

Foreword



In accordance with the provisions of Section 103 of the Patents Act, 1992, I have the honour to submit my Annual Report to the Oireachtas for the year ended 31 December 2016.

My Report is in respect of the execution of my statutory functions under the Patents Act, 1992 (as amended), the Trade Marks Act, 1996 (as amended); the Industrial Designs Act, 2001, the various Statutory Rules and Regulations made under these Acts; and the European Communities (Supplementary Protection Certificate) Regulations. Decisions under these Acts, Rules and Regulations rest with me in my statutory capacity, subject to certain rights of appeal to the High Court. I also have certain statutory functions under the Copyright and Related Rights Act, 2000. In the main, these functions are concerned with dealing with the regulation and

registration of copyright licensing bodies, references and applications relating to licensing schemes operated by those bodies and the resolution of disputes regarding royalty amounts arising mainly in the area of public performance of sound recordings.

Innovation and creativity give rise to intellectual property rights. These rights, which also include copyright, are increasingly important for all companies seeking to gain a competitive edge in the marketplace. Indeed, for many business enterprises intellectual property may be one of their most important assets.

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. Through the provision of these services, the Patents Office aims to assist people and businesses realise the full economic potential of their intellectual property. In addition to administering the relevant legislation concerned with the processing of applications for patents, trademarks and industrial designs and maintaining the electronic registers and databases of these rights, the Patents Office performs a number of operational and regulatory functions including:

- Providing assistance and information on intellectual property.
- Administering proceedings before the Controller in relation to IP rights and conducting hearings on oppositions to trademark registrations.
- Maintaining the registers of patent and trademark attorneys authorised to operate in the State.
- Administering compliance reporting by copyright licensing bodies/collective management organisations.
- Contributing to policy and legislative developments on IP rights.
- Implementing and giving effect to international agreements on IP rights

Some other important activities carried out during 2016 involved preparations for the reintroduction of substantive examination of patent applications as well as for the issuing of Knowledge Development Box Certificates in line with the provisions in the Finance Act, 2015. These changes are for the purposes of allowing Irish full term patents and separately, inventions which share features of patents but have not been patented, to avail of a reduced rate of corporation tax.

The Office also continued its co-operation with the EUIPO in order to provide better eservices such as expanded functionality for the online payment of certain trade mark and design fees as well as preparatory work for the introduction of technical solutions to deal with non-traditional trade marks.

My Report provides information on how the Office discharged the various statutory functions and ancillary activities during 2016. The narrative is supported by a range of business statistics.

I would like to acknowledge the continuing commitment of the staff to maintaining an efficient and effective public service.

A handwritten signature in black ink, appearing to read "Gerard Barrett".

Gerard Barrett

Controller

General Commentary on Trends, Objectives and Activities

Trends

The Irish economy continued to grow in 2016, mainly due to strong domestic demand and increased job creation. Ireland remained one of the fastest growing economies in Europe, despite long term concerns over Brexit related risks and external uncertainties. In October 2016, the EPO and the EUIPO published a second EU-wide study of the impact of Intellectual Property Rights on the European economy in terms of GDP, employment, and trade. The study revealed that investing in innovation has meant that Intellectual Property Rights (IPRs) have begun to take on a significant role in Ireland's move to a more global knowledge based economy. The study showed that IP intensive industries in Ireland accounted for 24% of employment in the State and contributed to 53.8% of GDP.

Contributions of all IPR intensive industries in Ireland, 2011-2013 average

	Value added (& million)	Share of GDP	Employment	Share of total employment
Ireland	94,658	53.8%	444,846	24%
EU28	5,664,168	42.3%	60,032,200	27.8%

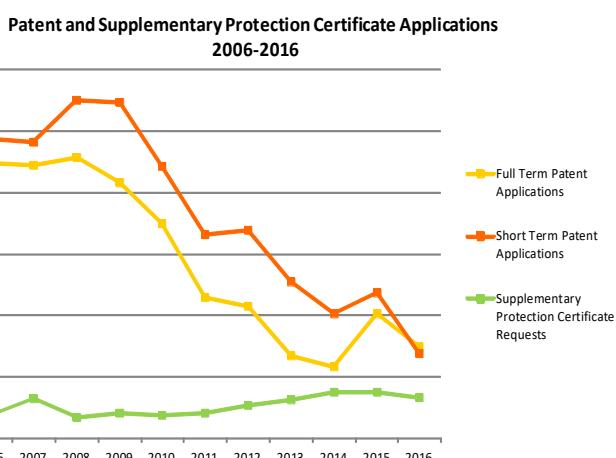
Source: Intellectual property rights intensive industries and economic performance in the European Union - Industry-Level Analysis Report by EPO and EUIPO, October 2016, Second edition.

In terms of IPR filings by EU country of origin in all industries, the study ranked Ireland 12th out of 28 member states for patent filings, 15th out of 28 for trade marks and 17th out of 28 for designs. The study showed that Ireland was ranked with Austria, Belgium, Denmark, Finland, France, Germany, Italy, Luxembourg, Malta, the Netherlands and Sweden as being above the EU average in terms of IPR creation per employee. However, the study also showed that "*the highest share of jobs in IPR-intensive industries generated by companies from outside the EU is to be found in Ireland, at 22%*."

Clearly, IP and its protection are of considerable importance when it comes to attracting FDI to Ireland. Indeed, the Government's strategy to promote Ireland as an R&D centred innovation based economy is seen as a major deciding factor in Ireland's ability to attract continued investment from US and foreign multi-nationals.

Patents and SPCs

The presence of IP intensive firms in the export led, FDI and multinational sectors does mean that first patent filings are unlikely to be Irish national filings as many Irish based foreign owned firms which develop IP in Ireland often have a policy of filing applications to protect those IP rights in foreign markets through their parent company which is headquartered abroad. The decrease in national patent filings does not necessarily reflect the extent to which Irish based firms or inventors are engaged in innovative activity as firms may choose to file via the European route or using the PCT route rather than through the national office.



- National full term Patent filings received during 2016 decreased by 26% on the 2015 total (from 203 to 149) while the number of short term patent applications filed decreased by 42% on 2015 (from 237 to 138).
- Applications for Supplementary Protection Certificates (SPCs) decreased in 2016 from 76 in 2015 to 66 in 2016.

General Commentary on Trends, Objectives and Activities

Irish resident foreign patent filings at selected patent authorities.

	2010	2011	2012	2013	2014	2015
PCT ¹	443	415	391	432	438	457
EPO ²	637	653	609	566	622	614
UK	289	330	336	361	352	330
USA ³	796	829	947	1,039	1,068	1,295

Sources: WIPO Statistics Database- PCT Yearly Review, EPO Statistics Database, UKIPO "Facts & Figures" USPTO patent statistics.

Filing statistics are based on residence of first named applicant. Historical filing figures may vary from year to year as a result of the updating of databases by the patent authorities.

¹ PCT applications (international phase) filed by Irish residents

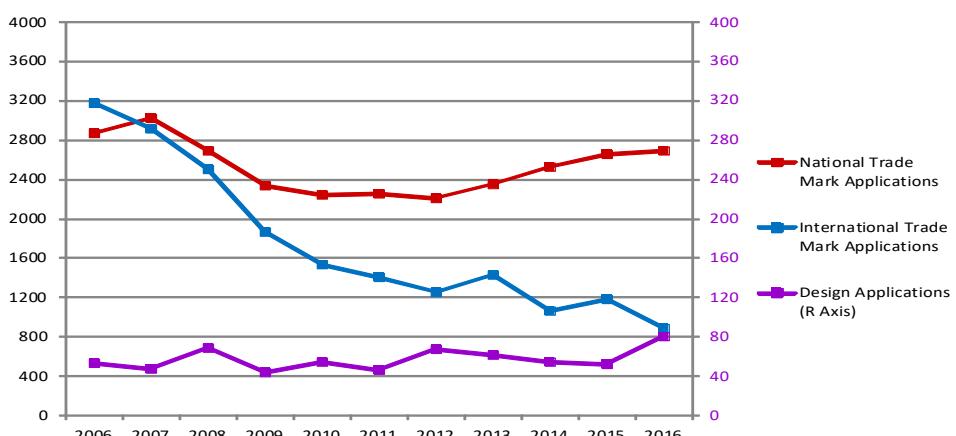
² Analysis based on European patent applications filed with EPO (Direct European applications and International (PCT) applications entering European phase

³ US filings refer to utility patents also known as patents for inventions.

Trade Marks and Designs

The number of national trade mark applications received increased by a modest 1% during 2016. This continues the upward trend over the past 4 years with applications now running 20% above the levels experienced between 2010 and 2012. This can be attributed to a number of factors including an overall increase in business activity in Ireland arising from the continuing economic recovery. However, the figures in respect of International Registrations (IR's) continue to decline. The number of IR applications received in the Office fell below 1,000 for the first time in 2016. This is reflective of the increase in the number of businesses choosing to designate the European Union as a whole, as distinct from pursuing the more costly route of seeking protection for their marks in individual EU Member States. The decline is expected to continue in 2017.

