

PATENTS OFFICE



OIFIG NA bPAITINNÍ

**Eighty Fourth
Annual Report of the
Controller of Patents, Designs
and Trade Marks**

2011

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Foreword of the Controller of the Irish Patent Office

I have the honour to submit my Annual Report to the Oireachtas for the year ended 31 December 2011, in accordance with the provisions of Section 103 of the Patents Act, 1992.

The Patents Office is the statutory office responsible for the granting and registration of intellectual property rights in Ireland, specifically patent, trade mark and industrial design rights. Innovation and creativity are important elements in gaining a competitive edge in the marketplace and for many business enterprises intellectual property is one of their most important assets. Through the provision of these services, the Office aims to assist people and businesses realise the full economic potential of their intellectual property.

My Report is in respect of the execution of my statutory functions under the Patents Act, 1992, the Patent (Amendment) Act 2006, the Trade Marks Act, 1996; the Industrial Designs Act, 2001, the various 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. I also have certain statutory functions under the Copyright and Related Rights Act, 2000. In the main, these functions are concerned with dealing with registration of copyright licensing bodies, references and applications relating to licensing schemes operated by those bodies and the resolution of disputes regarding royalty amounts arising mainly in the area of public performance of sound recordings.

In addition to administering the relevant legislation and registers, the Patents Office performs a number of operational functions including:

- Processing applications for patents, trademarks and industrial designs.
- Implementing international agreements.
- Providing assistance and information on industrial and intellectual property to clients.
- Administering proceedings before the Controller in relation to IP rights and conducting hearings on oppositions to trademark registrations.
- Maintaining the registers of patent and trademark attorneys
- Acting as a receiving office for the World Intellectual Property Organization (WIPO), the European Patents Office and the Office for Harmonisation in the Internal Market (OHIM).
- Contributing to policy development on IP rights.

My Annual Report provides information on how the Office has discharged these functions and is supported by a range of business statistics.

I would like to extend my sincere thanks to the staff of the Office for all their hard work during 2011 and their commitment to continued improvement of services.



Martin Shanagher
Controller

Dated 27 June 2012

General Commentary on Objectives and Activities

The central mission of the Patents Office is

“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”.

This is to be achieved through the protection of intellectual property rights in the fields of patents, trademarks and designs and the proactive dissemination of relevant knowledge and information in conjunction with each of these activities.

In 2011 the Office published its Strategy Statement for the period 2011 to 2013 which sets out the Office’s strategic direction for the next 3 years. The aim of the Strategy Statement is to facilitate an environment in Ireland where individuals are able to achieve their rights and entitlements under the various pieces of IP legislation to the greatest extent possible and according to their needs. It is also intended to ensure that staff recognise and work towards achieving a common set of goals for the future development of the Office and its activities. The Office’s business plans for each of the next three years will, in turn, focus on the key tasks necessary to achieve the high level objectives set out in the Strategy Statement.

The following commentary and accompanying statistical report considers the activities of the Office during 2011 in the context of six strategic objectives set out in the Strategy Statement. These objectives are seen as central to fulfilling the mission of the Office and maintaining its operational efficiency. The mission and strategy of the Office also ties in with the wider national objectives of supporting and encouraging enterprise and innovation and fostering an effective business environment in Ireland.

Objective (1)

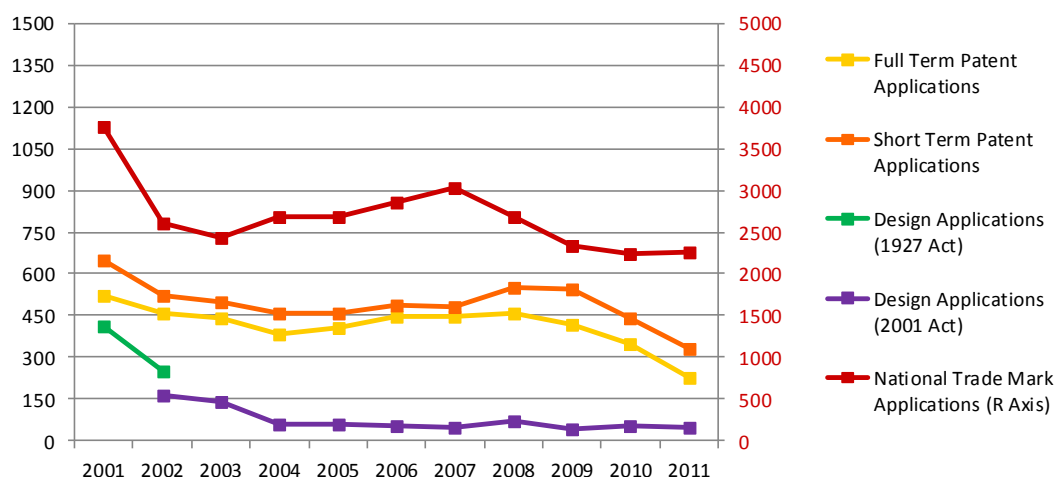
Continue to grant patents and register trade marks and designs based on efficient administrative procedures and standards of service (which are in line with those reflecting best international practice and which meets the needs of customers).

In recent years, intellectual property rights (IPRs) have begun to take on a more significant role in Ireland’s economy. There is now recognition that an ability to develop innovative ideas and to commercialise those ideas can be a significant contributor to economic success, - particularly for small and medium sized enterprises. Individual entrepreneurs seeking investment to develop new ideas, provide services, launch new brands and designs are now more cognisant of the value of IPR’s and are more likely to promote their ownership of IPR’s when preparing business plans or making a case for capital investment in their business.

The explosion of the Internet has brought about a mixture of threats and opportunities in IP. The virtual world has brought new business opportunities for enterprises to exploit copyright and trade mark ownership for selling products in the online marketplace. At the same time, there is a challenge to ensure that the rights of creators can be protected in the online environment notwithstanding rapid technological advancement.

Notwithstanding the increased awareness of IPR’s in recent years and the opportunities to exploit and use IPRs at home and abroad, the economic downturn continues to have a significant impact on the filing of applications for these rights. The filing of new national patent, design and trade mark applications have all suffered declines of varying degrees in the period covered by the last strategy statement and this trend continued into 2011.

National Patent, Trade Mark and Design Applications 2001-2011



The Patents Office monitors patent and trade mark applications and renewals on a quarterly basis to gauge IP activity in Ireland and also consequential effects on the level of the Office's fee income. Previous quarterly reviews revealed a general downward trend in each quarter since 2008 reflecting the continuing economic recession. The WIPO report *World Intellectual Property Indicators 2011*, shows that intellectual property filings worldwide rebounded strongly in 2010 after considerable decline in 2009. While growth in IP filings outstripped the overall economic recovery rate in several of the larger economies such as China, the US and Japan, this was not the case for a large number of smaller countries like Ireland where declines continued in 2010 and again in 2011. Indeed, the picture at the end of 2011 shows an overall downward trend in filings which suggests that it may be some time before we see any improvement in these indicators.

- Applications for national patents continued to decline sharply. National long term Patent filings received during 2011 were down 34% on 2010 (from 350 to 230) while the number of short term patent applications filed was down 25% on 2010 (from 442 to 331).
- Applications for Supplementary Protection Certificates increased slightly (by 8%) from 38 in 2010 to 41 in 2011.
- Applications for the registration of industrial designs which has been at a very low level since 2003 when the Community Design registration system first came into being, showed slight increases in 2009 and 2010 but fell back by 15% in 2011 (from 54 to 46).
- The total number of National trade mark applications received in 2011 showed a very marginal increase of 0.5% over the 2010 figure (from 2,239 to 2,251) However, international applications for marks seeking protection in Ireland continued to decline, down 8% by comparison to 2010 (from 1,530 to 1,410).

The data indicates that the recession is continuing to impact on the filing of applications for the registration of IP rights in Ireland. It is also indicative of a continuing decline in business confidence, allied to difficulties in accessing finance, which impacts on investment in innovation.

Declines in business volumes and in particular decisions by business not to maintain their IP rights in force, impacted on the Office's fee income. Net receipts accruing to the exchequer in 2011 were down slightly by 5.6% on 2010 (from €8.8m. to €8.3m.). The greater proportion of the Office's fee income comes from renewal fees on European Patents and so far income from these renewal fees amounting to €5.7m. has continued to increase year on year (up 0.7% on 2010). This relatively stable income stream has, in part, compensated for declines in other fee income.

The development of a strong customer service ethos is an integral part of the Office's Customer Service Action Plan. The Plan sets out a series of customer service targets against which performance of the Office in respect of the processing of applications for IP rights, their registration and subsequent administration is monitored during the year. The level of performance against specific customer service targets achieved during 2011 is reported on in some detail further on in this report. Performance was very satisfactory overall with levels of achievement recorded in the upper quartile in all cases. The Office seeks to avail of every opportunity to streamline and as far as possible automate its processes and file management and its success in this regard is evidenced by the growing number of targets which are fully met. The Office has embarked on a cooperation project with OHIM which will facilitate the online filing of trade mark applications in 2013, allow improvements in application processing and contribute to further improvements in performance levels.

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.

The Government has continued to emphasise the need for quality and efficiency in the delivery of services to customers and accordingly the Office continued to focus on its role in relation to the effective and efficient delivery of services. Our commitment to quality customer service is outlined in our Customer Service Action Plan 2010 – 2013, which is available on our website. 93% is the average level of achievement against target for the 35 customer service targets which establish optimum time limits for carrying out various customer focused activities and tasks. These are detailed in the "Performance Targets" section of the report. During 2011, staff continued to refine the work processes and technology solutions that underpin its core products and services to provide more efficient service delivery. The following two examples are illustrative of improvements obtained as a result of refining work processes.

- The time taken to process agent filed Short Term Patent Applications from filing to the grant approval stage has been reduced from an average of 9 months in 2010 to currently 6 months or less.
- The time taken to process a properly completed trade mark application (where the Office raises no objections) from filing to acceptance was 13 weeks in 2010 and is now less than 6 weeks.

A significant percentage of the Office's business transactions — particularly those related to the receipt and processing of applications are paper-based, which hampers efficient service delivery. Recognising this, since 2010, the Office has pursued an

e-communications programme which has the aim of improving service delivery and more efficient processing. The project initially facilitated the issuing of thousands of renewal reminders and overdue reminders electronically by Email instead of by post and was further expanded to include other correspondence in 2010 and 2011. Some 12,000 items of correspondence are now issued by Email each month. The objective is to combine electronic filing, electronic file processing and electronic communications in a way that will facilitate the introduction of paperless processing in the Office in the next few years.

Paperless processing has already been introduced in respect of some 30,000 European Patents which are designated and validated in Ireland each year. Data related to these European Patents is received and stored electronically and this has facilitated ease of access to the files for staff, has reduced processing time and has reduced the requirement for storage space for paper files. The report of the Innovation Task Force, published in March 2010, included a recommendation that the Office should introduce electronic and after hours filings. While a detailed requirements analysis had been completed, the need to consider and evaluate specific e-Forms technology which had been proposed by the Department's IT Unit, caused a significant delay to the commencement of this project. However, in 2011 the Office decided to participate with the OHIM and a number of European IP Offices in a Future Software Package project which will facilitate the introduction of a system of online filing for trade marks in 2013. The development and integration work involved in bringing this project to fruition is being funded under the OHIM Co-operation fund and will enable the Office to offer a system which is on a par with some of the major European Offices which are also involved in the project and at a much lower cost than if it had commissioned the development work itself.

As an interim measure to meet the need to introduce electronic and after hours filing and pending the progress on the online filing project, the Office introduced an electronic drop box which facilitates the submission of encrypted patent, trade mark and design applications and associated documents electronically and securely via the Internet. The drop box facility is not for single or one off applications but rather is for use by persons or firms which make or intend to make a number of applications for intellectual property rights in the course of a year. At the end of 2011, 10 firms were availing of the electronic drop box facility.

In addition, the Office received sanction to establish two new bank accounts which allowed it to improve the fee payment options available to its customers. In line with Government policy to promote the increased use of electronic payments in the public service and throughout the economy, 89% of the Office's statutory fees are now paid electronically compared to 64% in 2010.

During 2011, a number of ICT software and hardware upgrades were effected which will ensure that the Office's core business systems and their technical infrastructure remain current. In addition, six substantive enhancements to the PTOLEMY administration system were developed and implemented in 2011, all of which were aimed at improving operational efficiency. The Office will also upgrade its in-house trade mark search system (ACSEPTO) to the latest version which is also used by OHIM (The Community Trade Mark Office), the UKIPO and several other European Offices. The upgrade is in line with best international practice and will make for more efficient searching which is an essential part of processing and examining trade mark applications. It includes more features, including image recognition, and provides an opportunity to consider and implement improvements to the existing search processes and procedures.

Objective (3)

Contribute to the drafting and subsequent implementation of any new IP legislation which creates functions for the Controller.

The Intellectual Property Unit (IPU) of the Department of Jobs, Enterprise and Innovation has responsibility for intellectual property policy and preparation of legislation in this field. The Patents Office furnishes advice on these matters, in particular on the impact of proposed legal or regulatory changes on the work of the Office. In November 2009, the role of Controller and Head of the IPU were vested in the same individual. This dual responsibility has facilitated greater coordination between the policy and operational functions.

During 2011, the Office made proposals and provided input to the Intellectual Property unit of the Department in relation to the drafting of the following matters:

- The Patent (Amendment) Rules 2011 (SI No 79 of 2011)
- The regulatory impact analysis and draft legislation to provide for the ratification and implementation of the Singapore Treaty.
- The regulatory impact analysis on the Review of the Patents Act 1992
- Draft Patents Trade Marks and Designs (Fees) Rules

Objective (4)

To increase awareness of intellectual property.

Once again, a key challenge in a period of faltering economic recovery and weak domestic demand has been to raise the awareness and understanding of Irish business and society about how to make the best use of the IP system when undertaking innovative and new business projects. The Innovation Task Force Report released in March 2010 recommended that there should be a more coordinated approach in delivering the Government's wider innovation policy in relation to IP training, awareness raising, the provision of advice and initiatives and supports for business and industry. During 2011, with this recommendation in mind, the Office sought to increase cooperation with The Enterprise Europe Network, Enterprise Ireland and the County Enterprise Boards through delivering a further series of one-day regional seminars, aimed at the 'small business' community, entrepreneurs and inventors, on the theme of 'Building a Business on Your Ideas'. The seminars focused on making business more aware of IP, of the possibilities to exploit the value of the IP inherent in most businesses and the support structures that are available for small businesses and start-ups from the State and Europe. Seven of these seminars took place in 2011 in Cork, Galway, Dundalk, Kilkenny, Dublin, Waterford and Sligo in conjunction with the Institutes of Technology. Over 600 people in total attended, with a number of seminars fully booked or at capacity.

The seminars were made more interesting and relevant as a result of participation by private sector speakers from the Association of Patent and Trade Mark Attorneys, the company 'Technology from Ideas' and the local entrepreneurs, who gave of their time on a no-fee basis.

In line with its strategic objective to increase awareness of IP among the public, the Office continued with its outreach efforts directed particularly at the small business startup sector and students. Altogether, the Office participated in some 16 events speaking on IP at start your own business courses and at business advice and enterprise exhibitions and shows.

The Patents Office held 27 IP clinics in 2011. The clinics give an opportunity to members of the public, inventors, entrepreneurs and business people to discuss with Patents Office staff on a one to one basis, their ideas and matters concerning IP (patent, trade mark or design) applications they intend to make or have already made to the Office. This approach can be particularly helpful in providing basic guidance on procedures and forms required for the registration of IP rights, the process of obtaining IP protection in Ireland or abroad and the timeframes involved. Assistance in constructing a do-it-yourself search strategy for patents, trade marks or registered designs and accessing and using online patent, trade mark and design databases is also provided.

The Office also continued to promote awareness of IP amongst second level students, parents and members of the public attending the BT Young Scientist & Technology Exhibition. The Junior Inventor Competition which was held in conjunction with World IP day in April also gave an opportunity to promote invention and innovation in primary schools around the country.

BT Young Scientist & Technology Exhibition

The annual BT Young Scientist & Technology Exhibition took place in the RDS, Dublin from 12 -14 January 2011. With over 500 exhibitors, this year proved to be one of the largest. The exhibition has long been the constant in encouraging interest in science in secondary and primary schools. The Irish Patents Office once again took a stand for the duration of the exhibition. The Office has found that our presence at the exhibition is a useful avenue for imparting knowledge on intellectual property to the younger generation and to offer advice to participants in the Young Scientists Exhibition on patenting. The Office continued with its sponsorship of a special award at this year's event. The Irish Patents Office Award is made to the student or group of students whose project best demonstrates the use of technology in new or improved applications, enhanced efficiencies and novel innovations.

The winner of the 2011 Patents Office sponsored prize was Quinn Unger from Mount Saint Michael, Rosscarbery, Cork with his project; "A single pedal replacement for double bass pedals—i.e. the substitution of the drive-shaft operated double bass pedals with a single pedal design to free the "hi-hat" for the drummer's convenience".

Junior Inventor 2011

The aim of the Junior Inventor competition is to encourage children to be innovative and creative in finding solutions to everyday problems and to also hopefully sow the seeds of interest in science and engineering at an early age. The 2011 competition held to celebrate World Intellectual Property Day on 26 April, featured over 2,500 entries from 234 schools throughout Ireland. The 2011 winners were a group of 6th class students, Andrew Doran, Roisin Connolly, Kate Dowling and Abbie Byrne from Scoil Naomh Iosaf, Baltinglass, Co. Wicklow. Their winning entry was entitled "Cinema Seat Availability" for a lighting system for cinemas that makes it easier to find a seat in the dark. The group said that their idea was that a tiny green light would be visible on a cinema seat which was upright and not in use. If a seat was in use or the occupant temporarily leaves, the light on the seat will show red for a period of ten minutes. After this time it would change back to green to indicate that the seat was once again available.

Minister Sean Sherlock TD awarded prizes at a prize giving ceremony in Kilkenny.

Objective (5)

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 ongoing commitment of staff, at all levels, to provide an efficient quality service, initiate and deliver change and continue to improve work practices has allowed the Office to deliver an efficient and quality service with less staff resources. As of 31 December 2011, the Office had 57 authorised posts –2 less than in 2010. However, when career breaks, work-sharing and other family friendly working arrangements are taken into account, the Office operated with a staffing level of 50 full time equivalents during 2011.

The Office is committed to ensuring that all staff performance is appraised regularly and that staff reviews are completed in a timely fashion. 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 staff had identified in their personal development plans for 2011. Outside of continuing on-the-job training, staff in my Office undertook a total of 79.5 training days during 2011. Training was provided in areas such as project management, information and communication technology skills, presentation skills and communications and assertiveness skills.

As part of the Government's National Climate Change Strategy 2007 to 2012, the Patents Office has been participating in a pilot staff energy awareness scheme being run by the Office of Public Works in 20 Government Buildings throughout the country. The scheme has a target of reducing energy consumption through a local energy conservation campaign, energy workshops and monitoring the performance of heating/air conditioning equipment. In 2011, the Patents Office received a prize for achieving a significant reduction in gas and electricity consumption, and for the consequent reduction in CO2 emissions over the period 2007 to 2011 in the category of naturally ventilated buildings.

Objective (6)

To represent Ireland at international fora.

Patents Office staff represent Ireland on the Administrative Council of the EPO and its various Committees, the Administrative Board and Budget Committee of OHIM and several of its technical and liaison committees which deal with various issues concerning intellectual property. In addition, staff participate in meetings of governing and technical bodies of the World Intellectual Property Organisation (WIPO) (which administers both the Patent Co-operation Treaty and arrangements under the Madrid Protocol dealing with international trade mark applications) in addition to a number of international IP treaties.

Both the EPO and the OHIM offer alternative routes to obtaining IP protection in Europe and the Office's involvement with these organisations is aimed at ensuring that Irish interests are appropriately represented, at keeping abreast of best practice at an international level and to facilitate collaboration with other national and international industrial property offices.

The Office has bilateral cooperation programmes with the EPO and OHIM under which it receives assistance towards participation in various IP awareness raising events, specialist IP training, ICT projects to facilitate IP data exchanges, the development of tools to provide better access to IP information etc. Our participation also facilitates dialogue on the content and structure of cooperation programmes between those organisations and other national IP Offices in Europe which in turn enables the Office to further enhance or develop its customer services.

International Co-operation



The Office participates in cooperation activities with its international counterparts, the Office for Harmonisation of the Internal Market (OHIM) and the European Patents Office on a number of projects, which are designed to promote harmonisation across national IP offices, and make things easier for users of the patent, trade mark and design systems.

The following are examples of some of the co-operation projects undertaken in 2011.

EUROCLASS

EUROCLASS is an online tool that allows trade mark applicants and users consult a list of goods and services that are acceptable to the seventeen participating Offices. It is designed to assist trade mark applicants to identify acceptable terms and to classify correctly their goods and services into the right classes. If a term is listed in the Irish EUROCLASS database it will be accepted as valid. Where no entry is found, a list of alternative acceptable terms in the classes searched may be identified. If no entry for the proposed term exists in EUROCLASS the Office may seek clarification from the Applicant

The system is based on the 9th Edition of the Nice Classification managed by WIPO. The Alphabetical List of the Nice Classification contains c. 10,000 entries in English and the harmonised database has in excess of 100,000 English entries. WIPO will act as mediator in the event of any dispute between the participants.

The EUROCLASS tool was developed as a cooperation project with the OHIM and national trade mark offices from a number of EU member states. It is hosted by the OHIM website and may also be accessed from the pages dealing with trade mark classification on the Patents Office website.

