
PATENTS OFFICE



OIFIG NA bPAITINNÍ

Eighty Fifth Annual Report of the Controller of Patents, Designs and Trade Marks 2012

DUBLIN

PUBLISHED BY THE STATIONERY OFFICE

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GOVERNMENT PUBLICATIONS SALE OFFICE, SUN ALLIANCE HOUSE,
MOLESWORTH STREET, DUBLIN 2,

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GOVERNMENT PUBLICATIONS, POSTAL TRADE SECTION,
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Price: €5.00

Foreword

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 rights, the Office aims to assist people and businesses realise the full economic potential of their intellectual property.

I have the honour to submit my Annual Report to the Oireachtas for the year ended 31 December 2012, in accordance with the provisions of Section 103 of the Patents Act, 1992.

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 which are mainly 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 for the most part in the area of public performance of sound recordings.

In addition to administering the relevant legislation concerned with the processing of applications for patents, trade marks and industrial designs and maintaining the electronic registers and databases of these rights, the Patents Office performs a number of operational functions including:

- 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 trade mark attorneys authorised to operate in the State

- 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 and legislative developments on IP rights.

- Implementing and giving effect to international agreements on IP rights

My Annual Report for 2012 provides information on how the Office has discharged these functions under the six objectives established in its Statement of Strategy 2011 to 2013 and is supported by a range of business statistics. It is important to state that the Office has, in the context of the on-going economic downturn and budgetary reductions, continued to “do more with less” and is committed to deliver its services as efficiently and effectively as possible in the future.

I would like to extend my sincere thanks to the staff of the Office for their professionalism and hard work during 2012 and their commitment to maintaining an efficient and effective operational capacity for administering IP in Ireland.



Anne Coleman Dunne

Controller

25 June 2013

General Commentary on Trends, Objectives and Activities

The following commentary and accompanying statistical report considers the activities of the Office during 2012 in the context of achievements under the six strategic objectives set out in its Strategy Statement 2011-2013. These objectives are seen as central to fulfilling the mission of the Office and maintaining its operational efficiency. 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 (IPRs) in the fields of patents, trade marks and designs and the proactive dissemination of relevant knowledge and information in conjunction with each of these activities. The mission and strategy of the Office also ties in with the Government’s wider national objectives of supporting and encouraging enterprise and innovation and fostering an effective business environment.

Foreign IP filings by Irish entities

According to the World Intellectual Property Organization, IP-related commerce is worth an estimated US\$300 billion world-wide annually evidencing that intellectual assets are becoming increasingly important as economic growth drivers. WIPO also reported that intellectual property filings worldwide saw continued growth in 2012 despite a generally weak economic climate. This was most evident in the larger world economies, in particular China, (now with the largest Patent Office in the world), the US and Japan; with some smaller economies such as Ireland continuing to display overall declines in national IP filings, albeit at a reduced level to that shown in 2011.

Recent filing figures published by WIPO, the EPO, and OHIM of International and European filings abroad by Irish resident applicants also reflect declines. However, the figures do suggest that despite the economic downturn, Irish companies exporting abroad are continuing to ensure that their intellectual property rights are protected in foreign markets.

Number of PCT Filings by Country of Origin

	2008	2009	2010	2011	2012
Ireland	481	482	443	415	390

Source: WIPO Statistics Database

Note: The PCT system makes it possible to seek patent protection for an invention simultaneously in each of a large number of countries by filing a single "international" patent application. The above count is based on the international filing date and country of residence of the first named applicant.

Number of European Patent Filings by Country of Residence of Applicant

	2008	2009	2010	2011	2012
Ireland	712	743	762	690	638

Source: EPO Statistics Database.

Note: A European Patent Application is a single procedure which confers patent protection in all of the EPC contracting states (38) that are designated by the applicant.

Number of Community Trade Mark (CTM) applications by Country of Residence of Applicant

	2008	2009	2010	2011	2012
Ireland	796	817	828	821	834

Source OHIM Statistics SSC003.1

Note: The CTM system provides for a single application and registration procedure which provides trade mark protection across the 27 EU member states.

Number of Madrid International trade mark applications by Country of Origin

	2008	2009	2010	2011	2012
Ireland	81	112	101	130	121

Source: WIPO Statistics Database

Note: The Madrid system offers a trade mark owner the possibility to obtain trade mark protection in several countries by filing a single application. An international mark is equivalent to an application or a registration of the same mark effected directly in each of the countries designated by the applicant. The above figures comprise international filings by Irish applicants through the Irish Office and international filings by Irish applicants through other intellectual property offices which are members of the Madrid System.

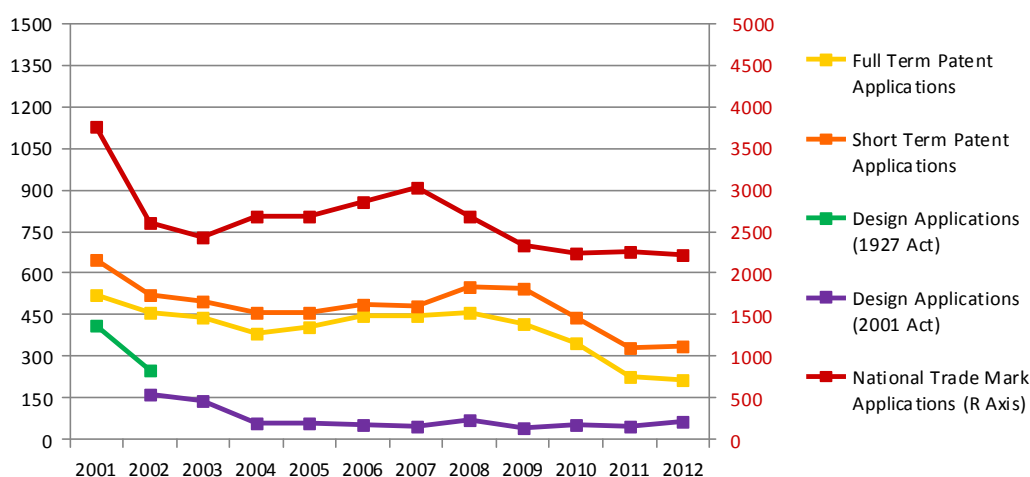
Objective (1)

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).

The Office continued to process applications for IP rights to the highest standard in accordance with the governing legislation and in line with best international practice. There were no processing backlogs and we have continued to review our processes, our IT infrastructure, our staff resources and our business targets to ensure that efficient and effective standards of service are maintained.

Business volumes remain unpredictable. Declines in filings for national IP rights which have featured in each year since 2008 (largely as a consequence of the continuing economic difficulties being experienced by business and industry) were again apparent in 2012. However, on a more positive note, the rate of decline has lessened and has begun to flatten out. While it is much too early to claim that this marks a turning point, it may signal a return of business confidence with companies investing again in innovation and branding and recognising the importance of protecting their IP in a very tight and competitive market.

National Patent, Trade Mark and Design Applications 2001-2012



Overall total applications for national patents declined marginally from 561 in 2011 to 554 in 2012. National long term patent filings received during 2012 were down 6% on 2011 (from 230 to 216), while the number of short term patent applications filed was up slightly by 2% on 2011 (from 331 to 338).

Applications for Supplementary Protection Certificates (SPC's) (which are of considerable importance to the pharmaceutical and medicinal products industry) increased significantly by 32% from 41 in 2011 to 54 in 2012. This not only demonstrates the continuing buoyancy of this sector but also the economic value of SPCs to companies wishing to extend the life of their pharmaceutical products.

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, increased sharply by 46% from 46 in 2011 to 67 in 2012. The 67 applications covered a total of 187 designs.

The total number of National trade mark applications received in 2012 continued to decrease showing a reduction of 2% over the 2011 figure (from 2,251 to 2,210). This continues the decline first evident in 2008 with the number of national filings decreasing practically every year since then. International applications for trade marks seeking protection in Ireland were also down 11.3% by comparison to 2011 (from 1,410 to 1,250). The number of International filings has continued to decrease year on year since the first applications were received in 2006.

Net receipts accruing to the Exchequer in 2012 were up by 4.6% on 2011 (from €8.268m. to €8.646m.). 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 €5.15m has continued to increase year on year (up €0.23m on 2011). This income stream has, in part, compensated for declines in fee income from other areas.

The Office's net expenses were also down by €0.94m over the corresponding 2011 figure.

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 this area. Our commitment to quality customer service is outlined in our Customer Service Action Plan 2010 – 2013, which is available on our website. 95% 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.

A significant percentage of the Office’s business transactions, particularly those related to the receipt and processing of applications, are paper-based. This can often hamper 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. Initially this involved the issuing of thousands of patent, trade mark and design renewal reminders and overdue reminders electronically by email instead of by post. During 2012, the Office continued to expand the type of documentation it both issues and receives by email and the majority of the Office’s correspondence and official documentation is now issued by email. Customers are also encouraged to correspond with the Office by email where possible. The objective of the Office’s e-communications programme is to ultimately combine electronic filing, electronic file processing and electronic communications in a way that will facilitate the introduction of largely paperless processing in the Office in the near future.

The report of the Innovation Task Force, published in March 2010, included a recommendation that the Office should introduce electronic and after hours filings. During 2011 the Office for Harmonisation of the Internal Market (OHIM) (which registers the Community Trade Mark in the European Union) initiated a number of Cooperation Fund harmonisation projects, one of which is the “Future Software Package (FSP) project”, which will facilitate the introduction of a system of online filing for trade marks. The e-filing project will also seek to incorporate the functionality currently available through other Cooperation Fund projects such as TMview and TMclass. The Patents Office will be an early adopter of the completed trade mark e-filing solution and this is expected to go live in the Office in 2013. The Office is a member of the OHIM FSP e-filing working group which oversees the development work involved in bringing this project to fruition. The development work and the work to be carried out to integrate the e-filing solution into the Office’s administration system, is being funded under the OHIM Cooperation fund.

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 in 2011 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 2012, 19 firms were availing of the electronic drop box facility which is a significant increase on last year’s figure of 10 firms.

In line with Government policy to promote the increased use of electronic payments in the public service and throughout the economy, the Office established a two new commercial bank accounts which have improved the fee payment options available to its customers. In 2012, 89% of the Office’s fee income was received via electronic payments.

During 2012, 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. The Office upgraded its in-house trade mark search system (ACSEPTO) to the latest version which is also used by OHIM, the UK Patents Office and several other European Offices. The upgrade is in line with best international practice and makes 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.

In 2012 the Office commenced work on the creation of an electronic database of specifications of Irish published patent applications going back to 1927. This will mirror the existing database of specifications of Irish granted patents from 1927 to date. As the electronic copies of the specifications (both for granted patents and published applications) are created they are associated with the relevant entry in the online Register of Patents and can therefore be accessed, free of charge, by external users searching the Register and Patents Office Journal via the Office’s website.

During 2012, staff continued to refine the work processes and technology solutions that underpin its core products and services to provide more efficient service delivery. In this regard, seven substantive enhancements to the PTOLEMY administration system were developed during the year, all of which were aimed at improving operational efficiency.

Objective (3)

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

The regulation of intellectual property rights in Ireland is a vital part of the overall legislative framework that promotes, protects and encourages innovation. The Irish system is consistent with best international practice, reflecting the country's commitment to EU Intellectual Property Law and to other international treaties and conventions, such as the European Patent Convention and the various Treaties and agreements of the World Intellectual Property Organisation. 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. Since November 2009 the role of Controller and Head of the IPU has been vested in the same individual. During 2012, the Office made observations and provided input to the Intellectual Property Unit in relation to the drafting of the following pieces of legislation:

The Patents (Amendment) Act 2012 (No.1 of 2012)

The Patents (Amendment) Rules 2012 (S.I. No.334 of 2012)

Patent, Trade Marks and Designs (Fees) (Amendment) (No2.) Rules 2012 (S.I No.334 & 335)

Patent, Trade Marks and Designs (Fees) (Amendment) Rules 2012 (S.I No.30 of 2012)

Industrial Designs (Amendment) Regulations 2012 (S.I. No.31 of 2012)

The Patents (Amendment) Act 2012 which came into operation on 3 September 2012, together with two associated statutory instruments implemented the London Agreement. The London Agreement is an optional agreement aimed at reducing the costs relating to the translation of European patents. Its implementation in Irish law provides that Ireland, as an EPC contracting state with an official language in common with an official language of the European Patent Office, i.e. English in the case of Ireland, no longer requires a translation of European patents filed in either French or German into English. The patent claims, which is that part of the specification which defines what is protected by the patent, and which have always had to be published in the three official EPO languages, continue to be so published under the London Agreement.

Objective (4)

To increase awareness of intellectual property.

Larger companies tend to be more IP aware and have greater resources to both find out about IP and to do something about it, whilst smaller businesses and the mass of micro-enterprises which are considered to be the bedrock on which the pillars of economic recovery can be built, are often effectively unaware of the IP system and how it can be used to benefit and grow a business. The Office has therefore sought to direct its IP awareness programme more towards small and micro-enterprises either leading or participating in 69 events in support of business (against a target number of 43) during 2012.

The report of the Innovation Task Force 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, advice and initiatives and supports for the public, business and industry.

By way of implementing the Innovation Task Force recommendations, the Patents Office, in cooperation with The Enterprise Europe Network, Enterprise Ireland and the County Enterprise Boards launched a 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 the competitive edge which can be gained by using 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. During 2012, two of these seminars took place in 2012 in Cork and Limerick in conjunction with the local Institutes of Technology. Over 120 people in total attended both seminars giving very positive feedback. It is appropriate to acknowledge the assistance and support provided by the Enterprise Europe Network and the other agencies as well as those patent and trade mark attorneys whose participation made the events interesting, informative and very relevant.

The Office also continued with its outreach programme of increasing awareness of intellectual property amongst the general public and directed particularly at the small business startup sector and students. Altogether, the Office participated in some 28 events speaking on IP at "Start Your Own Business" courses run by County Enterprise Boards and at business advice and enterprise exhibitions and shows throughout the country. Among the events attended were the "Kilkenny Start Up Boot Camp" where the Office conducted a series of presentations to numerous local groups and the "Athlone MeetWest" where the Office held one to one sessions with various businesses who had specifically requested our presence.

The Patents Office held 45 IP clinics in 2012. 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 has been found to 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 was also provided to individuals and at a number of dedicated workshops.

The Office has also identified a need to increase and reinforce awareness of IP in programmes and initiatives aimed at enhancing a culture of entrepreneurship and business acumen at second level. The Office therefore continued to promote awareness of IP amongst second level students, parents and members of the public attending the annual BT Young Scientist & Technology Exhibition which took place in the RDS, Dublin from 12 -14 January 2012. With over 550 exhibitors the event attracts over 40,000 people making it one of the largest events of its kind in Europe, if not the world! The Office continued with its sponsorship of a special award which 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 2012 Patents Office sponsored prize was Quinn Ungar from Mount Saint Michael Secondary School, Rosscarbery, Cork, with his project 'A single pedal replacement for double bass pedals.

The Student Enterprise Awards run by the County and City Enterprise Boards is the biggest enterprise competition for second level students in Ireland with some 16,000 potential participants. It helps students to grasp real life skills associated with running a real enterprise including working as part of a team, managing production and finances, organizing a sales and marketing campaign and liaising directly with customers, judges and the media. As such, it provides an excellent vehicle for the Office to engage with second level students to encourage student entrepreneurs to reflect an awareness of IP when developing a business idea and establishing and running a successful enterprise. For the 2012-2013 competition, the Office produced an IP workbook which was circulated to all second level schools in the Autumn of 2012. The National Finals took place in April 2013 and the Office obtained the support of the Association of Patent and Trade Mark Attorneys for a special prize at the finals (in the Junior, Intermediate and Senior Categories) to the student enterprise whose completed business report demonstrates the best awareness, understanding and inclusion of IP in their business and business planning. The internet is now a key communications tool. Recognising this, the Office continued to seek to utilise its website as a means of making information on IP more readily available and to promote the use of its interactive search services. Some usage statistics give an indication of the popularity and importance of the site for our users.

The number of visits to the website in 2012 increased by 32% on 2011 (from 487,900 in 2011 to 643,605 in 2012) and the number of unique visitors in 2012 increased by 51% on 2011 (from 174,178 in 2011 to 263,267 in 2012).

Page views also increased by 52%, (from 3.56 million views in 2011 to 5.42 million views in 2012).

The online register pages continue to remain the most popular with visits to the interactive Trade Mark Register increasing by 39% on 2011 (from 465,548 visits in 2011 to 647,016 visits in 2012).

The Office also sought to exploit the interest in social media for the communication of information on IP and to this end established a presence on Facebook. While it is primarily used to post information about upcoming events, conferences and seminars where the Office will have a presence, it is hoped to expand it to be an additional information resource for students, particularly in conjunction with the Office's participation in the Student Enterprise Awards.

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, 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 2012, the Office had 49 authorised posts, 8 less than in 2011. However, when work-sharing and other family friendly working arrangements are taken into account, the Office operated with a staffing level of 43.9 full time equivalents during 2012, 5.1 less than in 2011. The reduction in staffing levels was accomplished without reducing operational effectiveness. The Office is committed to ensuring that all staff performance is appraised regularly and that staff reviews are completed in a timely fashion. All staff have engaged with the new Performance Management Development System (PMDS) process 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 2012. Outside of continuing on-the-job training, staff undertook a total of 39.5 training days during 2012. Training was provided in areas such as information and communication technology skills, specialist training in the processing of Supplementary Protection Certificates, Writing Skills and Health and Safety (First Aid).

Staff of the Office have also played an important role in reducing energy consumption in line with the Public Sector Programme contained in the Governments National Energy Efficiency Action Plan. The monitoring and reporting system which has been put in place has shown that the implementation by the staff of a range of practical energy saving measures has resulted in total Energy Consumption decreasing by -15.0% in the last 12 months (compared with 2008) with a consequential saving in energy costs.

Electricity consumption has decreased by -18.6% in the last 12 months (compared with 2008)

Fuel consumption has decreased by -3.3% in the last 12 months (compared with 2008)

In terms of total CO2 emissions, production has decreased by -17.2%, since 2008 or by -98,728 Kg.

Normalised for weather variations, CO2 emissions have decreased by -18.5% since 2008 or by -106,214 Kg.

The involvement of staff in continual improvement and the level of enthusiasm shown in support of energy saving measures is to be commended.

Objective (6)

To represent Ireland at international fora.

Patents Office staff represent Ireland on the Administrative Council of the European Patents Office (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 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 and 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, OHIM and the EPO, 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 2012.

TMclass

TMclass is an online tool that allows trade mark applicants and users consult a list of goods and services that are acceptable to the eleven participating Offices, including Ireland, who have fully harmonised their database of acceptable terms. The classification databases of a further twenty Offices can also be accessed but these have yet to fully harmonise their terms. The system 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 TMclass database it will be accepted by the Irish Office as a valid term. 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 TMclass the Office may seek clarification from the Applicant.

The system is based on the 10th 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 64,000 English entries. WIPO will act as mediator in the event of any dispute between the participants. The TMclass tool was developed as a cooperation project with the OHIM and a number of national trade mark offices 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. TMclass was rebranded from Euroclass to reflect the fact that the Offices of Japan and the United States have now joined the project and more Offices are expected to join in 2013.

TMview

TMview is a cooperation project between the OHIM, WIPO and EU national trade mark offices. It is a comprehensive and user friendly online consultation tool hosted by OHIM that provides users with the possibility to search, free of charge, the trade mark applications and registrations from all of the participating trade mark offices. It is therefore very useful for carrying out a trade mark search, checking the availability of a mark and discovering what marks are used by competitors. With the gradual integration of all offices and organisations, TM view 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. Trade mark data from the Irish Patents Office was added to the TMview search tool in December 2012. This last expansion brings the total number of offices that have made their trade mark data available to TMview to 25. With the addition of more than 153,000 Irish trade marks, TMview now provides access to almost 9.7m trade marks in total.