Trade Mark and Design Applications 2006-2016



- The total number of national trade mark applications received in 2016 showed a 1% increase over the 2015 figure (from 2,654 to 2,694). There has been a steady increase since 2012 which can be attributable to the continuing growth and development of the economy as businesses manage to escape the negative effects of the recession.
- International applications for marks seeking protection in Ireland decreased by almost 25% by comparison to 2015 (from 1,180 to 891).
- Applications for the registration of industrial designs showed an encouraging increase from a total of 49 in 2015 to 80 in 2016. The number of design applications received by the Office has fluctuated in recent years.

General Commentary on Trends, Objectives and Activities

European Union Trade Marks (EUTMs)

The European Union Trade Mark (previously termed a Community Trade Mark) came into effect on 1st April 1996 and gives the proprietor a single registration, which is valid in all 28 EU countries. Filings of European Union Trade Mark (EUTM) applications by Irish resident applicants in 2016 increased by 8% from 1,071 applications in 2015 to 1,160 in 2016.

EUIPO Trade Mark applications and registrations by Irish resident persons¹

	2013	2014	2015	2016
EUTM applications	1,055	1,038	1,071	1,160
EUTM registrations	840	1,023	971	1,021

Source: EUIPO Statistics SSC003.1

¹ Some historical figures may vary from year to year due to ongoing updating of WIPO statistical databases.

International Trade Marks

The Madrid Protocol is an international system of trade mark registration, which is administered by the International Bureau of the World Intellectual Property Organisation (WIPO). The Madrid system offers a trade mark owner the possibility to obtain trade mark protection in several countries by filing a single application. The Madrid system also requires that an international application must be based on a national or EU trade mark application or registration (referred to as the basic application or registration) filed through the Irish Patents Office or the EUIPO which is known as the "Office of Origin". 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 Madrid system offers a smart business solution for any company seeking to protect and manage its marks in international markets (usually outside the EU) and the extent to which it is used by Irish resident companies can provide a useful indicator of their intent to break into foreign markets and to create new markets for existing and new product ranges.

The International Bureau of WIPO recorded 158 international registrations for holders of marks domiciled in Ireland in 2015. These registrations include 359 designations of other Madrid members in which the holders sought to extend protection for their marks. Next a total of 141 additional Madrid members were subsequently designated in already existing international registrations from Ireland in order to extend their original geographic scope of protection to additional Madrid member countries or jurisdictions.

International Registrations via the Madrid System for holders of trade marks domiciled/resident in Ireland

	2013	2014	2015	2016
Number of International Registrations	146	181	158	n/a
Designations	1,647	1,297	359	n/a
Subsequent Designations	144	192	141	n/a

Source: WIPO Madrid Yearly Review for 2014, 2015 and 2016.

1. Does not include Irish holders of EUTMs which have elected to base their international application on their EUTM.
2. Data for 2016 not available from WIPO.
3. Some historical figures may vary from year to year due to ongoing updating of WIPO statistical databases .

General Commentary on Trends, Objectives and Activities

Focus on Trade Marks

Non-Traditional Trade Marks

The implementation of the new EU Trade Marks Directive will have practical implications for the Office. Under current Irish legislation there is a requirement that trade marks be “capable of being presented graphically”. This basically means you must be able to produce a representation of the mark on paper and consumers must be able to see it and understand it. The new Directive removes this requirement and will allow for the registration of marks that can be comprehended using senses other than sight. Accordingly, it will become possible to apply to register marks that can be appreciated by their smell, sound, taste or touch. Also, registrations in respect of holograms, moving images and gestures may also be sought. These are typically referred to as non-traditional trade marks. While the legislative change will provide marketing specialists with novel ways to get consumers to recognise their products, it will not mean that whatever is filed will be acceptable for registration. This Office will continue to examine applications in accordance with the legislation and in conformity with European trade mark case law, including the premier guiding principle (known as the seven Sieckmann criteria) that trade marks must be clear, precise, self-contained, easily accessible, intelligible, durable and objective.

Taking one type of non-traditional mark by way of example, the durability requirement may prove a difficult test to pass in respect of smell marks. Providing a sample of the smell in a bottle may not suffice as the contents of the bottle are liable to change or decay over time and the smell will therefore become altered. An additional obstacle to smell mark registration is that the smell must not result from the nature of the good itself. Therefore, an application by a perfumer to register its scent is unlikely to succeed as the scent of the perfume is the very essence of the product and, accordingly, it would lack the required level of distinctiveness. So manufacturers are more likely to seek to register smells in respect of goods for which a smell is not a characteristic of the goods.

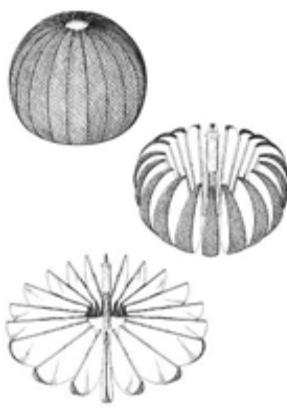
Difficulties will arise for the Office in terms of how it will receive, store, publish and maintain a register of non-traditional marks. Also, as applications are examined in respect of relative grounds for refusal, systems must be put in place to search such applications against earlier marks already protected by the EUIPO or already on the Irish register, in order to identify identical or confusingly similar marks.

While the Office will not have to deal with applications for non-traditional marks until after the EU Trade Mark Directive is transposed into Irish law (expected sometime in 2018), applicants will be able to apply to the EUIPO for EU trade marks in respect of non-traditional trade mark matter by the end of 2017. By then that Office will have put in place technical solutions in terms of receiving, storing and publishing the new forms of trade marks.

Thanks to the availability of assistance from the EUIPO as part of its Cooperation Fund and Convergence Programme Projects, the Patents Office hopes to be in a position to leverage assistance from the EUIPO in terms of tools and solutions to overcome the challenges associated with receiving and processing non-traditional trademarks



Computer generated sound of 10 seconds.
EUTM 11654209



Kraft Foods UK Ltd. registered this moving image trademark (UK 228003) for chocolate and chocolate confectionery.

Credit:UK Intellectual Property Office



The VF - Video Future hologram trademark (EUTM 2117034) registered by GDS Video.
Photo: EUIPO



General Commentary on Trends, Objectives and Activities

Focus on Brexit and its possible impact on the Trade Marks and Designs system

Much has been written about the impact of Brexit on intellectual property rights, though no one knows with any degree of certainty what the post-Brexit landscape will look like. The main concern for trade mark holders will be whether or not the UK will continue to treat EU Designs and Trade Marks as being protected in the UK. There are a number of possibilities but one of the following four scenarios seems more likely: (i) EU trade marks will cease to be protected when the UK formally departs the EU; (ii) EU trade marks will continue to be protected in the UK for as long as they remain in force; (iii) the UK will allow EU trade mark holders to convert their EU trade mark to a UK mark within a certain time period and (iv) the UK will continue to respect EU trade marks until their next renewal whereupon the holder can convert it to a UK mark upon payment of the relevant UK renewal fee.

Traders who only trade in Ireland and the UK may soon need to re-evaluate their trade mark strategy. Post-Brexit the EU trade mark route may no longer provide the best value for money and, depending on the divorce agreement, it may make more economic sense to seek individual Irish and UK registrations. Similar to European Union Trade Marks, Registered Community Designs are a form of unitary right which covers the entire territory of the EU. Post-Brexit, there will be a need to provide that Registered Community Designs continue to be given equivalent national protection in the UK when it formally leaves the EU. Furthermore, the matter of whether or not unregistered Community Designs will be given equivalent protection for the remainder of their term is less clear and more open to question, particularly given that the UK has its own, distinct, unregistered design right system in place.

Generally speaking, in relation to corporate IP strategies post-Brexit, business concerns which are concentrated solely on the Irish and the UK market may, due to economic considerations, decide to instead opt for Irish and/or UK industrial design national protection regimes as opposed to broader and more costly EU wide registration. On another related IP matter, in terms of geographical indications (G.I.s) which are currently governed by an EU-wide *sui generis* system of protection, UK geographical indications, post – Brexit, will need to be removed from said system and protected on a national basis.

Litigation and enforcement strategies will be affected by the exit of the UK and should be reviewed in good time. Post exit, new legal proceedings involving EUTMs and Community designs will no longer cover the UK and consequently EUTM holders will not be able to enforce them in the UK and obtain pan-EU injunctions under the EUTM Regulation. References in commercial agreements to applicable law and jurisdiction should also be reviewed.

Patents Office Mission and Objectives

The central mission of the Patents Office is:

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

This is to be achieved through the protection of intellectual property rights in the fields of patents, trade marks and designs, the proactive dissemination of relevant knowledge and information in conjunction with each of these activities. The Patents Office will look to play its part in achieving a modern and responsive regulatory regime which supports both innovation and entrepreneurship and fosters an effective business environment in Ireland.

The following commentary and accompanying statistical report considers the activities of the Office in the context of delivering on the six main objectives set out in the Strategy Statement 2014-2016. These six objectives are seen as central to fulfilling the mission of the Office and maintaining its operational efficiency.

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 deliver its services with increasing efficiency and effectiveness in 2016 with the majority of customer service targets being met to a very satisfactory level. The Office is committed to the delivery of the e-communications programme, a major component of which is e-filing. The Patents Office has an efiling system for trade mark and design applications. A key benefit for users of the system is the assurance they have that any terms that they choose from the approved harmonised classification list contained in TMclass will be accepted by the Office. This has helped to streamline the application process and provide a degree of additional predictability for users. It also assists the examination process leading to quicker decisions on applications for protection. By the end of 2016, 91% of all trade mark applications were received electronically via the Office's website. Paper files are no longer created for trade mark and design applications which are received electronically and a largely paperless process is in place for search and examination which is in line with best international practice.