TMview

TMview is another cooperation project between the OHIM, WIPO and EU national trade mark offices. It is an online consultation tool hosted by OHIM which provides users with the possibility to search, **free of charge**, the trade marks of all official trade mark offices which are participating in the project. With the gradual integration of all offices and organisations, TMview aims to be the platform for registered trade mark data from all 27 EU Member States in addition to the information available from OHIM and WIPO. The Irish Patents Office began discussions with OHIM in 2011 with a view to integrating its trade mark database and register information in TMview.

SENIORITY

Articles 34 and 35 of Community Trade Mark (CTM) Regulation, and Rule 8 of the CTM Implementing Regulations, provide a legal basis for seniority claims. Based on these provisions, applicants or proprietors of a CTM who already hold a prior identical registered national trade mark in one of the EU Member States for identical goods and services may claim the seniority of that mark. This allows them to preserve their prior rights even if they surrender their national trade mark or do not renew it. The right obtained by the national registration will continue to exist under the umbrella of the CTM.

The effective implementation of seniority claims depends on the existence and maintenance of reliable data in the databases and registers of the relevant national offices, which are ultimately one of the key sources for the information that the end user receives. During 2011, the Office completed a cooperation project with the OHIM whereby the Office upgraded content of its trade mark register so as to indicate instances where the OHIM have notified the Office of a seniority claim in respect of an Irish national trade mark registration. It is also possible to link back from the Irish registration to the relevant CTM online register entry by clicking into the details of the CTM number for which the seniority of the national mark is claimed.

FEDERATED EUROPEAN PATENT REGISTER

Announced at the EPO Patent Information Conference in Ireland in October 2011, the EPO in cooperation with national patent offices has begun a programme of deep linking to data on national patent registers which makes legal status information on European patents more easily accessible.

Online inspection of the EPO's European Patent Register now allows access to the national record in the Irish Patents Register and in several national patent registers via the relevant deep link. The EPO is working on increasing the number of national registers that can be deep-linked in this way.

EUROTAB

Ireland being party to the European Patent Convention (EPC) shares a great deal in common with its 37 co-members in respect of patent practice. All EPC member states are required to reflect the principles of European patent law in their national legislation. Nonetheless, within each jurisdiction, emphasis and interpretation can differ according to national practice and tradition. EUROTAB is an annual round-table meeting to which patent examiners from each EPC member state and the European Patent Office (EPO) can meet to discuss topics of common interest or where there is divergence in national practice.

In May 2011, this meeting was hosted by the German Patent and Trademark Office (DPMA) at its headquarters in Munich. Ireland presented the lead paper on one of the main agenda items, namely "Supplementary Protection Certificates: national implementation and practice". Other issues discussed at the meeting were:

- Double patenting;
- Asian prior art searches;
- Interaction between Patent Offices and applicants/representatives: experiences in development and use of concepts of best practice.

2011 EPO Patent Information Conference

In October the Patents Office hosted the 2011 EPO Patent Information Conference in Kilkenny in the Lyrath Hotel and Conference Centre on the outskirts of the city. This conference, organised by the European Patent Office, has been running since 1991 and has grown to become one of the largest events of its kind in the Intellectual Property world. This year it brought some 320 delegates - patent searchers, information specialists and commercial providers of data and search services – from as far away as China, Australia and New Zealand. Many of these experts come from some of the most innovative companies on the global stage, such as Nokia, Siemens, Shell and Novartis.

The conference was opened by Minister Richard Bruton who highlighted the increasing importance of innovation and intellectual property in Ireland's economy. In his opening address Benoît Battistelli, the EPO President, remarked "it is quite simply the public's right to have access to patent information, which makes it our duty to publish patent data with maximum transparency." In this way he highlighted the importance of access to worldwide patent data, and drew parallels with the recent "open government" initiatives in the US and Europe.

Concentrating on the "open data" theme, one of the keynote speakers, Professor Nigel Shadbolt, from the University of Southampton and an advisor to the UK Government on how to transform public access to Government information, highlighted the opportunities available to companies to process much of this dormant government data into useful web and mobile applications for the benefit of citizens and communities. He also challenged all patent offices to make their valuable sources of data as open and accessible as possible.

Jim O'Hara, the recently retired CEO of Intel Ireland and the then Chair of the Government Taskforce on Research Prioritisation spoke on the topic "A high-tech view on patents and their impact on business development".

In addition to the formal conference presentations, there was also a series of small discussion groups on a diverse set of related topics such as the creation and maintenance of a worldwide patent legal status database, the enhancement of machine translation services for patent documents, and the importance of developing agreed standards for patent databases. An exhibition ran in parallel to the timetabled events with 30 stands manned by many of the big information companies in the IP field, such as Thomson Reuters, Questel and Dialog.

Office Publications

Patents Office Website

The website (www.patentsoffice.ie) provides a general introduction to intellectual property and specific information about how to protect your ideas and includes a section on IP for business.

Material published on the website includes previous years annual reports, a range of IP information booklets, the Office's current statement of strategy and customer service action plan and all primary and secondary legislation governing the functions of the Patents Office.

The following services are available online:

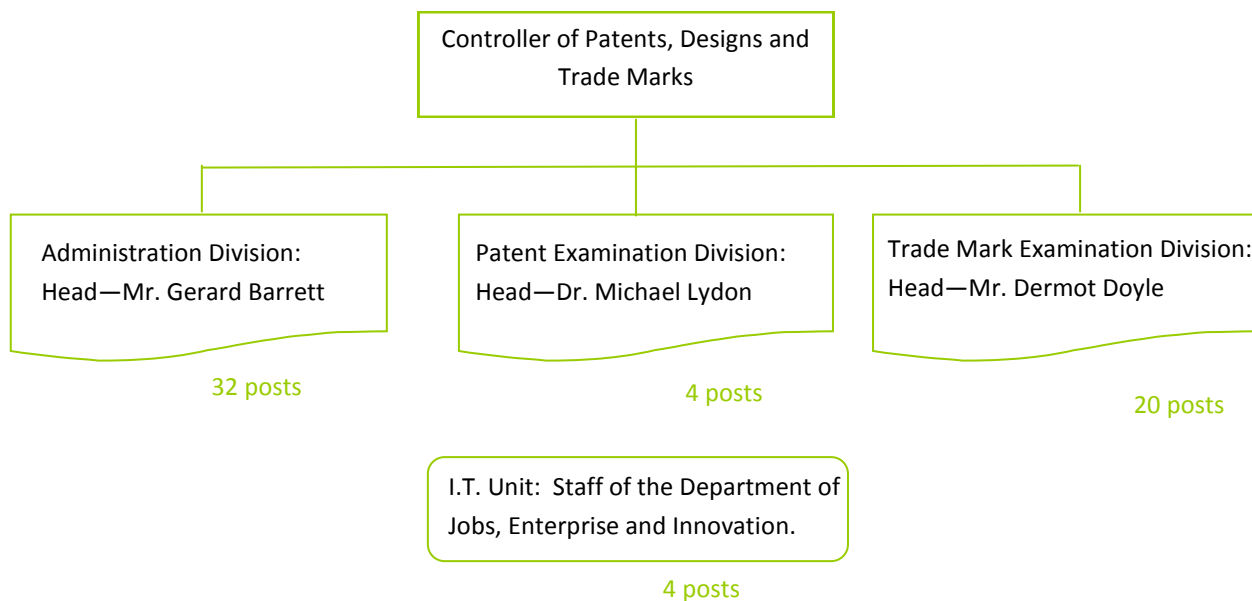
- View and Search the Registers and Databases - search for patents, trade marks, designs
- Access and view the registers of copyright licensing bodies
- Access and view the registers of patent and trade mark agents
- Pay your patent, trade mark or design renewal fees online.
- Pay your patent grant and trade mark registration fees online
- View the decisions of the Controller in trade mark inter-partes cases.
- Search and view the Patents Office Journal online.

The Official Journal

The fortnightly Official Journal is published on our website. Each Journal issue has a searchable index, along with information on actions relating to patent, trade mark and design applications and registrations. For example, you can view details of accepted trade marks and designs in the Journal. The Journal also includes details of patents applied for, published and granted including patents granted under the European Patent Convention designating Ireland.

The Journal also contains information such as official notices, details of methods of payment of statutory fees and Patents Office opening hours.

Organisation Structure and Personnel



Number of Staff serving as at 31 December 2011

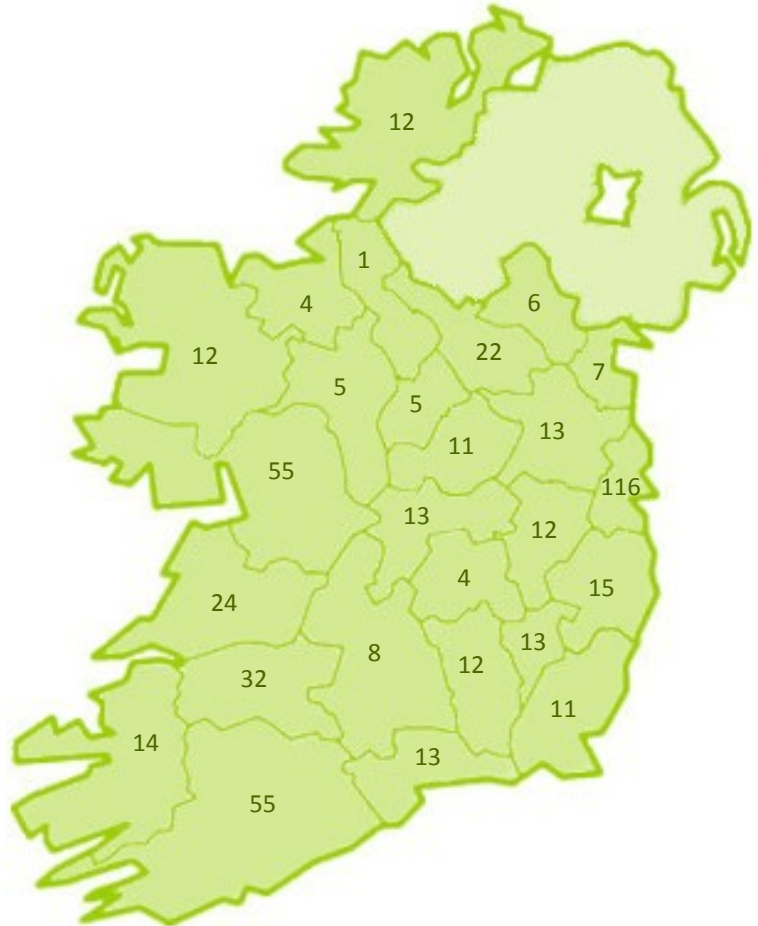
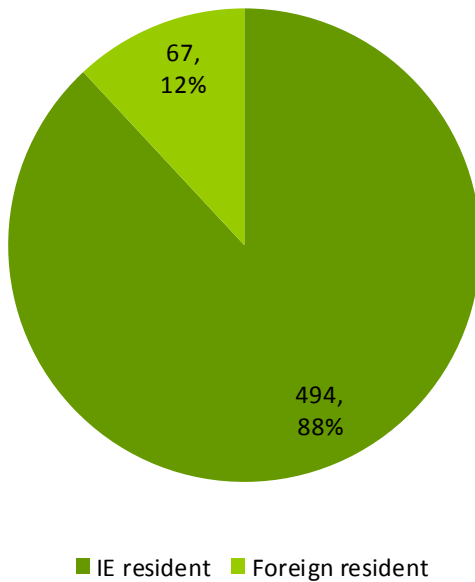
Number	Title of post
1	Controller
2	Assistant Principal
1	Senior Patent Examiner
5	Higher Executive Officer
1	Administrative Officer
3	Patent Examiner
18	Executive Officer
1	Staff Officer
24	Clerical Officer
1	Services Officer
57	

This staff figure includes 17 staff; 3 Higher Executive Officers (HEOs), 9 Executive Officers (EOs) and 5 Clerical Officers (COs) who availed of a work-sharing scheme, which permits a variety of attendance patterns. Three staff availed of a teleworking scheme, which permits staff to carry out their duties from home for part of the week. Three members of staff (COs) were on career breaks. The number of full-time equivalent posts in the Office at 31 December 2011 was 49.6.

The Department of Jobs, Enterprise and Innovation provides information technology services to the Office. There are 4 staff members of the Department's IT Unit (1 HEO, 2 EOs and 1 CO) situated in the Office.

Business Statistics - Patents

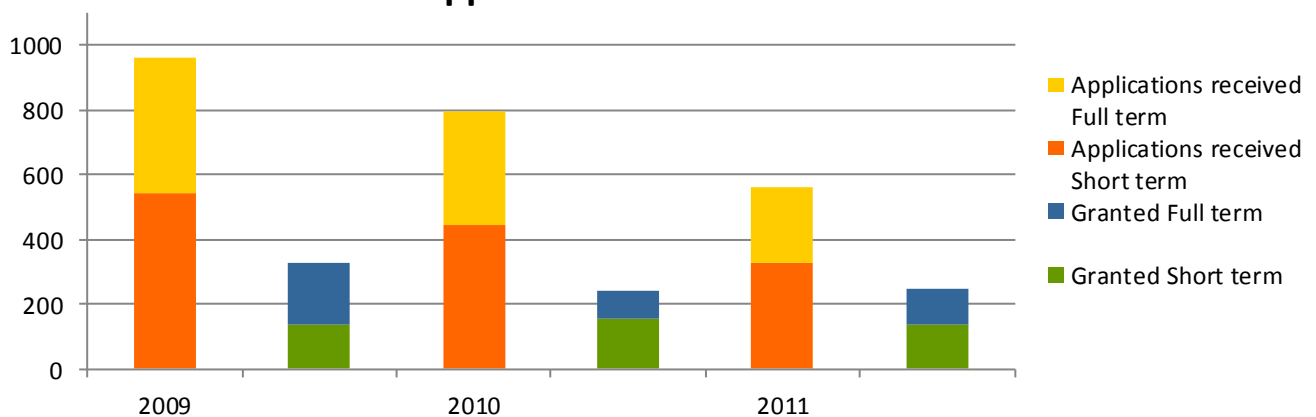
National patent applications by country of first applicant.



National patent applications by county in 2011

YEAR	APPLICATIONS RECEIVED			PATENTS GRANTED		
	Full Term (20 year)	Short Term (10 year)	TOTAL	Full Term (20 year)	Short Term (10 year)	TOTAL
2009	415	546	961	191	137	328
2010	350	442	792	87	156	243
2011	230	331	561	114	136	250

Patent Applications and Grants 2009-2011



As at 31 December 2011, there were a total of 1,616 pending applications on hand. Of these 492 applications were awaiting the submission of evidence of novelty.

The number of applications received from applicants in the State was 494 compared with 733 in 2010.

Patents granted in 2011 having effect in the State

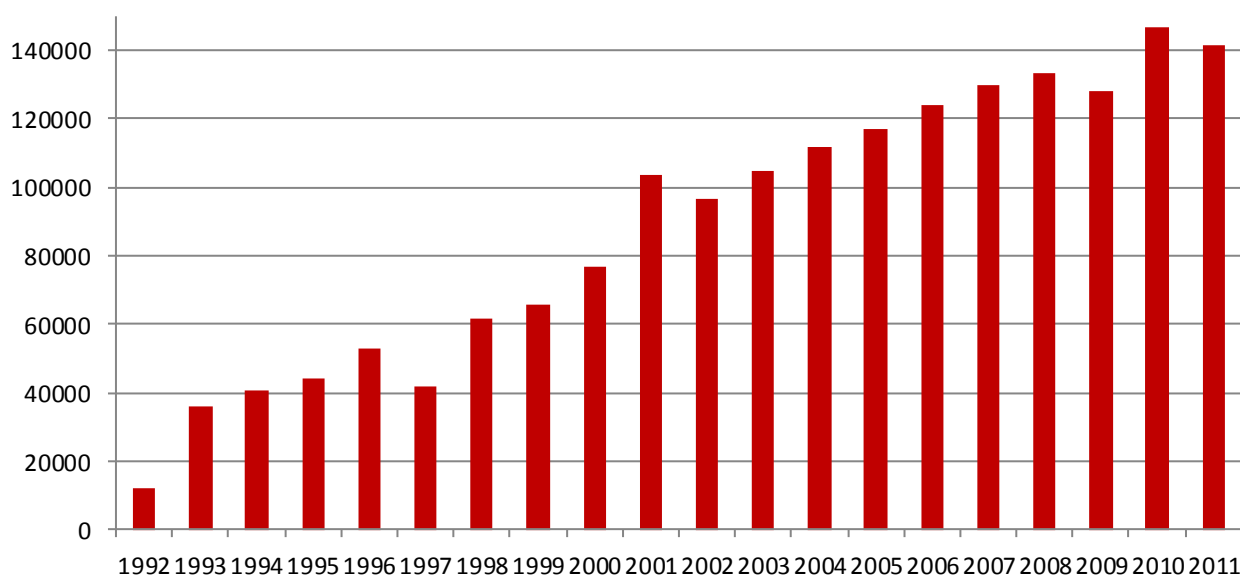
2011	Total	Number of patents granted to Applicants from within the State	% of patents granted to Applicants from within the State
Granted by Office	250	195	78%
Granted by EPO	45,505	185	0.40%
Total Grants	45,755	380	0.83%

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

Year	Filings	Year	Filings	Year	Filings
1992	11,755	1999	65,708	2006	123,912
1993	35,762	2000	76,806	2007	129,890
1994	40,705	2001	103,659	2008	133,248
1995	44,161	2002	96,779	2009	128,378
1996	52,755	2003	104,529	2010	146,726
1997	41,875	2004	111,537	2011	141,373
1998	61,584	2005	117,096		

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.

European Patent Applications designating Ireland



Other matters affecting the Register of Patents

Other Patent Activity

	2009	2010	2011
Patents and patent applications the subject of assignments	809	800	826
Patents revoked	0	0	0
Patents surrendered	0	1	0
Patents lapsed	22,655	26,579	23,307
Patents restored/reinstated	16	13	15
Patents renewed	41,472	42,155	42,023
Patents expired	437	461	467
Patents in force	78,916	79,040	88,044

Hearings & Miscellaneous Matters

	2009	2010	2011
Hearings	1	0	1
International Patent Co-operation Treaty (PCT) Applications received for transmission to WIPO	91	79	67
European Patent Applications received for transmission to the EPO	39	27	27

Requests for Supplementary Protection Certificates

A total of 41 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, 16 certificates were granted (medicinal and plant protection), 3 requests were rejected and 1 request was withdrawn. At the end of the year there were 101 requests pending.

Register of Patent Agents

At the end of 2011, there were 79 individuals and 6 partnerships entered in the Register of Patent Agents.

CLASSIFICATION OF PATENTS GRANTED BY THE OFFICE IN YEAR ENDED 31 DECEMBER 2011

ACCORDING TO THE INTERNATIONAL PATENT CLASSIFICATION (IPC)

Note on Patent Classification

Patents are given classifications based on their technical content. Such classification allows retrieval of patents according to the nature of the inventions revealed therein. The International Patent Classification (IPC) consists of about 70,000 classification symbols divided between 8 basic sections (A to H), relating to different basic kinds of technology. In 2011, it was in its 9th edition (Int. Cl. (2009)).

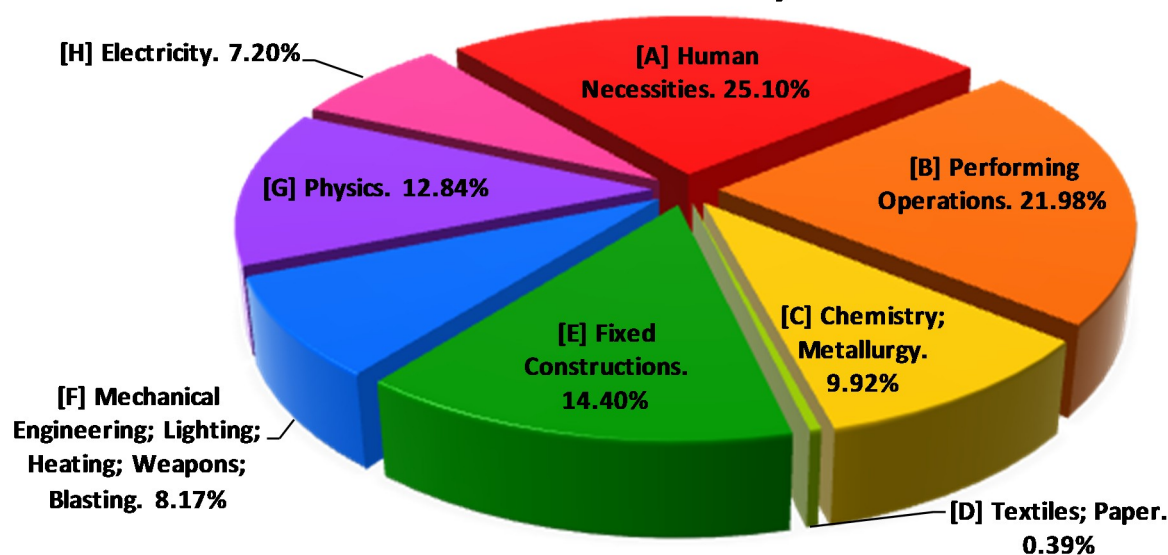
A classification code is given for each inventive thing in a patent. A patent may contain two or more inventions as long as they are sufficiently related; for instance, a new chemical compound and its use as a medicine or herbicide, or a new laser and its use in eye surgery or data readers. Accordingly, a patent may need a number of classification symbols to cover the whole of its content.