OHIM SOFTWARE PACKAGE PROJECT

The Irish Patents Office is represented on the Working Group of the OHIM Software Package project. The aim of this project is to develop and implement a suite of modern, web based tools supporting the trade marks and designs lifecycle. This project will also seek to incorporate the functionality available through other Cooperation Fund projects such as TMview and TMclass.

The first part of the project relates to the electronic filing of trade mark applications. The Irish Office will be an early adopter of the completed solution and this is expected to go-live in the Patents Office in the last quarter of 2013.

IPORTA & INNOVACCESS

The Office is also a partner Office in an EU programme called IPORTA which commenced in 2012 and involves the participation of 26 European IP Offices. EPO and OHIM are observers. The programme is co-ordinated by the CRP Henri Tudor on behalf of the Luxembourg IP Office. This project seeks to strengthen the cooperation between national intellectual property offices from the Member States and associate countries and to promote activities and tools related to the use and management of intellectual property rights. It aims at building synergies among national IP Offices, with national business support organisations and with other IP stakeholders such as the European and China IPR Helpdesk and the Enterprise Europe Network in order to help SMEs to better integrate IP in their business strategies and better exploit them. More information can be found at www.innovaccess.eu.

Office Publications

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.

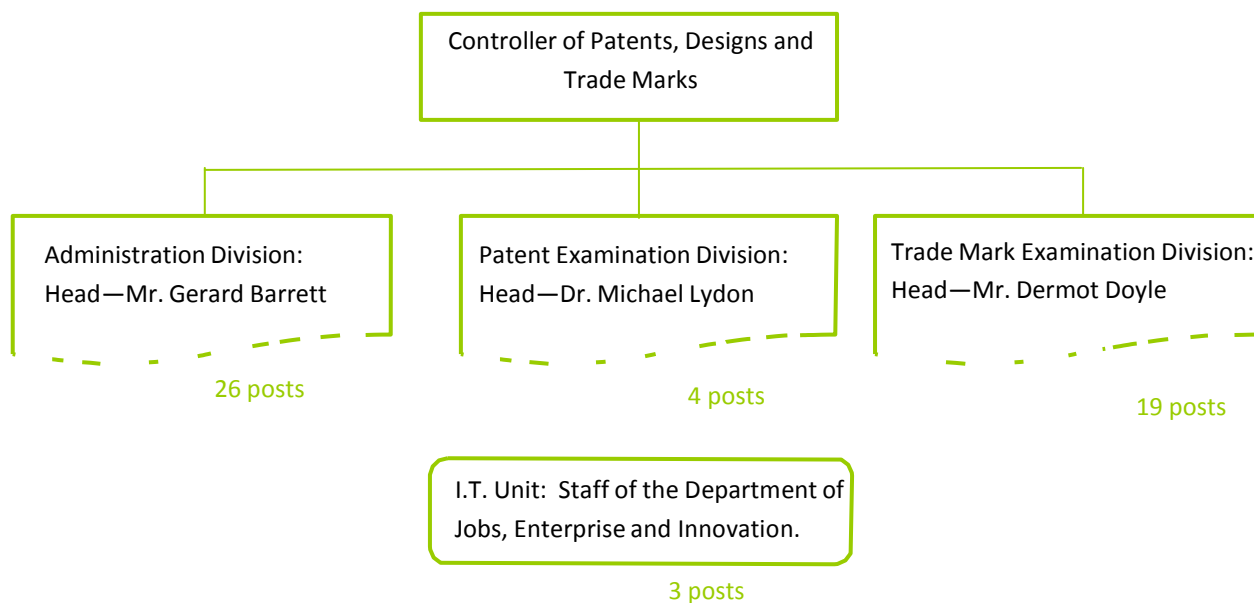
- Search and view the Patents Office Journal online.

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. During 2012, an interactive facility was introduced into the online Journal which now allows users access to the Register extract for any particular patent, trademark or design contained within a journal by clicking on a hyperlink within the journal.

Organisation Structure and Personnel



Number of Staff serving as at 31 December 2012

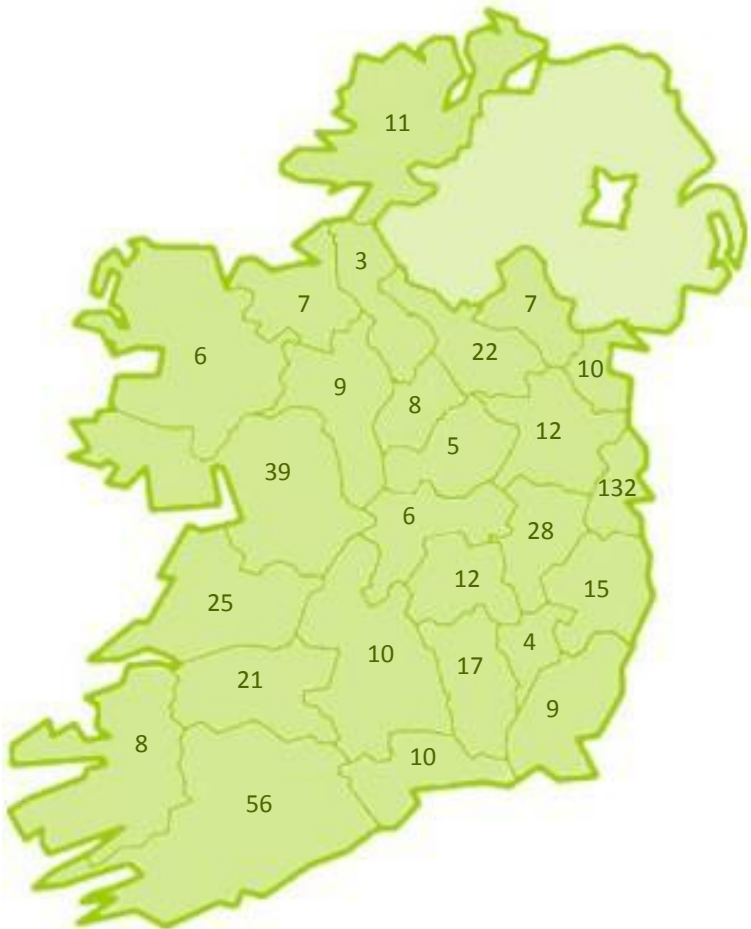
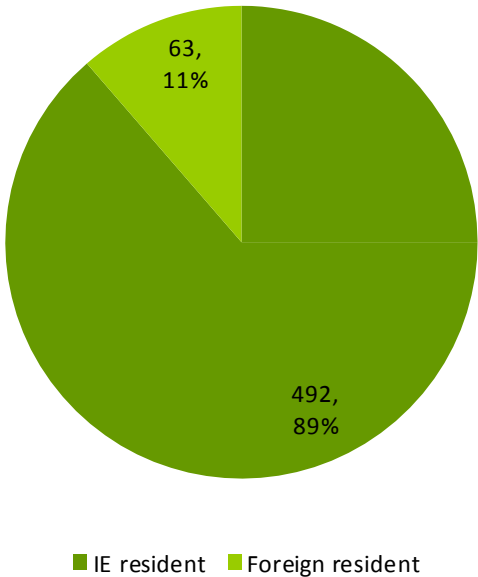
Number	Title of Post
1	Controller
2	Assistant Principal
1	Senior Patent Examiner
4	Higher Executive Officer
1	Administrative Officer
3	Patent Examiner
16	Executive Officer
1	Staff Officer
19	Clerical Officer
1	Services Officer
49	

This staff figure includes 15 staff; 3 Higher Executive Officers (HEOs), 6 Executive Officers (EOs) and 6 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. The number of full-time equivalent posts in the Office at 31 December 2012 was 43.9

The Department of Jobs, Enterprise and Innovation provides information technology services to the Office. There are 3 staff members of the Department's IT Unit (1 HEO, 1 EO and 1 CO) situated in the Office.

Business Statistics - Patents

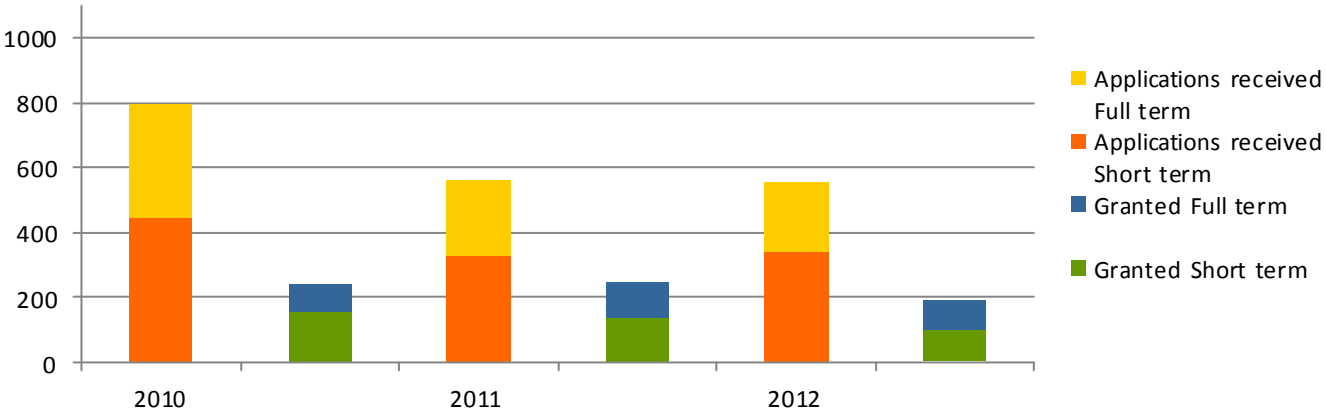
National patent applications by country of first applicant.



National patent applications by county in 2012

YEAR	APPLICATIONS RECEIVED			PATENTS GRANTED		
	Full Term (20 year)	Short Term (10 year)	TOTAL	Full Term (20 year)	Short Term (10 year)	TOTAL
2010	350	442	792	87	156	243
2011	230	331	561	114	136	250
2012	216	338	554	101	89	190

Patent Applications and Grants 2010-2012



As at 31 December 2012, there were a total of 1,532 pending applications on hand. Of these 334 applications were awaiting the submission of evidence of novelty.

The number of applications received from applicants in the State was 492 compared with 494 in 2011.

Patents granted in 2012 having effect in the State

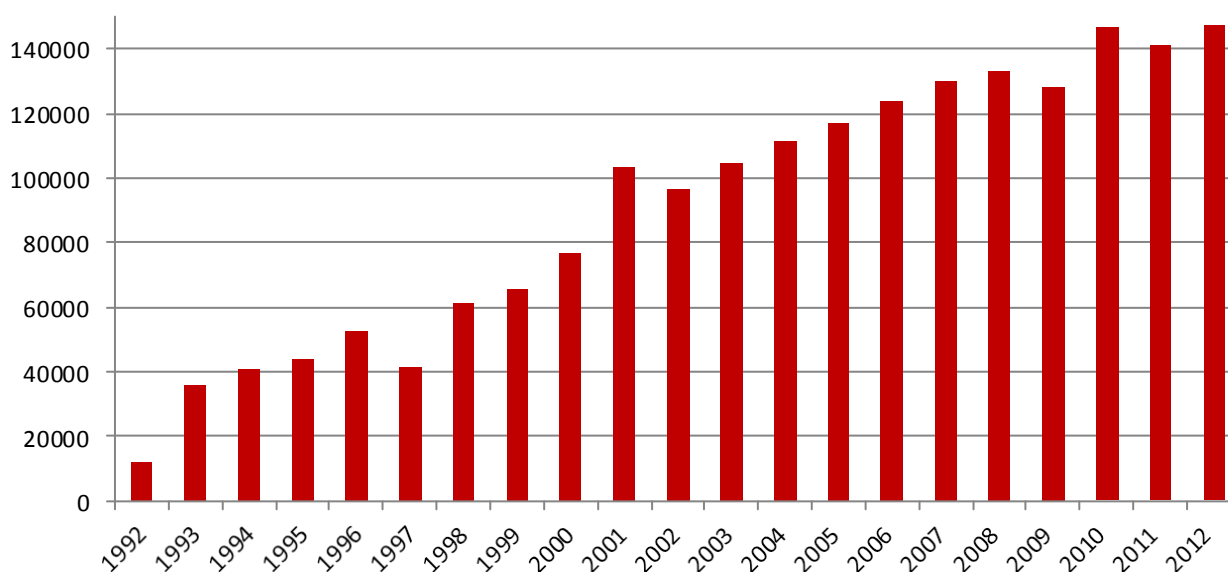
2012	Total	Number of patents granted to Applicants from within the State	% of patents granted to Applicants from within the State
Granted by Office	190	132	69%
Granted by EPO	51,288	192	0.37%
Total Grants	51,478	324	0.62%

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	2012	147,551

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 the Office.

European Patent Applications designating Ireland



Other matters affecting the Register of Patents

Other Patent Activity

	2010	2011	2012
Patents and patent applications the subject of assignments	800	826	932
Patents revoked	0	0	0
Patents surrendered	1	0	3
Patents lapsed	26,579	23,307	32,193
Patents restored/reinstated	13	15	14
Patents renewed	42,155	42,023	42,586
Patents expired	461	467	636
Patents in force	79,040	88,044	96,899

Hearings & Miscellaneous Matters

	2010	2011	2012
Hearings	0	1	0
International Patent Co-operation Treaty (PCT) Applications received for transmission to WIPO	79	67	54
European Patent Applications received for transmission to the EPO	27	27	7

Requests for Supplementary Protection Certificates

A total of 54 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, 17 certificates were granted (medicinal and plant protection), no requests were rejected and 15 requests were withdrawn. At the end of the year there were 123 requests pending.

Register of Patent Agents

At the end of 2012, there were 71 individuals and 6 partnerships entered in the Register of Patent Agents.

CLASSIFICATION OF PATENTS GRANTED BY THE OFFICE IN YEAR ENDED 31 DECEMBER 2012

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)).

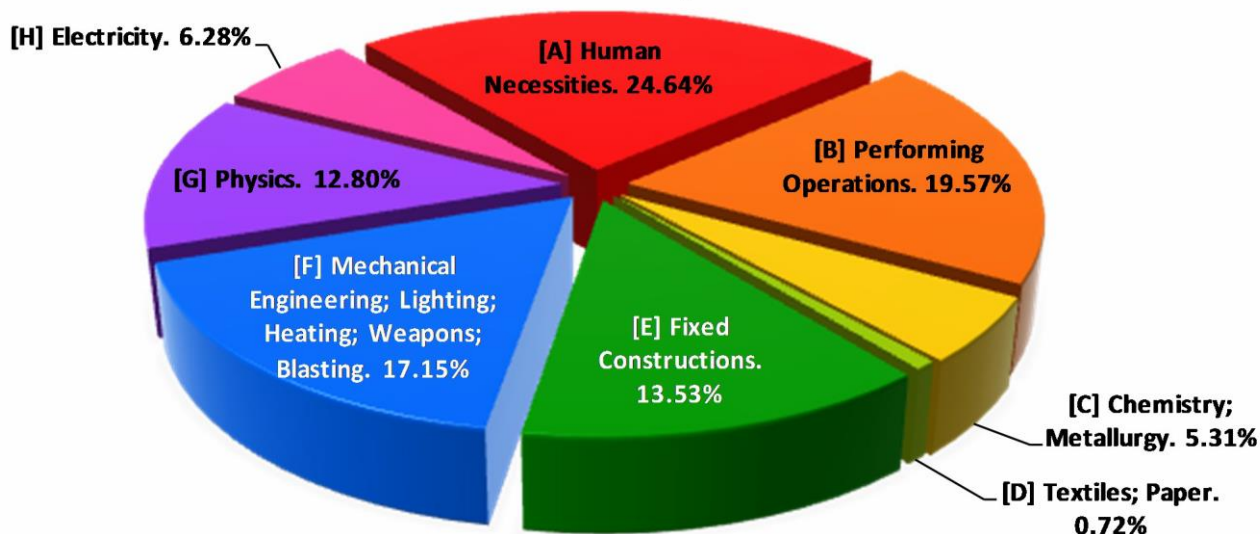
A classification code is given for each inventive thing in a patent. A patent may contain two or more inventions as long as they are sufficiently related; for instance, a new chemical compound and its use as a medicine or herbicide, or a new laser and its use in eye surgery or data readers. Accordingly, 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 2012. 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	102
B. PERFORMING OPERATIONS; TRANSPORTING: e.g. Shaping, printing, vehicle technology	81
C. CHEMISTRY; METALLURGY	22
D. TEXTILES; PAPER	3
E. FIXED CONSTRUCTIONS: e.g. Building, drilling, mining	56
F. MECHANICAL ENGINEERING; LIGHTING; HEATING; WEAPONS; BLASTING	71
G. PHYSICS: e.g. Optics, computing, nuclear physics	53
H. ELECTRICITY: e.g. Electronic circuits, electricity generation and distribution	26

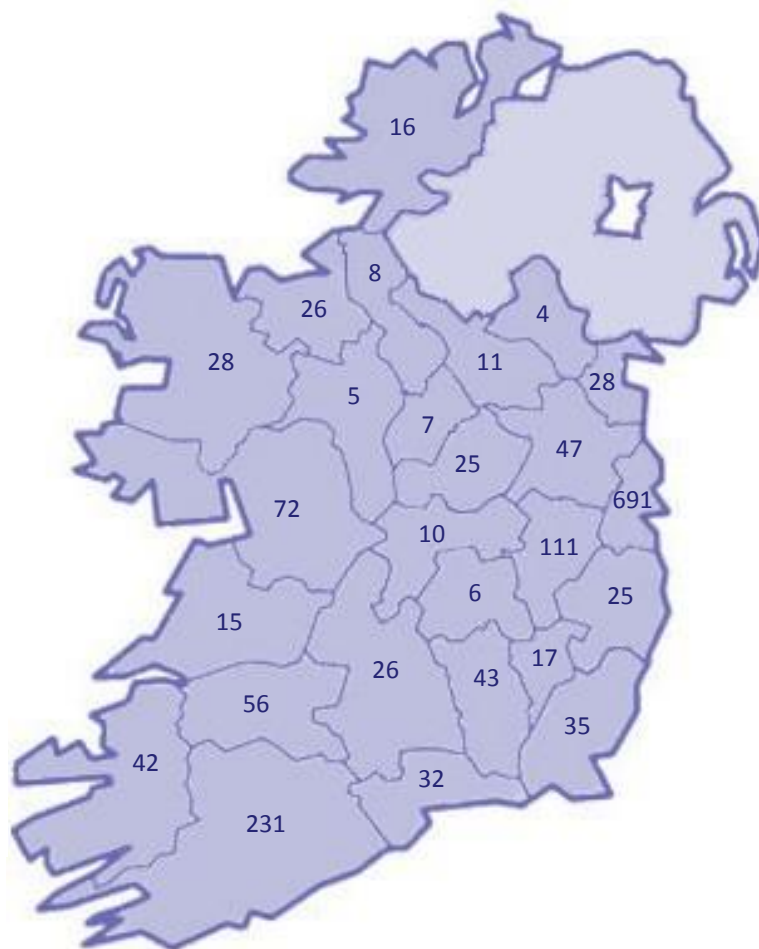
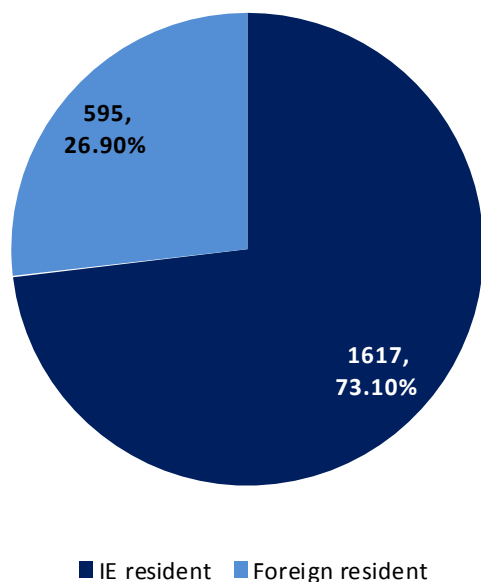
* Note:- Because it is possible that a granted patent may be classified in more than one technical field, the number of classifications into which these patents fall will exceed the total number of patents granted.