The provision of online filing systems for trade marks and designs has placed the Office on a par with other Industrial Property Offices in Europe which have been offering their customers an efiling service for many years. Preliminary work began during 2016 on the development of an e-filing system for Patent and SPC applications. Adding the possibility to file patent and SPC applications online will complete the picture and will allow the Office to comply with the Government's requirement that priority be given to making all licensing and authorisation procedures for business fully available online on a progressive basis before the end of 2018.

Net receipts accruing to the exchequer in 2016 were €9.07m, an increase of €0.68m or 8% on the 2015 figure of €8.386m. The greater proportion of the Office's fee income comes from renewal fees on European Patents. The combined income from patent and trade mark fees (including international trade mark fees) of €9.135m showed an encouraging increase of €0.682m, or 8% over the 2015 figure. The Office's net expenses for 2016 of €3.066m was an increase of €0.096m over the corresponding 2015 figure of €2.97m.

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.

During 2016, staff continued to refine the work processes and technology solutions that underpin its core products and services to provide more efficient service delivery. Our commitment to quality customer service is outlined in our Customer Service Action Plan which is available on our website. 95% is the average level of achievement against target for the 37 customer service targets which establish optimum time limits for carrying out various customer tasks. These are detailed in the "Performance Targets" section of the report.

The Office actively pursues an e-communications programme with the aim of improving service delivery and more efficient processing by combining electronic filing, electronic file processing and electronic communications in a way that will ultimately facilitate the introduction of paperless processing in the Office. The vast majority of Office correspondence is now issued by email and customers are encouraged to correspond by email with the Office, where possible. The Office introduced e-filing of trade mark applications in 2014, design e-filing in 2015 and is currently developing e-filing for patents and SPCs with a go-live date of 2018. In 2011 the Office introduced an electronic drop box to facilitate the submission of encrypted patent, trade mark and design applications electronically and securely. The drop box is used by IP attorneys and at the end of 2016, 22 firms were availing of the facility.

The Office introduced an expansion of the online payments facility during 2016 which facilitated the online payment of all national Trade Mark and Design fee types together with the filing of related documents. The previous fee payment functionality was confined to online payments of renewal, grant and registration fees. The new online facility expands the range of fee types that can be paid online to include all national Trade Mark and Design fee types. In addition, all documentation associated with a particular fee type can be submitted via this new development. The expansion of the online payments facility allows for greater efficiency and convenience for the user and will facilitate a speedier and more effective paperless processing of requests and documents by the Office. Online assistance is available for the user when completing various sections. This new feature is in addition to our already successful Trade Mark and Design e-filing systems. The Office would like to acknowledge the assistance of the EUIPO in developing and implementing this online system. The project was developed under the EUIPO's Co-Operation Fund which is designed to promote further harmonisation, modernise national IP Offices, and make things easier for users of the European Trade Mark and Design systems. The expansion of the online payments facility is the latest addition that will now allow users to initiate the online payment of an expanded range of fees. Almost 100% of the Office's statutory fees are now paid electronically compared to 99% in 2015. The Office also uses a credit card terminal (CCT) to further facilitate and automate the payment of fees.

During the year the Office continued to benefit from the assistance of the EUIPO Co-operation Fund which provides assistance to EU National Offices with the development and implementation of web-based tools to support the trade marks and designs life-cycle. These initiatives will compliment other Co-operation Fund assisted and successfully delivered projects including a project to expand the amount of national patent documents which are electronically archived which commenced in 2013 and continued throughout 2016. The aim of the project is to scan all available patent application specification documents from the 1960s to the early 2000s, and to make them available to the public to view on the website. It is estimated that there are approximately 58,000 documents to be scanned. The project continued in 2016 with over 30,000 documents scanned to date. As a cost saving measure and to allow continued access to the documents, the Office decided not to outsource this work and is using its own internal staff resources and equipment. In relation to improving technological efficiencies, four substantive enhancements to the PTOLEMY administration system were developed during the year, all of which were aimed at improving operational efficiency and ensuring the Office's core business systems remain current. During 2016, the Office also upgraded all the Office workstations to Windows 10.

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. It 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 and assistance on these matters, in particular on the impact of proposed legal or regulatory changes on the work of the Office. Matters on which the Office provided input and observations during 2016 were:

- The Trade Marks (Amendment) Rules 2016 (SI No 46 of 2016) prescribe the procedures connected with the registration of Trade Mark Agents pursuant to Part V of the Trade Marks Act, 1996.
- The European Communities (Trade Mark Agents) Regulations 2016 (SI No 47 of 2016) made pursuant to the European Communities Act 1972, amend sections 85, 86 and 90 of the Trade Marks Act, 1996 thereby removing legal form and shareholding restrictions on EEA trade mark agents. These Regulations facilitate the registration of EEA trade mark agent partnerships and companies who wish to set up a secondary establishment in Ireland.
- The European Union (Collective Rights Management) (Directive 2014/26/EU) Regulations 2016 (SI No 156 of 2016) made pursuant to the European Communities Act 1972, transpose Directive 2014/26/EU of the European Parliament and of the Council of 26 February 2014. The Regulations impose governance requirements on collective management organisations established in the state and, separately, allow them to undertake licensing on a multi-territorial basis throughout the European Union.
- The general Scheme of a Bill entitled "Knowledge Development Box (Certification of Inventions) Bill 2016" which provides for the issue, by the Controller of Patents, Designs and Trade Marks, to a relevant company of a knowledge development box certificate in respect of an invention by that company which is novel, non-obvious and useful, as specified in the definition of "intellectual property for small companies" in section 769R of the Taxes Consolidation Act 1997, in order to enable the company to use the certificate to obtain a tax benefit under the Taxes Consolidation Act 1997 ; and to amend the Patents Act 1992 to ensure that Irish patents granted on or after 1 January 2017 can fall within paragraph (a) of the definition of "qualifying patent" in section 769G of the Taxes Consolidation Act 1997 given that only Irish patents granted prior to that date can fall within paragraph (b) of that definition; and to provide for related matters. The aim of the Bill is to incentivise companies to carry out innovative activities in Ireland by providing a reduced corporation tax rate of 6.25% for income generated from exploiting certain intellectual property.

Objective 4

To increase awareness of intellectual property.

One of the main objectives of the Patents Office is to assist businesses, innovators and entrepreneurs to understand how IP can help them create value from their ideas and to be able to access information on IPRs (Intellectual Property Rights) which will enable them to use, manage and enforce their intellectual property to its fullest potential. The Office has specifically directed its IP awareness programme towards assisting small and micro-enterprises and individual entrepreneurs and innovators. The Office continued with its outreach programme of increasing awareness of intellectual property amongst the general public and directed particularly at the small business start-up sector and students. During 2016, the Office participated in 67 events speaking on IP at "Start your own business" courses run by the Local Enterprise Offices. The Office attended various business advice and enterprise exhibitions throughout the country, including the All Ireland SME Summit and the National Ploughing Championships. "MeetWest" is a successful business networking event at which Office staff held one-to-one sessions with various businesses. The Patents Office held 50 IP clinics in 2016, which gives an opportunity to the public, inventors, entrepreneurs and business people to discuss with Patents Office staff, matters concerning IP applications they intend to make or have already made to the Office. This approach has been found to be very helpful in providing basic guidance on procedures and forms required for the registration of IP rights, the processes of obtaining IP protection in Ireland or abroad. Assistance in constructing a do-it-yourself search strategy for patents, trade marks and designs and accessing and using online patent, trade mark and design databases is also provided.



A significant part of the Office's awareness raising efforts is directed at second level students through involvement with the annual BT Young Scientist & Technology Exhibition and the annual Student Enterprise Awards. The Office also continued with its sponsorship of an award presented to the student whose project best demonstrates the use of technology in new or improved applications, enhanced efficiencies and novel innovations. The winners of the 2016 Patents Office sponsored prize at the Exhibition were Heather Murphy & Naoise Tobin from Sutton Park School, Dublin (seen right) for their project "Sound Absorbing Paint".



The Student Enterprise Awards run by the Local Enterprise Boards is the biggest enterprise competition for second level students in Ireland with 16,000 participants. The National Finals took place in April 2016. The winners of the Intellectual Property awards were: Merlin Pearson, Jason Reinhardt, Joshua Webb, Kevin Durkan & Cian Walsh from Ballyhaunis Community School who won (Junior category) for their business "The Story of my Life"; Aoife Gethings & Dawn Worth from Our Lady's Secondary School, Belmullet (Intermediate category, pictured left) for their business "Melting Moments"; & Jordan Casey, Tom O'Donnell and Daniel Lye with "KidsCode" from De La Salle College, Waterford (Senior category). The competition provides an excellent vehicle for the Office to engage with student entrepreneurs to promote awareness of IP when developing a business idea and establishing a successful enterprise. The SEA workbook incorporates a chapter specifically relating to Intellectual Property, reinforcing awareness of IP amongst second level students. The Patents Office will continue its involvement with the Student Enterprise Awards into the future.

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.