The accompanying table and graph collates the total number of classifications allocated to granted patents in 2011. Each individual classification represents an inventive element disclosed in a patent, so this is akin to a tally of inventiveness. The classifications are grouped by IPC section.

CLASSIFICATION	No of grants in Classification *
A. HUMAN NECESSITIES: e.g. Foodstuffs, Health, Personal Articles	129
B. PERFORMING OPERATIONS; TRANSPORTING: e.g. Shaping, printing, vehicle technology.	113
C. CHEMISTRY; METALLURGY	51
D. TEXTILES; PAPER	2
E. FIXED CONSTRUCTIONS: e.g. Building, drilling, mining.	74
F. MECHANICAL ENGINEERING; LIGHTING; HEATING; WEAPONS; BLASTING	42
G. PHYSICS: e.g. Optics, computing, nuclear physics.	66
H. ELECTRICITY: e.g. Electronic circuits, electricity generation and distribution.	37

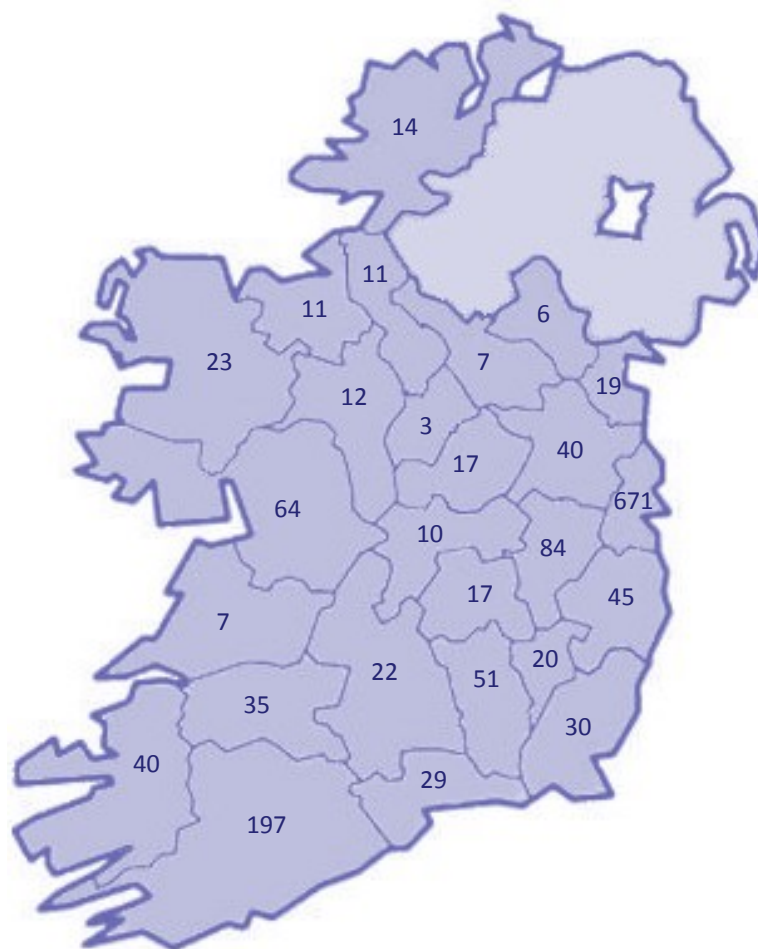
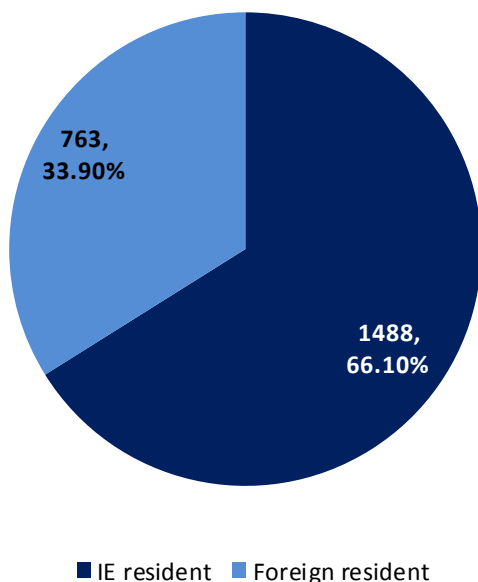
* Note:- Because it is possible that a granted patent may be classified in more than one technical field, the number of classifications into which these patents fall will exceed the total number of patents granted.

Granted Patent Classifications by IPC section in 2011



Business Statistics - Trade Marks

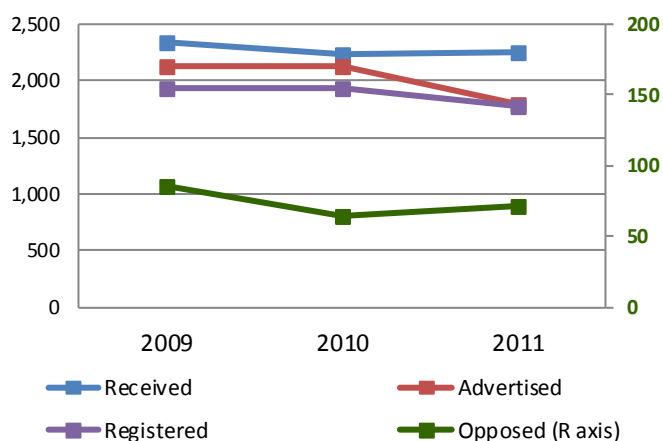
National Trade Mark applications by country of first applicant.



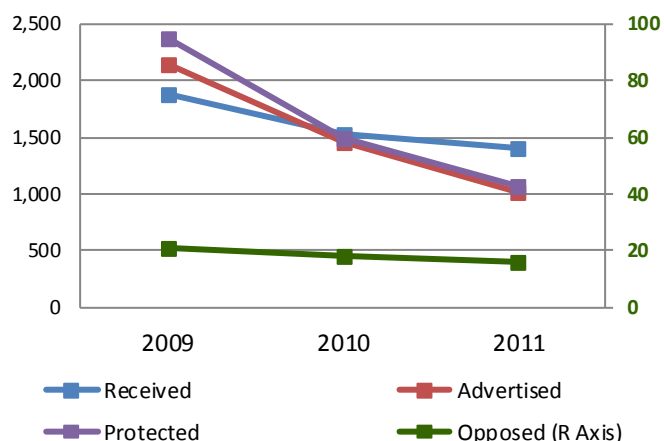
National Trade Mark applications by county in 2011

Year ended	National Applications				International Registrations designating Ireland			
	Received	Advertised	Opposed	Registered	Received	Advertised	Opposed	Protected
2009	2,339	2,123	86	1,935	1,871	2,139	21	2,368
2010	2,239	2,122	64	1,933	1,530	1,450	18	1,489
2011	2,251	1,803	71	1,783	1,410	1,021	16	1,069

National Trade Marks 2009-2011



International Trade Marks 2009-2011



Other matters affecting the Register of Trade Marks

	2009	2010	2011
Number of trade marks the subject of assignments	1,560	1,276	1,853
Number of licences of trade marks recorded in the register	20	450	66
Trade mark registrations removed for non payment of renewal fees	9,253	7,996	3,684
Trade mark registrations surrendered	24	33	29
Trade mark registrations restored	13	23	13
Trade mark registrations renewed	6,517	5,489	4,270
National trade marks revoked in full and in part	6	8	5
International trade marks revoked in full and in part	0	0	0
National trade marks declared invalid	4	2	2
International trade marks declared invalid	1	1	0
National registered trade marks in force	74,117	67,862	65,884
International trade marks in force	21,344	22,620	23,740
Total trade marks in force	95,461	90,482	89,624

Hearings & Miscellaneous Matters

	2009	2010	2011
Hearings (<i>ex-parte</i>)	0	3	6
Hearings (<i>inter-partes</i>)	5	4	15
Applications to convert European Community Trade Mark applications into national applications	65	63	60
International Trade Mark applications with Ireland as the Office of Origin filed and transmitted to WIPO	38	44	63
Community Trade Mark applications filed through the Office and forwarded to the Office for Harmonisation in the Internal Market (O.H.I.M)	1	0	1

Register of Trade Mark Agents

At the end of 2011, there were 204 individuals and 5 partnerships entered on the Register.

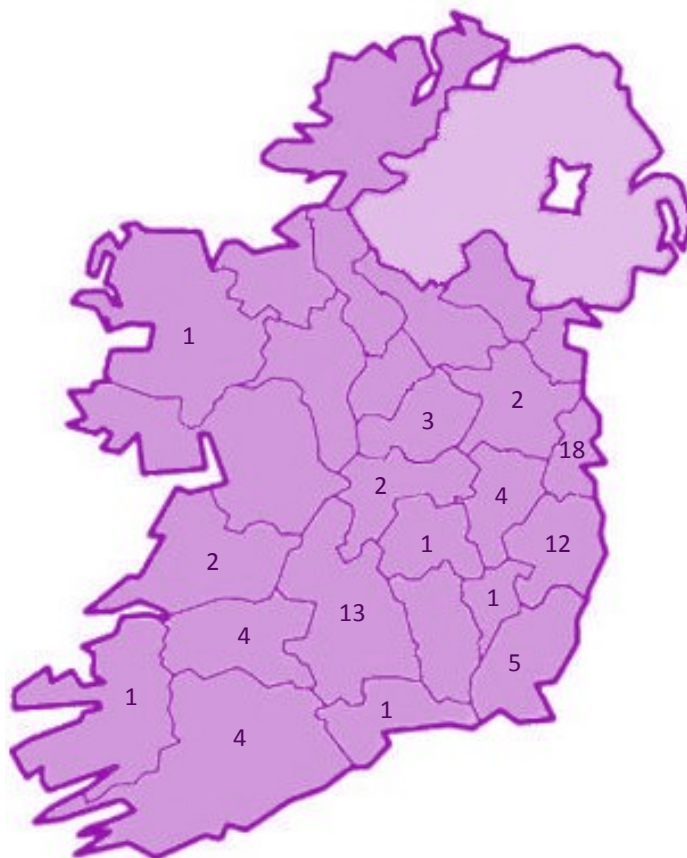
INTERNATIONAL CLASSIFICATION OF GOODS AND SERVICES INTO WHICH MARKS REGISTERED IN 2011 FALL

A multilateral treaty called the “Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks” established a classification system for trade marks. The Nice Classification comprises 45 class headings which describe in very broad terms the nature of the goods or services contained in each of the 34 classes of goods and 11 classes of services into which trade marks may fall. The classification is administered by the World Intellectual Property Organisation (WIPO) and the current (ninth) edition has been in force since January 1, 2007.

Class	Classification of Goods	No of marks in classification	Class	Classification of Goods	No of marks in classification
1	Chemical Products, etc.	48	24	Tissues (piece goods), etc.	23
2	Paints, etc.	43	25	Clothing, including Boots, Shoes and Slippers	170
3	Bleaching Preparations, etc.	119	26	Lace and Embroidery, etc.	10
4	Industrial Oils, etc.	31	27	Carpets, etc.	10
5	Pharmaceutical Substances, etc.	242	28	Games, etc.	84
6	Unwrought and Partly Wrought Common Metals and their Alloys	26	29	Meat, Fish, Poultry and Game, etc.	193
7	Machines and Machine Tools, etc.	30	30	Coffee, Tea, Cocoa, Sugar, Rice,	231
8	Hand Tools and Instruments, Cutlery, etc.	20	31	Agricultural Products, etc.	42
9	Scientific Apparatus and Instruments, etc.	237	32	Beer, etc.	79
10	Surgical Instruments, etc.	23	33	Wines, Spirits and Liqueurs	55
11	Installations for Lighting, etc.	53	34	Tobacco, etc.	15
12	Vehicles; Apparatus for Locomotion by Land, Air or Water	24	35	Advertising, Business Manage- ment, etc.	272
13	Firearms, Ammunition and Projectiles; Explosive Substances; Fireworks	1	36	Insurance, Financial Affairs, etc.	129
14	Precious Metals and their Alloys, etc.	33	37	Building Construction, Repair, Installation Services.	70
15	Musical Instruments (other than talking machines and wireless apparatus)	6	38	Telecommunications	111
16	Paper, etc.	221	39	Transport, Packaging and Storage of Goods, etc.	79
17	Gutta Percha, India Rubber, etc.	23	40	Treatment of Materials	25
18	Leather, etc.	44	41	Education, Entertainment, etc.	290
19	Building Materials, etc.	47	42	Scientific and technological ser- vices	154
20	Furniture, etc.	53	43	Providing food and drink	110
21	Small Domestic Utensils, etc.	46	44	Medical services, etc	75
22	Ropes, etc.	10	45	Personal and social services	61
23	Yarns, Threads	1			

Business Statistics - Designs

	2009	2010	2011
Design Applications*	44	54	46
Number of designs applied for*	75	124	86
Designs Registered	72	93	112
Designs Lapsed	454	49	74
Designs Renewed (1927 Act)	134	119	85
Designs Renewed (2001 Act)	38	41	13
Designs in force (1927 Act)	1,176	945	715
Designs in force (2001 Act)	861	875	937

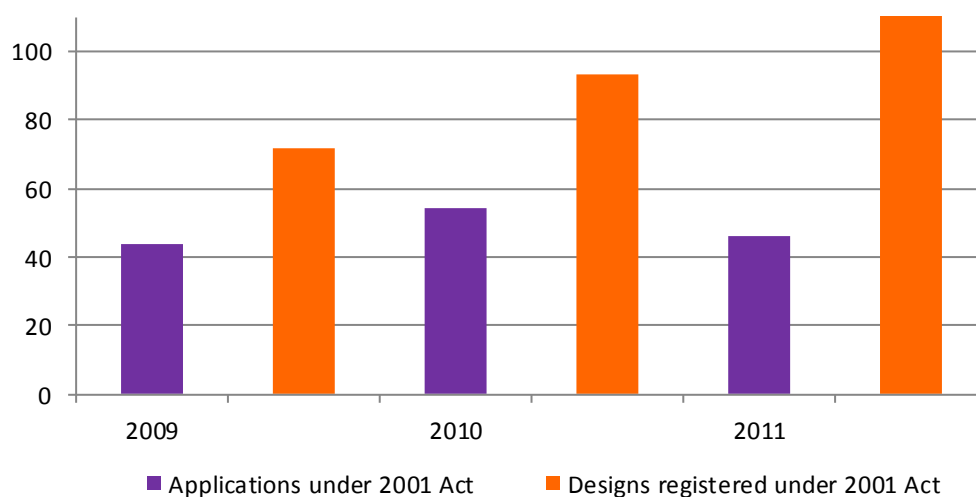


*Note-Rule 19 of the Industrial Designs Regulations 2002 provides that 2 or more designs subject to a maximum of 100 designs may be combined in one multiple application for registration of designs.

National design applications by county in 2011

	2009	2010	2011
Community Design Applications filed through the Patents Office and forwarded to the Office for Harmonisation in the Internal Market (O.H.I.M).	12	4	2

Design Applications and Registrations 2009-2011



DESIGNS REGISTERED UNDER THE INDUSTRIAL DESIGNS ACT, 2001 DURING THE YEAR ENDED 31 DECEMBER 2011

A multilateral treaty called “the Locarno Agreement Establishing an International Classification for Industrial Designs” established a classification system for industrial designs. The Locarno Classification comprises a list of 32 classes of goods in which industrial designs may be incorporated. The classification is administered by the World Intellectual Property Organisation (WIPO) and the current (ninth) edition has been in force since January 1, 2009.

Class	Classification	Designs Registered
1	Foodstuffs	
2	Articles of Clothing and Haberdashery	9
3	Travel Goods, Cases, Parasols and Personal Belongings, not elsewhere specified	1
4	Brushware	1
5	Textile Piece good Articles, Artificial and Natural Sheet Material	
6	Furnishings	9
7	Household Goods, not elsewhere specified	8
8	Tools and Hardware	3
9	Packages and Containers for the Transport or Handling of Goods	5
10	Clocks and Watches and other Measuring Instruments, Checking and Signalling Instruments	2
11	Articles of Adornment	33
12	Means of Transport or Hoisting	
13	Equipment for Production, Distribution or Transformation of Electricity	
14	Recording, Communication or Information Retrieval Equipment	
15	Machines, not elsewhere specified	
16	Photographic, Cinematographic and Optical Apparatus	
17	Musical Instruments	
18	Printing and Office Machinery	1
19	Stationery and Office Equipment, Artists' and Teaching Materials	6
20	Sales and Advertising Equipment, Signs	5
21	Games, Toys, Tents and Sports Goods	31
22	Arms, Pyrotechnic Articles, Articles for Hunting, Fishing and Pest Killing	
23	Fluid Distribution Equipment, Sanitary, Heating, Ventilation and Air-Conditioning Equipment, Solid Fuel	3
24	Medical and Laboratory Equipment	
25	Building Units and Construction Elements	12
26	Lighting Apparatus	7
27	Tobacco and Smokers' Supplies	
28	Pharmaceutical Products and Cosmetic Products, Toilet Articles and Apparatus	5
29	Devices and Equipment Against Fire Hazards, for Accident Prevention and for Rescue	
30	Articles for the Care and Handling of Animals	1
31	Machines and Appliances for Preparing Food or Drink, not elsewhere specified	
32	Graphic Symbols And Logos, Surface Patterns, Ornamentation	2
	Total	144*

*A Design may be registered in more than one class, therefore the total number of designs in the classes exceeds the number of designs actually registered.

Business Statistics - Copyright

References to the Controller under the Copyright & Related Rights Act, 2000

Under Section 38 of the Act, disputes between persons playing sound recordings in public and the owner of the copyright subsisting in the recordings, regarding the equitable remuneration payable to the copyright owner, may be referred to the Controller for determination.

Under Section 152 of the Act, where a dispute arises between the operator of a licensing scheme concerned with copyright works and a person, claiming that he or she requires a licence under the scheme, that person or operator may refer the scheme to the Controller for determination.

	Number of disputes referred to the Controller pending as at 31/12/2010	Number of new references received in 2011	No. of cases determined	No. of cases - withdrawn - deemed invalid - closed	No. of cases pending as at 31/12/2011.
Disputes submitted under Section 38(4)	1	1	1 ⁽¹⁾	0	1
Disputes submitted under Section 152	2	0	0	0	2 ⁽²⁾

⁽¹⁾ Regarding the Section 38(4) reference pending at the start of 2011, the Controller issued an Order during 2011 which significantly varied the terms of the tariff which was the subject of the dispute. The Order was the subject of Judicial Review proceedings, the outcome of which provided that the reference be remitted back to the Controller for his determination and that the application should be treated as a fresh reference *ab initio*.

⁽²⁾ With the agreement of the parties, the Controller directed that the Section 152 references pending at the start of 2010 be referred to an arbitrator agreed by the parties. The disputes were still pending during 2011 as the arbitrator will not make his award until 2012.

Registers

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

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

To-date the office has registered 13 bodies in the Register of Copyright Licensing Bodies and 1 in the Register of Licensing Bodies for Performers' Property Rights.

Legislation

The Intellectual Property Unit of the Department of Jobs, Enterprise and Innovation has responsibility for policy and the preparation of legislation relating to intellectual property.

Legislation enacted in 2011

PATENTS

S.I. 79 of 2011 - the Patent (Amendment) Rules 2011.

These amendments to the Patent Rules 1992 align the Patent Rules with the European Economic Agreement (EEA) for the purposes of registering an Address for Service from EEA countries and to allow EEA patent agents to represent patent applicants in this country. In addition, this instrument amends the Patents Office Form 1 (Request for the Grant of a Patent), to allow applicants communicate with the Patents Office by e-mail, with extra sheets for supplementary information relating to additional applicants and inventors also included in the form.

COPYRIGHT

S.I. No 709 of 2011 European Communities (Artist's Resale Right) (Amendment) Regulations 2011.

These Regulations extend the artist's resale right to those to whom a resale right is transmitted (or deemed to be transmitted) after the death of the author of an original work of art. The right is extended for a period of 70 years after the death, in respect of sales whose contract date is on or after 1 January 2012.

Financial Information

RECEIPTS AND EXPENSES - YEAR ENDED 31 DECEMBER 2011

RECEIPTS	€000
Patent fees (Notes 1 & 2)	5,754
Trade Mark fees	1,965
International Trade Mark Registration – fees received from WIPO (Note 3)	591
Design fees	28
Other fees	102
Less refunds made in respect of fees paid in error	67
Less transaction fees arising in respect of online credit card payments	105
Net receipts accruing to the exchequer	8,268

EXPENSES	€000
Salaries	2,210
Travel & Subsistence	52
Miscellaneous & Incidental expenses	41
Postal & Telecommunications Services	135
Office Machinery and other Office Supplies	462
Office Premises Expenses	121
Information resources, books periodicals, etc.	4
Subscriptions to Industrial Property Unions (Note 4)	765
Net expenses	3,790

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.	10,676
Less Proportion of patent renewal fees transferred to the European Patent Office, Munich.	4,922
Net Patent fees which accrue to the Exchequer.	5,754

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 Organisation. These fees do not accrue to the Irish exchequer and are therefore not included in the figure for net receipts.

	[€000]
PCT Basic and Designation Fees transferred to WIPO, Geneva.	81
PCT Search fees transferred to EPO, Munich.	116
Total.	197

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

The amount shown reflects payment of the 2011 and 2012 subscriptions to WIPO as both were paid in 2011.

