 10 working days of the expiration of the period for filing of opposition where no opposition is received	100%	100%	97%	98%
Where opposition is filed and the proceedings are determined in favour of the applicant, the request for registration fee will be issued within 10 working days of the expiration of the time allowed for appeal	100%	100%	100%	100%
Issue of renewal certificate within 7 working days of receipt of payment.	99%	99%	99%	98%
To issue confirmation that applications for amendments to the Trade Marks register in respect of names and addresses of proprietors and trade mark agents and address for service have been recorded within 7 working days of receipt of a properly completed application	100%	100%	99%	85%
Respond to 95% of correspondence on individual applications in examination within 6 weeks.	95%	95%	95%	95%
To issue initial objections/ acceptance letter within 12 weeks of receipt of new application in the Section.	100%	100%	100%	100%
To issue written grounds of decisions in hearings within 3 months of the hearing.	100%	100%	100%	100%
To issue preliminary search reports within 3 weeks of receipt of request.	100%	100%	100%	100%

## FOSCRÍBHINN J (ar leanúint)

An Réimse Gníomhaíochta	An Leibhéal a Baineadh Amach			
	Ean – Már 06	Aib – Mmh 06	Iúil – MF 06	DF – Noll 06
Admhálacha foirmeálta a eisiúint ar iarratais ar thrádmharcanna atá comhlánaithe i gceart laistigh de 7 lá oibre.	39%	77%	100%	92%
Cur i gcuimhne a eisiúint maidir le hathnuachan trádmharcanna tráth nach déanaí ná 4 seachtaine roimh dhul in éag chlárú an trádmhairc nó aon athnuachana air.	100%	100%	100%	100%
Iarratais ar shannadh a phróiseáil laistigh de 10 lá oibre tar éis iarratas atá comhlánaithe go hiomlán a fháil.	100%	100%	100%	100%
Cóipeanna deimhnithe agus sleachta as Clár na dTrádmharcanna a eisiúint laistigh de 5 lá oibre tar éis an iarratais.	100%	100%	100%	100%
Iarraidh ar íocaíocht táilli clárúcháin a eisiúint laistigh de 10 lá oibre tar éis dhul in éag na tréimhse chun freasúra a chomhdú i gcás nach bhfuil aon fhreasúra faighte.	100%	100%	97%	98%
I gcás go gcomhdaítear freasúra agus go gcinntear na himeachtaí i bhfabhar an iarratasóra, eiseofar an iarraidh ar tháille clárúcháin laistigh de 10 lá oibre tar éis dhul in éag an ama atá ceadaithe le haghaidh an achomhairc.	100%	100%	100%	100%
Deimhniú athnuachana a eisiúint laistigh de 7 lá oibre tar éis an íocaíocht a fháil.	99%	99%	99%	98%
Dearbhú a eisiúint go bhfuil taifeadadh déanta ar iarratais ar leasuithe ar Chlár na dTrádmharcanna i ndáil le hainmneacha agus seoltaí úinéirí agus gníomhairí trádmharcanna agus seoladh na seirbhíse laistigh de 7 lá oibre tar éis iarratas atá comhlánaithe i gceart a fháil.	100%	100%	99%	85%
Freagra a thabhairt ar 95% den chomhfhreagras ar iarratais aonair atá faoi scrúdú laistigh de 6 seachtaine.	95%	95%	95%	95%
Litr tosaigh agóidí/glaetha a eisiúint laistigh de 12 sheachtain tar éis iarratas nua a fháil sa Rannóg.	100%	100%	100%	100%
Cúinsi scríofa a eisiúint faoi chinntí in éisteachtaí laistigh de 3 mhí tar éis na héisteachta.	100%	100%	100%	100%

## APPENDIX J (Continued)

Area of Activity	Level of Achievement			
	Jan – Mar 06	April – June 06	July – Sept 06	Oct – Dec 06
To issue copy notice of opposition, application for revocation, application for invalidity within 2 weeks of receipt.	100%	100%	100%	100%
To respond to 95% of correspondence on individual applications (Opposition, revocation, invalidity) within 5 weeks.	100%	100%	100%	100%
To respond to individual requests for extension of time prior to the current deadline, where those requests are made not later than 2 weeks before expiry of current deadline.	100%	100%	100%	100%
Issue registration certificates within 10 working days of receipt of registration fee.	99%	100%	99%	98%
Issue an overdue reminder for any unpaid registration fee within 7 working days after the 2 month time period permitted for payment has elapsed	100%	100%	100%	100%
Transmit CTM application received in the office with 5 working days of receipt to OHIM	100%	100%	100%	100%