As of 31 December 2016 the Office had 46 authorised posts, the same as in 2015. However when career breaks, work-sharing and other family friendly working arrangements are taken into account, the Office operated with a staffing level of 42.62 full time equivalents during 2016. The number of staff working in the Office has decreased significantly since the Office first decentralised to Kilkenny in 1998. Since 2008, for example, the number of staff has decreased by 27% from 63 to the present level of 46. The Office has sought to meet the demands of high levels of public service with less staff resources and without compromising operational effectiveness through better and more efficient procedures and use of technology.

The Office is committed to ensuring that all staff performance is appraised regularly and that staff reviews are completed in a timely fashion. The Performance Management Development System (PMDS) links to the Office's annual business plan and affords each member of staff the opportunity to set individual goals, to initiate and deliver change and continue to improve work practices in order to deliver an efficient and high quality service.

In accordance with the PMDS system, a Training Development Plan was drafted which took into account the various training needs which staff had identified in their personal development plans for 2016. Outside of continuing on-the-job training, staff undertook a total of 28 training days during 2016. Training was provided in areas such as an overview of the medical device industry, time management and management skills. One staff member also participated in the Young Ireland 2016 Programme in Scotland, which is a programme aiming to develop the communication skills and broaden the horizons of young people in the early stages of their careers.

Staff have continued to play a pivotal role in reducing energy consumption within the Office in line with the Public Sector Programme contained in the Government's Energy Efficiency Action Plan. The plan has a target of reducing energy consumption, increasing staff awareness of energy efficiency and monitoring the performance of heating/air conditioning equipment. The energy saving measures put in place by staff have resulted in significant energy consumption savings in the past year (compared with 2008, the benchmark year) and a consequential saving in energy costs.

- Electricity consumption has decreased by 24% in the last 12 months (compared with 2008)
- Fuel consumption has decreased by 9% in the past 12 months (compared with 2008)

Objective 6

To represent Ireland at international fora.

Patents Office staff represent Ireland at a number of international fora and in so doing ensure this Office's position on Intellectual Property matters is articulated, known and defended. Senior management represent Ireland on the Administrative Council of the EPO and its various Management Committees, and on the Management Board and Budget Committee of the EUIPO. Staff, who are experts in their particular fields, sit on several EPO and EUIPO technical and liaison committees, as well as on Project Working Groups driving European convergence and harmonisation initiatives at the EUIPO.

The Office also has bilateral co-operation programmes with the EPO and the EUIPO under which it receives assistance towards participation in various IP awareness raising events, specialist IP training, ICT projects to facilitate IP data exchanges, the development of tools to provide better access to IP information and the harmonising of practices and procedures. Our participation facilitates dialogue on the content and structure of co-operation 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 in line with best international practice. Both the EPO and the EUIPO offer alternative routes to obtaining IP protection in Europe and the Office's involvement ensures it keeps abreast of international best practice and facilitates collaboration with other national and international intellectual property offices. During 2016, the Office participated in meetings and workshops of the "Select Committee of the Administrative Council" (constituting the group of 25 contracting states within the meaning of Article 142 EPC) for the purposes of deciding on administrative procedures and implementing rules for unitary patent protection. 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.

International Co-operation



The Office participates in co-operation activities with its international counterparts, the EUIPO 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 is an example of a co-operation project undertaken in 2016.

EUIPO CO-OPERATION & SOFTWARE PACKAGE PROGRAMME

The Convergence Programme of the EUIPO, launched in 2011, links EUIPO with National Offices and User Associations in an effort to reach common ground in areas where IP offices have different practices. It complements the work being done to create common IT tools taking place under the Cooperation Fund. Staff of the Office participate in the Working Groups established for each convergence project. Five Trade mark projects were previously completed and Common Communications were issued for them. The two design projects listed below were significantly advanced in 2016:

CP6: Convergence on graphic representations of Designs.

CP7: Harmonisation of Product Indications for Designs

The CP6 project was completed and a Common Communication issued on 15 April 2016. The CP7 project was largely completed by November 2016. A harmonised workflow for product indications will allow for a continuous updating of the harmonised database of product indications by the EU offices. This will be launched by the end of January 2017 and will ensure that Designclass will continue to reflect real market realities.

The main benefits for users arising from the various Convergence Programmes are:

- Clarity and transparency: Shared communication initiatives keep stakeholders informed of advancements in a timely manner, with unified information.
- Quality and usability: effective and efficient access to protection offered by registration systems both at the national and EU level.
- Legal certainty: increased legal certainty due to greater consistency in decisions made at national and EU level.
- Time and cost savings: potential reductions in application processing times and cost savings for both IP offices and applicants Implementation and continuity of Common Practices

In co-operation with the EUIPO, the Office completed work in 2016 on an e-Services project aimed at expanding the range of trade mark and design fees which can be paid online. The Office has received support from EUIPO for this project and for maintaining the TMView and Designview tools. In addition, under a bilateral agreement with EUIPO, the Office availed of assistance towards the cost of a range of awareness raising events where information on the Community Trade Mark and Community Design Systems was disseminated.

In conjunction with the launching of the EUIPO Strategic Plan 2020, a new suite of Cooperation Projects was launched in September 2016. The Office is represented on the Working Group for these projects which are expected to build on the success achieved under the previous Strategic Plan 2011-2015.

Office Website and Publications



Patents Office Website

The website (www.patentoffice.ie) provides a general introduction to intellectual property and specific information about how to protect your ideas as well as including 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 patent, trade mark or design renewal fees online
- Pay 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
- Online filing of Trade Marks and Designs
- View and search TM View and Design View
- Assistance in selecting trade mark classifications using TMClass

The Office's website continued to be the main vehicle for making information on IP available to the public as well as an efficient means of providing a range of interactive search and fee payment services. A new website analytics tool was introduced in 2016 in order to obtain more accurate figures and to eliminate possible distortions caused by suspected "data mining" and use of robots. The number of visits to the website averaged almost 20,000 per month or 234,000 per annum in 2016. 59% were new visitors. As in previous years the interactive online register search pages continue to remain the most popular with over 70,000 visits in 2016.

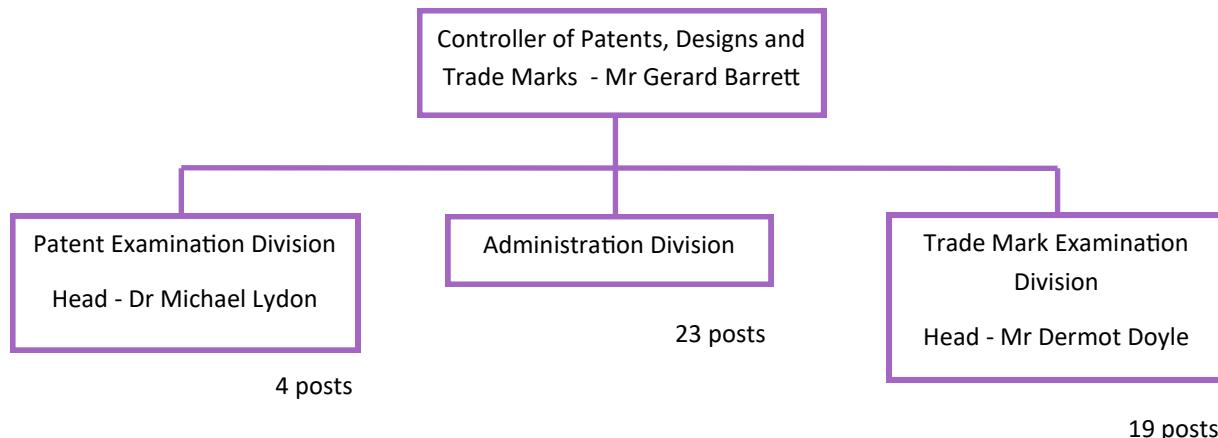
Work began in 2016 on a major re-design of the IPO website so that it has the attributes and requirements of modern websites in terms of usability, accessibility, functionality, visual presentation and responsiveness and thereby increase customer satisfaction and usage.

The Official Journal

The fortnightly journal is published on the website and each journal issue has a searchable index, along with information on actions relating to patent, trade mark and design applications and registrations. For example, it is possible to view details of accepted trade marks and designs in any journal. The journal also contains 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. In 2012, an interactive facility was introduced into the online journal which now allows users access to the Register extract for any particular patent, trade mark or design contained within a journal by clicking on a hyperlink within the journal.