Performance Targets

The Patents Office Customer Service Action Plan is based on the Twelve Quality Customer Service Principles set out in the 'Government's Quality Customer Service Initiative' and outlines the actions which will be taken to give effect to these principles. The customer services targets included in this plan are reported below:

Area of activity and Level of Achievement					
Patents					
1	Issue formal filing receipts for correctly filed applications within 5 working days.	93%	7	Transmit European and PCT applications and relevant statistical data to EPO/WIPO within 5 working days of receipt.	100%
2	Issue certified copies of patent documents within 5 working days of receipt of request.	99%	8	Approve the grant of short term patents within a period of 6 months from filing of a proper, complete application.	72%
3	Issue patent renewal certificate within 3 working days of receipt of payment.	98%	9	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.	88%
4	Process applications for registration of assignments within 7 working days of submission of a fully completed application.	99%	10	Ensure that notification of formal defects is issued within 15 working days of filing.	97%
5	Issue confirmation that amendments requested to the patents register in respect of names and address of proprietors and addresses for service have been recorded within 5 working days of receipt of a properly completed application.	96%	11	Ensure that all non-divisional patent applications are classified for publication 17 months after the priority filing date.	72%
6	Grant patents within 5 working days of receipt of grant fee.	99%			
Supplementary Protection Certificates					
1	Issue notification of formal defects within 10 working days of filing date.	100%	3	Issue formal filing receipts for correctly filed SPC applications within 5 working days.	100%
2	Perform examination of all applications for Supplementary Protection Certificates at least 12 months before expiry date of the basic patent.	98%			
Designs					
1	Issue formal filing receipts for correctly filed design applications within 5 working days.	86%	4	Issue design renewal certificates within 3 working days of payment of the renewal fee.	100%
2	Issue initial objections letter/acceptance letter within 12 weeks of receipt of application.	100%	5	Transmit Community Design Applications to OHIM within 5 working days of receipt.	100%
3	Issue Certificates of Registration within 5 working days of the application being registered by Examination Division.	100%			

Area of activity and Level of Achievement

Trade Marks

1	Issue formal filing receipts for correctly filed trade mark applications within 7 working days.	98%	10	Issue preliminary search reports within 2 weeks of receipt of request.	100%
2	Process applications for registration of trade mark assignments within 7 working days of submission of a properly, fully completed application.	100%	11	Issue to relevant parties copies of notices of opposition and applications for revocation or declaration of invalidity within 2 weeks of receipt.	100%
3	Issue certified copies and extracts from the Trade Marks Register within 5 working days of request.	100%	12	Respond to written correspondence on individual applications (Opposition, revocation, invalidity) within 5 weeks.	100%
4	Issue trade mark renewal certificate within 3 working days of receipt of payment.	99%	13	Respond to individual requests for extensions of time prior to the expiry of the relevant deadline where those requests are made not later than 2 weeks before such expiry.	100%
5	Issue confirmation that requests for amendments to the Trade Marks register in respect of names and addresses of proprietors and trade mark agents and addresses for service have been recorded within 5 working days of receipt of a properly completed application.	96%	14	Register trade marks within 5 working days of receipt of registration fee.	98%
6	Accept applications for trade marks within a period of 3 months from the filing of a properly completed application and where no objections have been raised by the Office.	100%	15	Transmit applications for Community Trade Mark Registrations to OHIM within 5 working days of receipt.	100%
7	Issue initial objections/acceptance letters within 12 weeks of receipt of new application in the Division.	100%	16	Transmit applications for International Trade Marks within 5 working days of receipt of correctly filed applications.	100%
8	Issue decisions in hearings within 1 month of hearing.	100%			
9	Issue written statement of grounds of decisions in hearings within 2 months following request for same.	100%			

General

	Issue payment receipts for all fees received (in the form of cheque, bank draft and money order) within 2 working days.	99%
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**An Ceathrú Tuarascáil
Bhlíantúil is Ochtó
ón
gCeannasaí Paitinní,
Dearaí
agus Trádmharcanna**

2011

BAILE ÁTHA CLIATH

ARNA FOILSIÚ AG OIFIG AN tSOLÁTHAIR

Le ceannach díreach ón

OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS, TEACH SUN ALLIANCE,

SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,

nó tríd an bpost ó

FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,

AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,

CONTAE MHAIGH EO

(Teil: 01 – 6476834/37 nó 1890 213434; Fax: 01 – 6476843 nó 094 - 9378964)

nó trí aon díoltóir leabhar.

Ar fáil le híoslódáil ó: http://www.patentsoffice.ie/en/publications_report.aspx

Réamhrá de Cheannasaí na hOifige Paitinne na hÉireann

Is onóir agam é mo Thuarascáil Bhliantúil a chur faoi bhráid an Oireachtais don bhliain dar críoch 31 Nollaig 2011, de réir fhorálacha Ailt 103 d'Acht na bPaitinní, 1992.

Is oifig reachtúil í Oifig na bPaitinní atá freagrach as cearta maoine intleachtúla a thabhairt agus a chlárú in Éirinn, go speisialta cearta paitinne, trádhmairc agus dearaidh thionsclaíoch. Is eilimintí tábhachtacha iad nuálaíocht agus cruthaitheacht maidir le buntáiste iomaíoch a bhaint amach ar an margadh do mhórán fiontraíochtaí gnó, agus tá maoin intleachtúil (MI) ar cheann dá sóchmhainní is tábhachtaí atá acu. Tríd na seirbhísí seo a sholáthar, is í aidhm na hOifige cabhrú le daoine agus le gnóachtaí acmhainneacht iomlán eacnamaíoch a maoine intleachtúla a bhaint amach.

Baineann mo Thuarascáil le feidhmiú m'fheidhmeanna reachtúla faoi Acht na bPaitinní, 1992, Acht na bPaitinní (Leasú) 2006, Acht na dTrádmharcanna, 1996; Acht um Dheartháí Tionscail, 2001, na Rialacha agus na Rialúcháin Reachtúla éagsúla a déanadh faoi na hAchtanna seo; agus Rialacháin na gComhphobal Eorpach (Deimhniú Cosanta Forlíontach). Is ormsa atá cinneadh a dhéanamh faoi na hAchtanna, na Rialacha agus na Rialacháin seo de réir reachtaíochta, faoi réir chearta áirithe achomhairc chuig an Ard-Chúirt. Tá feidhmeanna áirithe reachtúla agam freisin faoin Acht Cóipchirt agus Ceart Gaolmhar, 2000. Baineann na feidhmeanna seo go, go príomha, le déileáil le clárú chomhlachtaí ceadúnaithe cóipchirt, tagairtí agus iarratais a bhaineann le scéimeanna ceadúnaithe a bhíonn á bhfeidhmiú ag na comhlachtaí seo agus réiteach díospóide maidir le méid dleachta ag éirí den chuid is mó as réimse léirithe phoiblí ar thaifead fuaime.

In éineacht leis an reachtaíocht agus na cláir iomchuí a riaradh, tá roinnt feidhmeanna oibríochtúla ag Oifig na bPaitinní ar a n-áirítear:

- Próiseáil iarratas ar phaitinní, trádmharcanna agus dearadh thionsclaíoch.
- Comhaontuithe idirnáisiúnta a fhorfheidhmiú.
- Cúnamh agus eolas a sholáthar do chliaint ar mhaoin thionsclaíoch agus intleachtúil.
- Imeachtaí a riaradh os comhair an Rialtóra maidir le cearta MI agus éisteachtaí a chur ar siúl ar chur i gcoinne chlárú trádmharcanna.
- Cláir na ngníomhairí paitinne agus trádmharcanna a choimeád
- Feidhmiú mar oifig ghhlactha don Eagraíocht Dhomhanda um Maoin Intleachtúil (EDMI), Oifig na bPaitinní Eorpacha agus an Oifig um Chomhchuíbhiú sa Mhargadh Inmheánach (OCMI).
- Cur le forbairt beartais ar chearta MI.

Soláthraíonn mo Thuarascáil Bhliantúil eolas ar conas a chomhlíonann an Oifig na feidhmeanna seo agus tá réimse staitisticí gnó ag tacú leis.

Ba mhaith liom buíochas ó chroí a ghabháil le foireann na hOifige as a ndianobair i rith 2011 agus dtiomantas maidir le feabhas leanúnach a chur ar sheirbhísí.



Martin Shanagher

Ceannasaí

Dátaithe 27 Bealtaine 2012

Trácht Ginearálta ar Chuspóirí agus Ghníomhaíochtaí

Is é bunchuspóir lárnach Oifig na bPaitinní ná:

“Soláthar a dhéanamh ar chóras éifeachtach chun maoin tionsclaíochta a chosaint a spreagfaidh dul chun cinn teicneolaíoch agus a chuirfidh fiontraíocht chun cinn trí fhorfheidhmiú na hOifige ar an reachtaíocht ábhartha”.

Tá seo le baint amach trí chearta maoine intleachtúla a chosaint i réimsí paitinní, trádmharcanna agus dearaidh agus forleathadh réamhghníomhach ar eolas agus faisnéis ábhartha in éineacht le gach ceann de na gníomhaíochtaí seo.

I 2011 d’fhoilsigh an Oifig Ráiteas Straitéise don tréimhse 2011 go dtí 2013 a leagann amach treo straitéiseach na hOifige go ceann 3 bliana. Is í aidhm an Ráitis Straitéise seo éascú a dhéanamh ar thimpeallacht in Éirinn mar ar féidir le daoine a gcearta agus a dteidlíochtaí a bhaint amach faoi na píosáí éagsúla reachtaíochta MI chomh mór agus is féidir é agus de réir a riachtanais. Tá sé ar intinn freisin a chinntiú go n-aithníonn an fhoireann agus go n-oibríonn siad i dtreo comhspricanna a bhaint amach d’fhorbairt na hOifige agus a gníomhaíochtaí sa todhchaí. Díreoidh pleananna gnó na hOifige do na trí bliana atá romhainn, ina dturas, ar na príomhthascanna atá riachtanach leis na cuspóirí ardleibhéil atá leagtha amach sa Ráiteas Straitéise a bhaint amach.

Sa tráchttaireacht seo a leanas agus sa tuarascáil staitisticiúil atá in éineacht leis féachtar ar ghníomhaíochtaí na hOifige i rith 2011 i gcomhthéacs sé chuspóir straitéiseach a leagadh amach sa Ráiteas Straitéise. Feictear go bhfuil na cuspóirí seo lárnach maidir le bunchuspóir na hOifige a bhaint amach agus a héifeachtúlacht oibríochtúil a choimeád. Tá bunchuspóir agus straitéis na hOifige nasctha freisin leis na cuspóirí níos leithne náisiúnta maidir le tacú le, agus spreagadh a thabhairt d’fhiontraíocht agus nuálaíocht agus timpeallacht éifeachtach gnó a chothú in Éirinn.

Cuspóir (1)

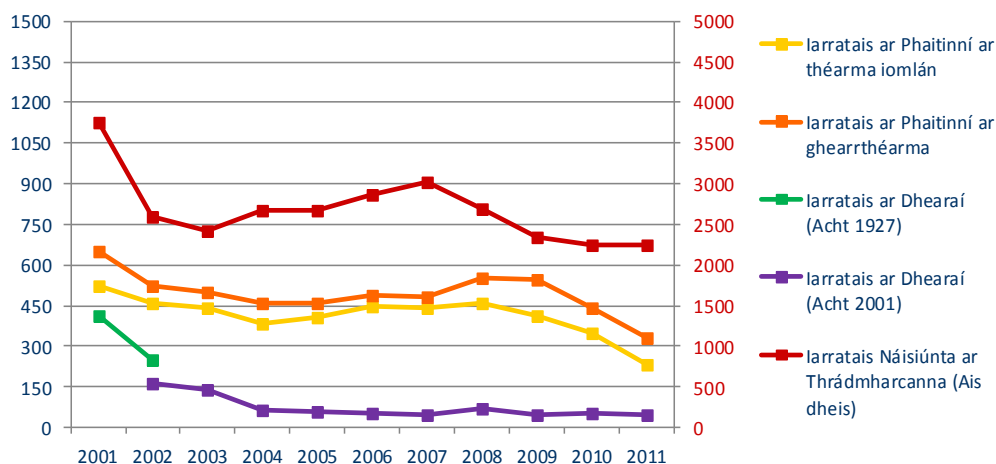
Leanúint le paitinní a cheadú agus trádmharcanna agus dearaid a chlárú bunaithe ar nósanna imeachta riaracháin agus caighdeáin seirbhíse éifeachtacha (atá ag teacht leo sin is fearr a thagann le dea-chleachtas idirnáisiúnta agus a fhreastlaíonn ar riachtanais chustaiméirí).

Le blianta beaga anuas, tá ról níos suntasaí ag cearta maoine intleachtúla (CMIanna) i ngeilleagar na hÉireann. Tá aitheantas anois ann gur féidir leis an gcumas smaointe nuálacha a fhorbairt agus tráchtáil a dhéanamh ar na smaointe sin, cur go suntasach le rath eacnamaíoch – go háirithe do ghnóthais bheaga agus mheánmhéide. Tá fiontraíthe indibhidiúla, a bhíonn ag lorg infheistíochta le smaointe nua a fhorbairt, seirbhísí a sholáthar, brandaí agus dearaid nua a sheoladh níos tuisceanaí anois ar luach CMIanna agus is dóchúla go gcuirfidís a n-úinéireacht ar CMIanna chun cinn agus pleananna gnó á n-ullmhú acu nó agus cás á dhéanamh acu d’infheistíocht chaipitiúil ina ngnó.

Tá méadú ollmhór an Idirlín tar éis meascán de bhagairtí agus deiseanna a chruthú in MI. Tá an domhan fíorúil tar éis deiseanna nua gnó a chruthú d’fhiontraíochtaí le feidhm a bhaint as úinéireacht chóipchirt agus trádmharc le táirgí a dhíol ar an margadh ar líne. Ag an am gcéanna, tá cath á throid i gcónaí lena chinntiú de chearta na gcruthaitheoirí, gur féidir iad a chosaint sa timpeallacht ar líne in ainneoin dul chun cinn tapaigh teicneolaíochta.

In ainneoin an méadú ar fheasacht ar CMIanna le blianta beaga anuas agus na deiseanna le feidhm agus úsáid a bhaint as na CMIanna sa bhaile agus thar lear, tá tionchar i gcónaí ag an gcor chun donais eacnamaíoch ar iarratais á chomhdú do na cearta seo. Tá laghdú a bheag nó a mhór tagtha tagtha ar chomhdú iarratas nua paitinne, dearaidh agus tradmhairc náisiúnta sa tréimhse a chlúdaigh an ráiteas straitéise deireanach agus lean an treocht seo i 2011.

Iarratais Náisiúnta ar Phaitinní, Trádmharcanna agus Dearaid 2001 – 2011



Déanann Oifig na bPaitinní monatóireacht ar iarratais agus athnuachaintí paitinne agus trádmhairc ar bhonn ráithiúil le tomhas a dhéanamh ar ghníomhaíocht MI in Éirinn agus freisin ar na torthaí dá réir ar leibhéal ioncaim na hOifige ó tháillí. Léirigh athbhreithnithe ráithiúla roimhe seo treocht ginearálta anuas i ngach ráithe ó 2008 ag teacht leis an meathlú leanúnach geilleagrach. Léiríonn tuarascáil TDMI *Táscairí Dhomhanda um Maoin Intleachtúil 2011*, gur tharla aispheabadh láidir ar chomhdú maoine intleachtúil i 2010 tar éis dó titim go mór i 2009. Cé go raibh an fás ar chomhdú MI chun tosaigh ar an ráta foriomlán téarnaimh gheilleagrach i roinnt de na geilleagair mhóra mar an tSín, SAM agus an tSeapáin, níorbh amhlaidh do líon mór tíortha beaga mar Éire mar ar lean an meathlú i 2010 agus arís i 2011. Go deimhin, léiríonn an pictiúr ag deireadh 2011 treocht foriomlán anuas i gcomhdú rud a thugann le fios go mb'fhéidir go mbeidh tamall ann sara dtagann feabhas ar na táscairí seo.

- Lean an laghdú gearr ar iarratais ar phaitinní náisiúnta. Bhí comhdú fadtéarmach Paitinne náisiúnta a fuathas i rith 2011 síos 34% ar 2010 (ó 350 go dtí 230) agus bhí líon na bpaitinní gearrthéarmacha a comhdaíodh síos 25% ar 2010 (ó 442 go dtí 331).
- Tháinig méadú beag ar iarratais ar Dheimhniú Cosanta Forlíontach (le 8%) ó 38 i 2010 go dtí 41 i 2011.
- Tháinig méadú beag ar iarratais ar dhearaí tionsclaíocha a chlárú, a raibh leibhéal an-íseal ag baint leo ó 2003 nuair a tháinig ann ar dtús don chóras cláraithe Dearadh Pobail, i 2009 agus 2010 ach tharla laghdú 15% arís i 2011 (ó 54 go dtí 46).
- Léirigh líon iomlán na n-iarratas ar thrádmharcanna Náisiúnta a fuarthas i 2011 méadú an-bheag de 0.5% ar fhigiúr 2010 (ó 2,239 go dtí 2,251). Mar sin féin, lean na hiarratais idirnáisiúnta ar mharcanna ag lorg cosanta in Éirinn ag laghdú, síos 8% i gcomparáid le 2010 (ó 1,530 go dtí 1,410).

Tugann na sonraí le fois go bhfuil tionchar ag an gcúlú eacnamaíochta i gcónaí ar chomhdú iarratas ar chlárú cearta MI in Éirinn. Léiríonn sé freisin an meath ar mhuinín lucht gnó, in éineacht le deacrachtaí rochtain a fháil ar mhaoiniú, rud a h-íombualadh ar infheistíochtaí i nuálaíocht.

Bhí tionchar ag laghdú ar mhéid gnó agus go háirithe ag cinntí ghnóthaí gan a gcearta MI a choimeád i bhfeidhm, ar ioncam na hOifige ó tháillí. Bhí an glanfháltas ag fabhrú don státchiste i 2011 síos beagán de 5.6% ar 2010 (ó €8.8m go dtí €8.3m). Tagann formhór an ioncaim a bhaineann le táille na hOifige ó tháillí athnuachana ó Phaitinní Eorpacha agus go dtí seo tá an teacht isteach ó na táillí athnuachana seo ag méadú ó bhliain go bliain ar ionann iad agus €5.7m (suas 0.7% ar 2010). Tá an sruth ioncaim cuíosach seasmhach seo tar éis cúiteamh, i bpáirt, don laghdú ar ioncam ó tháillí eile.

Tá forbairt ar éiteas láidir seribhíse do chustaiméirí ina chuid lárnach do Phlean Gníomhaíochta Seirbhíse do Chustaiméirí na hOifige. Leagann an Plean amach staith de spriocanna seirbhíse do chustaiméirí lena ndéantar monatóireacht ar fheidhmíocht na hOifige i rith na bliana maidir le hiarratais ar chearta MI a phróiseáil, a chlárú agus a riaradh ina dhiadh sin. Tuairiscíreann go sonrach níos déanaí sa tuarascáil seo ar an leibhéal feidhmíochta a baineadh amach i rith 2011 de réir na spriocanna sonracha seirbhíse do chustaiméirí. Bhí an fheidhmíocht an-sásúil go foriomlán leis na leibhéil a baineadh amach taifeadta sa cheathairil uachtarach i ngach cás. Is mian leis an Oifig gach deis a thapú le sruthlíniú agus le huathoibriú a dheánadh chomh fada agus is féidir é ar a próisis agus agus a bainistíocht comhad agus tá an rath ina thaobh seo le feiceáil sa bhfás ar líon na spriocanna a bhaintear amach go hiomlán. Thug an Oifig faoi thionscadal comhoibrithe le OHIM a éascóidh comhdú ar líne ar iarratais trádmharcanna i 2013; ceadóidh sé feabhsú ar phróiseáil iarratais agus cuirfidh sé le tuilleadh feabhais ar leibhéil feidhmíochta.

Cuspóir (2)

Iarracht a dhéanamh ar theicneolaíocht nua a ionchorprú d'fhonn feabhas a chur ar chórais agus nósanna imeachta agus ar sheirbhís do chustaiméirí agus a thógfaidh ceann freisin d'éilimh an tsochaí faisnéise agus r-ghnó.

Leanann an Rialtas le béim a chur ar an ngá le cáilíocht agus éifeacht maidir le soláthar seirbhísí do chustaiméirí agus dá réir sin lean an Oifig le fócas a chur ar a ról maidir le seirbhísí a sholáthar go héifeachtach. Tá imlíne ar ár dtiomantas maidir le dea-sheirbhís do chustaiméirí in ár bPlean Gníomhaíochta um Sheirbhís do Chustaiméirí 2010 – 2013, atá ar fáil ar ár suíomh gréasáin. Is é 93% an meánleibhéal de na spriocanna a bhaintear amach do na 35 sprioc seirbhíse do chustaiméirí a leagann síos uasteorainn ama le gníomhaíochtaí agus tascanna éagsúla a bhíonn dírithe ar chustaiméirí a thabhairt i gcrích. Tá mionsonraí orthu seo sa rannán sin den tuarascáil ar “Spriocanna Feidhmíochta”.

I gcaitheamh 2011, lean an fhoireann le beachtú a dhéanamh ar phróisis oibre agus ar réitigh theicneolaíochta atá mar thaca lena dtáirgí agus a seirbhísí lárnacha, le soláthar níos éifeachtaí seirbhíse a sholáthar. Léiríonn an dá shampla seo a leanas an feabhas a bhaineadh amach mar thoradh ar bheachtú ar phróisis oibre.