Granted Patent Classifications by IPC section in 2012



Business Statistics - Trade Marks

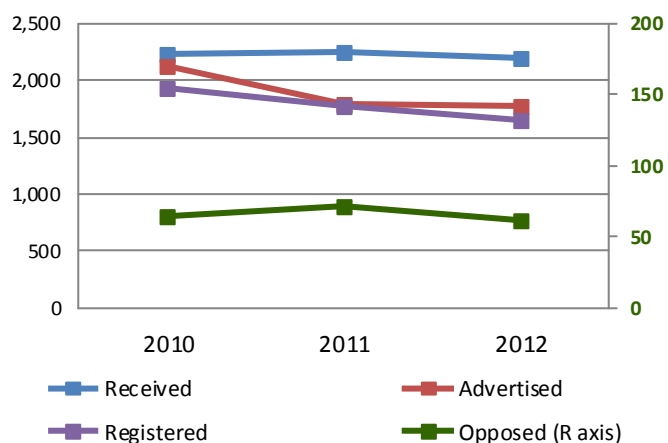
National Trade Mark applications by country of first applicant.



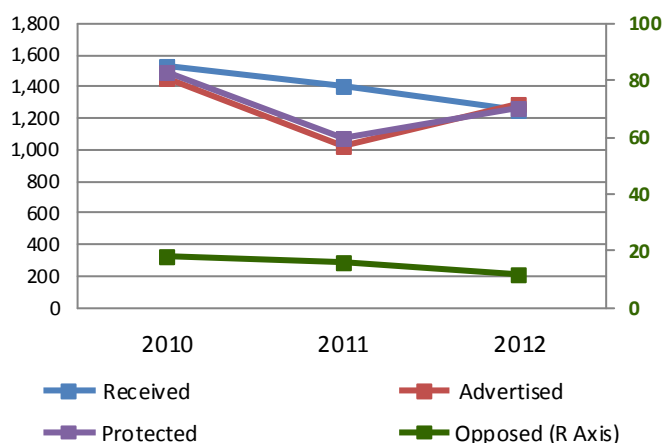
National Trade Mark applications by county in 2012

Year ended	National Applications				International Registrations designating Ireland			
	Received	Advertised	Opposed	Registered	Received	Advertised	Opposed	Protected
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
2012	2,210	1,781	61	1,648	1,250	1,290	12	1,260

National Trade Marks 2010-2012



International Trade Marks 2010-2012



Other matters affecting the Register of Trade Marks

	2010	2011	2012
Number of trade marks the subject of assignments	1,276	1,853	1,427
Number of licences of trade marks recorded in the register	450	66	50
Trade mark registrations removed for non payment of renewal fees	7,996	3,684	3,824
Trade mark registrations surrendered	33	29	12
Trade mark registrations restored	23	13	8
Trade mark registrations renewed	5,489	4,270	4,874
National trade marks revoked in full and in part	8	5	7
International trade marks revoked in full and in part	0	0	5
National trade marks declared invalid	2	2	0
International trade marks declared invalid	1	0	0
National registered trade marks in force	67,862	65,884	63,674
International trade marks in force	22,620	23,740	23,964
Total trade marks in force	90,482	89,624	87,638

Hearings & Miscellaneous Matters

	2010	2011	2012
Hearings (<i>ex-parte</i>)	3	6	6
Hearings (<i>inter-partes</i>)**	4	15	7**
Applications to convert European Community Trade Mark applications into national applications	63	60	42
International Trade Mark applications with Ireland as the Office of Origin filed and transmitted to WIPO	44	63	46
Community Trade Mark applications filed through the Office and forwarded to the Office for Harmonisation in the Internal Market (O.H.I.M)	0	1	1

** Inter-partes hearing figure has fallen in recent years due to the introduction of new procedures, whereby parties can opt to submit written submissions in lieu of attending at a hearing.

Register of Trade Mark Agents

At the end of 2012, there were 193 individuals and 5 partnerships entered on the Register.

INTERNATIONAL CLASSIFICATION OF GOODS AND SERVICES INTO WHICH MARKS REGISTERED IN 2012 FALL

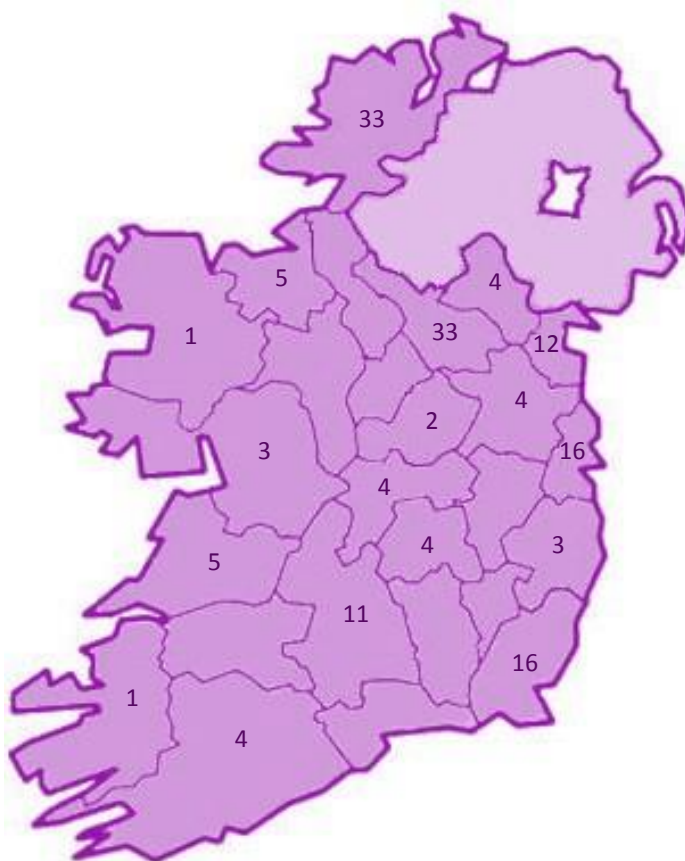
A multilateral treaty called the “Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks” established a classification system for trade marks. The Nice Classification comprises 45 class headings which describe in very broad terms 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.	44	24	Tissues (piece goods), etc.	30
2	Paints, etc.	30	25	Clothing, including Boots, Shoes and Slippers	134
3	Bleaching Preparations, etc.	96	26	Lace and Embroidery, etc.	29
4	Industrial Oils, etc.	39	27	Carpets, etc.	9
5	Pharmaceutical Substances, etc.	184	28	Games, etc.	51
6	Unwrought and Partly Wrought Common Metals and their Alloys	44	29	Meat, Fish, Poultry and Game, etc.	226
7	Machines and Machine Tools, etc.	25	30	Coffee, Tea, Cocoa, Sugar, Rice,	233
8	Hand Tools and Instruments, Cutlery, etc.	25	31	Agricultural Products, etc.	64
9	Scientific Apparatus and Instruments, etc.	177	32	Beer, etc.	96
10	Surgical Instruments, etc.	25	33	Wines, Spirits and Liqueurs	39
11	Installations for Lighting, etc.	45	34	Tobacco, etc.	18
12	Vehicles; Apparatus for Locomotion by Land, Air or Water	27	35	Advertising, Business Management, etc.	284
13	Firearms, Ammunition and Projectiles; Explosive Substances; Fireworks	0	36	Insurance, Financial Affairs, etc.	120
14	Precious Metals and their Alloys, etc.	38	37	Building Construction, Repair, Installation Services.	70
15	Musical Instruments (other than talking machines and wireless apparatus)	2	38	Telecommunications	95
16	Paper, etc.	216	39	Transport, Packaging and Storage of Goods, etc.	84
17	Gutta Percha, India Rubber, etc.	18	40	Treatment of Materials	29
18	Leather, etc.	40	41	Education, Entertainment, etc.	260
19	Building Materials, etc.	40	42	Scientific and technological services	130
20	Furniture, etc.	53	43	Providing food and drink	86
21	Small Domestic Utensils, etc.	62	44	Medical services, etc	96
22	Ropes, etc.	9	45	Personal and social services	62
23	Yarns, Threads	0			

Business Statistics - Designs

	2010	2011	2012
Design Applications*	54	46	67
Number of designs applied for*	124	86	187
Designs Registered	93	112	151
Designs Lapsed	49	74	67
Designs Renewed (1927 Act)	119	85	5
Designs Renewed (2001 Act)	41	13	127
Designs in force (1927 Act)	945	715	489
Designs in force (2001 Act)	875	937	1,012

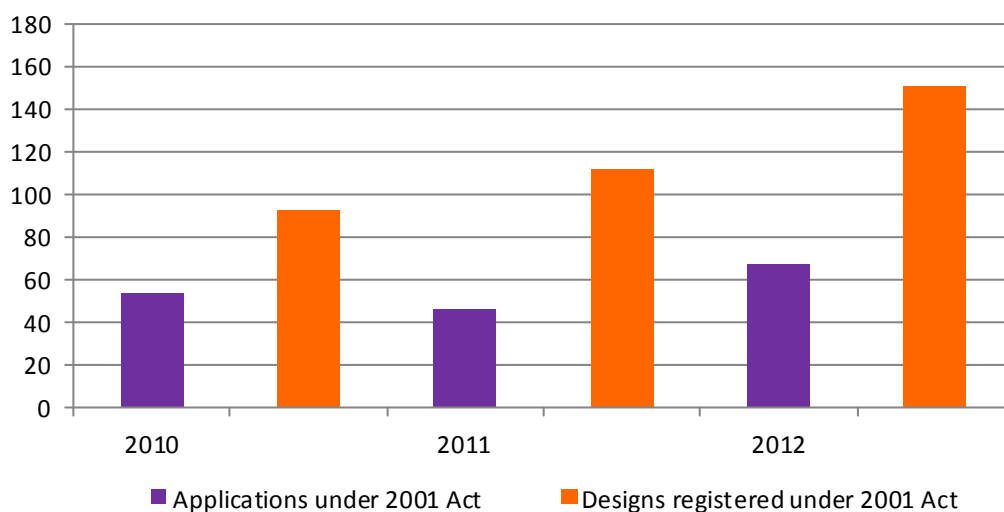
*Note-Rule 19 of the Industrial Designs Regulations 2002 provides that 2 or more designs, subject to a maximum of 100 designs, may be combined in one multiple application for registration of designs.



National design applications by county in 2012

	2010	2011	2012
Community Design Applications filed through the Patents Office and forwarded to the Office for Harmonisation in the Internal Market (O.H.I.M).	4	2	3

Design Applications and Registrations 2010-2012



DESIGNS REGISTERED UNDER THE INDUSTRIAL DESIGNS ACT, 2001 DURING THE YEAR ENDED 31 DECEMBER 2012

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	10
3	Travel Goods, Cases, Parasols and Personal Belongings, not elsewhere specified	38
4	Brushware	
5	Textile Piece good Articles, Artificial and Natural Sheet Material	
6	Furnishings	1
7	Household Goods, not elsewhere specified	4
8	Tools and Hardware	
9	Packages and Containers for the Transport or Handling of Goods	7
10	Clocks and Watches and other Measuring Instruments, Checking and Signalling Instruments	37
11	Articles of Adornment	7
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	1
16	Photographic, Cinematographic and Optical Apparatus	
17	Musical Instruments	
18	Printing and Office Machinery	
19	Stationery and Office Equipment, Artists' and Teaching Materials	3
20	Sales and Advertising Equipment, Signs	22
21	Games, Toys, Tents and Sports Goods	6
22	Arms, Pyrotechnic Articles, Articles for Hunting, Fishing and Pest Killing	
23	Fluid Distribution Equipment, Sanitary, Heating, Ventilation and Air-Conditioning Equipment, Solid Fuel	5
24	Medical and Laboratory Equipment	
25	Building Units and Construction Elements	8
26	Lighting Apparatus	
27	Tobacco and Smokers' Supplies	
28	Pharmaceutical Products and Cosmetic Products, Toilet Articles and Apparatus	
29	Devices and Equipment Against Fire Hazards, for Accident Prevention and for Rescue	
30	Articles for the Care and Handling of Animals	
31	Machines and Appliances for Preparing Food or Drink, not elsewhere specified	
32	Graphic Symbols And Logos, Surface Patterns, Ornamentation	5
	Total	154*

*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, disputes between persons or organisations requiring a licence under a scheme, which is in operation and the operator of that scheme regarding the equitable remuneration payable, may be referred to the Controller for determination.

	Number of disputes referred to the Controller pending as at 31/12/2011	Number of new references received in 2012	No. of cases settled	No. of cases - withdrawn - deemed invalid - determined	No. of cases pending as at 31/12/2012
Disputes submitted under Section 38(4)	1	0	0	1 ⁽¹⁾	0 ⁽¹⁾
Disputes submitted under Section 152	2	0	0	0 ⁽²⁾	0 ⁽²⁾

(1) The Section 38(4) reference pending at the start of 2012 had been determined by the Controller in 2011. However, the Controller's 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. The Controller issued a revised order in September 2012.

(2) Both Section 152 references pending at the start of 2012 had been referred to an arbitrator for determination. However, due to illness, the arbitrator is not now expected to make his award until 2013.

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 2012

PATENTS

No. 1 of 2012 PATENTS (AMENDMENT) ACT 2012

This amendment gives effect to the London Agreement on the application of Article 65 of the European Patent Convention (EPC) reducing the cost of translations to patent applicants by dispensing with the requirement to file a translation (into English) of a European Patent drawn up in French or German in order to validate the patent in the State..

S.I. No. 329 of 2012 PATENTS (AMENDMENT) ACT 2012 (COMMENCEMENT) ORDER 2012

This Order appoints 3 September 2012 as the date on which the Patents (Amendment) Act 2012 comes into operation.

S.I. No. 334 of 2012 PATENTS (AMENDMENT) RULES 2012

These amendments to the Patents Rules 1992 provide for the revocation of rules now deemed unnecessary as a result of the simplified translation requirements brought into the Patents Act 1992 by means of the Patents (Amendment) Act 2012

S.I. No. 335 of 2012 PATENTS TRADEMARKS AND DESIGN (FEES) (AMENDMENT) (NO.2) RULES 2012

These amendments to the Patents, Trade Marks and Designs (Fees) Rules 2001 remove the provision for a fee for filing a translation of the specification of a European patent designating the State as per section 119(6) of the Patents Act 1992 as amended by the Patents (Amendment) Act 2012.

TRADEMARKS/INDUSTRIAL DESIGNS

S.I. NO. 30 OF 2012 – PATENTS, TRADE MARKS AND DESIGNS (FEES) (AMENDMENT) RULES 2012

The Intellectual Property Unit in conjunction with the Patents Office conducted a review of certain fees charged by the Patents Office. The amendments introduced by this instrument establishes consistency of the level of fees charged in respect of identical or similar services provided by the Patents Office in respect of patents, trade marks and designs.

S.I. NO. 31 OF 2012 – INDUSTRIAL DESIGNS (AMENDMENT) REGULATIONS 2012

A review of the Industrial Design renewal fees was conducted by the Intellectual Property Unit in conjunction with the Patents Office in the context of fees charged for similar services at European Community level. The amendments to the Regulations introduced by this instrument make Irish design renewal fees competitive with those charged for renewals at Community level. In addition, this instrument introduces a single period and corresponding fee in relation to the deferred publication of an industrial design.

COPYRIGHT

S.I. No. 59 of 2012 European Union (Copyright and Related Rights) Regulations 2012

These Regulations clarify that an injunction may be sought against an intermediary to whom Article 8(3) of Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society applies. Article 8(3) requires that right-holders are in a position to apply for an injunction against intermediaries whose services are used by a third party to infringe a copyright or related right.

Financial Information

RECEIPTS AND EXPENSES - YEAR ENDED 31 DECEMBER 2012

RECEIPTS	€000
Patent fees (Notes 1 & 2)	5,851
Trade Mark fees	1,761
International Trade Mark Registration – fees received from WIPO (Note 3)	1,087
Design fees	19
Other fees	131
Less refunds made in respect of fees paid in error	84
Less transaction fees arising in respect of online credit card payments	119
Net receipts accruing to the exchequer	8,646

EXPENSES	€000
Salaries	1,950
Travel & Subsistence	43
Miscellaneous & Incidental expenses	42
Postal & Telecommunications Services	117
Office Equipment and Supplies and related Services	581
Office Premises Expenses	113
Information resources, books periodicals, etc.	0
Subscriptions to Industrial Property Unions	0
Net expenses	2,846

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.	11,009
Less Proportion of patent renewal fees transferred to the European Patent Office, Munich.	5,158
Net Patent fees which accrue to the Exchequer.	5,851

Note 2: The Patents Office acts as a receiving Office for patent applications made under the Patent Co-operation Treaty and as such receives fees for onward transmission to both the European Patent Office and the World Intellectual Property Organisations. These fees do not accrue to the Irish exchequer and are therefore not included in the figure for net receipts. Details of the fees transferred to the EPO and WIPO during 2011 are shown below:

	[€000]
PCT Basic and Designation Fees transferred to WIPO, Geneva.	72
PCT Search fees transferred to EPO, Munich.	98
Total.	170

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).

Performance Targets

The Patents Office Customer Service Action Plan 2010 — 2013 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.	78%	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.	86%
3	Issue patent renewal certificate within 3 working days of receipt of payment.	100%	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.	76%
4	Process applications for registration of assignments within 7 working days of submission of a fully completed application.	100%	10	Ensure that notification of formal defects is issued within 15 working days of filing.	93%
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.	77%
6	Grant patents within 5 working days of receipt of grant fee.	98%			
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.	88%			
Designs					
1	Issue formal filing receipts for correctly filed design applications within 5 working days.	88%	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.	97%			

Area of activity and Level of Achievement

Trade Marks

1	Issue formal filing receipts for correctly filed trade mark applications within 7 working days.	93%	9	Transmit applications for International Trade Marks within 5 working days of receipt of correctly filed applications.	100%
2	Process applications for registration of trade mark assignments within 7 working days of submission of a properly, fully completed application.	100%	10	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%	11	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.	100%	12	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%	13	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%	14	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%	15	Issue written statement of grounds of decisions in hearings within 2 months following request for same.	75%
8	Issue decisions in hearings within 1 month of hearing.	100%			

General

	Issue payment receipts for all non – electronic fee payments within 2 working days.	99%
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**An Cuigiú Tuarascáil
Bhlantúil is Ochtó
ón
gCeannasaí Paitinní,
Dearaí
agus Trádmharcanna**

2012

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

Praghas: €5.00

Réamhrá

Is oifig reachtúil í Oifig na bPaitinní a bhfuil freagracht uirthi as cearta maoine intleachtúla a thabhairt agus a chlárú in Éirinn, go háirithe cearta paitinne, trádmarc agus dearadh tionsclaíoch. Is eilimintí tábhachtacha iad nuálaíocht agus cruthaitheacht maidir le buntáiste iomaíoch a bhaint amach ar an margadh agus do mhórán gnóthaí fiontraíochta tá maoin intleachtúil ar cheann dá sócmhainní is luachmhaire. Trí sholáthar agus riarachán na gcearta seo, tá sé mar aidhm ag an Oifig cabhrú le daoine agus le gnóthaí acmhainn iomlán eacnamaíoch a maoin intleachtúil a bhaint amach.