Organisation Structure and Personnel

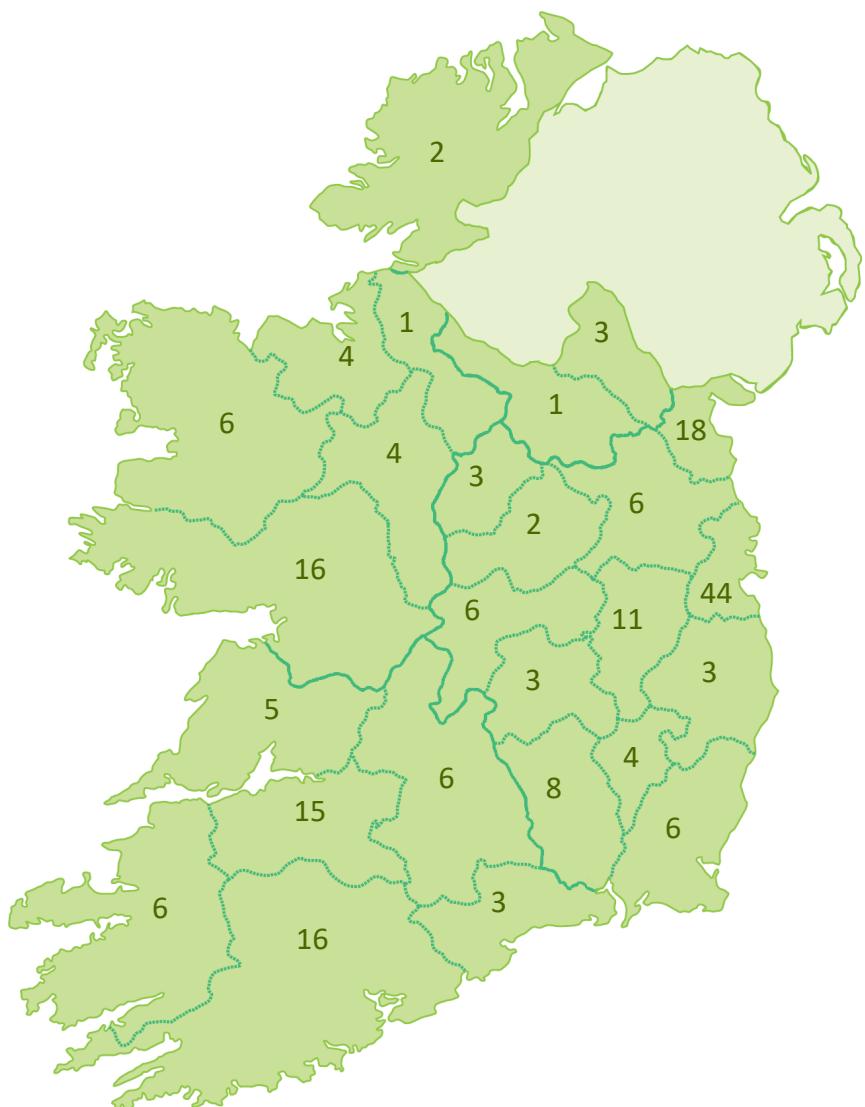


Staff Numbers

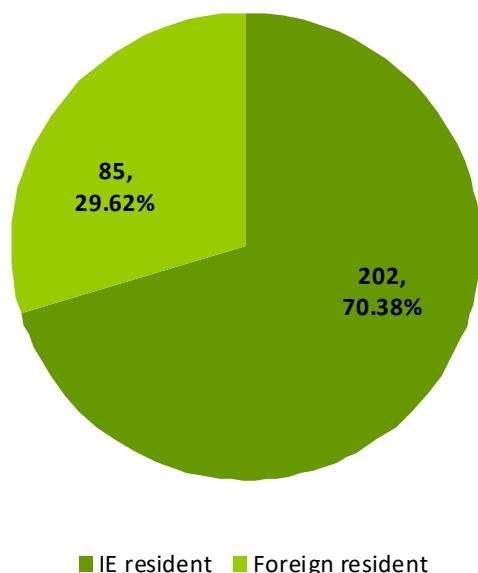
Title	Number
Controller	1
Senior Patent Examiner	1
Assistant Principal	1
Patent Examiner	3
Higher Executive Officer	4
Administrative Officer	1
Executive Officer	17
Staff Officer	1
Clerical Officer	16
Services Officer	1
TOTAL	46

The staff figure of 46 includes 2 Higher Executive Officers, 1 Administrative Officer, 6 Executive Officers and 4 Clerical Officers 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 on 31 December 2016 was 42.35. The Department of Jobs, Enterprise and Innovation provides information technology services to the Office. There are four staff members of the Department's IT Unit situated in the Office.

Business Statistics - Patents



National patent applications by country of first applicant.



National patent applications by county in 2016

APPLICATIONS RECEIVED			YEAR	PATENTS GRANTED		
Full Term	Short Term	TOTAL		Full Term	Short Term	TOTAL
118	203	321	2014	69	79	148
203	237	440	2015	48	78	126
149	138	287	2016	64	100	164

As at 31 December 2016, there were a total of 1,137 pending applications on hand. Of these, 192 applications were awaiting the submission of evidence of novelty.

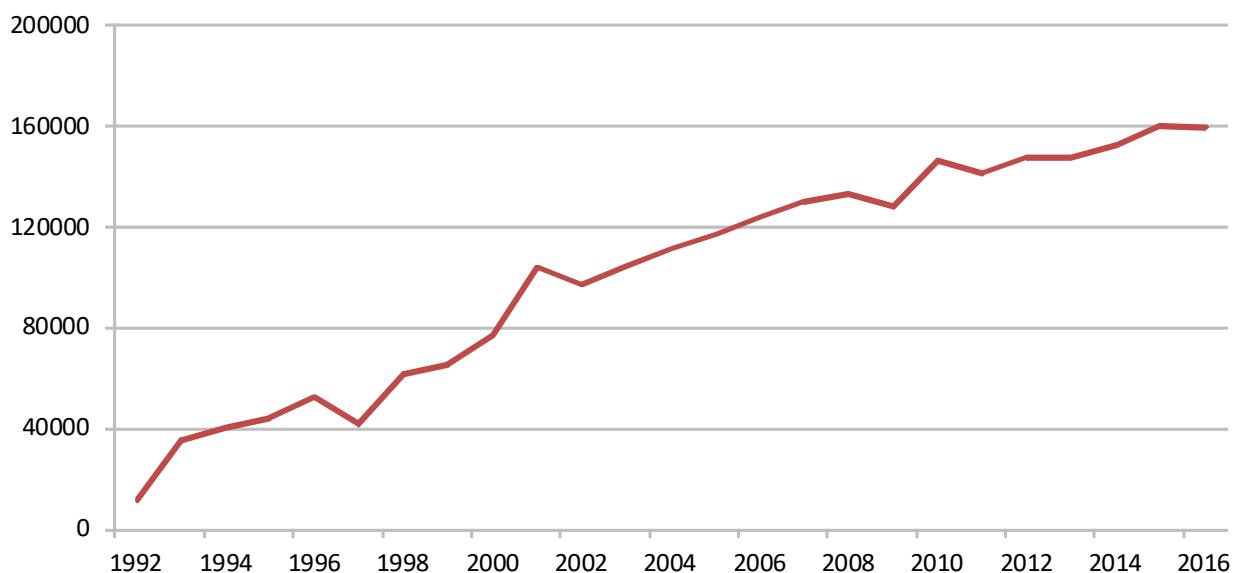
The number of applications received from applicants in the State was 202 compared with 250 in 2015.

European Patent Applications designating Ireland

Year	Filings	Year	Filings	Year	Filings
1992	11,755	2001	103,659	2010	146,726
1993	35,762	2002	96,779	2011	141,373
1994	40,705	2003	104,529	2012	147,551
1995	44,161	2004	111,537	2013	147,487
1996	52,755	2005	117,096	2014	152,400
1997	41,875	2006	123,912	2015	160,028
1998	61,584	2007	129,890	2016	159,358
1999	65,708	2008	133,248		
2000	76,806	2009	128,378		

This table shows the total number of European applications designating Ireland (first arising in 1992). This figure is not included in the total number of patents granted in 2015 having effect in the State. These patents were entered in the national Register of Patents and have the same legal status as if they had been granted by the Office.

European Patent Applications designating Ireland



Patents granted in 2016 having effect in the State

2016	Total	Number of patents granted to Applicants from within the State	% of patents granted to Applicants from within the State
Granted by Office	164	77	47%
Granted by EPO	90,305	360	0.40%
Total Grants	90,469	437	0.48%

Patent Register Data

	2014	2015	2016
Patents and patent applications the subject of assignments	827	1,188	887
Patents revoked	0	0	0
Patents surrendered	2	1	2
Patents lapsed	54,914	55,035	61,306
Patents restored/reinstated	10	13	10
Patents renewed	42,061	42,740	44,729
Patents expired	959	1,064	1,198
Patents in force	111,109	118,273	147,125
Hearings	0	0	1
PCT applications received for transmission to WIPO	19	21	23
European patent applications received for transmission to EPO	0	1	4

NB: The figure for patents in force also includes SPCs which are in force.

Requests for Supplementary Protection Certificates

A total of 66 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, 68 certificates were granted (medicinal and plant protection), 5 were rejected and 2 requests were withdrawn. At the end of the year there were 207 requests pending.

Register of Patent Agents

At the end of 2016, there were 82 individuals and 7 partnerships entered in the Register of Patent Agents.