- Tá an t-am a thógann sé le próiseáil a dhéanamh ar iarratais ar Phaitinní Gearrthéarmacha ag gníomhaire chomhdaithe, ón gcomhdú go staid an fhaofa, laghdaithe ó 9 mí mar mheán i 2010 go dtí 6 mhí nó níos giorra faoi láthair.
- Ba é 13 seachtain a thóg sé i 2010 le próiseáil a dhéanamh ar iarratas ar thrádmharc a bhí críochnaithe i gceart (nuair nach mbíonn aon chur ina choinne ag an Oifig) ó chomhdú go dtí go nglactar leis, agus tógann sé níos lú ná 6 seachtainí anois.

Tá céatadán suntasach d'idirbhearta gnó na hOifige – go háirithe iad sin a bhaineann le fáil agus próiseáil iarratas, ar pháipéar, rud a chuireann isteach ar sheirbhís éifeachtach a sholáthar. Á aithint seo, ó 2010, tá an Oifig tar éis dul i mbun chlár r-chumarsáide d'fhonn feabhas a chur ar sholáthar seirbhíse agus próiseáil a dhéanamh níos éifeachtaí. I dtús báire rinne an tionscadal éascú ar na mílte meabhrúchán athnuachana agus meabhrúchán thar téarma a eisiúint go leictreonach trí r-Phost in ionad tríd an bpost agus cuireadh arís leis go n-áireofaí comhfheagras eile i 2010 agus 2011. Eisítear timpeall le 12,000 mír chomhfheagrais trí r-Phost gach mí. Is é an cuspóir atá ann comhdú leictreonach, próiseáil ar chomhdú leictreonach agus cumarsáid leictreonach a nascadh ar bhealach a éascódh próiseáil gan pháipéar a thabhairt isteach san Oifig sna blianta beaga romhainn.

Tugadh próiseáil gan pháipéar isteach cheana féin maidir le timpeall 30,000 Paitinn Eorpach a shainítear agus a dhearbhaítear in Éirinn gach bliain. Faightear agus déantar stóráil ar na sonraí a bhaineann leis na Paitinní Eorpacha seo go leictreonach agus tá seo tar éis éascú a dhéanamh ar rochtain ar na comhaid don fhoireann, le laghdú ar am próiseála agus ar an ngá le spás stórála do chomhaid pháipéir.

Áiríodh i dtuarascáil an Tascfhórsa Nuálaíochta, a foilsíodh i Márta 2010, moltaí go dtabharfadh an Oifig isteach comhdú leictreonach agus iar-ama. Cé gur críochnaíodh mionanailís ar riachtanais, cruthaíonn an gá atá le plé agus measúnú a dhéanamh ar theicneolaíocht r-Fhoirmeacha faoi mar a bhí molta ag Aonad TF na Roinne, moill suntasach ar thús a chur leis an tionscadal seo. Mar sin féin, i 2011 rinne an Oifig cinneadh a bheith rannpháirteach leis an OHIM agus le roinnt Oifigí MI Eorpacha maidir le tionscadal Pacáiste Bogearraí don Todhchaí a éascóidh córas comhdaithe ar líne a thabhairt isteach do thrádmharcanna i 2013. Tá an obair fhorbartha agus chomhtháthaithe atá i gceist chun an tionscadal seo a thabhairt i gcrích á maoiniú faoi chiste Comhoibrithe OHIM agus cuirfidh sé ar chumas na hOifige córas a thairiscint atá ar chomhchéim le cuid de na mórOifigí Eorpacha a bhfuil baint acu leis an tionscadal freisin agus ar costas i bhfad níos lú ná mar a bheadh air dá mbeadh coimisiúnú déanta aici féin ar an obair fhorbartha.

Mar bheart idirlinne le freastal ar an ngá atá le comhdú leictreonach agus iar-ama a thabhairt isteach agus go dtí go ndéantar dul chun cinn ar an tionscadal comhdaithe, thug an Oifig isteach bosca leictreonach anuas a éascaíonn iarratais ar phaitinní, trádmharcanna agus dearaí criptithe agus na doiciméid a bhaineann leo a chur isteach go leictreonach agus go sábháilte tríd an Idirlíon. Ní d'iarratais aonair ná aonuaire an bosca anuas ach é le húsáid ag daoine agus gnóthais a dhéanann, nó a bhfuil sé ar intinn acu iarratas a dhéanamh ar chearta maoine intleachtúla i gciatheamh na bliana. Ag deireadh 2011, bhí 10 ngnólacht ag úsáid saoráid an bhosca leictreonach anuas.

Ina theannta sin, fuair an Oifig cead dhá chuntas nua bainc a bhunú a chuir ar a cumas feabhas a chur ar na roghanna atá ar fáil dá custaiméirí le táill a íoc. Ag teacht le polasaí an Rialtais maidir le méadú a dhéanamh ar úsáid a bhaint as íocaíochtaí leictreonacha sa tseirbhís phoiblí agus ar fud an gheilleagair, íoctar 89% de tháillí reachtúla na hOifige go leictreonach anois i gcomparáid le 64% i 2010.

I gciatheamh 2011, cuireadh roinnt uasghrádú bogearraí agus crua-earraí i bhfeidhm rud a chinnteoidh go bhfanann croíchórais ghnó na hOifige agus a mbonneagar teicniúil suas chun dáta. Ina theannta sin, déanadh forbairt agus cur i bhfeidhm ar sé fheabhsúchán substaintiúil sa chóras riaracháin PTOLEMY i 2011, a raibh gach ceann acu dírithe ar fheabhas a chur ar éifeachtúlacht oibríochtúil. Déanfaidh an Oifig uasghrádú freisin ar a córas inmheánach cuardaigh trádmharcanna (ACSEPTO) chuig an leagan is déanaí a úsáideann OHIM (Oifig Trádmharcanna an Chomhphobail), an UKIPO agus roinnt Oifigí Eorpacha eile. Tá an uasghrádú ag teacht le dea-chleachtas idirnáisiúnta agus éascóidh sé cuardach níos éifeachtaí ar chuid riachtanach de phróiseáil agus scrúdú iarratas ar thrádmharcanna é. Áirítear níos mó gnéith ann, ar a bhfuil aithint íomhá, agus soláthraíonn sé deis le measúnú agus forfheidhmiú a dhéanamh ar fheabhsú ar na próisis agus na nósanna imeachta cuardaigh atá ann.

Cuspóir (3)

Cur le dreachtú agus le forfheidhmiú ina dhiaidh sin ar aon reachtaíocht nua MI a chruthaíonn feidhmeanna don Rialtóir.

Tá freagracht ar Aonad Maoine Intleachtúla (AMI) An Roinn Post, Fiontar agus Nuálaíochta maidir le polasaí ar mhaoine intleachtúil agus maidir le reachtaíocht sa réimse seo a ullmhú. Soláthraíonn Oifig na bPaitinní comhairle ar na ceistanna seo, go háirithe ar an tionchar a bheadh ag na hathruithe dlíthiúla agus rialála atá beartaithe ar obair na hOifige. I Samhain 2009, bhí ról an Ceannasaí agus Ceann an AMI dílsithe don pearsanta ceanna. Tá an défhreagracht seo tar éis éascú a dhéanamh ar chomhordú níos fearr idir pholasaí agus feidhmeanna oibríochtúla. I rith 2011, rinne an Oifig moltaí agus sholáthair sí ionchur d'aonad Maoine Intleachtúla na Roinne maidir le dreachtú na nithe seo a leanas:

- Rialacha na bPaitinní (Leasú) 2011 (IR Uimh 79 de 2011).
- An anailís tionchair rialála agus dreachtreachtaíocht le soláthar a dhéanamh do dhaingniú agus d'fhorfheidhmiú Chonradh Singeapór.

- An anailís tionchair rialála ar an Athbheithniú ar Acht na bPaitinní 1992
- Dréachtrialacha Paitinne, Trádmharcanna agus Dearaí (Táillí)

Cuspóir (4)

Feasacht ar mhaoin intleachtúil a mhéadú.

Arís, is é an príomhdhúshlán i dtréimhse téarnaimh stadach gheilleagrach agus éilimh lag sa bhaile ná feasacht agus tuiscint a ardú ar ghnó agus sochaí na hÉireann ar conas an leas is fearr a bhaint as an gcóras MI nuair a théitear i mbun tionscadal gnó nuálach agus nua. Moladh i dTuarascáil an Tascfhórsa Nuálaíochta a cuireadh amach i Márta 2010 gur chóir go mbeadh cur chuige níos comhordaithe ann maidir le polasaí níos leithne nuálaíochta an Rialtais a sholáthar maidir le hoiliúint MI, ardú feasachta, comhairle agus tionscnaimh agus tacaíochtaí a sholáthar do ghnó agus do thionsclaíocht. I rith 2011, agus an moladh sin ar intinn, rinne an Oifig iarracht comhoibriú a mhéadú leis an Líonra Fiontar Eorpach, Fiontraíocht Éireann agus na Boird Fiontar Contae trí shraith eile seimineár réigiúnach lae a sholáthar, dírithe ar phobal na ‘ngnóthas beag’, fiontraíthe agus aireagóirí, ar an téama ‘Gnó a Thógáil le Do Smaointe’. Dhírigh na seimineáir ar ghnó a bheith níos mó ar an eolas maidir le MI, ar na féidearthachtaí le leas a bhain as luach MI atá bunúsach i bhformhór na ngnólachtaí agus ar na struchtúir thacaíochta atá ar fáil ón Stát agus ón Eoraip do ghnóthais bheaga agus do ghnólachtaí nuathionscanta. Bhí seacht gcinn de na seimineáir seo ar siúl i 2011 i gCorcaigh, Gaillimh, Dún Dealgan, Cill Chainnigh, Baile Átha Cliath, Port Láirge agus Sligeach i gcomhar leis na hInstitiúidí Teicneolaíochta. D’fhreastal os cionn 600, le roinnt den na seimineáir lán ar fad. Bhí na seimineáir níos spéisiúla agus níos ábharthaí mar thoradh ar rannpháirtíocht chainteoirí ón earnáil phríobháideach ó Chumann na nGníomhairí Paitinne agus Marcanna Trádála, an chuideachta ‘Technology form Ideas’ agus fiontraíthe áitiúla, a thug a gcuid ama in aisce.

Ag teacht lena cuspóir straitéiseach maidir le feasacht a mhéadú ar MI i measc an phobail, lean an Oifig lena hiarrachtaí for-rochtana dírithe ach go háirithe ar earnáil na ngnóthas nua-thionscanta beag agus ar mhic léinn. Bhí an Oifig rannpháirteach i 16 imeacht ar fad, ag labhairt ar MI ag cúrsaí ar do ghnó féin a chur ar bun agus ag taispeántais agus seónna ar chomhairle gnó agus fiontraíocht.

Chuir Oifig na bPaitinní 27 clinic MI ar siúl i 2011. Thug na clinicí deis don phobal, d’aireagóirí, d’fiontraíthe agus lucht gnó plé a dhéanamh le foireann Oifig na bPaitinní, ar bhonn duine le duine, ar a smaointe agus ar cheisteanna a bhaineann le hiarratais MI (paitinní, trádmharcanna nó dearáí) a bhí ar intinn acu a dhéanamh nó a bhí déanta chun na hOifige cheana féin acu. Is féidir leis an gcur chuige seo a bheith an-fhóinteach maidir le buntreoir a sholáthar ar nósanna imeachta agus ar na foirmeacha atá ag teastáil le cearta MI a chlárú, ar an bpróiseas a bhaineann le cosaint MI a fháil in Éirinn nó thar lear agus an méid ama a bheadh i gceist. Soláthraítear cúnamh freisin maidir le straitéis chuardaigh ‘déan féin é’ a cheapadh do phaitinní, trádmharcanna nó dearáí cláraithe agus rochtain a fháil, agus úsáid a bhaint as bunachair sonraí phaitinní, trádmharcanna agus dearáí ar líne.

Lean an Oifig freisin le feasacht a chur chun cinn ar MI i meas daltaí dara leibhéal, tuismitheoirí agus baill den phobal ag freastal ar Thaispeántas Eolaithe Óga agus Teicneolaíochta BT. Thug Comórtas an Aireagóra Sóisearach, a cuireadh ar siúl i gcomhar le Lá Domhanda MI san Aibreán, deis freisin le haireagán agus nuálaíocht a chur chun cinn i mbunscoileanna ar fud na tíre.

Taispeántas Eolaithe Óga agus Teicneolaíochta BT

Cuireadh Taispeántas bliantúil Eolaithe Óga agus Teicneolaíochta BT ar siúl san RDS, Baile Átha Cliath ón 12 - 14 Eanáir 2011. Le os cionn 500 taispeántóir ann, bhí taispeántas na bliana seo ar cheann de na cinn ba mhó. Tá an taispeántas le fada ina thairseach le spéis a spreagadh in eolaíocht i meánscoileanna agus i mbunscoileanna. Arís bhí seastán ag Oifig na bPaitinní ann do thréimhse an taispeántais. Tá sé faighte amach againn go bhfuil a bheith i láthair ag an taispeántas ina bhealach áisiúil le heolas thabhairt amach ar mhaoin intleachtúil don ghlúin níos óige agus le comhairle a thairiscint do rannpháirtithe i dTaispeántas na nEolaithe Óga ar phaitinniú. Lean an Oifig le hurraíocht a dhéanamh ar dhuais speisialta ag imeacht na bliana seo. Bronntar Duais Oifig na bPaitinní Éireannach ar an mac léin nó ar ghrúpa de mhic léinn ar fearr a léiríonn a dtionscadal úsáid na teicneolaíochta i bhfeidhmeanna nua nó feabhsaithe, i bhfeabhsú éifeachtúlachta agus nuálaíochtaí.

Ba é an buaiteoir ar dhuais urraithe Oifig na bPaitinní do 2011 nó Quinn Unger ó Mheánscoil Mount Saint Michael, Ros Ó gCairbre, Corcaigh lena thionscadal “Troitheán amháin a chur in ionad dhá thriotheán olldoird - .i. dearadh le triotheán amháin a chur in ionad triotheán olldoird a oibríonn le seافتa tiomána le go saorfaí an “hi-hat” chun áisiúlachta an drumadóira”.

Aireagóir Sóisearach 2011

Is í aidhm chomórtais an Aireagóra Shóisearach spreagadh a thabhairt do leanaí le bheith nuálach agus cruthaitheach maidir le réiteach a aimsiú ar fhadhbanna laethúla agus spéis san eolaíocht agus san innealtóireacht a chothú iontu agus iad óg. Bhí os cionn 2,500 iontráil ó 234 scoil ar fud na hÉireann páirteach i gcomórtas 2011 a tionóladh le ceiliúradh a dhéanamh ar an Lá Domhanda Maoine Intleachtúla ar an 26 Aibreán.

Ba iad buaiteoirí 2011 grúpa de dhaltaí ó rang 6 Andrew Doran, Roisin Connolly, Kate Dowling agus Abbie Byrne ó Scoil Naomh Iosaf, Bealach Conglais, Co. Chill Mhantáin. Ba é teideal a n-iontráil a fuair an bua ná “Fáil ar Shuíochán i bPictiúrlann” do chóras soilsithe do phictiúrlanna a éascaíonn suíochán a aimsiú sa dorchadas. Dúirt an grúpa gurbh é an smaoineamh a bhí acu ná go mbeadh solas bídeach glas le feiceáil ar shuíochán na pictiúrlainne nuair a bheadh sé seasta agus gan é in úsáid. Dá mbeadh suíochán in úsáid nó go mbeadh an té a bhí suite ann imithe go sealadach, bheadh an solas ar an suíochán dearg ar feadh tréimhse deich nóiméad. Tar éis an ama seo d’iompódh sé ar ais ar ghlas le tabhairt le fios go raibh an suíochán ar fáil arís.

Bhronn an tAire Seán Sherlock TD na duaiseanna ag an searmanas bronnta duaise i gCill Chainnigh.

Cuspóir (5)

An fhoireann a aithint mar phríomhshóchmhainn na hOifige agus úsáid a bhaint as pleanáil gnó agus bainistíocht agus forbairt feidhmíochta indibhidiúil le feabhas a chur ar fheidhmíocht agus nósanna imeachta gnó agus feabhas a chur ar éifeachtúlacht eagraíochtúil.

Tá toimantas leanúna ch na foirne, ag gach leibhéal, maidir le seirbhís éifeachtach ar ardchaighdeán a sholáthar, le tús a chur agus soláthar a dhéanamh ar athrú le feabhas a chur ar chleachtais oibre, tar éis a cheadú don Oifig seirbhís éifeachtach ar ardchaighdeán a sholáthar le níos lú acmhainní foirne. Ón 31 Nollaig 2011, bhí an Oifig ag feidhmiú le 57 post údaraithe, laghdú de 2 ar 2010. Mar sin féin, nuair a chuirtear sosanna gairme, comhroinnt oibre agus socruithe eile oibre a thacaíonn le teaghlaigh san áireamh, bhí an Oifig ag feidhmiú le leibhéal foirne arbh ionann é agus 50 lánaimseartha i rith 2011.

Tá an Oifig tiomanta a chinntiú go ndéantar breithmheas rialta ar fheidhmíocht na foirne uile agus go gcríochnaítear athbhreithnithe foirne go tráthúil. De réir an Chóras Bainistíochta agus Forbartha Feidhmíochta (CBFF) atá ag feidhmiú san Oifig, déanadh dréachtú ar phlean forbartha d’oiliúint, a chuir na riachtanais éagsúla oiliúna a bhí aitheanta ag an bhfoireann ina bpleananna forbartha pearsanta do 2011, san áireamh. Lasmuigh de leanúint leis an oiliúint ar an láthair oibre, chuaigh an fhoireann i m’Oifig i mbun 79.5 lá oiliúna i rith 2011. Soláthraíodh oiliúint i réimsí mar bhainistíocht tionscadail, scileanna teicneolaíochta faisnéise agus cumarsáide, scileanna láithreoireachta agus scileanna cumarsáide agus treallúis.

Mar chuid de Straitéis Náisiúnta an Rialtais ar Athrú Aeráide 2007 go dtí 2012, bhí Oifig na bPaitinní rannpháirteach i scéim phiolótach feasachta fuinnimh don fhoireann a bhí á rith ag Oifig na nOibreacha Poiblí i 20 Foirgneamh de chuid an Rialtais ar fud na tíre. Tá sprioc ag an scéim maidir le húsáid fuinnimh a laghdú trí fheachtas áitiúil caomhnaithe fuinnimh, ceardlanna fuinnimh agus monatóireacht ar oibriú na trealaimh teasa/aerchóirithe. I 2011, fuair Oifig na bPaitinní duais as laghdú suntasach a bhaint amach ar úsáid gháis agus leictreachais, agus ar an laghdú dá réir ar astaíochtaí CO2 thar an tréimhse 2007 go dtí 2011 sa chatagóir a bhain le foirgnimh le haeráil nádúrtha.

Cuspóir (6)

Ionadaíocht a dhéanamh ar Éirinn ag fóraim idirnáisiúnta.

Déanann fhoireann Oifig na bPaitinní ionadaíocht ar Éirinn ar Chomhairle Riaracháin an EPE agus ar a Coistí éagsúla, ar Bhord Riaracháin OCMI agus roinnt dá coistí teicniúla agus idirchaidrimh a bhíonn ag déileáil le ceisteanna éagsúla a bhaineann le maoin intleachtúil. Ina theannta sin, bíonn an fhoireann rannpháirteach i gcruinnithe chomhlachtaí rialaithe agus teicniúla an Eagraíochta Dhomhanda um Maoin Intleachtúil (EDMI) (a riarann an Conradh Comhoibrithe Paitinne agus socruithe faoi Phrótaic Mhaidrid ag déileáil le hiarratais ar thrádmharcanna idirnáisiúnta) in éineacht le roinnt chonarthaí idirnáisiúnta MI.

Déanann an EPE agus an OCMI slite eile a thairiscint le cosaint MI a fháil san Eoraip agus tá rannpháirtíocht na hOifige leis na heagraíochtaí seo dírithe ar a chinntiú go mbíonn ionadaíocht iomcuí ag leasa na hÉireann, ar fanacht suas chun dáta le dea-chleachtas ag leibhéal idirnáisiúnta agus éascú a dhéanamh ar chomhoibriú le hoifigí eile maoine tinsclaíoch náisiúnta agus idirnáisiúnta.

Tá clár déthaobhacha comhoibrithe ag an Oifig leis an EPE agus OCMI faoina bhfaigheann sí cúnamh i dtreo rannpháirtíochta in imeachtaí éagsúla ardaithe feasachta ar MI, Sainoiliúint MI, tionscadail MTI le héascú a dhéanamh ar mhalartú sonraí MI agus uirlisí a fhorbairt le rochtain níos fearr a sholáthar ar fhaisnéis MI etc. Éascaíonn ár rannpháirtíocht freisin idirphlé ar ábhar agus struchtúr na gclár comhoibrithe idir na heagraíochtaí seo agus Oifigí eile náisiúnta MI san Eoraip a chuireann ar chumas na hOifige tuilleadh feabhais agus forbartha a dhéanamh ar a seirbhísí dá custaiméirí.

Comhoibriú Idirnáisiúnta



Bíonn an Oifig rannpháirteach i ngníomhaíochtaí comhoibrithe lena comhpháirtithe idirnáisiúnta, an Oifig um Chomhchuibhiú sa Mhargadh Innmheánach (OCMI) agus Oifig na bPaitinní Eorpacha ar roinnt tionscadal, a ceapadh le comhchuibhiú a chur chun cinn trí oifigí náisiúnta MI, agus é a bheith níos éasca do lucht úsáide paitinne, trádmarc agus córas dearaidh.