Is onóir agam é mo Thuarascáil Bhliantúil a chur faoi bhráid an Oireachtais don bhliain dar chríoch 31 Nollaig 2012, de réir fhorálacha Ailt 103 d'Acht na bPaitinní, 1992.

Baineann mo Thuarascáil le feidhmiú m'fheidhmeanna reachtúla faoi Acht na bPaitinní, 1992, Acht na bPaitinní (Leasú) 2006, Acht na dTrádmarcanna, 1996; Acht um Dheartháir Tionscail, 2001, na Rialacha agus na Rialúcháin Reachtúla éagsúla a déanadh faoi na hAchtanna seo; agus Rialacháin na gComhphobal Eorpach (Deimhniú Cosanta Forlíontach). Fúmsa 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 a bhaineann go príomha le déileáil le comhlachtaí clárúcháin cheadúnaithe cóipchirt, teistiméireachtaí agus iarratais a bhaineann le scéimeanna ceadúnaithe a oibríonn na comhlachtaí sin agus réiteach díospóide a bhaineann le méid ríchiosa a éiríonn den chuid is mó as an réimse léirithe phoiblí ar thaifead fuaime.

In éineacht le riaradh na reachtaíochta iomchuí a bhaineann le próiseáil iarratas ar phaitinní, trádmarcanna agus dearáil tionscail agus clár agus bunachair sonraí leictreonacha a choimeád, tá roinnt feidhmeanna oibriúcháin ag Oifig na bPaitinní freisin, ar a n-áirítear:

Cúnamh agus faisnéis a sholáthar do chliaint ar mhaoin thionsclaíoch agus intleachtúil.

Imeachtaí a riaradh os comhair an Rialtóir maidir le cearta MI agus éisteachtaí a chur ar bun ar chur in aghaidh chlárú thrádmarcanna.

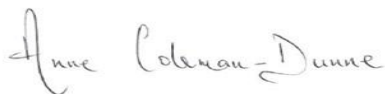
Clár a choimeád ar aturnaetha phaitinne agus trádmarc a bhfuil údarás acu feidhmiú sa Stát

Feidhmiú mar oifig ghlactha an Eagraíocht Dhomhanda um Maoin Intleachtúil (EDMI), Oifig na bPaitinní Eorpacha (OPE) agus an Oifig um Chomhchuibhriú sa Mhargadh Inmheánach (OCMI).

Cur le forbairtí i bpolasaí agus reachtaíochta ar chearta MI.

Forfheidhmiú agus feidhm a thabhairt do chomhaontuithe idináisiúnta ar chearta MI

Soláthraíonn mo Thuarascáil Bhliantúil do 2012 eolas ar conas a rinne an Oifig comhlíonadh ar na feidhmeanna sin faoi na sé chuspóirí a bunaíodh ina Ráiteas Straitéise 2011 go dtí 2013 agus tacaíocht ó réimse staitisticí gnó mar thacaíocht leis. Tá sé tábhachtach a rá gur lean an Oifig, i gcomhthéacs an chor chun donais eacnamaíoch agus na laghduithe bhuiséadacha, le “níos mó a dhéanamh le níos lú” agus tá sí tiomanta a seirbhísí a sheachadadh chomh héifeachtach agus is féidir é sa todhchaí. Ba mhaith liom buíochas ó chroí a ghabháil le foirín na hOifige as a ngairmiúlacht agus ag gcuid oibre dian i rith 2012 agus a dtiomantas acmhainn oibriúcháin éifeachtach a choimeád maidir le MI a riaradh in Éirinn.



Anne Colman-Dunne

Ceannasaí

25 Meitheamh 2013

Trácht Ginearálta ar Chuspóirí agus Ghníomhaíochtaí

Sa tráchttaireacht seo a leanas agus sa tuarascáil staitistiúil féachtar ar ghníomhaíochtaí na hOifige i rith 2012 i gcomhthéacs ar baineadh amach faoi na sé chuspóir straitéiseach a leagadh amach ina Ráiteas Straitéise 2011 – 2013. Ceaptar na cuspóirí seo a bheith lárnach maidir le misean na hOifige a chomhlíonadh agus a héifeachtúlacht oibríochtúil a choimeád Is é misean lárnach Oifig na bPaitinní ná **“Córas éifeachtach cosanta maoine tionsclaíoch a sholáthar a spreag-faidh dul chun cinn teicneolaíochta agus a chuirfidh fiontraíocht chun cinn trí fhorfheidhmiú na hOifige ar an reachtaíocht iomchuí”**. Tá seo le baint amach trí chosaint ar chearta maoine intleachtúla (CMI) i réimsí na bpaitinní, trádhmharcanna agus dearáí agus scaipeadh réamhghníomhach ar fhaisnéis ábhartha agus ar eolas in éineacht le gach ceann de na gníomhaíochtaí seo. Tagann misean agus straitéis na hOifige freisin le cuspóirí níos leithne náisiúnta an Rialtais maidir le tacaíocht agus spreagadh a thabhairt d’fhiontraíocht agus do nuálaíocht agus do chothabháil timpeallachta éifeachtach gnó.

Comhdú MI iasachta ag aonáin Éireannacha

De réir an Eagraíocht Dhomhanda um Maoin Intleachtúil, is fiú timpeall le US\$300 billiún tráchtáil a bhaineann le MI ar fud an domhain gach bliain, á léiriú go bhfuil sóchmhainní intleachtúla ag éirí níos tábhachtaí mar thiománaithe ar fhás geilleagrach. Rinne EDMÍ a thuairisciú freisin go raibh fás leanúnach ar chomhdú maoine intleachtúla ar fud an domhain i 2012 in ainneoin na gcúinsí eacnamaíochta a bheith lag go ginearálta. Bhí seo le feiceáil go príomha i mórghilleagair an domhain, sa tSín ach go háirithe, (leis an Oifig Phaitinne is mó sa domhan anaois), i SAM agus sa tSeapáin; le cuid de na geilleagair bheaga mar Éire ag léiriú laghdú leanúnach ar chomhdú náisiúnta MI, fiú más ar ráta **níos lú ná mar a léiríodh i 2011** é. Léiríonn figiúirí comhdúcháin a d’fhoilsigh EDMÍ, an OPE, agus OCMI le déanaí ar chomhdúcháin Idirnáisiúnta agus Eorpacha ag iarratasóirí le cónaí orthu in Éirinn laghdú freisin. Mar sin féin, tugann na figiúirí le fios, in ainneoin an cor chun donais eacnamaíoch, go bhfuil cuideachtaí Éireannacha atá ag easpórtáil thar lear ag deimhniú i gcónaí go mbíonn a gcearta intleachtúla costanta sna margáí iasachta.

Líon na gComhdúcháin CCP de réir Tíre Thionscanta

	2008	2009	2010	2011	2012
Eire	481	482	443	415	390

Foinse: Bunachar Sonraí Staitisticí EDMÍ

Nóta: Leis an gcóras CCP tá sé indéanta cosaint phaitinne a lorg go comhuaineach maidir le haireagán i ngach ceann de líon mór tíortha trí iarratas amháin “idirnáisiúnta” ar phaitinn a chomhdú. Tá an comhaireamh thuas bunaithe ar chomhdú idirnáisiúnta go dtí seo agus tír chónaithe an chéad iarratasóra ainmnithe.

Líon na gComhdúcháin Paitinne Eorpach de réir Tíre Cónaithe an Iarratasóra

	2008	2009	2010	2011	2012
Eire	712	743	762	690	638

Foinse: Bunachar Sonraí Staitisticí OPE

Nóta: Is nós imeachta dlíthiúil é Iarratas ar Phaitinn Eorpach a chlúdaíonn cosaint phaitinne i ngach ceann de na stáit chonarthaigh (38) den EPC a bhíonn ainmnithe ag an iarratasóir.

Líon na n-iarratas ar Thrádmharc Comhphobail (TMC) de réir Tíre Cónaithe an Iarratasóra

	2008	2009	2010	2011	2012
Eire	796	817	828	821	834

Foinse: Staitisticí OCMI SSC003.1

Nóta: á soláthar sa chóras TMC d’iarratas amháin agus do nós imeachta clárúcháin amháin a sholáthraíonn cosaint ar thrádmharcanna sna 27 ballstát den AE.

Líon na n-iarratas ar thrádmharc Idirnáisiúnta Maidrid de réir Tíre Tionscanta

	2008	2009	2010	2011	2012
Eire	81	112	101	130	121

Foinse: Bunachar Sonraí Staitisticí EDMÍ

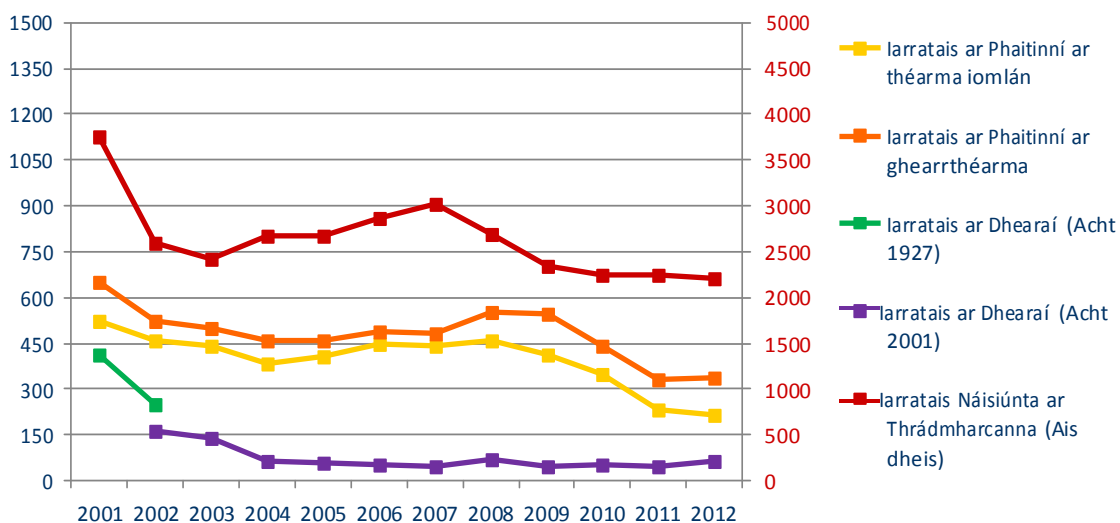
Nóta: Tugann córas Maidrid deis d’úinéir trádmharc cosaint a fháil don trádmharc i roinnt tíortha trí iarratas amháin a chomhdú. Is ionann marc idirnáisiúnta agus iarratas nó clárú ar an marc céanna a thabhairt i gcrích go díreach i ngach tír a bhíonn ainmnithe ag an iarratasóir. Is comhdúcháin idirnáisiúnta atá sna figiúirí thuas ag iarratasóirí Éireannacha trí Oifig na hÉireann agus comhdúcháin idirnáisiúnta ag iarratasóirí Éireannacha trí oifigí eile

Cuspóir (1)

Leanúint le paitinní a cheadú agus trádmharcanna agus dearáí 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).

Lean an Oifig le hiarratais ar chearta MI a phróiseáil de réir an chaighdeáin is airde ag teacht leis an reachtaíocht rialachais agus leis an gcleachtas idirnáisiúnta is fearr. Níor tharla aon riaráiste próiseála agus bíonn athbhreithniú á dhéanamh i gcónaí againn ar ár bpróiseas, ár mbonneagar TF, ár n-acmhainní foirne agus ár spriocanna gnó lena chinntiú go gcoimeádtar caighdeáin éifeachtacha seirbhíse. Ní féidir léamh a fháil go fóill ar an méid gnó a bheadh ann. Bhí laghdú le feiceáil arís ar chomhdúcháin chearta náisiúnta MI a bhí ann gach bliain ó 2008 (den chuid is mó mar thoradh ar na deacrachtaí leanúnacha eacnamaíochta atá ann do ghnó agus dó thionsclaíocht) i 2012. Mar sin féin, le bheith níos dearfaí, tá laghdú ar an ráta laghdaithe agus tá cothromaíocht ag teacht ann. Cé go bhfuil sé i bhfad ró-luath a rá go bhfuil an taoide ag casadh, b'fhéidir gur comhartha é go bhfuil muinín ag filladh ar ghnó le cuideachtaí ag déanamh infheistíochta arís i nuálaíocht agus brandáil agus iad ag aithint an tábhacht atá lena MI a chosaint i margadh atá an-daingean agus iomaíoch.

Iarratais Náisiúnta ar Phaitinní, Trádmharcanna agus Dearáí 2001 – 2012



Tháinig laghdú foriomlán ar líon na n-iarratas ar phaitinní náisiúnta ó 561 i 2011 go dtí 554 i 2012. Bhí líon na gcomhdúchán ar phaitinní fadtéarma a fuarthas i rith 2012 síos 6% ar 2011 (ó 230 go 216), agus bhí líon na gcomhdúchán ar phaitinní gearrthéarmacha suas 2% ar 2011 (ó 331 go dtí 338).

Tháinig méadú suntasach 32% ar iarratais ar Dheimhnithe Cosanta Forlíontacha (DCF) (a bhfuil an-tábhacht ag baint leo don tionscal cógaisíochta agus táirgí íocshláinte) ó 41 i 2011 go dtí 54 i 2012. Ní amháin go léiríonn seo buacacht leanúnach na hearnála seo ach freisin luach eacnamaíoch DCFanna do chuideachtaí ar mhian leo cur le saolré a dtáirgí cógaisíochta.

Tháinig méadú gearr 46% ar iarratais ar chlárú dearáí tionscail, a bhí ag leibhéal an íseal ó 2003 nuair a tháinig ann don chóras clárúcháin Dearáí an Chomhphobail, ó 46 i 2011 go dtí 67 i 2012. Chlúdaigh an 67 iarratas 187 dearadh ar fad.

Lean an laghdú ar líon iomlán na n-iarratas ar thrádmharcanna Náisiúnta a fuarthas i 2012 le laghdú 2% ar fhiigiúr 2011 (ó 2,251 go dtí 2,210). Is leanúint é seo ar an laghdú a bhí le feiceáil ar dtús i 2008 le laghdú beagnach gach bliain ó shin ar líon na gcomhdúchán náisiúnta. Bhí na hiarratais idirnáisiúnta ar thrádmharcanna ag lorg cosanta in Éirinn síos 11.3% freisin i gcomparáid le 2011 (ó 1,410 go dtí 1,250). Tá laghdú bliain i ndiaidh a chéile ar líon na gcomhdúchán idirnáisiúnta ó fuartha na chéad iarratais i 2006.

Bhí an glanioncam fabhráithe don Stáitchiste i 2012 suas 4.6% ar 2011 (ó €8.268m go dtí €8.646m). Tagann an sciar is mó d'ioncam tháille na hOifige ó tháillí athnuachana ar Phaitinní Eorpacha agus, go dtí seo, tá méadú bliain i ndiaidh a chéile ar an ioncam ó athnuachan na dtáillí seo a raibh €5.15m iontu (suas €0.23m ar 2011). Tá an sruth ioncaim seo tar éis cúiteamh a dhéanamh, cuid éigin, ar an laghdú ar ioncam ó tháillí i réimsí eile. Bhí glanchostais na hOifige síos €0.94m freisin thar fhiigiúr comhfhreagrach 2011.

Cuspóir (2)

Iarracht ar theicneolaíocht nua a ionchorprú d'fhonn córais agus nósanna imeachta a fheabhsú agus feabhas a chur ar sheirbhís do chustaiméirí ina dtógfar ceann freisin d'éilimh an tsochaí faisnéise agus r-ghnó.

Lean an Rialtas le béim a chur ar an ngá atá le cáilíocht agus éifeacht maidir le seirbhísí a sholáthar do chustaiméirí agus dá réir sin lean an Oifig ag díriú ar a ról sa réimse seo. Á imlíne tugtha ar ár dtiomantas do cháilíocht seirbhíse do chustaiméirí inár bPlean Gníomhaíochta Seirbhíse do Chustaiméirí 2010-2013, atá ar fail ar ár suíomh gréasáin. Baintear 95% amach mar mheán de réir na spriocanna don 35 sprioc seirbhíse do chustaiméirí a leagann síos uasteorainneacha ama le gníomhaíochtaí agus cúramaí áirithe a bhíonn dírithe ar an gcustaiméir a thabhairt i gcrích. Tá sonraí orthu seo sa rannóg ar “Spriocanna Feidhmíochta” sa Tuarascáil.

Tá céatadán suntasach d'idirbhearta gnó na hOifige, go háirithe iad sin a bhaineann le fáil agus próiseáil iarratas, páipéar-bhunaithe. Is minic a chuireann seo isteach ar sholáthar éifeachtach seirbhíse. Agus seo á aithint ag an Oifig ó 2010, táthar tar éis dul i mbun chlár ríomhchumarsáide a bhfuil sé mar aidhm aige feabhas a chur ar sholáthar seirbhíse agus ar phróiseáil níos éifeachtaí. Is é a bhí i gceist leis seo ar dtús ná na mílte meabhrúchán athnuachana maidir le paitinní, trádhmharcanna agus dearaí agus meabhrúcháin thar téarma a eisiúint go leictreonach trí r-phost in ionad tríd an bpost. I rith 2012, lean an Oifig le méadú ar an gcineál doiciméadaithe a eisiúint sí agus a fhaigheann sí trí r-phost agus eisiúint formhór de chomhfhreagras na hOifige agus doiciméadú oifigiúil trí r-phost anois. Spreagtar custaiméirí freisin le comhfhreagras a dhéanamh leis an Oifig trí r-phost nuair is féidir é. Is é cuspóir chlár ríomhchumarsáide na hOifige ná comhdú leictreonach, próiseáil chomhad leictreonach agus comhfhreagras leictreonach a nascadh ar bhealach a éascóidh próiseáil gan pháipéar den chuid is mó san Oifig gan mhoill. Airíodh moladh i dtuarascáil an Tascfhórsa Nuálaíochta, a foilsíodh i Márta 2010, go dtabharfaí comhdúchán leictreonach agus iar-ama isteach san Oifig. I gcaitheamh 2011 chuir an Oifig um Chomhchuibhriú sa Mhargadh Inmheánach (OCMI) (a chláraíonn Trádhmharc an Chomhphobail san Aontas Eorpach) tús le roinnt tionscadal comhchuibhrithe don Chiste um Chomhar Airgeadaíochta, a bhfuil “an tionscadal Pacáiste Bogearraí don Todhchaí (PBT)” ar cheann acu, a éascóidh córas comhdúcháin ar líne a thabhairt isteach do thrádhmharcanna. Déanfar iarracht freisin sa tionscadal ríomh-chomhdúcháin ar ionchorprú a dhéanamh ar an bhfeidhmiúlacht atá ar fáil faoi láthair trí thionscadail eile an Chiste um Chomhar Airgeadaíochta mar TMview agus TMclass. Beidh Oifig na bPaitinní luath go maith ag glacadh leis an réiteach críochnaithe do ríomhchomhdú trádhmharcanna agus táthar ag súil leis go mbeidh seo beo san Oifig i 2013. Is ball í an Oifig den ghrúpa oibre ríomh-chomhdúcháin PBT an OCMI a dhéanann maoirsiú ar an obair fhorbartha a bhíonn i gceist leis an tionscadal seo a thabhairt chun críche. Tá an obair fhorbartha agus an obair atá le déanamh le comhtháthú a dhéanamh ar an réiteach ríomh-chomhdúcháin le córas riaracháin na hOifige á chistiú faoi chiste um Chomhar Airgeadaíochta an OCMI.