CLASSIFICATION OF PATENTS GRANTED BY THE OFFICE IN YEAR ENDED 31 DECEMBER 2016 ACCORDING TO THE INTERNATIONAL PATENT CLASSIFICATION (IPC)

Note on Patent Classification

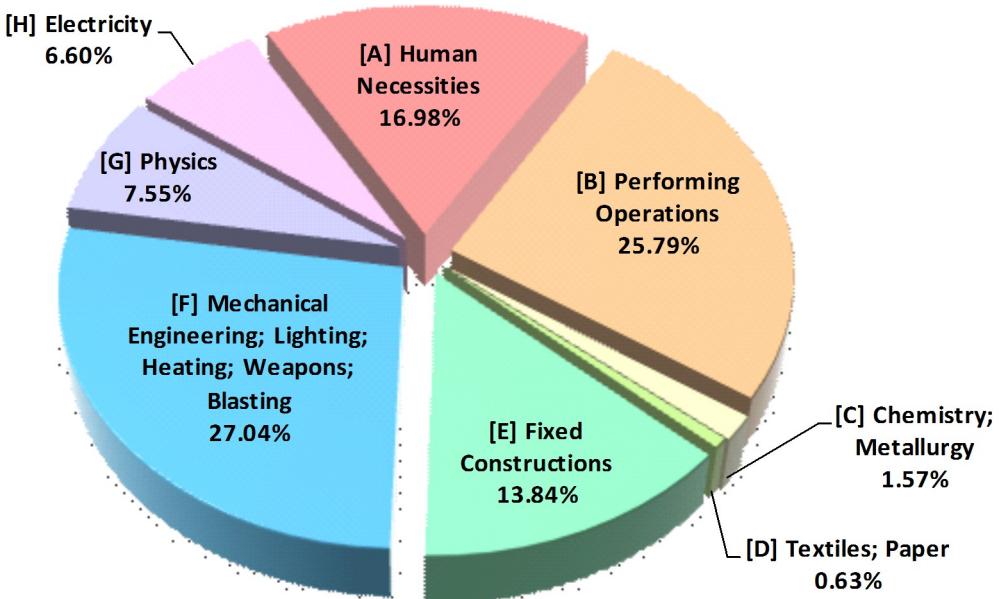
Patents are given classifications based on their technical content. Such classification allows retrieval of patents according to the nature of the inventions revealed therein. The International Patent Classification (IPC) consists of about 70,000 classification symbols divided between 8 basic sections (A to H), relating to different basic kinds of technology. The Classification system is revised constantly to ensure that new and emerging technologies are accommodated therein, with a new edition released yearly, taking effect from 1 January of that year.

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 2015. 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.

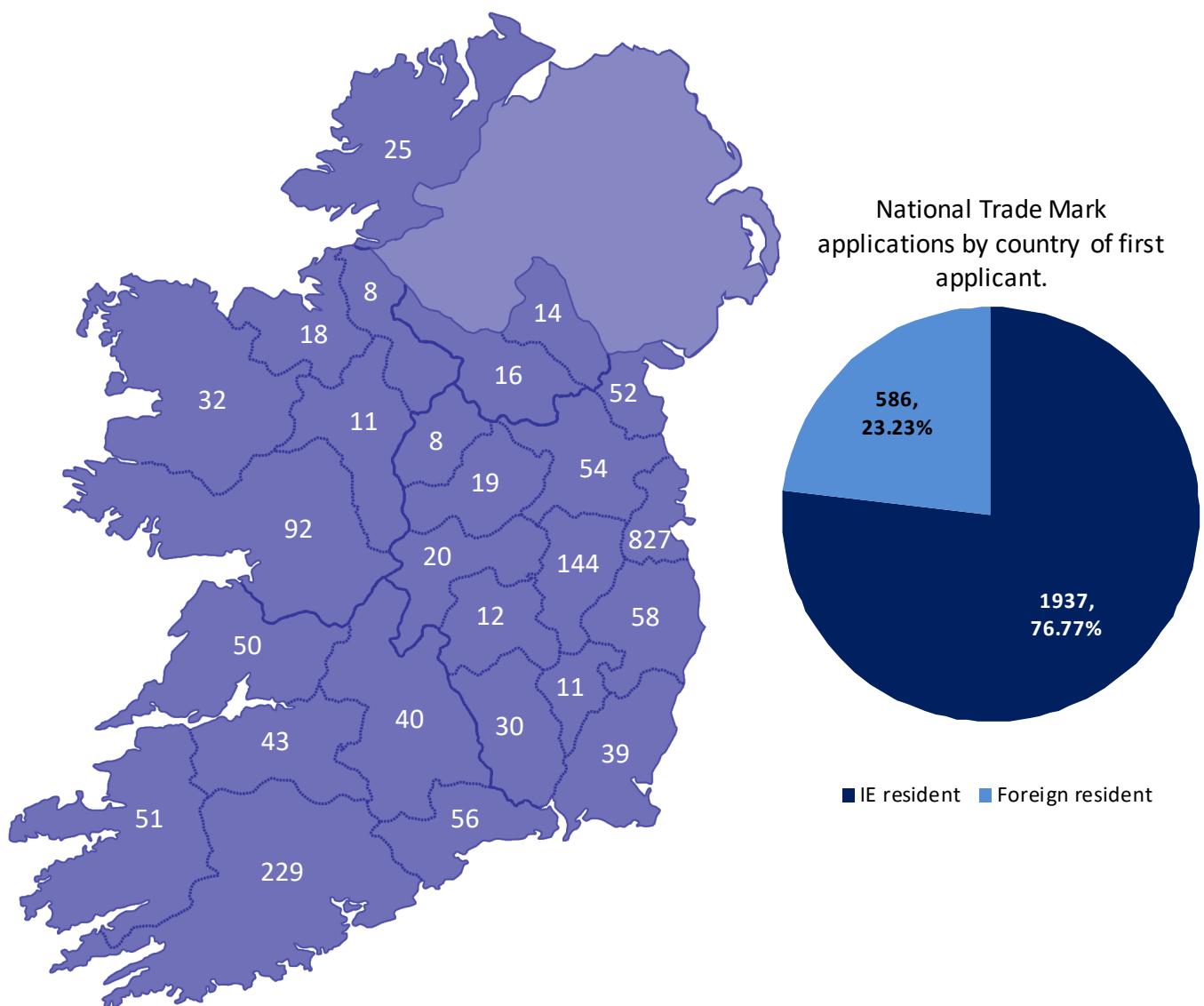
CLASSIFICATION	No of grants*
A. HUMAN NECESSITIES: e.g. Foodstuffs, Health, Personal Articles	54
B. PERFORMING OPERATIONS; TRANSPORTING: e.g. Shaping, printing, vehicle technology.	82
C. CHEMISTRY; METALLURGY	5
D. TEXTILES; PAPER	2
E. FIXED CONSTRUCTIONS: e.g. Building, drilling, mining.	44
F. MECHANICAL ENGINEERING; LIGHTING; HEATING; WEAPONS; BLASTING	86
G. PHYSICS: e.g. Optics, computing, nuclear physics.	24
H. ELECTRICITY: e.g. Electronic circuits, electricity generation and distribution.	21

* 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 2016



Business Statistics - Trade Marks



National Trade Mark applications by county in 2016

National Applications				Year	International Registrations			
Received	Advertised	Opposed	Registered		Received	Advertised	Opposed	Protected
2,523	2,013	53	1,684	2014	1,058	974	11	1,084
2,654	2,198	72	1,860	2015	1,180	945	5	879
2,694	2,246	91	1,894	2016	891	865	7	888

Trade Mark Register Data

	2014	2015	2016
Number of trade marks the subject of assignments	1,229	1,626	1,769
Number of licences of trade marks recorded in the register	14	40	121
Trade mark registrations removed for non payment of renewal fees	1,963	2,018	2,112
Trade mark registrations surrendered	10	3	25
Trade mark registrations restored	19	4	5
Trade mark registrations renewed	3,619	3,387	5,537
National trade marks revoked in full and in part	5	4	7
International trade marks revoked in full and in part	4	1	0
National trade marks declared invalid	0	0	1
International trade marks declared invalid	0	0	0
National registered trade marks in force	61,423	61,266	60,944
International trade marks in force	22,260	21,305	20,946
Total trade marks in force	83,683	82,571	81,890

Hearings & Miscellaneous Matters

	2014	2015	2016
Hearings (<i>ex-parte</i>)	9	9	4
Hearings (<i>inter-partes</i>)	11	6	6
Hearings (<i>inter-partes by way of written submission</i>)*	8	14	4
Applications to convert EU Trade Mark applications into national applications	28	31	37
International Trade Mark applications filed and transmitted to WIPO	82	83	62

* This figure shows the number of inter-partes proceedings that were decided by way of written submissions in lieu of attending at a hearing.

Register of Trade Mark Agents

At the end of 2016, there were 211 individuals and 5 partnerships entered on the Register.