Seo a leanas samplaí de chuid de na tionscadail chomhoibríocha a bhí ar bun i 2011

EUROCLASS

Is uirlis ar líne é EUROCLASS a cheadaíonn d'iaratasóirí agus úsáideoirí trádmarcanna féachaint ar liosta earraí agus seirbhísí a bhfuil glacadh leo ag na seacht nOifig déag atá rannpháirteach. Ceapadh é le cabhrú le hiarratasóirí ar thrádmarc téarmaí a bheadh inghlactha a aithint agus a n-earraí agus a seirbhísí a rangú i gceart sna haicmí cearta. Má bhíonn téarma liostáilte i mbunachar sonraí EUROCLASS na hÉireann glactar leis go bhfuil sé bailí. Nuair nach bhfaightear aon iontráil, is féidir go n-aithneofaí liosta de mhalairt téarmaí inghlactha sna haicmí a cuardaíodh. Mura bhfuil ann d'iontráil don téarma atá beartaithe i EUROCLASS is féidir go loirgeodh an Oifig soiléiriú ar an Iarratasóir.

Tá an córas bunaithe ar an 9ú Eagrán d'Aicmiú Nice faoi bhainistíocht WIPO. Áirítear timpeall 10,000 iontráil i mBéarla i Liosta Aibítreach Aicmiú Nice agus tá bhreis agus 100,000 iontráil i mBéarla sa bhunachar sonraí comhchuibhithe. Feidhmeoidh an WIPO mar idirghabhálaí i gcás aighnis idir rannpháirtithe.

Déanadh uirlis EUROCLASS a fhorbairt mar thionscadal comhoibrithe leis an OHIM agus oifigí náisiúnta trádmarcanna ó roinnt ballstát an AE. Tá sé á óstáil ar shuíomh gréasáin an OHIM agus is féidir rochtain a fháil freisin air ó na leathanaigh atá ag déileáil le rangú trádmarcanna ar shuíomh gréasáin Oifig na bPaitinní.

TMview - amharcTM

Is tionscadal eile comhoibrithe é amharc TM idir an OHIM, WIPO agus oifigí náisiúnta trádmarcanna. Is uirlis chomhairliúcháin ar líne é á óstáil ag OHIM a thugann deis d'úsáideoirí cuardach a dhéanamh, **saor in aisce**, ar thrádmarcanna gach oifig trádmarcanna oifigiúla atá rannpháirteach sa tionscadal. Le imeascadh á dhéanamh de réir a chéile ar gach oifig agus eagraíocht, tá sé ar intinn ag amharc TM a bheith mar ardán do shonraí cláraithe trádmarcanna gach ceann de na 27 Ballstát den AE in éineacht leis an eolas atá ar fáil ó OHIM agus WIPO. Thosaigh Oifig na bPaitinní in Éirinn ag plé le OHIM i 2011 d'fhonn comhtháthú a dhéanamh ar a bunachar sonraí trádmarcanna agus a faisnéis chláraithe in amharcTM.

SINSEARACHT

Soláthraíonn Airteagail 34 agus 35 de Rialacháin na dTrádmarc Comhphobail (RTC), agus Rial 8 den RTC ag Forfheidhmiú na Rialachán, bunús dlí le héilimh sinsearachta. Bunaithe ar na forálacha seo, is féidir le hiarratasóirí nó úinéirí RTC a bhfuil trádmarc náisiúnta cláraithe roimhe seo atá mar a chéile i gceann de Bhallstáit an AE d'earraí agus seirbhísí atá mar a chéile, sinsearach an mharc sin a éileamh. Ceadaíonn seo dóibh na cearta a bhí acu roimhe sin a choimeád fiú má ghéilleann siad a dtrádmarc náisiúnta nó mura ndéanann siad athnuachan air. Leanfaidh an ceart a fuarthas le clárú náisiúnta faoi scáth an RTC.

Braitheann forfheidhmiú éifeachtach na n-éileamh sinsearachta ar shonraí iontaofa a bheith ann agus iad coimeádta i mbunachair sonraí agus i gclár na n-oifigí náisiúnta ábhartha, atá, dá réir sin, ar cheann de na príomhfhoinsí eolais a fhaigheann

an úsáideoir deiridh. I rith 2011, chríochnaigh an Oifig tionscadal comhoibrithe leis an OHIM mar a ndearna an Oifig uasghrádú ar ábhar a cláir trádhmharcanna d'fhonn cásanna mar a mbíonn an OHIM tar éis an Oifig a chur ar an eolas maidir le héileamh sinsearachta maidir le clárú trádhmharc náisiúnta Éireannach a chur in iúl. Is féidir freisin nasc a dhéanamh siar ón gclárú Éireannach chuig an iontráil ar an gclár iomchuí RTC ar líne trí chliceáil ar mhionsonraí uimhir an RTC ar a bhfuil éileamh sinsearachta an mharc náisiúnta á dhéanamh.

CLÁR PAITINNE CHÓNAIDHME EORPACH

Fógraíodh ag Comhdháil Faisnéise Paitinne EPO in Éirinn i nDeireadh Fómhair 2011, go bhfuil an EPO i gcomhar leis na hoifigí paitinne náisiúnta tar éis tosú ar chlár le domhain-nascadh a dhéanamh ar shonraí ar chlár phaitinne náisiúnta a éascaíonn rochtain ar fhaisnéis ar stádas dlíthiúil phaitinní Eorpacha. Ceadaíonn scrúdú ar líne ar Chlár Phaitinní Eorpacha an EPO rochtain anois ar an taifead náisiúnta atá i gClár Paitinní na hÉireann agus roinnt chlár paitinní náisiúnta tríd an domhain-nasc iomchuí. Tá an EPO ag obair ar líon na gclár náisiúnta ar féidir domhain-nasc a dhéanamh leo ar an mbealach seo a mhéadú.

EUROTAB

Toisc go bhfuil Éire páirteach sa Choinbhinsiún Eorpach ar Phaitinní (CEP) tá cuid mhór i bpáirt aici leis an 37 comhbhall maidir le cleachtas paitinne. Tá ar gach ballstát prionsabail dlí paitinne na hEorpa a bheith le feiceáil ina reachtaíocht náisiúnta féin. Mar sin féin, laistigh de gach dlínse, is féidir éagsúlacht a bheith ar bhéim agus léirmhíniú de réir chleachtais agus traidisiún náisiúnta. Is cruinniú bliantúil comhstádais é EUROTAB mar ar féidir le scrúdaitheoirí paitinne ó bhallstáit CEP agus Oifig Phaitinne na hEorpa (OPE) teacht le chéile agus plé a dhéanamh ar cheisteanna comhleasa nó ar dhibhéirseacht i gcleachtas náisiúnta.

I mBealtaine 2011, rinne Oifig Phaitinne agus Trádhmharcanna na Gearmáine (DPMA) óstáil ar an gcurinniú seo ag a ceannáras i München. Chuir Éire páipéar tosaigh i láthair ar cheann de phríomh-mhéireanna an chlár oibre, is é sin “Deimhniú Cosanta Forlíontach: forfheidhmiú agus cleachtas náisiúnta”. Ar na ceisteanna eile a pléadh ag an gcurinniú bhí:

- Paitinníú dubailte;
- Cuardaigh staid na teicneolaíochta Áiseacha;
- Idirghníomhaíocht idir Oifigí Paitinne agus iarrtasóirí/ionadaithe: taithí ar fhorbairt agus úsáid choincheapa deachleachtais.

Comhdháil faoin bhFaisnéise Paitinne 2011

I mí Dheireadh Fómhair rinne Oifig na bPaitinní óstáil ar Chomhdháil faoin bhFaisnéis Paitinne OPE 2011 i gCill Chainnigh in Óstán agus Ionad Comhdhála Lyrath ar imeall na cathrach. Tá an comhdháil, a eagraíonn Oifig Phaitinní na hEorpa, ar siúl ó 1991 agus tá sé tar éis fás go dtí go bhfuil sé ar cheann de na himeachtaí is mó dá leithéid i ndomhan na Moine Intleachtúla. Tháinig 320 toscaire ann i mbliana – cuardaitheoirí paitinne, saineolaithe faisnéise agus soláthróirí gairmiúla sonraí agus seirbhísí cuardaigh – ó chomh fada i gcéin leis an tSín, an Astráil agus an Nua-Shéalainn. Tagann mórán de na saineolaithe seo ó chuid de na cuideachtaí is nuálaí ar an ardán domhanda, mar Nokia, Siemens, Shell agus Novartis.

Ba é an tAire Richard Bruton a d'oscail an chomhdháil agus chuir sé béim ar an tábhacht sa bhreis atá le nuálaíocht agus maoin intleachtúil i ngeilleagar na hÉireann. Ina aitheasc tosaigh dúirt Uachtarán an EPO Benoît Battistelli, “go deimhin is ceart ag an bpobal é rochtain a bheith acu ar fhaisnéis phaitinne, rud a leagann dualgas orainn sonraí na bpaitinní a fhoilsiú leis an bhfollasacht is mó”. Ar an mbealach seo chuir sé béim ar an tábhacht atá le rochtain ar shonraí na bpaitinní ar fud an domhain, agus rinne sé comparáid le tionscnaimh “rialtas oscailte” le déanaí i SAM agus san Eoraip.

Ag díriú dó ar an téama “sonraí oscailte” chuir duine de an príomhchainteoirí, an tOllamh Nigel Shadbolt, ó Ollscoil Southampton agus comhairleoir ag Rialtais an RA, béim ar na deiseanna atá ar fáil do chuideachtaí mórán dá sonraí rialtais atá dímhaoín a phróiseáil go feidhm úsáideach gréasáin agus taistil chun leasa na saoránach agus na bpobal. Thug sé dúshlán freisin do gach oifig phaitinne a bhfoinsí luachmhara sonraí a bheith chomh hoscailte agus i bhfoirm chomh inrochtana agus is féidir é.

Labhair Jim O'Hara, a chuaigh ar scor le déanaí mar POF ar Intel Ireland agus mar a bhí i ndiaidh Chathaoirleach ar Thascfhórsa an Rialtais ar Bheartú Tosaíochta Taighde, ar an ábhar “Dearcadh ardteicneolaíochta ar phaitinní agus a dtionchar ar fhorbairt gnó”.

In éineacht leis na láithreoireachtaí foirmeálta comhdhála, bhí sraith de phléghrúpaí beaga ann freisin ar cheisteanna éagsúla a bhain le hábhar mar chruthú agus chothabháil bhunachar sonraí stádais dhlíthiúil domhanda, feabhsú ar sheirbhísí aistriúcháin uathoibríoch ar dhoiciméid phaitinne, agus an tábhacht atá le caighdeán aontaithe a fhorbairt do bhunachair sonraí phaitinne. Bhí an taispeántas ar siúl ag an am gcéanna leis na himeachtaí a bhí ar an gclár ama, le 30 seastán ag na cuideachtaí móra faisnéise i réimse MI, mar Thomson Reuters, Questel agus Dialog.

Suíomh gréasáin Oifig na bPaitinní: www.patentsoffice.ie

Soláthraíonn an suíomh gréasáin réamhrá ginearálta do mhaoin intleachtúil agus eolas sonrach ar conas do smaointe a chosaint agus tá rannán ann ar MI do ghnó.

Áirítear ar an ábhar atá foilsithe ar an ngréasán tuarascálacha bliantúla ó bhlianta roimhe seo, réimse de leabhráin fhaisnéise MI, ráiteas reatha straitéise na hOifige agus plean gníomhaíochta seirbhíse do chustaiméirí agus gach reachtaíocht phríomha agus thánaisteach a rialaíonn feidhmeanna Oifig na bPaitinní.

Tá na seirbhísí seo a leanas ar fáil ar líne:

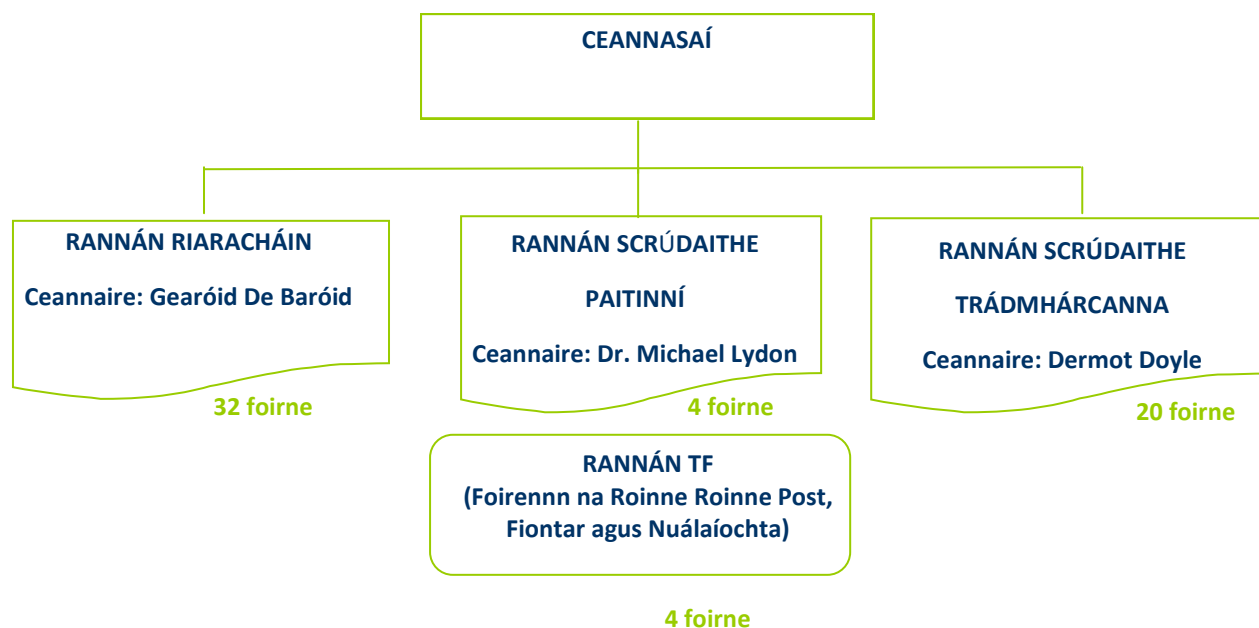
- Cláir agus Bunachair Sonraí d'Amharc agus do Chuardach – cuardach do phaitinní, trádhmharcanna, dearáí
- Rochtain agus amharc ar chláir chomhlachtaí cheadúnaithe chóipchirt
- Rochtain agus amharc ar chláir na ngníomhairí paitinne agus trádhmharcanna
- Íoc do tháillí paitinne, trádmharc nó dearaidh ar líne.
- Íoc do tháillí ceadaithe paitinne agus cláraithe trádmharc ar líne
- Amharc ar chinntí an Rialtóra i gcásanna trádhmharcanna idirpháirtíoch
- Cuardaigh agus amharc ar Iris Oifig na bPaitinní ar líne

An Iris Oifigiúil

An Iris Oifigiúil Tá innéacs inchuadaithe ag gach eagrán den Iris, in éineacht le heolas ar ghníomhaíochtaí a bhaineann le hiarratais agus clárú paitinní, trádhmharcanna agus dearáí. Mar shampla, is féidir leat féachaint ar shonraí de thrádhmharcanna agus dearáí san Iris ar glacadh leo. Tá mionsonraí san Iris freisin ar phaitinní ar cuireadh isteach orthu, a foilsíodh agus a tugadh, ar a n-áirítear paitinní a tugadh faoi Choinbhinsiún Paitinne na hEorpa ag ainmniú Éire.

Tá eolas san Iris freisin mar fhógraí oifigiúla, mionsonraí ar mhódhanna íocaíochta táillí reachtúla agus uaireanta oscailte Oifig na bPaitinní.

Eagrú, Struchtúr agus Pearsanra



FOIREANN AR SEIRBHÍS AR AN 31 NOLLAIG 2011

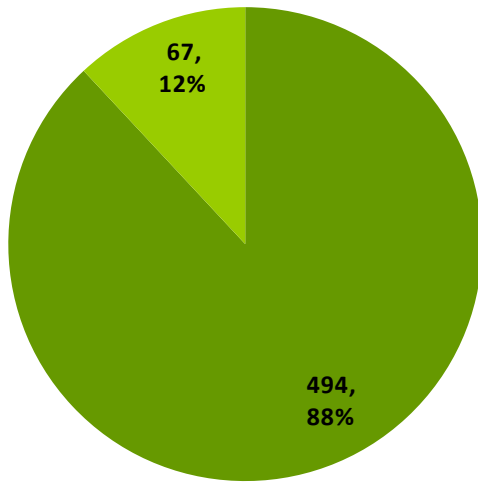
Foireann	Líon na bpost
1	Ceannasaí
2	Príomhoifigeach Cúnta
1	Scrúdaitheoir Sinsearach Paitinne
5	Ardoifigeach Feidhmiúcháin
1	Oifigeach Riaracháin
3	Scrúdaitheoir Paitinne
18	Oifigeach Feidhmiúcháin
1	Oifigeach Foirne
24	Oifigeach Cléireachais
1	Oifigeach Seirbhísí
57	

A chuimsíonn 17 foirne (3 Ardoifigeach Feidhmiúcháin, 9 Oifigeach Feidhmiúcháin agus 5 Oifigeach Cléireachais) a bhain feidhm as scéim oibre i bpáirt a cheadaíonn patrúin éagsúla tinnrimh. Bhain triúr feidhm as scéim teilea-oibre a cheadaíonn dóibh cuid dá ndualgas a chomhlíonadh ó bhaile ar feadh cuid den tseachtain. Bhí triúr eile (3 Oifigeach Cléireachais) ar sos oibre. Ar an 31ú Nollaig 2011 bhí comhionann le 49.6 phost iomlán san Oifig.

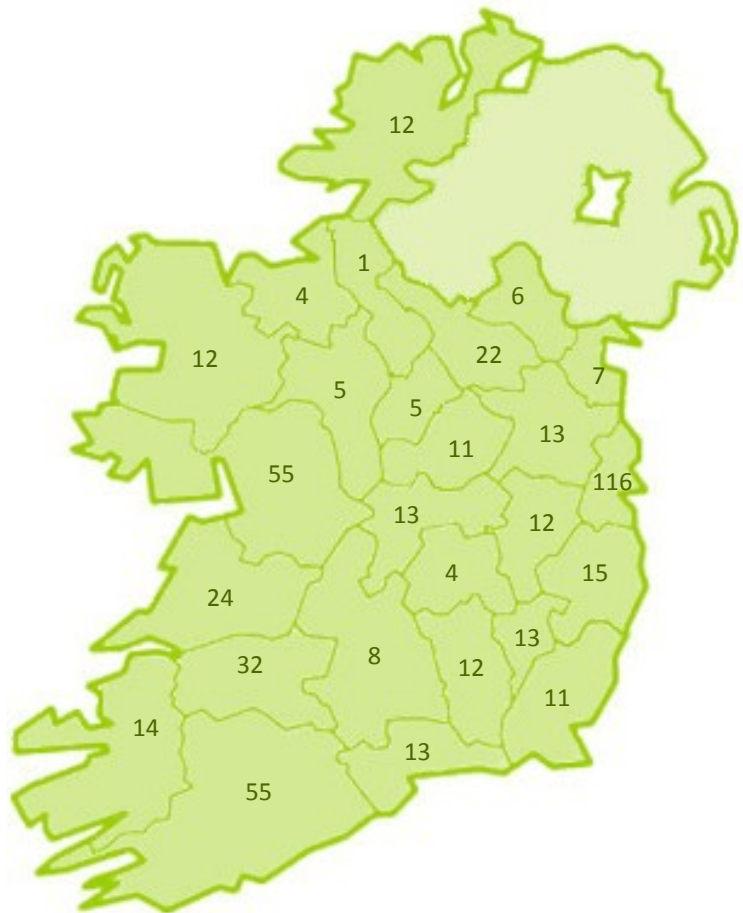
Solátharíonn an Roinn Post, Fiontar agus Nuálaíochta seirbhísí teicneolaíochta faisnéise don Oifig. Ina theannta sin tá ceathrar ball d'fhoireann Aonaid TF an Roinn (1 AF, 2 OF agus 1 OC) ag soláthar seirbhísí teicneolaíochta faisnéise don Oifig.