Mar bheart idirlinne le freastal ar an ngá comhdú leictreonach agus iar-ama a thabhairt isteach agus, go dtí go ndéantar dul chun cinn ar an tionscadal comhdúcháin ar líne, thug an Oifig bosca anuas leictreonach isteach i 2011 a éascaíonn iarratais chriptithe ar phaitinní, trádhmharcanna agus dearaí agus na doiciméid a bhaineann leo a chur isteach go leictreonach agus go sábháilte tríd an Idirlíon. Ní d'iarratais aonair ná aonuaire saoráid an bhosca anuas ach do dhaoine nó gnólaigh a dhéanann nó a bhfuil ar intinn acu roinnt iarratas a dhéanamh ar chearta maoine intleachtúla i gcaitheamh bliana. Ag deireadh 2012, bhí 19 gnólaigh ag baint leasa as saoráid an bhosca anuas ar mhéadú suntasach é ar fhigiúr na bliana seo caite de 10 gnólaigh.

Ag teacht le polasaí an Rialtais cur chun cinn agus méadú a dhéanamh ar úsáid íocaíochtaí leictreonacha sa tseirbhís phoiblí agus ar fud an gheilleagair, bhunaigh an Oifig dhá chuntas tráchtála nua bairc a bhfuil feabhas curtha acu ar an rogha maidir le táille a íoc atá ar fail dá custaiméirí. I 2012, fuarthas 89% d'ioncam táillí na hOifige trí íocaíochtaí leictreonacha. I gcaitheamh 2012, déanadh uasghrádú ar bhogearraí agus ar chruaearraí TFC rud a chinnteoidh go bhfanann croíchórais ghnó na hOifige agus a n-infreastruchtúr teicniúil suas chun data. Rinne an Oifig uasghrádú ar a córas inmheánach le trádhmharcanna a chuardach (ACSEPTO) go dtí an leagan is déanaí a úsáideann an OCMI, Oifig Phaitinní an RA agus roinnt Oifigí eile Eorpacha freisin. Tá an uasghrádú ag teacht leis an gcleachtas idirnáisiúnta is fearr agus soláthraíonn sé cuardach níos éifeachtaí ar chuid riachtanach de phróiseáil agus de scrúdú iarratas ar thrádhmharcanna é. Tá níos mó gnéithe ag baint leis, ar a n-áirítear aithint íomhánna, agus soláthraíonn sé deis féachaint ar fheabhsuithe ar na próisis agus na nósanna imeachta cuardaigh atá ann agus iad a chur i bhfeidhm. I 2012 thosaigh an Oifig ag obair ar bhunachar sonraí leictreonach a chruthú ar shonraíochtaí iarratas ar phaitinní Éireannacha atá foilsithe ag dul siar go 1927. Tíocfaidh seo leis an mbunachar sonraí atá ann ar shonraíochtaí phaitinní Éireannacha a tugadh ó 1927 go dtí anois. De réir mar a chruthaítear na cóipeanna leictreonacha de na sonraíochtaí (do phaitinní a tugadh agus d'iarratais atá foilsithe) bíonn baint acu leis an iontráil ábhartha ar Chlár na bPaitinní ar líne agus is féidir le húsáideoirí seachtracha rochtain a fháil orthu, saor in aisce, trí chuardach a dhéanamh ar an gClár agus ar Irisleabhar Oifig na bPaitinní trí shuíomh gréasáin na hOifige. I rith 2012, lean an fhoireann le barr feabhais a chur ar an bpróiseas oibre agus an réiteach teicneolaíochta atá mar thaca lena buntáirgí agus seirbhísí le seirbhís níos éifeachtaí a sholáthar. Chuige seo, déanadh forbairt ar sheacht bhfeabhsúchán substaintiúil sa chóras riaracháin PTOLEMY i rithe na bliana, a raibh gach ceann acu dírithe ar fheabhas a chur ar éifeachtúlacht oibríochtúil.

Cuspóir (3)

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

Tá rialú chearta maoine intleachtúla in Éirinn ina chuid riachtanach den chreat reachtaíochta a dhéanann nuálaíocht a spreagadh, a chosaint agus a chur chun cinn. Tá an córas Éireannach ag teacht leis an gcleachtas idirnáisiúnta is fearr, ag léiriú tionantais na tíre do Dhlí Maoine Intleachtúla an AE agus conarthaí agus coinbhinsiúin eile idirnáisiúnta, mar Choinbhinsiún Paitinne na hEorpa agus Conarthaí agus comhaontuithe éagsúla an Eagraíocht Dhomhanda um Maoin Intleachtúil. Tá freagracht ar Aonad Maoine Intleachtúla (AMI) den Roinn Post, Fiontar agus Nuálaíochta maidir le polasaí ar mhaoin intleachtúil agus maidir le reachtaíocht sa réimse seo a ullmhú. Soláthraíonn Oifig na bPaitinní comhairle ar na nithe seo, go háirithe ar thionchar athruithe dlíthiúla nó rialúcháin a bhíonn beartaithe ar obair na hOifige. Ó mhí na Samhna 2009 tá ról an Rialtóra agus Ceann an AMI dílsithe don duine céanna.

I rith 2012, rinne an Oifig moltaí agus sholáthair sí ionchur don Aonad Maoine Intleachtúla maidir le dreachtú na bpíosaí reachtaíochta seo a leanas:

Acht na bPaitinní (Leasú) 2012 (Uimh.1 de 2012)

Rialacha na bPaitinní (Leasú) 2012 (I.R. Uimh.334 de 2012)

Na Rialacha um Paitinní, Trádmharcanna agus Dearaí (Táillí) (Leasú) (Uimh 2) 2012 (I.R. Uimh. 334 & 335)

Na Rialacha um Paitinní, Trádmharcanna agus Dearaí (Táillí) (Leasú) 2012 (I.R. Uimh. 30 de 2012)

Na Rialacháin um Dhearaí Tionscail (Leasú) 2012 (I.R. Uimh. 31 de 2012)

Rinne Acht na bPaitinní (Leasú) 2012, a tháinig i bhfeidhm ar an 3 Meán Fómhair 2012, in éineacht le dhá ionstraim reachtúil comhcheangailte, forfheidhmiú ar Chomhaontú Londain. Is comhaontú roghnach é Comhaontú Londain dírithe ar laghdú a dhéanamh ar na costais a bhaineann le paitinní Eorpacha a aistriú. Nuair a dhéantar é a chur i bhfeidhm i ndlí na hÉireann, mar stát conarthach CPE le teanga oifigiúil i bpáirt le teanga oifigiúil Oifig na bPaitinní Eorpacha, .i. Béarla i gcás na hÉireann, níl gá níos mó le paitinní Eorpacha a dhéantar a chomhdú i bhFraincis nó i nGearmáinis a aistriú go Béarla. Leantar i gcónaí le foilsiú na n-éileamh phaitinne, ar é an chuid sin den sonraíocht atá i gceist a thugann sainmhiniú ar a bhfuil cosanta ag paitinn, agus a foilsíodh i gcónaí i dtrí theanga oifigiúil an OPE, faoi Chomhaontú Londain.

Cuspóir (4)

Feasacht ar mhaoin intleachtúil a mhéadú.

Bíonn níos mó tuisceanna ag cuideachtaí móra ar MI agus níos mó acmhainní acu le fáil amach faoi MI agus rud éigin a dhéanamh ina thaobh, agus is minic a bhíonn gnólachtaí níos lú agus formhór na micreathionscadal a cheaptar a bheith mar chúl-taca ar ar féidir téarnamh geilleagrach a thógáil, aineolach go mini car an gcóras MI agus conas is féidir é a úsáid chun leas a ghnó agus é a fhás. Tá iarracht déanta ag an Oifig mar sin ar a clár feasachta MI a dhíriú níos mó ar thionscadail bheaga agus ar mhicreathionscadail chun cinn nó rannpháirteach i 69 imeachtaí ag tacú le gnó (le hais sprioc-uimhir de 43) i rith 2012.

Moladh i dtuarascáil an Tascfhórsa Nuálaíochta a tháinig amach i Márta 2010 gur chóir go mbeadh cur chuige níos comhtháite ann maidir le polasaí níos leithne nuálaíochta an Rialtais a chur i bhfeidhm maidir le hoiliúint, comhairle agus tionscnaimh agus tacaíocht MI don phobal, do ghnólachtaí agus do thionscail.

Le forfheidhmiú a dhéanamh ar mholtaí an Tascfhórsa Nuálaíochta, sheol Oifig na bPaitinní, i gcomhar leis an Líonra Fiontar Eorpach, Fiontraíocht Éireann agus na Boird Fiontar Contae sraith seimineár réigiúnach lae, dírithe ar phobal na “ngnóthas beag”, frontraithe agus aireagóirí, leis an téama ‘Gnó a Thógáil ar Do Smaointe’. Dhírigh na seimineáir ar ghnóthais a chur ar an eolas níos mó maidir leis an mbuntáiste iomaíochta atá le fáil as MI a úsáid, ar na féidearthachtaí atá ann leas a bhaint as luach an MI atá bunúsach i bhformhór na ngnóthas agus na struchtúir thacaíochta atá ar fáil ón Stát agus ón Eoraip do ghnólachtaí beaga agus do ghnólachtaí nuathionscanta. I rith 2012, cuireadh dhá cheann de na seimineáir seo ar siúl i gCorcaigh agus i Luimneach i gcomhar leis na hInstitiúidí Teicneolochta áitiúla. D’fhreastal os coin 120 duine ar fad ar an dá sheimineár agus thug siad aiseolas an-dearfach. Tá sé oiriúnach go dtabharfaí aitheantas don chúnamh agus don tacaíocht a thug an Líonra Fiontar Eorpach agus na gníomhaireachtaí eile chomh maith leis na haturnaetha ar phaitinní agus trádmharcanna a raibh na seimineáir speisiúil, faisnéiseach agus ábhartha toisc iad a bheith rannpháirtíocht iontu.

Lean an Oifig freisin lena clár for-rochtana ar fheasacht a mhéadú maidir le maoin intleachtúil i measc an phobail i gcoitinne agus é dírithe ach go háirithe ar earnáil na ngnóthas nuathionscanta beaga agus ar mhic léinn. Bhí an Oifig rannpháirteach i 28 imeachtaí ar fad ag labhairt ar MI ag cúrsaí “Do Ghnó Féin a Chur ar Bun” á rith ag Boird Fiontar Contae agus ag taispeántais ar chomhairle maidir le gnó agus fiontraíocht agus seónna ar fud na tíre. Ar na himeachtaí ar déanadh freastal orthu bhí “Grodchúrsa Gnólachta Nuathionscanta Chill Chainnigh” mar a ndearna an Oifig sraith láithreoireachtaí a chur ar siúl d’iliomad grúpaí áitiúla agus “Baile Átha Luain an Iarmhí” mar a raibh seisiúin aon le haon ag an Oifig le gnólachtaí éagsúla a d’iarr go sonrach orainn a bheith i láthair.

Chuir Oifig na bPaitinní 45 clinic MI ar siúl i 2012. Thug na clinici deis don phobal, d’aireagóirí, d’fhiontraithe agus do lucht gnó plé a dhéanamh ar bhonn aon le haon le foireann Oifig na bPaitinní, ar a smaointe agus ceisteanna a bhaineann le hiarratais MI (paitinn, trádmharc nó dearadh) atá ar intinn acu a chur nó atá curtha acu chuig an Oifig. Bhí an cur chuige seo an-fhóinteach maidir le buntreoir a sholáthar ar nósanna imeachta agus foimeacha a bhíonn ag teastáil le cearta MI a chlárú, an próiseas a bhaineann le cosaint MI a fháil in Éirinn nó thar lear, agus an t-aga a bhíonn i gceist. Soláthraíodh cúnamh le straitéis chuardaigh déan féin é a thógáil do phaitinní, trádmharcanna nó dearáí cláraithe agus le rochtain a fháil agus úsáid a bhaint as bunachair sonraí ar líne a bhaineann le paitinní, trádmharcanna agus dearáí do dhaoine indibhidiúla ag roinnt ceardlanna tiomnaithe.

D’aithin an Oifig freisin an gá atá le méadú agus daingniú a dhéanamh ar fheasacht ar MI i gcláir agus i dtionscnaimh dírithe ar fheabhas a chur ar chultúr na fiontraíochta agus cumas gnó ag an dara leibhéal. Lean an Oifig mar sin le feasacht ar MI a chur chun cinn i measc dhaltáí dara leibhéal, tuismitheoirí agus i measc an phobail a bhí ag freastal ar Thaispeántas bliantúil BT don Eolaí Óg agus Teicneolaíochta a bhí ar siúl san RDS, Baile Átha Cliath ón 12-14 Eanáir 2012. Le os cionn 550 taispeánt ann d’fhreastal os cionn 40,000 duine air rud a d’fhág go raibh sé ar cheann de na himeachtaí ba mhó dá leithéid san Eoraip, agus b’fhéidir ar domhan! Lean an Oifig le hurraíocht a dhéanamh ar dhuais speisialta a bhronntar ar mhac léinn nó ar ghrúpa mac léinn ar fearr a léiríonn a dtionscadal úsáid na teicneolaíochta i bhfeidhmeanna nua nó feabhsaithe, a chuireann feabhas ar éifeachtúlacht agus nuálaíochtaí nua. Ba é an buaiteoir ar dhuais 2012 a bhí urraithe ag Oifig na bPaitinní ná Quinn Ungar ó Mheánscoil Mount Saint Michael, Ros Ó gCairbre, Corcaigh lena thionscadal ‘Triothán amháin a chur in ionad triotháin dhúbailte olldoird’..

Is iad Dámhachtainí Fiontar Mac Léinn a chuireann na Boird Fiontar Contae agus Cathrach an comórtas fiontar is mó do dhaltáí dara leibhéal in Éirinn le timpeall 16,000 rannpháirtí féideartha. Cabhraíonn sé le daltaí dul i ngleic leis na fíorscileanna saoil a bhaineann le fiontar ceart a rith, ar a n-áirítear oibriú mar chuid d’fhoireann, bainistiú táirgiúlachta agus airgeadais, feachtas díolacháin agus margaióchta a eagrú agus teagmháil a dhéanamh go díreach le custaiméirí, breithiúna agus leis na meáin.

Dá réir sin, soláthraíonn sé bealach den scoth don Oifig teagmháil a dhéanamh le daltaí dara leibhéal agus fiontraíocht a spreagadh i measc na ndalta ina mbeadh feasacht ar MI agus forbairt á dhéanamh ar smaoineamh maidir le gnó agus ar fhiontar rathúil a bhunú agus a rith. Do chomórtas 2012-2013, chuir an Oifig leabhar saothair MI ar fáil a dáileadh ar gach meánscoil i bhFomhar 2012. Bhí na Babhtaí Ceannais Náisiúnta ar siúl in Aibreán 2013 agus fuair an Oifig tacaíocht ó Chumann na nGníomhairí Paitinne agus Marcanna Trádála do dhuais speisialta ag na babhtaí ceannais (sna Catagóirí Sóisear, Meánleibhéal agus Sinsear) don fhiontar mac léinn a léiríonn a dtuarascáil críochnaithe gnó an fheasacht, an tuiscint agus an áireamh is fearr ar MI ina ngnó agus ina bpleanáil gnó. Tá an t-idirlíon anois mar phríomhuirlis chaidrimh. Á aithint seo, lean an Oifig le hiarracht a dhéanamh ar a suíomh gréasáin a úsáid mar bhealach le faisnéis ar MI a bheith níos éasca le fáil agus le cur chun cinn a dhéanamh ar a seirbhísí cuardaigh idirghníomhach.

Tháinig méadú 32% ar líon na gcuartheanna ar an suíomh gréasáin i 2012 ar 2011 (ó 487,900 i 2011 go 643,605 i 2012) agus tháinig méadú 51% ar líon na gcuartheoirí ar leithligh i 2012 ar 2011 (ó 174,178 i 2011 go 263,267 i 2012).

Mhéadaigh líon na leathanach ar féachadh orthu freisin de réir 52% (ó 3.56 milliún amharc i 2011 go 5.42 milliún amharc i 2012).

Tá an tóir is mó ag cuairteoirí ar leathanaigh an chláir ar líne le cuairteanna ar Chlár idirghníomhach na dTrádmharcanna suas 39% ar 2011 (ó 465,548 cuairt i 2011 go 647,016 cuairt i 2012).

Rinne an Oifig iarracht freisin ar leas a bhaint as an spéis sna meáin shóisialta do chumarsáid fhaisnéise ar MI agus chuige seo bunaíodh láithreach ar Facebook.

Cuspóir (5)

An fhoireann a aithint mar phríomhshócmhainn 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.

Déanann tiomantas leanúnach na foirne, ag gach leibhéal, tús a chur agus soláthar a dhéanamh ar athrú agus leantar le feabhas a chur ar chleachtais oibre rud a cheadaíonn don Oifig seirbhís éifeachtach ar ardchaighdeán a sholáthar le níos lú acmhainní foirne. Ón 31 Nollaig 2012, bhí 49 post údaraithe ag an Oifig, 8 níos lú ná mar a bhí i 2011. Mar sin féin, nuair a chuirtear postroinnt agus socruithe eile oibre a thacaíonn le teaghlaigh san áireamh, bhí an Oifig ag feidhmiú le leibhéal foirne ionann le 43.9 lánaimseartha i rith 2012, 5.1 níos lú ná mar a bhí i 2011. Baineadh an laghdú ar leibhéal na foirne amach gan laghdú a dhéanamh ar éifeachtúlacht oibreachtúil. Tá an Oifig tiomanta a chinntiú go ndéantar feidhmiúlacht na foirne uile a mheas go rialta agus go gcríochnaítear athbheithnuithe foirne go tráthúil. Bhí an fhoireann uile páirteach i bpróiseas nua An Córas Bainistíochta agus Forbartha Feidhmíochta (CBFF) a bhíonn á fheidhmiú ag an Oifig. Déanadh dréachtú ar phlean forbartha d'oiliúint a chuir na riachtanais éagsúla oiliúna san áireamh, a bhí aitheanta ag an bhfoireann ina bpleananna forbartha pearsanta do 2012. Lasmuigh den oiliúint leanúnach ar an láthair oibre, chuaigh an fhoireann i mbun 39.5 lá oiliúna i rith 2012. Soláthraíodh oiliúint i réimsí mar scileanna faisnéise agus teicneolaíochta cumarsáide, sainoiliúint i bpróiseáil Dheimhnithe Cosanta Forlíontacha, Scileanna Scríbhneoireachta agus Sláinte agus Sábháilteacht (Garchabhair).

Bhí ról tábhachtach ag foireann na hOifige maidir le húsáid fuinnimh a laghdú ag teacht le Clár na hErnála Poiblí a bhí i bPlean Gníomhachta Náisiúnta maidir le hÉirfeachtúlacht Fuinnimh an Rialtais. Léiríonn an córas monatóireachta agus tuairiscithe atá curtha ann gur tharla laghdú ar Úsáid Fuinnimh, de bharr réimse de chéimeanna praiticiúla a chuir an fhoireann i bhfeidhm, de 15.0% sa 12 mí seo caite (i gcomparáid le 2008) le sábháil dá réir ar chostais fhuinnimh.

Tháinig laghdú **-18.6%** ar úsáid leictreachais sa 12 mí seo caite (i gcomparáid le 2008).

Tháinig laghdú **-3.3%** ar úsáid bhreosla sa 12 mí seo caite (i gcomparáid le 2008).

Maidir le hastuithe iomlána CO₂, tháinig laghdú **-17.2%** orthu ó 2008 nó -98,728Kg.

Normalaithe d'éagsúlachtaí aimsire, tá laghdú **-18.5%** ar astaíochtaí CO₂ ó 2008 nó -106,214 kg.

Caithefear rannpháirtíocht na foirne maidir le feabhsú leanúnach, agus an leibhéal suime a léiríodh maidir le tacú le céimeanna spárála fuinnimh, le moladh.