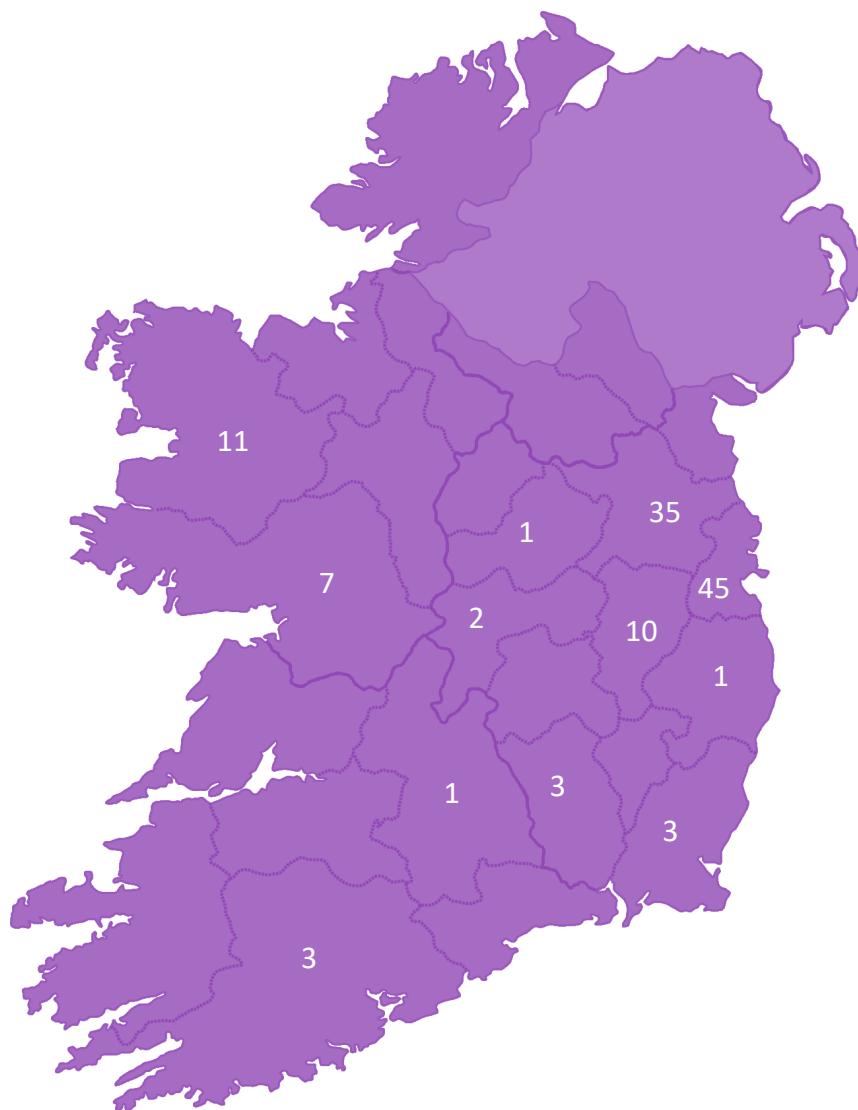
INTERNATIONAL CLASSIFICATION OF GOODS AND SERVICES INTO WHICH TRADE MARKS

REGISTERED IN 2016 FALL

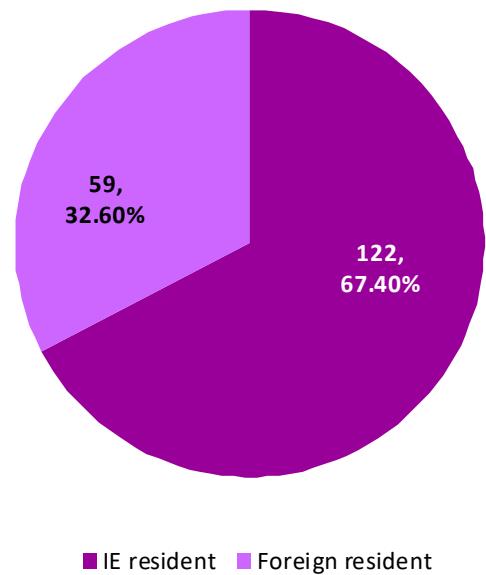
A multilateral treaty called the “Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks” established a classification system for trade marks. The Nice Classification comprises 45 class headings which describe in very broad terms 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 (tenth) edition has been in force since January 1, 2012.

Class	Classification of Goods	No. of marks in classification	Class	Classification of Goods	No. of marks in classification
1	Chemical Products, etc.	30	24	Tissues (piece goods), etc.	15
2	Paints, etc.	17	25	Clothing, including Boots, Shoes and Slippers	146
3	Bleaching Preparations, etc.	79	26	Lace and Embroidery, etc.	7
4	Industrial Oils, etc.	22	27	Carpets, etc.	5
5	Pharmaceutical Substances, etc.	190	28	Games, etc.	51
6	Unwrought and Partly Wrought Common Metals and their Alloys	21	29	Meat, Fish, Poultry and Game, etc.	201
7	Machines and Machine Tools, etc.	28	30	Coffee, Tea, Cocoa, Sugar, Rice, etc.	209
8	Hand Tools and Instruments, Cutlery, etc.	21	31	Agricultural Products, etc.	56
9	Scientific Apparatus and Instruments, etc.	257	32	Beer, etc.	128
10	Surgical Instruments, etc.	24	33	Wines, Spirits and Liqueurs	96
11	Installations for Lighting, etc.	49	34	Tobacco, etc.	10
12	Vehicles; Apparatus for Locomotion by Land, Air or Water	28	35	Advertising, Business Management, etc.	289
13	Firearms, Ammunition and Projectiles; Explosive Substances; Fireworks	0	36	Insurance, Financial Affairs, etc.	127
14	Precious Metals and their Alloys, etc.	33	37	Building Construction, Repair, Installation Services.	80
15	Musical Instruments (other than talking machines and wireless apparatus)	0	38	Telecommunications	94
16	Paper, etc.	177	39	Transport, Packaging and Storage of Goods, etc.	90
17	Gutta Percha, India Rubber, etc.	13	40	Treatment of Materials	22
18	Leather, etc.	38	41	Education, Entertainment, etc.	329
19	Building Materials, etc.	31	42	Scientific and technological services	145
20	Furniture, etc.	41	43	Providing food and drink	179
21	Small Domestic Utensils, etc.	47	44	Medical services, etc	126
22	Ropes, etc.	3	45	Personal and social services	72
23	Yarns, Threads	0			

Business Statistics - Designs



National Design applications by country of first applicant.



	2014	2015	2016
Design Applications*	54	49	80
Number of designs applied for*	139	178	181
Designs Registered	138	149	116
Designs Lapsed	82	53	90
Designs Renewed (2001 Act)	43	79	30
Designs in force (1927 Act)	214	100	4
Designs in force (2001 Act)	1,000	1,066	1,134
Community Design Applications filed with EUIPO via this Office	5	1	2

*Note: Rule 19 of the Industrial Designs Regulations 2002 provides that up to a maximum of 100 designs may be combined in one multiple application for registration of designs.

**DESIGNS REGISTERED UNDER THE INDUSTRIAL DESIGNS ACT, 2001 DURING THE YEAR ENDED
31 DECEMBER 2016 LISTED ACCORDING TO THE INTERNATIONAL CLASSIFICATION**

The Locarno Agreement 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 (tenth) edition has been in force since January 1, 2014 and will run until 31 December 2018.

Class	Classification	Designs Registered
1	Foodstuffs	0
2	Articles of Clothing and Haberdashery	0
3	Travel Goods, Cases, Parasols and Personal Belongings, not elsewhere specified	7
4	Brushware	0
5	Textile Piecegood Articles, Artificial and Natural Sheet Material	0
6	Furnishings	20
7	Household Goods, not elsewhere specified	1
8	Tools and Hardware	4
9	Packages and Containers for the Transport or Handling of Goods	10
10	Clocks and Watches and other Measuring Instruments, Checking and Signalling Instruments	9
11	Articles of Adornment	32
12	Means of Transport or Hoisting	2
13	Equipment for Production, Distribution or Transformation of Electricity	1
14	Recording, Communication or Information Retrieval Equipment	5
15	Machines, not elsewhere specified	0
16	Photographic, Cinematographic and Optical Apparatus	3
17	Musical Instruments	0
18	Printing and Office Machinery	0
19	Stationery and Office Equipment, Artists' and Teaching Materials	0
20	Sales and Advertising Equipment, Signs	0
21	Games, Toys, Tents and Sports Goods	29
22	Arms, Pyrotechnic Articles, Articles for Hunting, Fishing and Pest Killing	0
23	Fluid Distribution Equipment, Sanitary, Heating, Ventilation and Air-Conditioning Equipment, Solid Fuel	1
24	Medical and Laboratory Equipment	3
25	Building Units and Construction Elements	5
26	Lighting Apparatus	0
27	Tobacco and Smokers' Supplies	0
28	Pharmaceutical Products and Cosmetic Products, Toilet Articles and Apparatus	0
29	Devices and Equipment Against Fire Hazards, for Accident Prevention and for Rescue	1
30	Articles for the Care and Handling of Animals	1
31	Machines and Appliances for Preparing Food or Drink, not elsewhere specified	0
32	Graphic Symbols And Logos, Surface Patterns, Ornamentation	8
	Total	144

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

COPYRIGHT

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

Under Section 38 of the Act, disputes between people 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 people 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. Currently the Controller is considering one dispute under Section 38.

Registers of Copyright Licensing Bodies

The Act also makes provision for the Controller 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.

14 bodies have registered in the Register of Copyright Licensing Bodies, 2 of which expired and were never renewed. One body is registered in the Register of Licensing Bodies for Performers' Property Rights with no entries in the Register of Licensing Bodies for Database Rights.

Collective Rights Management (CRM)

The European Union (Collective Rights Management) (Directive 2014/26/EU) Regulations 2016 (SI No 156 of 2016) transposed the CRM Directive into Irish law with effect from 10 April 2016. The CRM Directive has 2 aims:

- (1) to ensure that collective management organisations (CMOs) act in the best interests of their rights holders by enforcing a minimum standard of governance and transparency on all European CMOs
- (2) to facilitate the multi-territorial licensing of authors' rights in musical works for online uses

The CRM Regulations provide that the Controller is the competent authority in Ireland for the purpose of monitoring compliance with the regulations. The Regulations also provide that in addition to meeting the requirement in the Copyright and Related Rights Act 2000 which requires a CMO to register and maintain its registration as a copyright licensing body before it can operate in the State, each CMO headquartered in Ireland must also submit an annual compliance statement to the Controller, together with their renewal of registration documentation. Detailed guidance notes on the CRM regulations and the compliance requirements are available on the Office's website. The compliance requirements in the CRM Regulations apply to 6 of the 14 registered copyright licensing bodies operating in the State.