Staidreamh Gnó - PAITINNÍ

Iarratais Náisiúnta ar Phaitinní
on tír den chéad iarratasóir



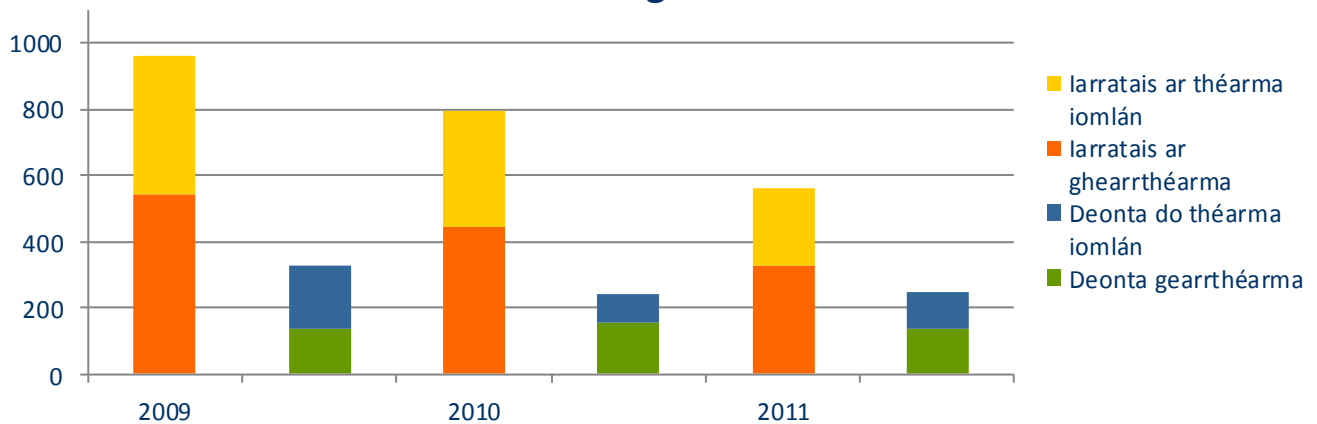
■ Iarratasóirí IE
■ Iarratasóirí Eachtrannacha



Iarratais ar Phaitinní faoi contae í 2011

BLIAIN	IARRATAIS FAIGHTE			PAITINNÍ DEONTA		
	Ar Théarma Iomlán (20 bliain)	Ar Ghearrthéarma (10 mbliana)	IOMLÁN	Do Théarma Iomlán 20 bliain	Do Ghearrthéarma (10 mbliana)	IOMLÁN
2009	415	546	961	191	137	328
2010	350	442	792	87	156	243
2011	230	331	561	114	136	250

Iarratais ar Phaitinní agus Deontais 2009-2011



Ar an an 31 Nollaig 2011, bhí 1,616 iarratas san iomlán ar feitheamh idir lámha. Díobh seo, bhí 492 iarratas ag fanacht go gcuirfí isteach fianaise ar nuagacht.

Fuarthas 492 iarratas ó iarratasóirí sa Stát i 2011 i gcomparáid le 733 i 2010.

Paitinní a deonadh i 2011 a raibh feidhm leo sa Stát

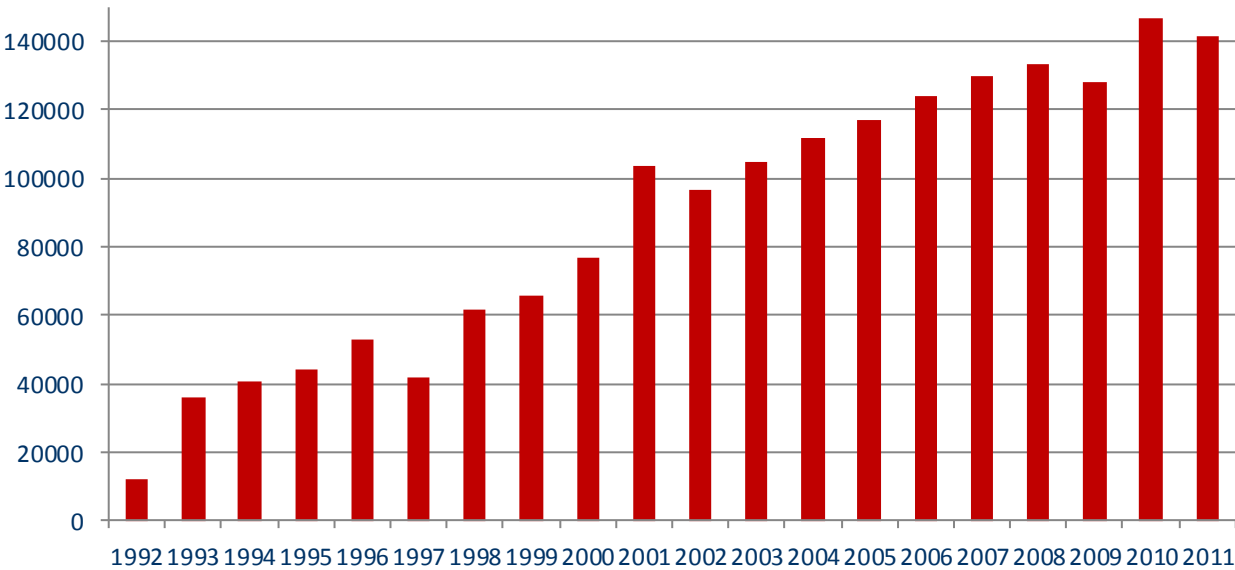
2011	Líon	Líon na bpaitinní a deonadh d'iarratasóirí ó laistigh den Stát	% de na paitinní a deonadh d'iarratasóirí ó laistigh den Stát
Deonta ag an Oifig	250	195	78%
Deonta ag EPE	45,505	185	0.40%
Iomlán Deonta	45,755	380	0.83%

Níl iarratais Eorpacha le sainiú ar Éirinn (cuireadh an deis seo ar fáil don chéad uair i 1992) san áireamh sna cairteanna thuas ach seo thíos na figiúirí fana gcoinne:-

BLIAIN	Comhadaithe	BLIAIN	Comhadaithe	BLIAIN	Comhadaithe
1992	11,755	1999	65,708	2006	123,912
1993	35,762	2000	76,806	2007	129,890
1994	40,705	2001	103,659	2008	133,248
1995	44,161	2002	96,779	2009	128,378
1996	52,755	2003	104,529	2010	146,726
1997	41,875	2004	111,537	2011	141,373
1998	61,584	2005	117,096		

Iontráladh na paitinní seo i gClár Náisiúnta na bPaitinní. Tá an seasamh céanna dlíthiúil acu in Éirinn is a bheadh dá mbeidís deonta ag m'Oifig-se.

Iarratais Eorpacha a rinne sainiú ar Éirinn



Nithe eile a bhaineann le Clár na bPaitinní

	2009	2010	2011
Paitinní agus iarratais ar phaitinní ina n-ábhar sannta (Alt 85 d'Acht na bPaitinní 1992)	809	800	826
Paitinní cúlghairthe	0	0	0
Paitinní tugtha suas	0	1	0
Paitinní tite ar lár	22,655	26,579	23,307
Paitinní curtha ar ais	16	13	15
Paitinní athnuaite	41,472	42,155	42,023
Paitinní éagtha	437	461	467
Paitinní i bhfeidhm	78,916	79,040	88,044

Éisteachtaí agus Ilnithe

	2009	2010	2011
Éisteachtaí	1	0	1
Iarratais Idirnáisiúnta um Comhoibriú Paitinne (PCT) a fuarthas le cur chuig WIPO	91	79	67
Iarratais ar Phaitinní Eorpacha a fuarthas le cur chuig EPO	39	27	27

Iarratais ar Dheimhnithe Cosanta Forlíontacha

Fuarthas 41 iarratas san iomlán ar Dheimhnithe Cosanta Forlíontacha i rith na bliana faoi Rialacháin na gComhphobal Eorpacha (Deimhnithe Cosanta Forlíontacha), 1992 (míochaineach) agus 1996 (táirgí cosanta plandaí).

I rith na bliana, deonadh 16 deimhniú (cosaint míochaineach agus plandaí), diúltaíodh do 3 iarratas agus tarraingíodh siar 1. Ag deireadh na bliana bhí 101 iarratas ar feitheamh.

Clár na nGníomhairí Paitinne

Ag deireadh na bliana 2011, bhí 79 duine aonair agus 6 comhpháirtíochtaí iontráilte i gClár na nGníomhairí Paitinne.

AICMIÚ AR NA PAITINNÍ A DHEONAIGH AN OIFIG SA BHLIAIN DAR CHRÍOCH 31 NOLLAIG 2011

Nóta ar Aicmiú Paitinne

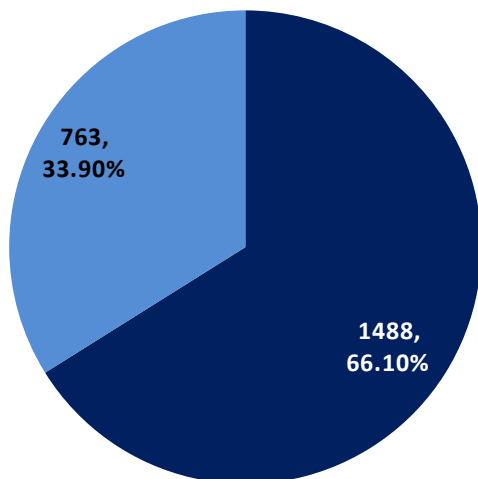
Tugtar cód aicmithe ar gach ní airgtheach i bpaitinn. Is féidir dhá aireagán nó níos mó a bheith i bpaitinn chomh fada is atá leorghaol eatarthu; mar shampla, comheascán nua ceimice agus a úsáid mar mhíochaine nó mar luibhicíd, nó léasar nua agus a úsáid i máinliacht súl nó léamh sonraí. Dá réir sin, is féidir go dteastódh líon áirithe siombal aicmiúcháin lena n-ábhar ar fad a chlúdach.

AICMIÚ	An líon deonuithe san Aicmiú *
A. RIACHTANAIS DAONNA m.sh. Ábhair bia, Sláinte, Nithe Pearsanta.	129
B. FEIDHMIÚ OIBRÍOCHTAÍ; IOMPAR: m.sh. Teicneolaíocht múnlaíthe, priontála, feithicle.	113
C. CEIMIC; MIOTALÓIREACHT	51
D. TEICSTÍLÍ; PÁIPÉAR	2
E. TÓGÁIL SHEASTA: m.sh. Foirgníocht, druileáil, mianadóireacht.	74
F. INNEALTÓIREACHT MHEICNIÚIL; SOILSIÚ; TÉAMH, ARMÁIN; PLÉASCADH	42
G. FISIC: m.sh. Optaic, ríomhaireacht, fisic núicléach.	66
H. LEICTREACHAS: m.sh. Ciorcaid leictreonacha, giniúint agus dáileadh leictreachais.	37

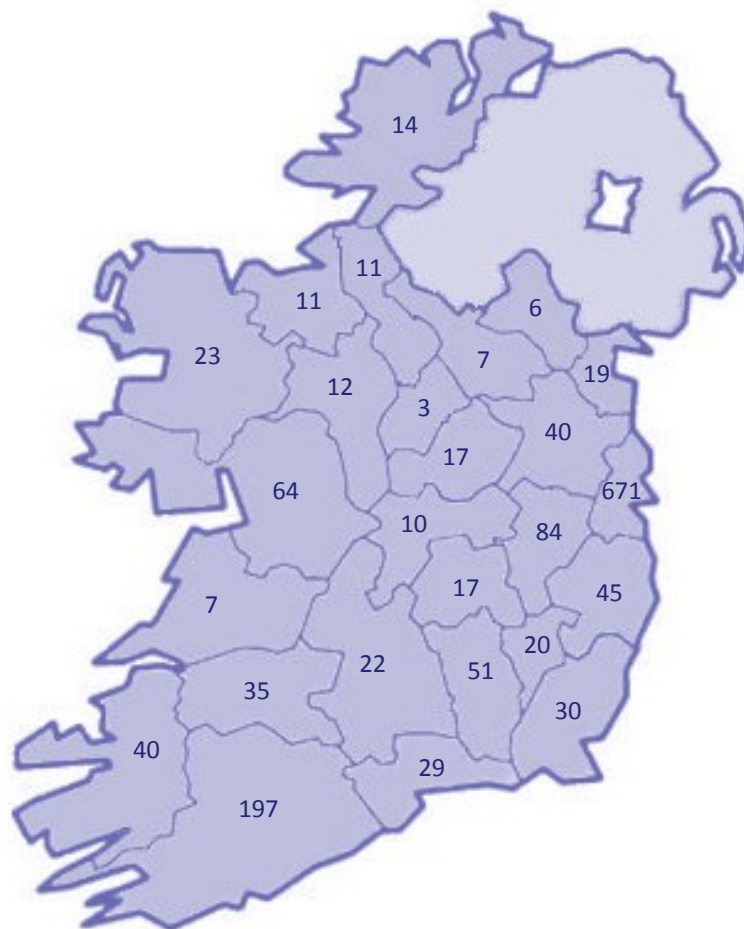
Aicmithe de réir Choidanna IPC do Phaitinní Deonaithe in 2011

Staidreamh Gnó - TRÁDMHARCANNA

Iarratais Náisiúnta
Trádmharcanna on tír den chéad
iarratasóir



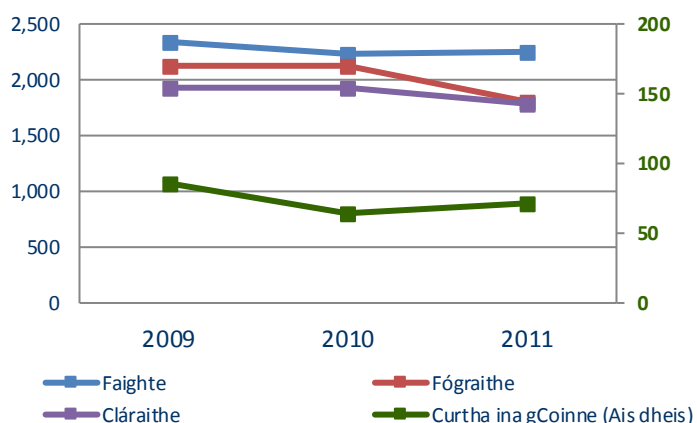
■ Iarratasóirí IE
■ Iarratasóirí Eachtrannacha



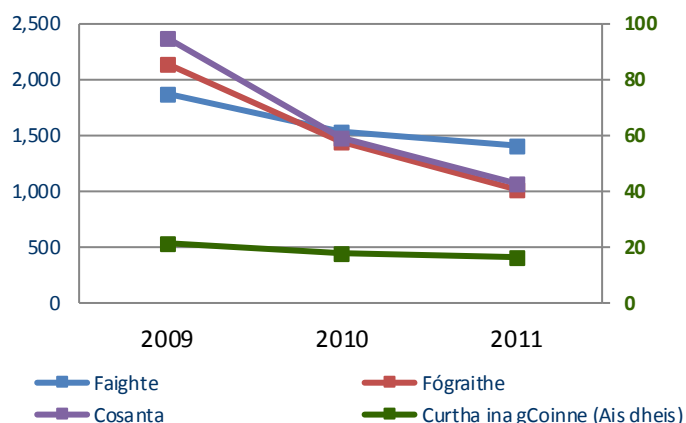
Iarratais ar Thrádmharcanna faoi contae í 2011

BLIAIN DAR CHRÍOCH	Iarratais Náisiúnta				Clárúcháin Idirnáisiúnta ina sainíodh Éire			
	Iarratais a Fuarthas	Fógraithe	Curtha ina gCoinne	Dearaí cláraithe	Iarratais a Fuarthas	Fógraithe	Curtha ina gCoinne	Cosanta
2009	2,339	2,123	86	1,935	1,871	2,139	21	2,368
2010	2,239	2,122	64	1,933	1,530	1,450	18	1,489
2011	2,251	1,803	71	1,783	1,410	1,021	16	1,069

Trádmharcanna Náisiúnta 2009 – 2011



Trádmharcanna Idirnáisiúnta 2009 – 2011



Nithe eile a bhaineann le Clár na dTrádmharc

	2009	2010	2011
Líon na dtrádmharc ina n-ábhar sannta	1,560	1,276	1,853
Líon na gceadúnas ar thrádmhairc taifeadta sa chlár	20	450	66
Clárúcháin Trádmharc asbhainte de dheasca neamhíocaíocht na dtáillí athnuachana	9,253	7,996	3,684
Clárúcháin trádmharc tugtha suas	24	33	29
Clárúcháin trádmharc tugtha ar ais	13	23	13
Clárúcháin trádmharc athnuaite	6,517	5,489	4,270
Trádmhairc Náisiúnta cúlghairthe go hiomlán nó i bpáirt	6	8	5
Trádmhairc Idirnáisiúnta cúlghairthe go hiomlán nó i bpáirt	0	0	0
Trádmhairc Náisiúnta fógraithe neamhbhailí	4	2	2
Trádmhairc Idirnáisiúnta fógraithe neamhbhailí	1	1	0
Trádmhairc náisiúnta cláraithe i bhfeidhm	74,117	67,862	65,884
Trádmhairc Idirnáisiúnta i bhfeidhm	21,344	22,620	23,740
Iomlán na dTrádmharc i bhfeidhm	95,461	90,482	89,624

Éisteachtaí agus Ilnithe

	2009	2010	2011
Éisteachtaí (<i>ex-parte</i>)	0	3	6
Éisteachtaí (<i>idir-partes</i>)	5	4	15
Iarratais le hiarratais Trádmhairc na bPobal Eorpacha a aistriú go hiarratais náisiúnta	65	63	60
Iarratais idirnáisiúnta trádmhairc ina raibh Éire ina hOifig Tionscnaimh comhadaithe atá curtha chuig WIPO	38	44	63
Iarratais Chomhphobail comhadaithe tríd an Oifig agus a cuireadh ar aghaidh chuig an Oifig um Chomhchuibhiú sa Mhargadh Inmheánach (OHIM)	1	0	1

Clár na nGníomhairí Trádmhairc

Ag deireadh na bliana 2011, bhí 204 duine aonair agus 5 comhpháirtíocht iontráilte ar an gClár.

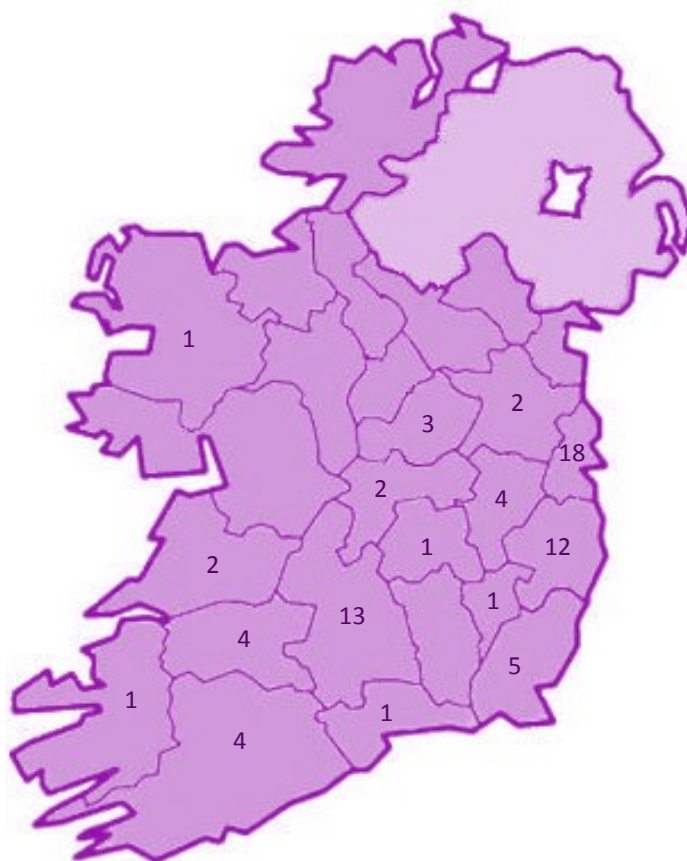
**AICMIÚ IDIRNÁISIÚNTA AR EARRAÍ AGUS AR SHEIRBHÍSÍ INA GCUIRTEAR NA
MARCANNA A CLÁRAÍODH IN 2011**

Rinne conradh iltaobhach ar a ghairtear “Comhaontú Nice Maidir le hAicmiú Idirnáisiúnta Earraí agus Seirbhísí chun Críocha Clárú Marcanna”. Tá Aicmiúchán Nice comhdhéanta de 45 ceannteideal aicmiúcháin a dhéanann cur síos an-leathan ar nádúr na n-earraí nó na seirbhísí atá i ngach ceann de na 34 aicme earraí agus na 11 aicme seirbhísí inar féidir trádhmarcanna a chur. Riarann An Eagraíocht Domhanda um Maoin Intleachtúil (WIPO) an t-aicmiúchán agus tá an t-eagrán reatha (an naoú ceann) i bhfeidhm ó Eanáir 1, 2007.