Cuspóir (6)

Ionadaíocht a dhéanamh ar Éirinn ag fóraim idirnáisiúnta.

Tugann Oifig na bPaitinní ionadaíocht d'Éirinn ar Chomhairle Riaracháin Oifig na bPaitinní Eorpacha (OPE) agus a Coistí éagsúla, an Bord Riaracháin agus Coiste Buiséad an OCMI agus roinnt dá coistí teicniúla agus idirchaidrimh a bhíonn ag déileáil ceisteanna éagsúla maidir le maoin intleachtúil. Ina theannta sin, bíonn an fhoireann rannpháirteach i gcrúinnithe chomhlachtaí rialaithe agus teicniúla EDM (a dhéanann riaradh ar an gConradh Comhair Paitinní agus socruithe a déanadh faoi Phrótaicail Mhaidrid ag déileáil le hiarratais ar thrádmharcanna idirnáisiúnta) in éineacht le roinnt conarthaí idirnáisiúnta MI. Déanann an OPE agus an OCMI bealaí éagsúla 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 iomchuí ag leasa na hÉireann, go gcoimeádtar suas chun dáta leis an gcleachtas is fearr ag leibhéal idirnáisiúnta agus le héascú a dhéanamh ar chomhoibriú le hoifigí eile maoine tionsclaíoch náisiúnta agus idirnáisiúnta. Tá clár chomhoibrithe déthaobhacha ag an Oifig leis an OPE agus an OCMI mar a bhfaigheann sí cúnamh maidir le rannpháirtíocht in imeachtaí éagsúla le feachtas a ardú ar MI, sainoiliúint MI, tionscadail TFC le malartú sonraí MI a éascú agus uirlisí a fhorbairt le rochtain níos fearr a sholáthar ar fhaisnéis MI etc. Éascaíonn ár rannpháirtíocht idirchaidreamh freisin ar ábhar agus struchtúr na gclár comhoibrithe idir na heagraíochtaí sin agus Oifigí eile MI náisiúnta san Eoraip, a cheadaíonn dá réir sin, don Oifig tuilleadh feabhais nó forbartha a dhéanamh ar a seirbhísí do chustaiméirí.

Comhoibriú Idirnáisiúnta



Bíonn an Oifig rannpháirteach i ngníomhaíochtaí comhoibrithe lena comhpháirtithe idirnáisiúnta, an Oifig um Chomhchuibhiú sa Mhargadh Inmheánach (OCMI) agus Oifig na bPaitinní Eorpacha ar roinnt tionscadal, a ceapadh le comhchuibhiú a chur chun cinn trí oifig 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 2012.

TMclass

Is uirlis ar líne é TMclass a cheadaíonn d'iarratasóirí ar thrádmharcanna agus a lucht úsáide leas a bhaint as liosta earraí agus seirbhísí a nglacann aon cheann déag de na hOifigí rannpháirteacha leo, ar a n-áirítear Éire, a bhfuil comhchuibhiú iomlán déanta ar a mbunachar sonraí de théarmaí inghlactha. Is féidir rochtain a fháil freisin ar bhunachar sonraí rangúcháin fiche Oifig eile ach go bhfuil comhchuibhiú iomlán fós le déanamh acu seo ar a dtéarmaí. Ceapadh an córas le cabhrú le hiarra-tasóirí ar thrádmharcanna téarmaí inghlactha a aithint agus a n-earraí agus a seirbhísí a rangú i gceart de réir na n-aicmí cearta. Má bhíonn téarma liostáilte i mbunachar sonraí an TMclass beidh glacadh ag Oifig na hÉireann leis mar théama bailí. Nuair nach bhfaightear aon iontráil is féidir go n-aithneofaí téarmaí eile a mbeadh glacadh leo sna haic-mí a cuardaíodh. Mura mbíonn aon iontráil sa TMclass don téarma a bhíonn molta, is féidir leis an Oifig soiléiriú a lorg ar an Iarratasóir. Tá an córas bunaithe ar an 10ú Eagrán d'Aicmiú Nice a bhíonn á bhainistiú ag EDM. Tá c. 10,000 iontráil i mBéarla i Liosta Aibítreach Aicmiú Nice agus tá níos mó ná 64,000 iontráil i mBéarla ar an mbunachar sonraí comhchuibhithe. Feidhmeoidh EDM mar eadránaí i gcás aon díospóide idir rannpháirtithe. Déanadh an uirlis TMclass a fhorbairt mar thi-onscadal comhoibríoch le OCMI agus roinnt oifigí náisiúnta trádmharcanna bhallstáit an AE. Tá óstáil déanta air ar shuíomh gréasáin an OCMI agus is féidir rochtain a fháil air freisin ar na leathanaigh atá ag déileáil le rangú na dtrádmharcanna ar shuíomh ghréasáin Oifig na bPaitinní. Déanadh athbhrandáil ar TMclass ó Euroclass le teacht le hOifigí na Seapáine agus na Stát Aontaithe a bheith tar éis teacht leis an tionscadal agus táthar ag súil le níos mó Oifigí a theacht ann i 2013.

TMview

Is tionscadal comhoibríoch é TMview idir an OCMI, EDM agus oifigí náisiúnta trádmharcanna an AE. Is uirlis cuimsitheach comhairliúcháin ar líne atá éasca don úsáideoir é atá óstaithe ag OCMI a sholáthraíonn deis d'úsáideoirí, saor in aisce, cuardach a dhéanamh ar iarratais agus clárúcháin trádmharcanna ó gach oifig trádmharcanna atá rannpháirteach. Tá sé an-úsáideach mar sin le cuardach a dhéanamh ar thrádmharcanna, le seiceáil a dhéanamh ar an fáil atá ar thrádmharc agus a fháil amach cén marcanna atá in úsáid ag iomaitheoirí. Le comhtháthú de réir a chéile ar gach oifig agus eagraíocht, tá sé mar aidhm ag TMview a bheith mar ardán do shonraí trádmharcanna cláraithe ó gach ceann de na 27 Ballstát den AE in éin-eacht leis an bhfaisnéis atá ar fáil ó OCMI agus EDM. Cuireadh sonraí na dtrádmharcanna ó Oifig na bPaitinní in Éirinn le huirlis chuardaigh TMview i mí na Nollag 2012. Tugann an méadú is déanaí seo líon iomlán na n-oifigí atá tar éis a sonraí ar thrádmhar-canna a chur ar fáil do TMview go dtí 25. Le níos mó ná 153,000 trádmharc Éireannach curtha leis, soláthraíonn TMview roch-tain anois ar beagnach 9.7m trádmharc ar fad.

TIONSCADAL BHOGEARRAÍ OCMI

Tá ionadaíocht ag Oifig na bPaitinní in Éirinn ar Ghrúpa Oibre thionscadal Phacáiste Bogearraí an OCMI. Tá sé mar aidhm ag an dtionscadal seo sraith uirlisí nua-aimseartha, gréasánbhunaithe a fhorbairt agus a fheidhmiú ag tacú le saolré trádhmharcanna agus dearáí. Déanfar iarracht freisin sa tionscadal seo freisin ar ionchorprú a dhéanamh ar an bhfeidhmiúlacht atá ar fáil trí thionscadail eile an Chiste um Chomhar Airgeadaíochta mar TMview agus TMclass.

Baineann an chéad chuid den tionscadal le comhdú leictreonach na n-iarratas ar thrádhmharcanna. Beidh Oifig na hÉireann luath go maith ag glacadh leis an réiteach críochnaithe agus táthar ag súil leis go mbeidh seo beo in Oifig na bPaitinní sa ráithe deireanach de 2013.

IPORTA & INNOVACCESS

Tá comhpháirtí Oifige ag an Oifig freisin i gclár de chuid an AE ar a dtugtar IPORTA a thosaigh i 2012 ina bhfuil 26 Oifig MI Eorpach rannpháirteach. Is breathnadóirí iad an OPE agus an OCMI. Déanann CRP Henri Tudor comhordú ar an gclár thar ceann Oifige MI Luxembourg. Déanann an toinscadal seo iarracht ar chomhoibriú a neartú idir oifigí náisiúnta maoine intleachtúla ó na Ballstáit agus tíortha a bhaineann leo agus cur chun cinn a dhéanamh ar ghníomhaíochtaí agus uirlisí a bhaineann le húsáid agus bainistiú cearta maoine intleachtúla. Déanann sé iarracht ar shineirgíocht a thógáil i measc Oifigí náisiúnta MI, le heagraíochtaí tacaíochta gnó náisiúnta agus le páirtithe leasmhara eile MI mar Dheasc Cabhrach IPR na hEorpa agus na Síne agus an Líonra Fiontar Eorpach d'fhonn cabhrú le SMEs comhtháthú níos fearr a dhéanamh ar MI ina staitéisí gnó agus leas níos fearr a bhaint astu. Is féidir tuilleadh eolais a fhaíl ag www.innovaccess.eu.

FOILSEACHÁIN

Soláthraíonn an suíomh gréasáin (www.patentoffice.ie) réamheolas ginearálta ar mhaoin intleachtúil agus eolas ar leith ar conas do smaointe a chosaint agus áirítear rannóg ar leith ann ar MI do ghnólachtaí. Ar an ábhar atá foilsithe ar an suíomh gréasáin tá tuarascálacha bliantúla na mblianta roimhe seo, réimse leabhrán faisnéise ar MI, ráiteas straitéise reatha na hOifige agus plean gníomhaíochta seirbhíse do chustaiméirí agus gach reachtaíocht phríomha agus thánaisteach a rialaíonn feidhmeanna Oifige na bPaitinní.

Tá na seirbhísí seo a leanas ar fáil ar líne:

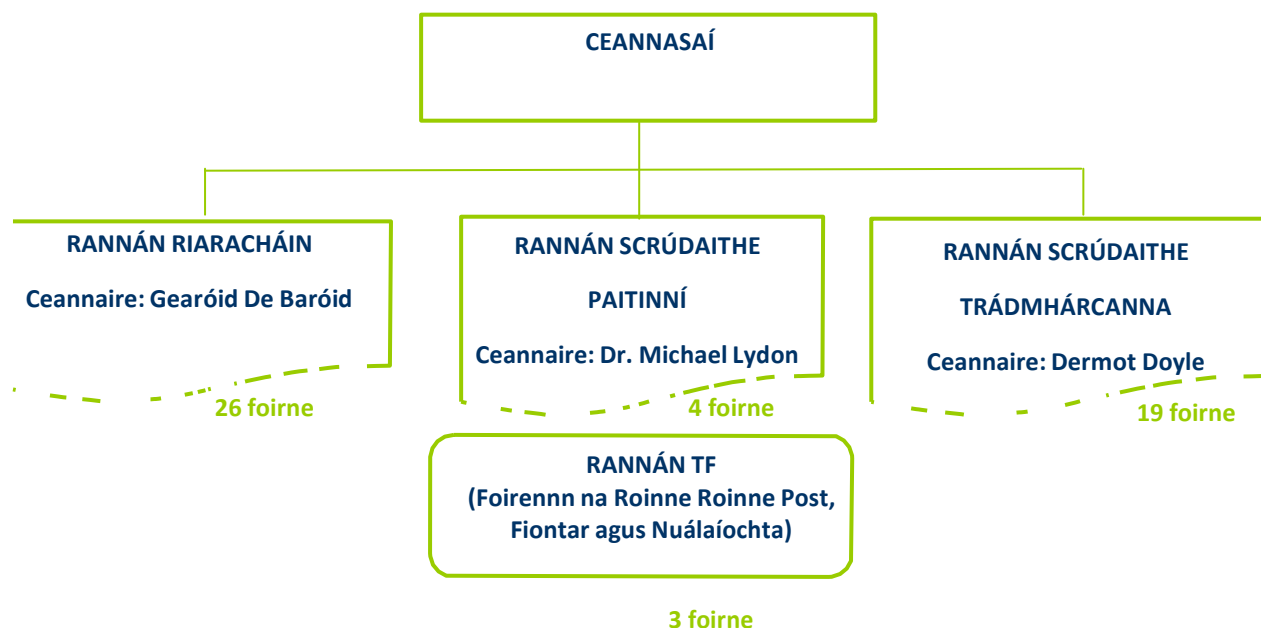
- Amharc ar, agus Cuardaigh na gClár agus na mBunachar Sonraí – déan cuardach do phaitinní, trádhmharcanna, dearáí
- Faigh rochtain agus amharc ar chlár na gcomhlachtaí ceadúnaithe cóipchirt
- Faigh rochtain agus amharc ar chlár ghníomhairí paitinne agus trádhmhairc
- Íoc do tháille athnuachana paitinne, trádhmhairc nó dearaidh ar líne.
- Íoc as fáil do phaitinne agus na táillí ar chlár trádhmhairc ar líne
- Féach ar chinntí an Rialtóra i gcásanna trádhmharc idirpháirtíoch.
- Cuardaigh agus féach ar Irisleabhar Oifigiúil na bPaitinní ar líne.

An Iris Oifigiúil

Foilsítear an Irisleabhar Oifigiúil gach coisís ar ár suíomh gréasáin. I ngach eagrán den Irisleabhar tá innéacs inchuadaithe, in éineacht le heolas ar ghníomhaíochtaí a bhaineann le hiarratais agus clárú paitinní, trádhmharcanna agus dearáí. Mar shampla, is féidir leat féachtaint ar mhionsonraí na dtrádhmharcanna agus na ndearáí ar glacadh leo san Irisleabhar. Tá sonraí san Irisleabhar freisin ar na paitinní ar déanadh iarratas a chur isteach dóibh, a foilsíodh agus a tugadh, ar a n-áirítear paitinní a tugadh faoi Choinbhinsiún Paitinne na hEorpa ag ainmniú Éire.

Tá eolas san Irisleabhar freisin mar fhógraí oifigiúla, sonraí ar mhodhanna íocaíochta agus táillí reachtúla agus uaireanta oscailte Oifige na bPaitinní. I rith 2012, tugadh saoráid idirghníomhach i gceist maidir leis an Irisleabhar ar líne a cheadaíonn d'údáideoirí rochtain a fháil ar an gClár agus aon phaitinn, trádhmharc nó dearadh ar leith atá san irisleabhar a bhaint amach trí chliceáil ar ar hipearnasc laistigh den irisleabhar.

Eagrú, Struchtúr agus Pearsanra



FOIREANN AR SEIRBHÍS AR AN 31 NOLLAIG 2012

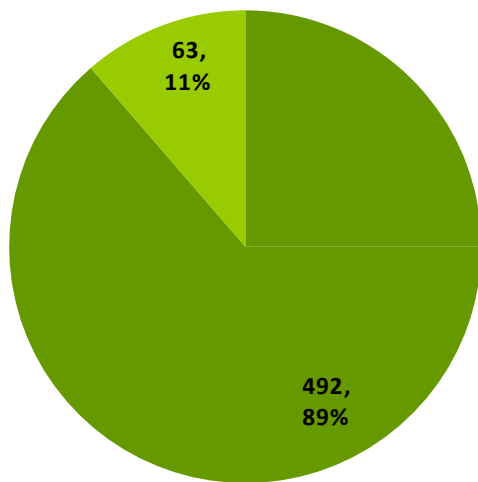
Foireann	Líon na bpost
1	Ceannasaí
2	Príomhoifigeach Cúnta
1	Scrúdaitheoir Sinsearach Paitinne
4	Ardoifigeach Feidhmiúcháin
1	Oifigeach Riaracháin
3	Scrúdaitheoir Paitinne
16	Oifigeach Feidhmiúcháin
1	Oifigeach Foirne
19	Oifigeach Cléireachais
1	Oifigeach Seirbhísí
49	

A chuimsíonn 15 foirne (3 Ardoifigeach Feidhmiúcháin, 6 Oifigeach Feidhmiúcháin agus 6 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. Ar an 31ú Nollag 2012 bhí comhionann le 43.9 phost iomlán san Oifig.

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

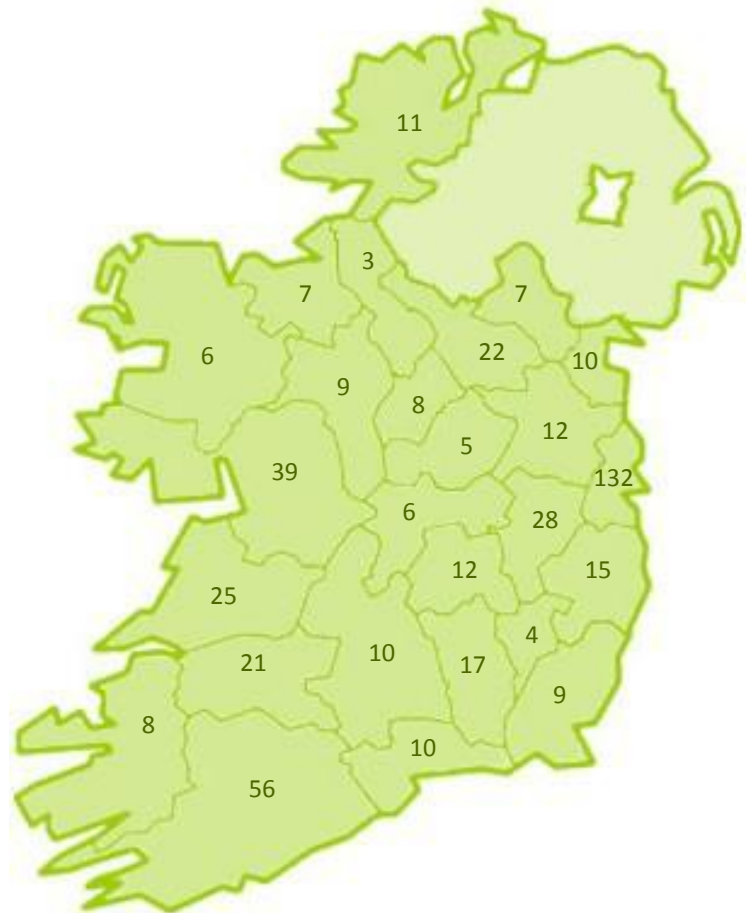
Staidreamh Gnó - PAITINNÍ

Iarratais Náisiúnta ar Phaitinní
on tír den chéad iarratasóir



■ Iarratasóirí IE

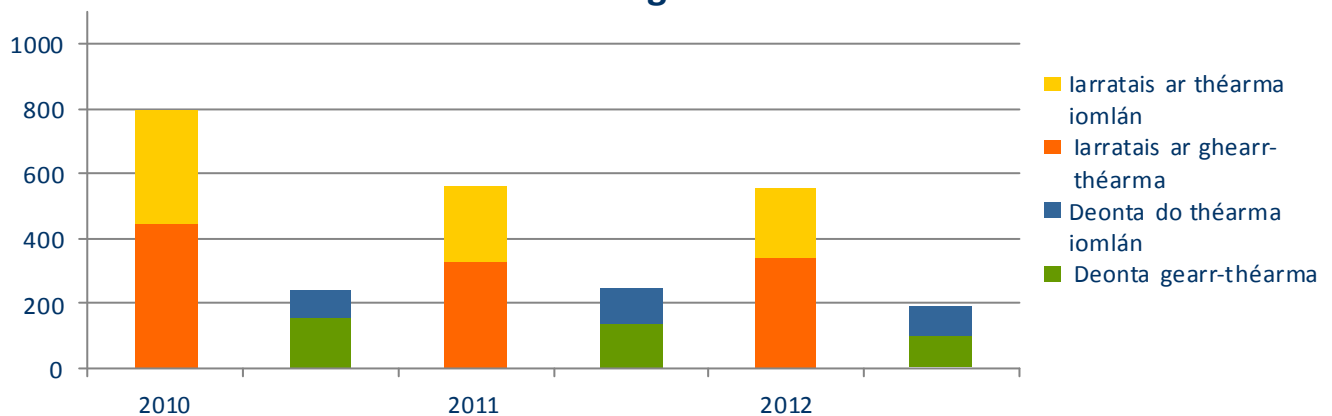
■ Iarratasóirí Eanáir eile



Iarratais ar Phaitinní faoi contae í 2012

BLIAIN	IARRATAIS FAIGHTE			PAITINNÍ DEONTA		
	Ar Théarma Iomlán (20 bliain)	Ar Ghearr-théarma (10 mbliana)	IOMLÁN	Do Théarma Iomlán 20 bliain	Do Ghearr-théarma (10 mbliana)	IOMLÁN
2010	350	442	792	87	156	243
2011	230	331	561	114	136	250
2012	216	338	554	101	89	190

Iarratais ar Phaitinní agus Deontais 2010-2012



Ar an an 31 Nollaig 2012, bhí 1,532 iarratas san iomlán ar feitheamh idir lámha. Díobh seo, bhí 334 iarratas ag fanacht go gcuirfí isteach fianaise ar nuagacht.