## FOSCRÍBHINN J (ar leanúint)

An Réimse Gníomhaíochta	An Leibhéal a Baineadh Amach			
	Ean – Már 06	Aib – Mmh 06	Iúil – MF 06	DF – Noll 06
Tuarascálacha tosaigh cuardaigh a eisiúint laistigh de 3 seachtaine tar éis an t-iarratas a fháil.	100%	100%	100%	100%
Cóip den fhógra freasúra, den iarratas ar chúlghairm, den iarratas ar neamhbhailíocht a eisiúint laistigh de 2 sheachtain tar éis iad a fháil.	100%	100%	100%	100%
Freagra a thabhairt ar 95% den chomhfhreagras ar iarratais aonair (freasúra, cúlghairm, neamhbhailíocht) laistigh de 5 seachtaine.	100%	100%	100%	100%
Freagra a thabhairt ar iarrataí aonair ar shíneadh ama roimh an sprioc ama reatha, i gcás go ndéantar na hiarrataí sin tráth nach déanaí ná 2 sheachtain roimh dhul in éag na sprice ama reatha.	100%	100%	100%	100%
Deimhnithe clárúcháin a eisiúint laistigh de 10 lá oibre tar éis an táille clárúcháin a fháil.	99%	100%	99%	98%
Cur i gcuimhne thar téarma a eisiúint ar aon chlárú neamhíoctha laistigh de 7 lá oibre tar éis don tréimhse 2 mhí atá ceadaithe le haghaidh íocaíochta a bheith imithe in éag.	100%	100%	100%	100%
Iarratais TE a fuarthas san Oifig a chur ar aghaidh chuig EDMI laistigh de 5 lá oibre.	100%	100%	100%	100%



APPENDIX J (Continued)				
Area of Activity	Level of Achievement			
Designs	Jan – Mar 06	April – June 06	July – Sept 06	Oct – Dec 06
Issue formal filing receipts for correctly filed design applications within 7 working days.	64%	79%	100%	75%
Issue initial objections letter/acceptance letter within 12 weeks of receipt of application.	100%	100%	100%	100%
Respond to 95% of correspondence on individual applications in examination within 5 weeks.	100%	100%	100%	100%
To issue decisions in hearings within 1 month of hearing.	N/A*	N/A*	N/A*	N/A*
To issue written grounds within 2 months of request.	N/A*	N/A*	N/A*	N/A*
Issue Design registration certificates within 14 working days of the application being accepted by examination division	100%	100%	100%	100%

\* Denotes no Design Hearings during the period.

Area of Activity	Level of Achievement			
General	Jan – Mar 06	April – June 06	July – Sept 06	Oct – Dec 06
Issue payment receipts for all fees received within 2 working days	100%	99%	99%	98%

FOSCRÍBHINN J (ar Leanúint)				
An Réimse Gníomhaíochta	An Leibhéal a Baineadh Amach			
Dearaí	Ean – Már 06	Aib – Mmh 06	Iúil – MF 06	DF – Noll 06
Admhálacha foirmeálta comhdaithe a eisiúint laistigh de 7 lá oibre ar iarratais ar dhearaí atá comhlánaithe i gceart.	64%	79%	100%	75%
Litr tosaigh agóidí / litir glactha a eisiúint laistigh de 12 sheachtain tar éis an t-iarratas a fháil.	100%	100%	100%	100%
Freagra a thabhairt ar 95% den chomhfhreagras ar iarratais aonair faoi scrúdú laistigh de 5 seachtaine	100%	100%	100%	100%
Cinntí in Éisteachta a éisiúint laistigh de mhí amháin tar eis éisteachta.	N/A*	N/A*	N/A*	N/A*
Foras scríofa a éisiúint laistigh de 2 mhí den iarratas.	N/A*	N/A*	N/A*	N/A*
Deimhnithe clárúcháin dearthaí a eisiúint laistigh de 14 lá oibre tar éis don rannóg scrúdaithe an t-iarratas a ghlacadh.	100%	100%	100%	100%

\* Sonrótar nach raibh Éisteachta Dearaí ann le linn na tréimhse.

An Réimse Gníomhaíochta	An Leibhéal a Baineadh Amach			
Ginearálta	Ean – Már 06	Aib – Mmh 06	Iúil – MF 06	DF – Noll 06
Admhálacha iocaíochta a eisiúint laistigh de 2 lá oibre ar gach táille a fuarthas.	100%	99%	99%	98%



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ISBN 0-7557-7495-7



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