Aicme	Aicmiúchán Earraí	Líon na marc san	Aicme	Aicmiúchán Earraí	Líon na marc san aicme
1	Táirgí Ceimiceacha, srl.	48	24	Fíocháin (gréasáin), srl.	23
2	Péinteanna, srl.	43	25	Éadaí, ag áireamh Buataisí, Bróga	170
3	Ullmhóidí Tuartha, srl.	119	26	Lása agus Bróidnéireacht, srl.	10
4	Olaí Tionsclaíochta, srl.	31	27	Cairpéid, srl.	10
5	Substaintí Cógaisíochta, srl.	242	28	Cluichí, srl.	84
6	Miotail Choitianta agus a gcóimhiotail	26	29	Feoil, Iasc, Éineoil agus Géim, srl.	193
7	Meaisíní agus Inneal Úirlisí, srl.	30	30	Caifé, Tae, Cócó, Siúcra, Rís, srl.	231
8	Uirlisí agus Ionstraimí Láimhe, Sceanra,	20	31	Táirgí Talmhaíochta, srl.	42
9	Fearas agus Ionstraimí Eolaíochta, srl.	237	32	Beoir, srl.	79
10	Uirlisí Máinliachta, srl.	23	33	Fíonta, Biotáille agus Licéir	55
11	Fearas Soilsithe	53	34	Tobac, srl.	15
12	Feithiclí; Fearas Gluaiseachta ar Thalamh,	24	35	Fógraíocht, Bainistiú Gnó, srl.	272
13	Airm Thine, Lón Lámhaigh agus Diúracáin; Substaintí Pléascacha;	1	36	Árachas, Gnóthaí Airgeadais, srl.	129
14	Miotail luachmhara agus a gCóimhiotail,	33	37	Tógáil Foirgníochta, Deisiúcháin, l	70
15	Uirlisí Ceoil (seachas meaisíní cainte agus	6	38	Teileachumarsáidí	111
16	Páipéar, srl.	221	39	Iompar, Pacáistiú agus Stóráil	79
17	Guma Peirc, Cúitiúc, srl.	23	40	Cóiriú Ábhar	25
18	Leathar, srl.	44	41	Oideachas, Siamsaíocht, srl.	290
19	Ábhair Thógála, srl.	47	42	Seirbhísí eolaíochta agus	154
20	Troscán, Srl.	53	43	Soláthar bia agus dí	110
21	Acraí Beaga Tí, srl.	46	44	Seirbhísí míochaine, srl.	75
22	Rópaí, srl.	10	45	Seirbhísí pearsanta agus sóisialta	61
23	Snáitheanna	1			

Staidreamh Gnó - DEARAÍ

	2009	2010	2011
Iarratais ar Dhearaí*	44	54	46
Líon na ndearaí iarrtha*	75	124	86
Dearaí cláraithe	72	93	112
Dearaí tite ar lár	454	49	74
Dearaí athnuaite (Acht 1927)	134	119	85
Dearaí athnuaite (Acht 2001)	38	41	13
Dearaí i bhfeidhm (Acht 1927)	1,176	945	715
Dearaí i bhfeidhm (Acht 2001)	861	875	937

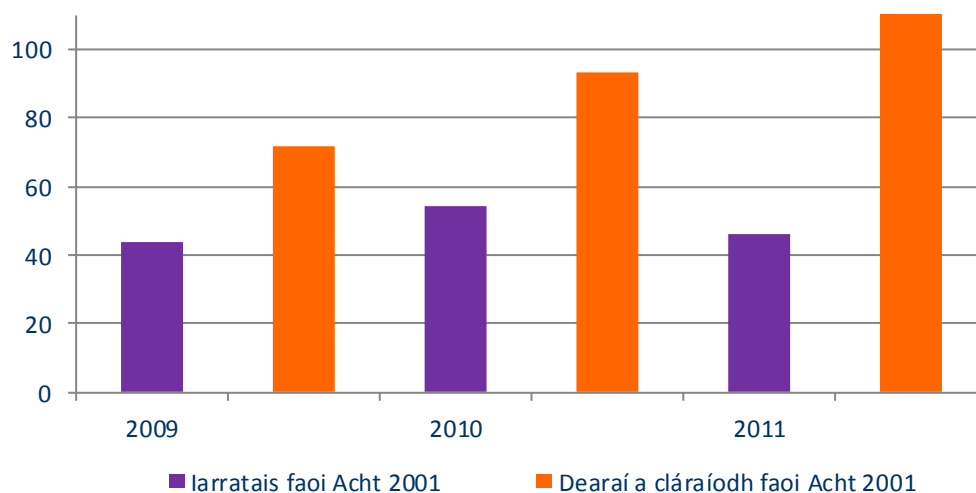


*Nóta- Déanann Riall 19 de Rialacháin um Dhearadh Tionsclaíoch 2002 soláthar gur féidir 2 dhearadh nó níos mó faoi réir ag uaslíon de 100 dearadh a bheith

Iarratais ar Dhearaí faoi contaie i 2011

	2009	2010	2011
Iarratais Chomhphobail comhadaithe trí Oifig na bPaitinní agus a cuireadh ar aghaidh chuig an Oifig um Chomhchuibhiú sa Mhargadh Inmheánach (O.C.M.I.)	12	4	2

Iarratais Dearaidh agus Clárúcháin 2009 – 2011



DEARAÍ A CLÁRAÍODH FAOI ACHT DEARADH TIONSCLAÍOCH, 2001 I GCAITHEAMH NA BLIANA DAR CHRÍOCH 31 NOLLAIG 2011

Bhunaigh conradh iltaobhach dá ngairtear “Comhaontú Locarnó ag bunú Aicmiúcháin Idirnáisiúnta do Dhearaí Tionsclaíocha” córas aicmiúcháin do dhearaí tionsclaíocha. Tá Aicmiú Locarnó comhdhéanta de liosta de 32 cineál earraí inar féidir dearaí tionsclaíocha a ionchorprú. Riarann An Eagraíocht Domhanda um Maoin Intleachtúil (EDMI) an t-aicmiúchán agus tá an t-eagrán reatha (an naoú ceann) i bhfeidhm ó Eanáir 1, 2009.

Rang	Aicmiúchán	Dearaí Cláraithe
1	Ábhair Bia	
2	Baill éadaigh agus Mionéadaí	9
3	Earraí Taistil, Cásanna, Parasóil agus Earraí Pearsanta, nach bhfuil sonraithe in áit eile	1
4	Earraí scuaibe	1
5	Earraí Gréasáin Teicstíle, Leatháin Shaorga agus Nádúrtha	
6	Feistis	9
7	Earraí Tí, nach bhfuil sonraithe in áit eile	8
8	Uirlisí agus Crua-earraí	3
9	Pacáistí agus Gabhdáin d'Iompar nó do Láimhseáil Earraí	5
10	Cloig, Uaireadóirí agus Ionstraimí eile Tomhais, Ionstraimí Seiceála agus Comharthaíochta	2
11	Earraí Maisiúcháin	33
12	Modhanna Iompair nó Árdaithe	
13	Trealamh do Tháirgeadh, Dáileadh nó Tarchur Leictreachais	
14	Trealamh chun Taifeadadh, Cumarsáide nó Aisghabháil Faisnéise	
15	Meaisíní, nach bhfuil sonraithe in áit eile	
16	Gaireas Fótagrafaíochta, Cineamatagrafaíochta agus Optaice	
17	Uirlisí Ceoil	
18	Meaisíní Priontála agus Oifige	1
19	Stáiseanóireacht agus Trealamh Oifige, Ábhair Ealaíontóirí agus Múinteoireachta	6
20	Trealamh Díolacháin agus Fógraíochta, Comharthaí	5
21	Cluichí, Bréagáin, Pubail agus Earraí Spóirt	31
22	Airm, Earraí Piortheicniúla, Earraí chun Fiaigh, Iascaireachta agus Marú Lotnaidí	
23	Trealamh Dáilithe Leachta, Trealamh Sláintíochta, Téimh, Aerála agus Aerchóirithe, Breosla Soladach	3
24	Trealamh Míochaine agus Saotharlainne	
25	Aonaid Foirgníochta agus Eilimintí Tógála	12
26	Fearas Soilsithe	7
27	Tobac agus Soláthairtí do Lucht Caite Tobac	
28	Táirgí Cógaisíochta agus Cosmaíde, Earraí agus Fearas Maisiúcháin	5
29	Gléasanna agus Trealamh in aghaidh Guaise Tine, Cosc ar Thionóisc agus chun Tarrthála	
30	Earraí um Chúram agus Láimhseáil Ainmhithe	1
31	Meaisíní agus Fearas Ullmhúcháin Bia agus Dí, nach bhfuil sonraithe in áit eile	
32	Siombalacha Grafacha agus Comharthaí, Patrúin Dreacha, Ornadaíocht	2
	IOMLÁN	144*

*Is féidir dearadh a bheith cláraithe i níos mó ná aicme amháin, agus dá bhrí sin sáraíonn líon na ndearaí sna ranganna líon na ndearaí atá cláraithe.

Staidreamh Gnó - CÓIPCHEART

Díospóidí a cuireadh faoi bhráid an Cheannasaí faoin Acht Cóipchirt agus Cearta Gaolmhara, 2000

Faoi Alt 38 den Acht, is féidir díospóidí idir dhaoine a sheinneann taifid fuaime go poiblí agus úinéir an chóipchirt atá sna taifid, maidir le luach saothair chóir iníoctha le húinéir an chóipchirt, a chur faoi bhráid an Rialtóra le cinneadh a dhéanamh.

Faoi Alt 152 den Acht, nuair a éiríonn díospóid idir bhainistíocht scéim cheadúnais maidir le saothar cóipchirt, agus duine a éilíonn gur gá dó nó dí ceadúnas faoin scéim, tig leis an duine sin, nó leis an mbainistíocht an scéim a chur faoi bhráid an Rialtóra le cinneadh a dhéanamh.

	Líon na ndíospóid a cuireadh faoi bhráid an Cheannasaí mar a bhí ar an 31/12/2010	Líon na dtarchur nua a fuarthas in 2011	Líon na gcás ar deineadh coinnead orthu	Cásanna <ul style="list-style-type: none">• tarraingthe siar• a measadh a bheith neamhbhailí• a bhí dúnta	Líon na gcás ar feitheamh ar an 31/12/2011
Díospóidí a cuireadh isteach faoi Alt 38 (4)	1	1	1 ⁽¹⁾	0	1
Díospóidí a cuireadh isteach faoi Alt 152	2	0	0	0	2 ⁽²⁾

⁽¹⁾ Maidir leis an tagairt d'Alt 38(4) ar feitheamh ag tús 2011, d'éisigh an Rialtóir Ordú i rith 2011 a rinne athrú suntasach ar théarmaí na táille a bhí ina ábhar conspóide. Bhí an tOrdú faoi réir imeachtaí Athbhreithniú Breithiúnach, a raibh sé mar thoradh air go ndéanfaí an tagairt a chur ar ais chuig an Rialtóir go ndéanfaidh sé cinneadh uirthi agus gur chóir go gcaithfí leis an iarratas mar thagairt nua ab initio.

⁽²⁾ Le comhaontú na bpáirtithe, threoraigh an Rialtóir go ndéanfaí tagairtí Ailt 152 ar feidhteamh ag tús 2010 a thagairt d'eadránaí a n-aontódh na páirtithe air. Bhí na conspóidí fós ar siúl i rith 2011 toisc nach ndéanfaidh an t-eadránaí a dhámhachtain go dtí 2012.

Cláir

Déanann an tAcht soláthar chomh maith dom leis na Cláir seo a leanas a bhunú agus a chothabháil;

- Clár de na Comhlachtaí Ceadúnúchán Cóipchirt
- Clár de na Comhlachtaí Ceadúnúcháin um Chearta Maoin Thaibheoirí
- Clár de na Comhlachtaí Ceadúnúcháin um Chearta do Bhunachair Sonraí

Go dtí seo tá 13 comhlacht cláraithe sa Chlár na gComhlachtaí Ceadúnúchán Cóipchirt agus 1 (ceann amhain) sa Clár de na Comhlachtaí Ceadúnúcháin um Chearta Maoin Thaibheoirí

REACHTAÍOCHT

Tá freagracht ar Aonad Maoine Intleachtúla na Roinne Post, Fiontar agus Nuálaíochta maidir le polasaí agus ullmhú reachtaíochta a bhaineann le maoín intleachtúil.

Reachtaíocht a achtaíodh in 2011

PATAINNÍ

I.R. 79 de 2011 – Rialacha Paitinne (leasú) 2011.

IDéanann na leasuithe seo ar Rialacha Paitinne 1992 na Rialacha Paitinne a ailíniú le Comhaontú Eacnamaíochta na hEorpa (CEE) d'fhonn clárú a dhéanamh ar Sheoladh do Sheirbhís ó thíortha CEE agus le ceadú do ghníomhairí phaitinne ionadaíocht a thabhairt d'iarraitasóirí paitinne sa tír seo. Ina theannta sin, leasaíonn an ionstraim seo Foirm 1 Oifig na bPaitinní (larratas a Phaitinn a Thabhairt), le ceadú d'iarraitasóirí caidreamh a bheith acu le hOifig na bPaitinní trí r-phost, le bileoga breise d'eolas forlíontach a bhaineann le iarraitasóirí agus le haireagóirí áirithe sa bhfoirm freisin.

CÓIPCHEART

I.R. Uimh. 709 de 2011 Rialacháin na gComhphobal Eorpach (Ceart an Ealaíontóra chun Athdhíola) 2011

Cuireann na Rialacháin seo le ceart an ealaíontóra chun athdhíola leo sin a mbíonn an ceart athdhíola aistrithe chucu (nó measta a bheith aistrithe chucu) tar éis bháis údair an bhunsaothar ealaíne. Cuirtear síneadh leis an gceart do thréimhse 70 bliain tar éis an bháis, maidir le díolacháin a bhfuil dáta a gconradh ar nó i ndiaidh 1 Eanáir 2012.

FAISNÉIS AIRGEADAIS

FÁLTAIS AGUS CAITEACHAS – AN BHLIAIN DAR CHRÍOCH 31 NOLLAIG 2011

Fáltais	€000
Táillí Paitinne <i>(Nóta 1 & 2)</i>	5,754
Táillí Trádmhairc	1,965
Clárúchán ar Thrádmhairc Idirnáisiúnta – táillí a fuarthas ó WIPO <i>(Nóta 3)</i>	591
Táillí Dearaidh	28
Táillí eile	102
Lúide aisíochtaí i leith táillí a íocadh i ndearmad	67
Lúide táillí idirbhearta i leith íocaíochtaí ar-líne le cártaí creidmheasa	105
Fáltais ghlan fabhraithe don Státchiste	8,268

Costais	€000
Tuarastail	2,210
Taisteal & Cothabháil	52
Ilnithe & Focostais	41
Seirbhísí Poist agus Teileachumarsáide	135
Meaisíní Oifige agus Soláthairtí eile Oifige	462
Costais Áitreabh Oifige	121
Foinsí eolais, leabhair, tréimhseacháin, srl.	4
Síntiúis do Chumainn Mhaoine Tionsclaíocha <i>(Nóta 4)</i>	765
IOMLÁN	3,790

Nóta 1:

Ag teacht leis an gCoinbhinsiún don Phaitinn Eorpach, ina bhfuil Éire rannpháirteach, tá ar Oifig na bPaitinní 50% de na táillí uile athnuachana a fhaightear i leith Paitinní Eorpacha a ndearnathas baili orthu in Éirinn agus atá iontráilte ar chlár náisiúnta na bpaitinní, a chur chuig Oifig Paitinní na hEorpa.

	[€000]
Táillí Paitinne	10,676
Lúide an cion de na táillí athnuachan paitinne a aistríodh go hOifig na bPaitinní Eorpacha.	4,922
Táillí Paitinne glan fabhraithe don Státchiste.	5,754

Nóta 2:

Feidhmíonn Oifig na bPaitinní mar Oifig fháltais d'iarratais ar phaitinní a dhéantar faoin Chonradh Comhair Paitinní agus sa cháilíocht sin faigheann sí táillí le tarchur chuig Oifig Paitinní na hEorpa agus chuig An Eagraíocht Domhanda um maoin Intleachtúil araon. Ní fhabhraíonn na táillí do Státchiste na hÉireann agus dá bhrí sin níl siad san áireamh sa bhfigiúr ar an bhfáltais glan. Seo a leanas mionsonraí ar na táillí a aistríodh chuig an EPO agus an WIPO i rith 2011:

	[€000]
Táillí Bunaigh agus Sainithe CCP tarchurtha chuig WIPO, an Ghinéiv.	81
Táillí cuardaigh CCP tarchurtha chuig EPO, Munich.	116
IOMLÁN	197

Nóta 3:

De bhun daingnithe na hÉireann ar an bPrótacal maidir le Comhaontú Maidrid maidir le Clárú Idirnáisiúnta ar Mharcanna (Prótacal Maidrid) ar an 19 Iúil 2001, faigheann an Oifig táillí dlite i leith iarratas Idirnáisiúnta Trádmhairc a lorgaíonn cosaint in Éirinn, ón Eagraíocht Domhanda um maoin Intleachtúil (WIPO).

Nóta 4

Léiríonn an méid a thaispeántar íocaíocht suibscríbhinní 2011 agus 2012 leis an WIPO toisc gur íocadh an dá cheann i 2011.

SPRIOCANNA FEIDHMIÚCHÁIN 2011

Réimhse Gníomhaíochta agus Leibhéal Bainte Amach					
Paitinní					
1	Admhálacha foirmeálta a eisiúint ar chomhadú iarrataisí foirfeacha laistigh de 5 lá oibre.	93%	7	Iarrataisí Eorpacha agus PCT agus sonraí bainteach leo a thraschur go dtí EPO/WIPO laistigh de 5 lá oibre ó fhaightear iad.	100%
2	Cóipeanna deimhnithe de dhoiciméid phaitinne a eisiúint laistigh de 5 lá oibre i ndiaidh iarraidh a fháil ar a leithéid.	99%	8	Deonú paitinní gearrthréimhseacha a cheadú laistigh de thréimhse 6 mhí tar éis d'iarratas cuí iomlán a bheith comhdaithe.	72%
3	Eisiúint na dteastas athnuachan paitinne laistigh de 3 lá oibre i ndiaidh fáil na híochaíochta.	98%	9	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.	88%
4	Iarratais ar chlárú sannaithe a phróiseáil laistigh de 7 lá oibre tar éis iarratas atá comhlánaithe go hiomlán agus i gceart a bheith tagtha isteach.	99%	10	A chinntiú go n-eisítear fógra i dtaobh fabhtaí foirmeálta laistigh de 15 lá oibre tar éis comhdaithe.	97%
5	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 5 lá oibre tar éis iarratas atá comhlánaithe i gceart a fháil.	96%	11	Dein deimhin de go mbíonn aicmiú déanta le haghaid foilsithe ar phaitinní gan roinnt taobh istigh de 17 mí i ndiaidh an dáta comhdaithe.	72%
6	Paitinní a dheonadh laistigh de 5 lá oibre ó fháil na táille deonaithe.	99%			
Deimhnithe Cosanta Forlíontacha					
1	Fógra ar mháchailí foirmeálta a eisiúint laistigh de 10 lá oibre ón dáta comhdaithe.	100%	3	Admhála a eisiúint ar iarrataisí foirfeacha DFC ceartchomhdaithe laistigh de 5 lá oibre.	100%
2	Scrúdú a dhéanamh ar gach iarratas ar Dheimhnithe Cosanta Forlíontacha ar a laghad 12 mí roimh dháta éaga na paitinne bunaidh.	98%			
Dearaí					
1	Admhálacha foirmeálta comhdaithe a eisiúint laistigh de 5 lá oibre ar iarratais ar dhearaí atá comhlánaithe i gceart.	86%	4	Deimhnithe athnuachana dearaidh a eisiúint laistigh de 3 lá oibre oibre tar éis an íochaíocht a fháil.	100%
2	Litir tosaigh agóidí / litir glactha a eisiúint laistigh de 12 sheachtain tar éis an t-iarratas a fháil.	100%	5	Iarrataisí Dearadh Comhphobail a thraschur go dtí OHIM taobh istigh de 5 lá oibre ó fhaightear iad.	100%
3	Deimhnithe clárúcháin dearthaí a eisiúint laistigh de 5 lá oibre tar éis don rannóg scrúdaithe an t-iarratas a ghlacadh.	100%			

Réimhse Gníomhaíochta agus Leibhéal Bainte Amach

Trádmharcanna

1	Admhálacha foirmeálta a eisiúint ar iarratais ar thrádmharcanna atá comhlánaithe i gceart laistigh de 7 lá oibre.	98%	10	Réamhthuarascálacha cuardaigh a eisiúint laistigh de 2 seachtain tar éis an t-iarratas a fháil.	100%
2	Iarratais ar shannadh a phróiseáil laistigh de 7 lá oibre tar éis iarratas atá comhlánaithe go hiomlán a fháil.	100%	11	Cóip d'fhógra ar agóid, iarratas ar aisghairm mar gheall ar neamhúsáid, nó dearbhú neamhbhailíochta a eisiúint chuig gach páirtí bainteach leis an chas taobh istigh de 2 seachtain ó fhaightear iad.	100%
3	Cóipeanna deimhnithe agus sleachta as Clár na dTrádmharc a eisiúint laistigh de 5 lá tar éis an iarratais.	100%	12	Freagra a thabhairt ar chomhfhreagras ar iarratais indibhidiúla (agóidí, aisghairm, neamhbhailíocht) laistigh de 5 seachtaine.	100%
4	Deimhnithe athnuachana ar thrádmhairc a chur amach laistigh de 3 lá oibre tar éis an íocaíochta a fháil.	99%	13	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%
5	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 5 lá oibre tar éis iarratas atá comhlánaithe i gceart a fháil.	96%	14	Trádmharc a chlárú laistigh de 5 lá oibre tar éis an táille clárúcháin a fháil.	98%
6	Glacadh (le haghaidh fógraíocht san Iris) le hiarrataisí ar thrádmharcanna taobh istigh de 3 mhí ón dáta comhdaithe i gcásanna nár chuir an Oifig aon rud ina gcoinne.	100%	15	Iarrataisí le haghaidh clárú Trádmharcanna Comhphobail a chur ar aghaidh chuig OHIM laistigh de 5 lá oibre ó fhaightear iad.	100%
7	Litir tosaigh agóidí/glactha a eisiúint laistigh de 12 sheachtain tar éis iarratas nua a fháil sa Rannóg.	100%	16	Iarrataisí le haghaidh Clárú Trádmharcanna Idirnáisiúnta a chur ar aghaidh chuig WIPO laistigh de	100%
8	Cinnithe in éisteachtaí a eisiúint laistigh de mhí amháin tar éis na héisteachta.	100%			
9	Cúinsí scríofa a eisiúint faoi chinntí in éisteachtaí laistigh de 2 mhí tar éis na héisteachta.	100%			

Ilchineálach

	Admhálacha íocaíochta a eisiúint laistigh de 2 lá oibre ar gach táille (i bhfoirm seice, dréacht bainc nó órdú airgid) a fuarthas.	99%
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