Fuarthas 492 iarratas ó iarratasóirí sa Stát i gcomparáid le 494 i 2011.

Paitinní a deonadh i 2012 a raibh feidhm leo sa Stát

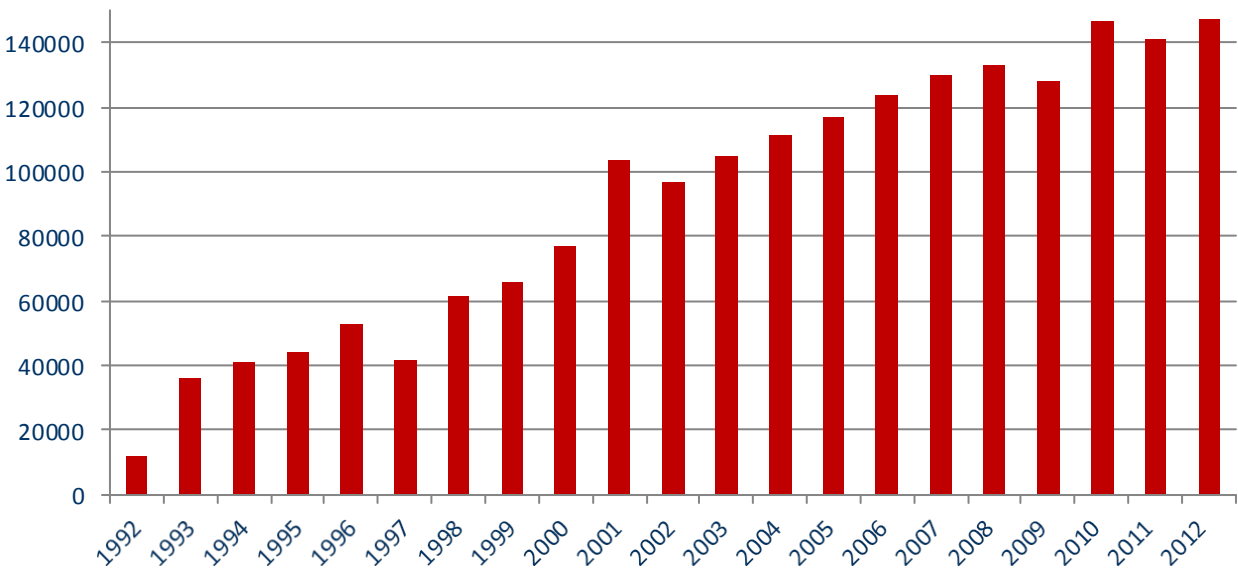
2012	Líon	Líon na bpaitinní a deonadh d'iarratasóirí ó laistigh den Stát	% de na paitinní a deonadh d'iarratasóirí ó laistigh den Stát
Deonta ag an Oifig	190	132	69%
Deonta ag EPE	51,288	192	0.37%
Iomlán Deonta	51,478	324	0.62%

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	2012	147,551

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

	2010	2011	2012
Paitinní agus iarratais ar phaitinní ina n-ábhar sannta	800	826	932
Paitinní cúlghairthe	0	0	0
Paitinní tugtha suas	1	0	3
Paitinní tite ar lár	26,579	23,307	32,193
Paitinní curtha ar ais	13	15	14
Paitinní athnuaite	42,155	42,023	42,586
Paitinní éagtha	461	467	636
Paitinní i bhfeidhm	79,040	88,044	96,899

Éisteachtaí agus Ilnithe

	2010	2011	2012
Éisteachtaí	0	1	0
Iarratais Idirnáisiúnta um Comhoibriú Paitinne (PCT) a fuarthas le cur chuig WIPO	79	67	54
Iarratais ar Phaitinní Eorpacha a fuarthas le cur chuig EPO	27	27	7

Iarratais ar Dheimhnithe Cosanta Forlíontacha

Fuarthas 54 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 17 deimhniú (cosaint míochaineach agus plandaí), agus tarraingíodh siar 15 iarratas. Ag deireadh na bliana bhí 123 iarratas ar feitheamh.

Clár na nGníomhairí Paitinne

Ag deireadh na bliana 2012, bhí 71 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 2012

DAR LEIS AN AICMIÚ IDIRNÁISIÚNTA PAITINNE (AIP)

Nóta ar Aicmiú Paitinne

Déantar aicmiú ar phaitinní bunaithe ar a n-ábhar teicniúil. Ceadáíonn aicmiú den chineál sin aisghabháil paitinní de réir nádúr na n-aireagán a nochtar iontu. Is é an tAicmiú Idirnáisiúnta Paitinne (AIP) an córas caighdeánach do rangú paitinne. Tá sé comhdhéanta de thart ar 70,000 siombal aicmithe roinnte ar 8 rannóg bunúsacha (A go H), a bhaineann le cineálacha difriúla bunúsacha teicneolaíochta. I 2011, bhí sé ina 9ú eagrán (Int. Cl. (2009)).

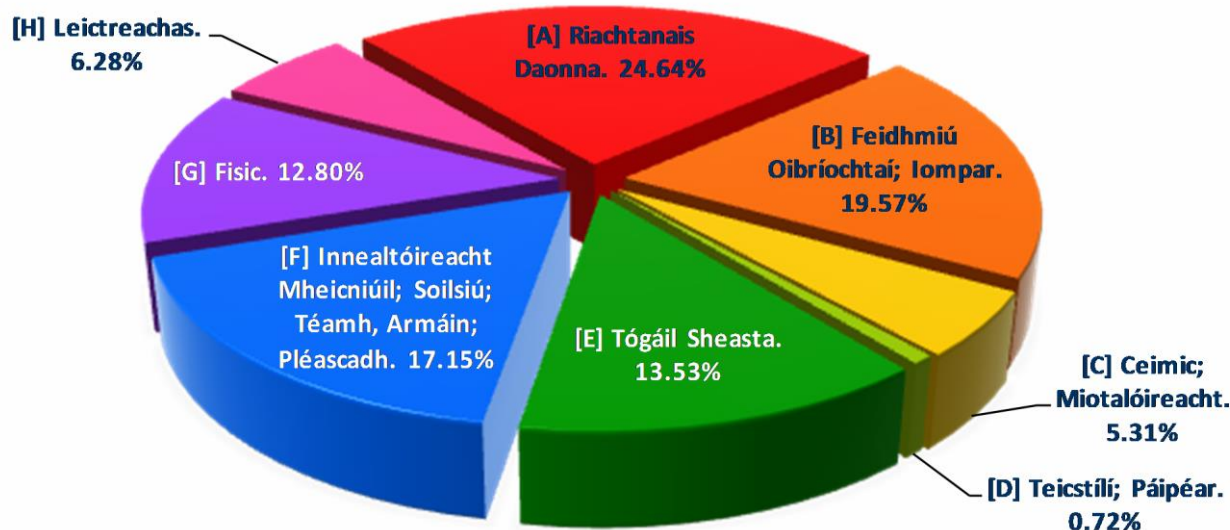
Tugtar cód aicmithe ar gach ní airgtheach i bpaitinn. Is féidir dhá aireagán nó níos mó a bheith i bpaitinn chomh fada is atá leorhaol eatarthu; mar shampla, comheascán nua ceimice agus a úsáid mar mhíochaine nó mar luibhicíd, nó léasar nua agus a úsáid i máinliacht súl nó léamh sonraí. Dá réir sin,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

Déanann an tábla agus an graf atá leis seo comhordú ar líon iomlán na n-aicmí a leithdháileadh do phaitinní in 2012. Seasann gach rangú ar leith do ní airgtheach a nochtar i bpaitinn, agus dá bhrí sin is ionann seo cuid mhaith agus cuntas scóir ar airgtheacht. Tá na haicmí curtha i ngrúpaí de réir rannóga AIP.

AICMIÚ	An líon deonuithe san Aicmiú *
A. RIACHTANAIS DAONNA m.sh. Ábhair bia, Sláinte, Nithe Pearsanta.	102
B. FEIDHMIÚ OIBRÍOCHTAÍ; IOMPAR: m.sh. Teicneolaíocht múnlaíthe, priontála, feithicle.	81
C. CEIMIC; MIOTALÓIREACHT	22
D. TEICSTÍLÍ; PÁIPÉAR	3
E. TÓGÁIL SHEASTA: m.sh. Foirgníocht, druileáil, mianadóireacht.	56
F. INNEALTÓIREACHT MHEICNIÚIL; SOILSIÚ; TÉAMH, ARMÁIN; PLÉASCADH	71
G. FISIC: m.sh. Optaic, ríomhaireacht, fisic núicléach.	53
H. LEICTREACHAS: m.sh. Ciorcaid leictreonacha, giniúint agus dáileadh leictreachais.	26

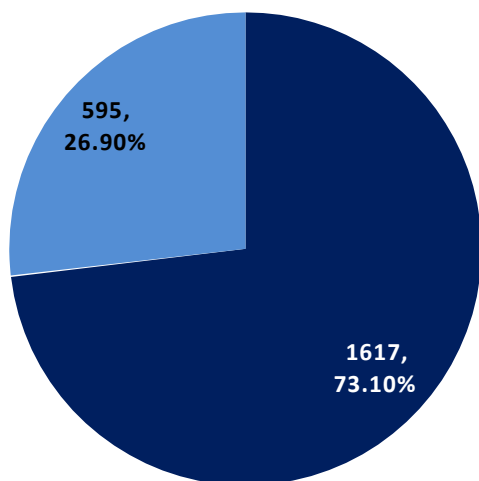
* Nóta:- Toisc gur féidir paitinn a dheontar a bheith aicmithe i níos mó ná réimse amháin teicneolaíochta, beidh líon na rangaithe ina mbeidh aireagáin níos mó ná líon na bpaitinní a dheontar.

Aicmithe de réir Choidanna IPC do Phaitinní Deonaithe in 2012

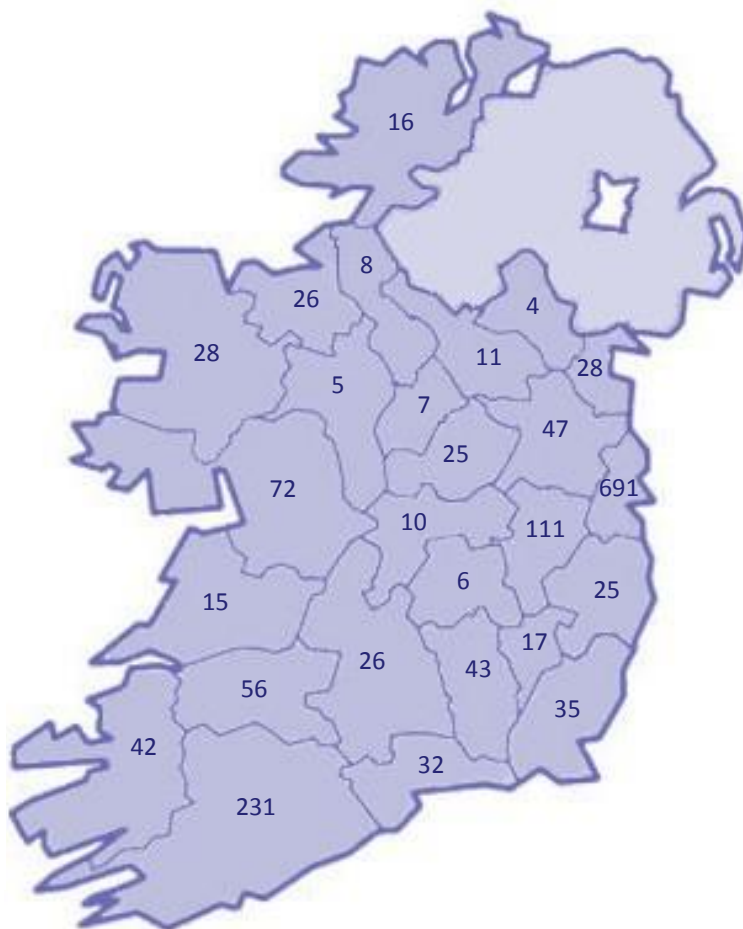


Staidreamh Gnó - TRÁDMHARCANNA

Iarratais Náisiúnta
Trádmharcanna on tír den chéad
iarratasóir



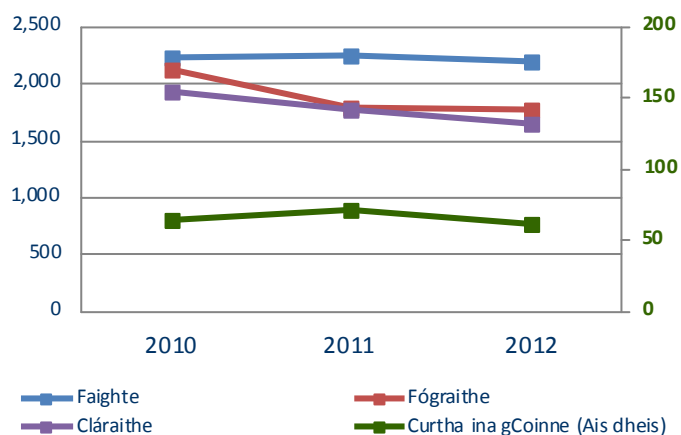
■ Iarratasóir IE
■ Iarratasóir Eachtranna cha



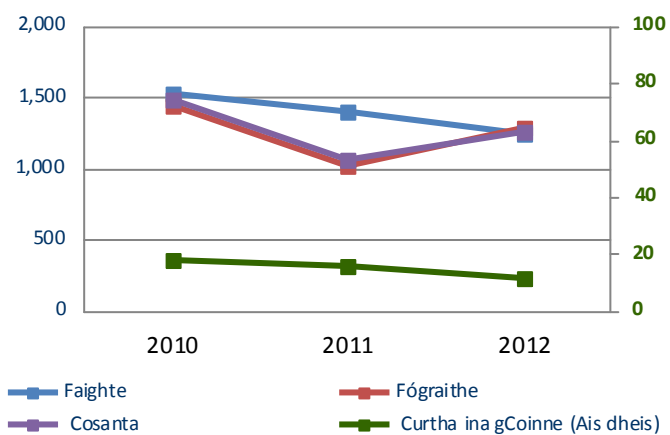
Iarratais ar Thrádmharcanna faoi contae í 2012

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
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
2012	2,210	1,781	61	1,648	1,250	1,290	12	1,260

Trádmharcanna Náisiúnta 2010 – 2012



Trádmharcanna Idirnáisiúnta 2010 – 2012



Nithe eile a bhaineann le Clár na dTrádmharc

	2010	2011	2012
Líon na dtrádmharc ina n-ábhar sannta	1,276	1,853	1,427
Líon na gceadúnas ar thrádmhairc taifeadta sa chlár	450	66	50
Clárúcháin Trádmharc asbhainte de dheasca neamhíocaíocht na dtáillí athnuachana	7,996	3,684	3,824
Clárúcháin trádmharc tugtha suas	33	29	12
Clárúcháin trádmharc tugtha ar ais	23	13	8
Clárúcháin trádmharc athnuaithe	5,489	4,270	4,874
Trádmhairc Náisiúnta cúlghairthe go hiomlán nó i bpáirt	8	5	7
Trádmhairc Idirnáisiúnta cúlghairthe go hiomlán nó i bpáirt	0	0	5
Trádmhairc Náisiúnta fógraithe neamhbhailí	2	2	0
Trádmhairc Idirnáisiúnta fógraithe neamhbhailí	1	0	0
Trádmhairc náisiúnta cláraithe i bhfeidhm	67,862	65,884	63,674
Trádmhairc Idirnáisiúnta i bhfeidhm	22,620	23,740	23,964
Iomlán na dTrádmharc i bhfeidhm	90,482	89,624	87,638

Éisteachtaí agus Ilnithe

	2010	2011	2012
Éisteachtaí (<i>ex-parte</i>)	3	6	6
Éisteachtaí (<i>idir-partes</i>)	4	15	7**
Iarratais le hiarratais Trádmhairc na bPobal Eorpacha a aistriú go hiarratais náisiúnta	63	60	42
Iarratais idirnáisiúnta trádmhairc ina raibh Éire ina hOifig Tionscnaimh comhadaithe atá curtha chuig WIPO	44	63	46
Iarratais Chomhphobail comhadaithe tríd an Oifig agus a cuireadh ar aghaidh chuig an Oifig um Chomhchuibhiú sa Mhargadh Inmheánach (OHIM)	0	1	1

** Tá an figiúr éisteachta idirpháirtíoch tar éis titim le blianta beaga anuas toisc nósanna imeachta nua a bheith tugtha isteach mar ar féidir le páirtithe aighneachtaí i scríbhinn a chur isteach in ionad freastal ar éisteacht.

Clár na nGníomhairí Trádmhairc

Ag deireadh na bliana 2012, bhí 193 duine aonair agus 5 comhpháirtíocht iontráilte ar an gClár.

**AICMIÚ IDIRNÁISIÚNTA AR EARRAÍ AGUS AR SHEIRBHÍSÍ INA GCUIRTEAR NA
MARCANNA A CLÁRAÍODH IN 2012**

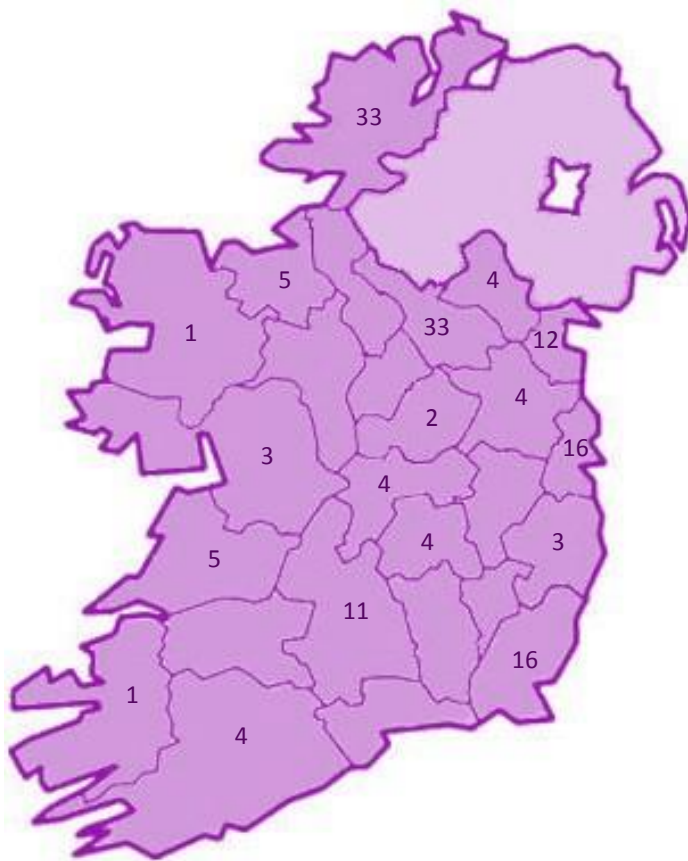
Rinne conradh iltaobhach ar a ghairtear “Comhaontú Nice Maidir le hAicmiú Idirnáisiúnta Earraí agus Seirbhísí chun Críocha Clárú Marcanna”. Tá Aicmiúchán Nice comhdhéanta de 45 ceannteideal aicmiúcháin a dhéanann cur síos an-leathan ar nádúr na n-earraí nó na seirbhísí atá i ngach ceann de na 34 aicme earraí agus na 11 aicme seirbhísí inar féidir trádhmharcanna 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	Aicme	Aicmiúchán Earraí	Líon na marc san aicme
1	Táirgí Ceimiceacha, srl.	44	24	Fíocháin (gréasáin), srl.	30
2	Péinteanna, srl.	30	25	Éadaí, ag áireamh Buataisí, Bróga agus Slipéir	134
3	Ullmhóidí Tuartha, srl.	96	26	Lása agus Bróidnéireacht, srl.	29
4	Olaí Tionsclaíochta, srl.	39	27	Cairpéid, srl.	9
5	Substaintí Cógaisíochta, srl.	184	28	Cluichí, srl.	51
6	Miotail Choitianta agus a gcóimhiotail Neamhoibrithe agus Páirt Oibrithe	44	29	Feoil, lasc, Éineoil agus Géim, srl.	226
7	Meaisíní agus Inneal Úirlisí, srl.	25	30	Caifé, Tae, Cócó, Siúcra, Rís, srl.	233
8	Uirlisí agus Ionstraimí Láimhe, Sceanra, srl.	25	31	Táirgí Talmhaíochta, srl.	64
9	Fearas agus Ionstraimí Eolaíochta, srl.	177	32	Beoir, srl.	96
10	Uirlisí Máinliachta, srl.	25	33	Fíonta, Biotáille agus Licéir	39
11	Fearas Soilsithe	45	34	Tobac, srl.	18
12	Feithicilí; Fearas Gluaiseachta ar Thalamh, san Aer agus ar Uisce	27	35	Fógraíocht, Bainistiú Gnó, srl.	284
13	Airm Thine, Lón Láimhaigh agus Díuracáin; Substaintí Pléascacha;	0	36	Árachas, Gnóthaí Airgeadais, srl.	120
14	Miotail luachmhara agus a gCóimhiotail,	38	37	Tógáil Foirgníochta, Deisiúchán, l	70
15	Uirlisí Ceoil (seachas meaisíní cainte agus fearas raidió)	2	38	Teileachumarsáidí	95
16	Páipéar, srl.	216	39	Iompar, Pacáistiú agus Stóráil Earraí, srl.	84
17	Guma Peirc, Cúitiúc, srl.	18	40	Cóiriú Ábhar	29
18	Leathar, srl.	40	41	Oideachas, Siamsaíocht, srl.	260
19	Ábhair Thógála, srl.	40	42	Seirbhísí eolaíochta agus teicneolaíochta	130
20	Troscán, Srl.	53	43	Soláthar bia agus dí	86
21	Acraí Beaga Tí, srl.	62	44	Seirbhísí míochaine, srl.	96
22	Rópaí, srl.	9	45	Seirbhísí pearsanta agus sóisialta	62
23	Snáitheanna	0			

Staidreamh Gnó - DEARAÍ

	2010	2011	2012
Iarratais ar Dhearaí*	54	46	67
Líon na ndearaí iarrtha*	124	86	187
Dearaí cláraithe	93	112	151
Dearaí tite ar lár	49	74	67
Dearaí athnuaite (Acht 1927)	119	85	5
Dearaí athnuaite (Acht 2001)	41	13	127
Dearaí i bhfeidhm (Acht 1927)	945	715	489
Dearaí i bhfeidhm (Acht 2001)	875	937	1,012

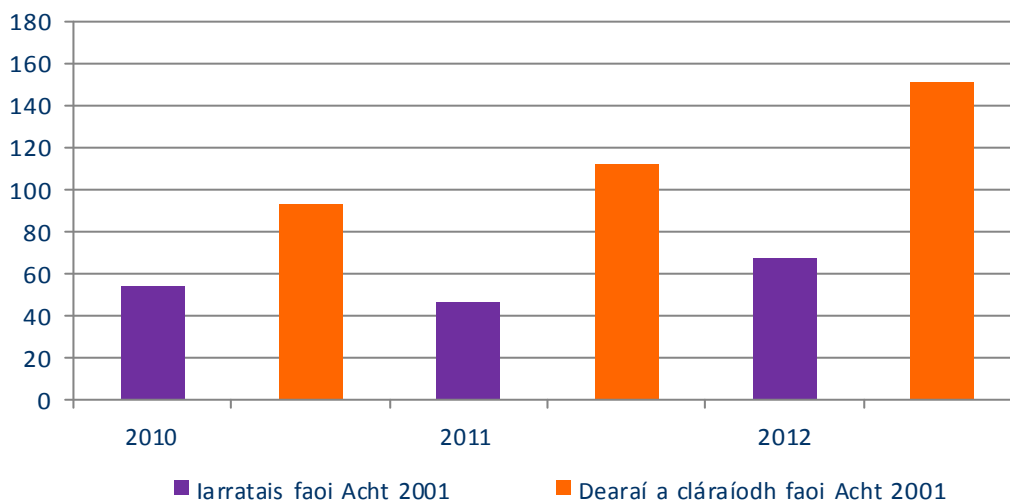
*Nóta- Déanann Riall 19 de Rialacháin um Dhearadh Tionsclaíoch 2002 soláthar gur féidir 2 dhearadh nó níos mó faoi réir ag uaslíon de 100 dearadh a bheith comhcheangailte in aon iarratas amháin ar chlárú dearad.



Iarratais ar Dhearaí faoi contaie í 2012

	2010	2011	2012
Iarratais Chomhphobail comhadaithe trí Oifig na bPaitinní agus a cuireadh ar aghaidh chuig an Oifig um Chomhchuibhiú sa Mhargadh Inmheánach (O.C.M.I.)	4	2	3

Iarratais Dearaidh agus Clárúcháin 2010 – 2012



DEARAÍ A CLÁRAÍODH FAOI ACHT DEARADH TIONSCLAÍOCH, 2001 I GCAITHEAMH NA BLIANA DAR CHRÍOCH 31 NOLLAIG 2012

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	10
3	Earraí Taistil, Cásanna, Parasóil agus Earraí Pearsanta, nach bhfuil sonraithe in áit eile	38
4	Earraí scuaibe	
5	Earraí Gréasáin Teicstíle, Leatháin Shaorga agus Nádúrtha	
6	Feistis	1
7	Earraí Tí, nach bhfuil sonraithe in áit eile	4
8	Uirlisí agus Crua-earraí	
9	Pacáistí agus Gabhdáin d’Iompar nó do Láimhseáil Earraí	7
10	Cloig, Uaireadóirí agus Ionstraimí eile Tomhais, Ionstraimí Seiceála agus Comharthaíochta	37
11	Earraí Maisiúcháin	7
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	1
16	Gaireas Fótagrafaíochta, Cineamatagrafaíochta agus Optaice	
17	Uirlisí Ceoil	
18	Meaisíní Priontála agus Oifige	
19	Stáiseanóireacht agus Trealamh Oifige, Ábhair Ealaíontóirí agus Múinteoireachta	3
20	Trealamh Díolacháin agus Fógraíochta, Comharthaí	22
21	Cluichí, Bréagáin, Pubail agus Earraí Spóirt	6
22	Airm, Earraí Piortheicniúla, Earraí chun Fiaigh, Iascaireachta agus Marú Lotnaidí	
23	Trealamh Dáilithe Leachta, Trealamh Sláintíochta, Téimh, Aerála agus Aerchóirithe, Breosla Soladach	5
24	Trealamh Míochaine agus Saotharlainne	
25	Aonaid Foirgníochta agus Eilimintí Tógála	8
26	Fearas Soilsithe	
27	Tobac agus Soláthairtí do Lucht Caite Tobac	
28	Táirgí Cógaisíochta agus Cosmáide, Earraí agus Fearas Maisiúcháin	
29	Gléasanna agus Trealamh in aghaidh Guaise Tine, Cosc ar Thionóisc agus chun Tarrthála	
30	Earraí um Chúram agus Láimhseáil Ainmhithe	
31	Meaisíní agus Fearas Ullmhúcháin Bia agus Dí, nach bhfuil sonraithe in áit eile	
32	Siombalacha Grafacha agus Comharthaí, Patrúin Dreacha, Ornadaíocht	5
	IOMLÁN	154*

*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 31/12/2011	Líon na dtarchur nua a fuarthas in 2012	Líon na gcás ar deineadh coinnead orthu	Cásanna tarraingthe siar a measadh a bheith neamhbhailí a bhí dúnta	Líon na gcás ar feitheamh ar an 31/12/2012
Díospóidí a cuireadh isteach faoi Alt 38 (4)	1	0	0	1 ⁽¹⁾	0 ⁽¹⁾
Díospóidí a cuireadh isteach faoi Alt 152	2	0	0	0 ⁽²⁾	0 ⁽²⁾

⁽¹⁾ Shocraigh an Rialtóir tarchur Ailt 38(4) ar feitheamh ag tús 2012 i 2011. Mar sin féin, bhí Ordú an Rialtóra faoi réir imeachtaí ath-bhreithniú breithiúnach, a raibh sé mar thoradh air go ndéanfaí an tarchur a íoc ar ais leis an Rialtóir le cinneadh a dhéanamh air agus go bhféachfaí ar an iarratas mar tharchur nua ab initio. D'éisigh an Rialtóir ordú athcheartaithe i Meán Fómhair 2012.

⁽²⁾ Cuireadh an dá tharchur ar feitheamh in Alt 152 ag tús 2012 faoi bhráid eadránaí le cinneadh a dhéanamh orthu. Mar sin féin, de bharr breoiteachta, níltear ag súil le dámhachtain an eadránaí go dtí 2013

Cláir

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

Clár de na Comhlachtaí Ceadúnúcháin 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 Ceadúnúcháin Cóipchirt agus 1 (ceann amháin) sa Clár de na Comhlachtaí Ceadúnúcháin um Chearta Maoin Thaibheoirí

REACHTAÍOCHT a achtaíodh in 2012

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

PAITINNÍ

Uimh. 1 de 2012 ACHT NA bPAITINNÍ (LEASÚ) 2012

Tugann an leasú seo feidhm do Chomhaontú Londain maidir le feidhmiú Airteagail 65 de Choinbhinsiún Paitinne na hEorpa (CPE) ag laghdú an chostais aistriúcháin d'iaratasóirí paitinne trí a réidh leis an riachtanas comhad a aistriú (go Béarla) de Phaitinn Eorpach a déanadh i bhFraincis nó i nGearmáinis d'fhonn paitinn a dhéanamh bailí sa Stát.

I.R. Uimh. 329 de 2012 AN tORDÚ um ACHT NA bPAITINNÍ (LEASÚ) 2012 (TOSACH FEIDHME) 2012

Ceapann an tOrdú seo an 3ú Meán Fómhair 2012 mar an dáta ar a dtagann Acht na bPaitinní (Leasú) 2012 i bhfeidhm.

I.R. Uimh. 334 de 2012, RIALACHA Na bPAITINNÍ (LEASÚ) 2012

Baineann na leasuithe seo a rinneadh ar Rialacha Na bPaitinní 1992 le chúlghairm na rialacháin atá neamhriachtanach mar gheall ar na riachtanais aistriúcháin simplithe atá curtha isteach in Acht na bPaitinní 1992 de réir Acht na bPaitinní (Leasú) 2012

I.R. Uimh. 335 de 2012 NA RIALACHA UM PAITINNÍ, TRÁDMHARCANNA AGUS DEARAÍ (TÁILLÍ) (LEASÚ) (UIMH. 2) 2012

Baineann an leasú seo ar na Rialacha um Paitinní, Trádmharcanna agus Dearaí (Táillí) 2001 an fhoráil maidir le táille do chomhdú ar aistriúcháin ar shonraíocht phaitinne Eorpach ag ainmniú an Stáit de réir ailt 119(6) d'Acht na bPaitinní 1992 mar a leasaíodh le hAcht na bPaitinní (leasú) 2012.

TRÁDMHARCANNA agus DEARAÍ

I.R. UIMH. 30 DE 2012 – RIALACHA UM PAITINNÍ, TRÁDMHARCANNA AGUS DEARAÍ (TÁILLÍ) (LEASÚ) 2012

Rinne an tAonad Maoine Intleachtúla athbhreithniú i gcomhar le hOifig na bPaitinní ar tháillí áirithe ag Oifig na bPaitinní. Tugann na leasuithe a tugadh isteach leis an ionstraim seo leanúnachas maidir le leibhéal na dtáillí a ghearrtar maidir le seirbhísí a sholáthraíonn Oifig na bPaitinní atá mar a chéile nó cosúil le chéile maidir le paitinní, trádmharcanna agus dearaí.

I.R. UIMH. 31 DE 2012 - RIALACHÁIN UM DHEARADH TIONSCLAÍOCH (LEASÚ) 2012

Rinne an tAonad Maoine Intleachtúla athbhreithniú ar athnuachan táillí ar Dhearadh Tionsclaíoch i gcomhar le hOifig na bPaitinní i gcomhthéacs na dtáillí a ghearrtar ar sheirbhísí dá leithéid ag leibhéal an Chomhphobal Eorpaigh. Déanann na leasuithe ar na Rialacháin a thug an ionstraim seo isteach táillí athnuachana ar dhearadh Éireannach iomaíoch leo sin a ghearrtar ar athnuachan ag leibhéal an Chomhphobail na theannta sin, tugann an ionstraim seo tréimhse amháin agus táille comhfhreagrach isteach maidir le foilsiú iarchurtha ar dhearadh tionsclaíoch.

CÓIPCHEART

I.R. Uimh. 59 de 2012 Rialacháin na gComhphobal Eorpach (Cóipcheart agus Cearta Gaolmhara) 2012

Tugann na Rialacháin seo soiléiriú ar gur féidir urghaire a lorg in aghaidh idirghabhálaí lena mbaineann Airteagal 8(3) de Threoir 2001/29/CE de Pharlaimint na hEorpa agus den Chomhairle den 22 Bealtaine 2001 ar chomhchuíbhiú ghnéithe áirithe de chóipcheart agus cearta gaolmhara sa tsochaí faisnéise. Éilíonn Airteagal 8(3) go mbeadh sealbhóirí ar chearta i riocht le cur isteach ar urghaire in aghaidh idirghabhálaithe a n-úsáideann tríú páirtí a seirbhísí le cóipcheart nó cearta gaolmhara a shárú.

FAISNÉIS AIRGEADAIS

FÁLTAIS AGUS CAITEACHAS – AN BHLIAIN DAR CHRÍOCH 31 NOLLAIG 2012

Fáltais	€000
Táillí Paitinne <i>(Nótaí 1 & 2)</i>	5,851
Táillí Trádmhairc	1,761
Clárúchán ar Thrádmhairc Idirnáisiúnta – táillí a fuarthas ó WIPO <i>(Nóta 3)</i>	1,087
Táillí Dearaidh	19
Táillí eile	131
Lúide aisíochtaí i leith táillí a íocadh i ndearmad	84
Lúide táillí idirbhearta i leith íocaíochtaí ar-líne le cártaí creidmheasa	119
Fáltais ghlan fabhraithe don Státchiste	8,646

Costais	€000
Tuarastail	1,950
Taisteal & Cothabháil	43
Ilnithe & Focostais	42
Seirbhísí Poist agus Teileachumarsáide	117
Meaisíní Oifige agus Soláthairtí eile Oifige	581
Costais Áitreabh Oifige	113
Foinsí eolais, leabhair, tréimhseacháin, srl.	0
Síntiúis do Chumainn Mhaoine Tionsclaíocha	0
IOMLÁN	2,846

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 bailí orthu in Éirinn agus atá iontráilte ar chlár náisiúnta na bpaitinní, a chur chuig Oifig Paitinní na hEorpa.

	[€000]
Táillí Paitinne	11,009
Lúide an cion de na táillí athnuachan paitinne a aistríodh go hOifig na bPaitinní Eorpacha.	5,158
Táillí Paitinne glan fabhraithe don Státchiste.	5,851

Nóta 2:

Feidhmíonn Oifig na bPaitinní mar Oifig fháltais d'iarraíais 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 2012:

	[€000]
Táillí Bunaigh agus Sainithe CCP tarchurtha chuig WIPO, an Ghinéiv.	72
Táillí cuardaigh CCP tarchurtha chuig EPO, Munich.	98
IOMLÁN	170

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 iarraitas Idirnáisiúnta Trádmhairc a lorgaíonn cosaint in Éirinn, ón Eagraíocht Domhanda um maoin Intleachtúil (WIPO).

SPRIOCANNA FEIDHMIÚCHÁIN 2012

Réimhse Gníomhaíochta agus Leibhéal Bainte Amach

Paitinní

1	Admhálacha foirmeálta a eisiúint ar chomhadú iarrataisí foirfeacha laistigh de 5 lá oibre.	78%	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'iarraitas cuí iomlán a bheith comhdaithe.	86%
3	Eisiúint na dteastas athnuachan paitinne laistigh de 3 lá oibre i ndiaidh fáil na híochaíochta.	100%	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.	76%
4	Iarratais ar chlárú sannaithe a phróiseáil laistigh de 7 lá oibre tar éis iarraitas atá comhlánaithe go hiomlán agus i gceart a bheith tagtha isteach.	100%	10	A chinntiú go n-eisítear fógra i dtaobh fabhtaí foirmeálta laistigh de 15 lá oibre tar éis comhdaithe.	93%
5	Dearbhú a eisiúint go bhfuil iarratais ar leasuithe ar chlár na bpaitinní maidir le hainmneacha agus seoltaí iarraitasóirí, úinéirí agus gníomhairí paitinne agus seoladh na seirbhíse taifeadta laistigh de 5 lá oibre tar éis iarraitas atá comhlánaithe i gceart a fháil.	96%	11	Dein deimhin de go mbíonn aicmiú déanta le haghaidh foilsithe ar phaitinní gan roinnt taobh istigh de 17 mí i ndiaidh an dáta comhdaithe.	77%
6	Paitinní a dheonadh laistigh de 5 lá oibre ó fháil na táille deonaithe.	98%			

Deimhnithe Cosanta Forlíontacha

1	Fógra ar mháchainil 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 iarraitas ar Dheimhnithe Cosanta Forlíontacha ar a laghad 12 mí roimh dháta éaga na paitinne bunaidh.	88%			

Dearaí

1	Admhálacha foirmeálta comhdaithe a eisiúint laistigh de 5 lá oibre ar iarratais ar dhearaí atá comhlánaithe i gceart.	88%	4	Deimhnithe athnuachana dearaidh a eisiúint laistigh de 3 lá oibre oibre tar éis an íochaíochta a fháil.	100%
2	Litir tosaigh agóidí / litir glactha a eisiúint laistigh de 12 sheachtain tar éis an t-iarraitas 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-iarraitas a ghlacadh.	97%			

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.	93%	10	Cúinsí scríofa a eisiúint faoi chinntí in éisteachtaí laistigh de 2 mhí tar éis na héisteachta.	75%
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.	100%	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 haghaid 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%			
8	Cinnithe in éisteachtaí a eisiúint laistigh de mhí amháin tar éis na héisteachta.	100%			
9	Iarrataisí le haghaidh Clárú Trádmharcanna Idirnáisiúnta a chur ar aghaidh chuig WIPO laistigh de	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%			