Orphan Works

Orphan Works are all those works such as books, films, newspaper articles and other creative material that are protected by copyright, but whose owner cannot be found or contacted to obtain permission to use them. The works may be part of collections held by Beneficiary Organisations such as libraries, museums, archives, film and audio heritage institutions, and public service broadcasting organisations. The EU Directive on Orphan Works (Directive 2012/28/EU) sets out common rules for the use of orphan works in the nature of books, journals, or other written works as well as cinematographic or audio-visual works or sound recordings and embedded visual art (it excludes standalone artistic works such as photographs and illustrations) by cultural organisations for the purpose of digitising those works for non-commercial purposes without infringing copyright. Following the completion of a diligent search to establish either ownership or the orphan nature of the work(s), any organisation wishing to register an Orphan Work in the Orphan Works Database must first apply online to EUIPO to be registered as a "Beneficiary Organisation". This online application to EUIPO is notified to the Competent National Authority designated in each Member State who then completes the forwarding of the application to EUIPO for inclusion in the Orphan Works database; in Ireland that authority is the Controller of Patents, Designs and Trade Marks.

During 2016, three Irish organisations were registered as Beneficiary Organisations.

LEGISLATION

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

2016 Legislation

Trade Marks

Trade Marks (Amendment) Rules 2016 (SI No 46 of 2016)

The Trade Marks (Amendment) Rules 1996 prescribe the procedures connected with the registration of Trade Mark Agents pursuant to Part V of the Trade Marks Act, 1996. These Rules facilitate the registration of EEA trade mark agents who wish to set up a secondary establishment in Ireland.

European Communities (Trade Mark Agents) Regulations 2016 (SI No 47 of 2016)

These Regulations, made pursuant to the European Communities Act 1972, amend certain provisions of the Trade Marks Act 1996, relating to the criteria for entry into the register of trade mark agents.

The European Communities (Trade Mark Agents) Regulations 2016 amends sections 85, 86 and 90 of the Trade Marks Act 1996 thereby removing legal form and shareholding restrictions on EEA trade mark agents. These Regulations facilitate the registration of EEA trade mark agent partnerships and companies who wish to set up a secondary establishment in Ireland.

Copyright

European Union (Collective Rights Management) (Directive 2014/26/EU) Regulations 2016 (SI No 156 of 2016)

These Regulations, made pursuant to the European Communities Act 1972 , transpose Directive 2014/26/EU of the European Parliament and of the Council of 26 February 2014. The Regulations impose governance requirements on collective management organisations established in the state and, separately, allow them to undertake licensing on a multi-territorial basis throughout the European Union.

The European Union (Collective Rights Management) (Directive 2014/26/EU) (Amendment) Regulations 2016 (SI No 616 of 2016)

These Regulations, made pursuant to the European Communities Act 1972, amend the European Union (Collective Rights Management) (Directive 2014/26/EU) Regulations 2016 (S.I. No. 156 of 2016), which were enacted to transpose Directive 2014/26/EU of the European Parliament and of the Council of 26 February 2014. The Regulations make a technical amendment to the previous Regulations, which is necessary to avoid a conflict between the duties of a Director to manage a company under the Companies Act 2014 and the requirement, under the European Union (Collective Rights Management) (Directive 2014/26/EU) Regulations 2016, for a Collective Rights Management organisation to establish a supervisory function which does not consist of those involved in the day-to-day management of the collective rights management organisation.

Financial Information

RECEIPTS AND EXPENSES - YEAR ENDED 31 DECEMBER 2016 (Accounts not yet audited by C&AG)

RECEIPTS	€000
Patent fees (Notes 1 & 2)	6,195
Trade Mark fees	2,188
International Trade Mark Registration – fees received from WIPO (Note 3)	752
Design fees	11
Other fees	126
Less refunds made in respect of fees paid in error	112
Less transaction fees arising in respect of online credit card payments	90
Net receipts accruing to the exchequer	9,070

EXPENSES	€000
Salaries	1,935
Travel & Subsistence	44
Miscellaneous & Incidental expenses	67
Postal & Telecommunications Services	131
Office Equipment and Supplies & Related Services	366
Office Premises Expenses	88
Information resources, books periodicals, etc.	1
Subscriptions to Industrial Property Unions	434
Net expenses	3,066

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	11,825
Less Proportion of patent renewal fees transferred to the European Patent Office	5,630
Net Patent fees which accrue to the Exchequer	6,195

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 EPO and WIPO. 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 2015 are shown below:

	€000
PCT Basic and Designation Fees transferred to WIPO, Geneva	31
PCT Search fees transferred to EPO, Munich	41
Total	72

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 2016

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

Area of Activity and Level of Achievement

Patents					
1.	Issue formal filing receipts for correctly filed applications within 5 working days.	79%	7.	Transmit European and PCT applications 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.	100%	8.	Approve the grant of short term patents within a period of 6 months from filing of a proper, complete application.	57%
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.	96%
4.	Process applications for registration of assignments within 7 working days of submission of a fully completed application.	100%	10.	Issue notification of formal defects within 15 working days of filing.	92%
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.	100%	11.	Issue notice of substantive defects within 2 months of filing.	97%
6.	Grant patents within 3 working days of receipt of grant fee.	96%	12.	Classify for publication 90% of all non-divisional patent applications within 18 months after the priority filing date.	37%

Supplementary Protection Certificates

1.	Issue notification of formal defects within 10 working days of filing date.	100%	2.	Issue formal filing receipts for correctly filed SPC applications within 5 working days.	94%
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Designs

1.	Issue formal filing receipts for correctly filed design applications within 5 working days.	84%	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.	Issue Certificates of Registration within 5 working days of the application being registered by Examination Division.	100%
3.	Respond to 95% of all written correspondence on individual applications in examination within 5 weeks.	100%			

Area of Activity and Level of Achievement

Trade Marks					
1.	Issue formal filing receipts for correctly filed trade mark applications within 7 working days.	89%	9.	Issue to relevant parties copies of notices of opposition and applications for revocation or declaration of invalidity within 2 weeks of receipt.	100%
2.	Process applications for registration of trade mark assignments within 7 working days of submission of a properly, fully completed application.	100%	10.	Where opposition is determined in favour of the applicant, request for registration fees to issue within 7 working days of publication of withdrawal of opposition.	100%
3.	Issue certified copies and extracts from the Trade Marks Register within 5 working days of request.	100%	11.	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%
4.	Issue trade mark renewal certificate within 3 working days of receipt of payment.	100%	12.	Register trade marks within 3 working days of receipt of registration fee.	99%
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.	100%	13.	Issue 80% of written statement of grounds of decisions in hearings within 2 months following request for same.	100%
6.	Accept applications for trade marks within a period of 2 months from the filing of a properly completed application and where no objections have been raised by the Office.	100%	14.	Issue 90% of decisions in hearings within 1 month of hearing.	100%
7.	Issue initial objections/acceptance letters within 8 weeks of receipt of new application in the Division.	95%	15.	Issue a request for payment of registration fees within 7 working days of the expiration of the period for filing of opposition where no opposition is received.	100%
8.	Respond to 95% of written correspondence on individual applications in examination within 2 weeks.	100%			

General

	Issue payment receipts for all fees received (in the form of bank draft and money order) within 2 working days.	100%
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COMING IN 2017

Patent and SPC e-filing

The Office will continue to develop an e-filing system for Patent and SPC applications in 2017. This will provide a facility for the Office's customers to file their Patent or SPC application online and also to pay the application fee online. This will also deliver on the recommendation in the Innovation Task Force Report that the Office should provide online filing facilities on a par with other Offices and in line with best international practice.

Patent Office Website

The Office is currently in the process of re-designing its website. Work commenced in 2016 and it is anticipated the new website will be launched later in 2017. The new website will offer greater flexibility in terms of online services including online payments. It will also provide more information to the Office's customers in a clear and user friendly way.

Knowledge Development Box

The Knowledge Development Box (KDB) was introduced in the Finance Act 2015. It is a tax incentive policy tool to encourage innovation by applying a lower rate of corporation tax on profits on Intellectual Property Assets resulting from qualifying research and development activities carried out in the European Economic Area (EEA). The KDB provides for a reduced rate of corporation tax (6.25% down from 12.5%) payable on such profits arising from qualifying IP assets.

The KDB defines qualifying intellectual property assets as:

- Long term Irish patents granted following substantive examination
- copyrighted software, and
- inventions of small companies which are patentable but have not been patented and have been kept secret.

Currently, the Irish Patents Office does not conduct a substantive patent examination system for long term patents. In order to ensure Irish long-term patents can qualify for KDB, the Patents Act 1992 will be amended to introduce substantive examination for Irish long term patent applications. Intellectual property assets of small companies which are inventions that share features of patents i.e. they are non-obvious, useful and novel may be eligible for the KDB. A small company is defined for KDB purposes as a company which has income arising from intellectual property of less than €7.5m in a 12 month accounting period, is a member of a group with group turnover of less than €50m and the company is a micro, small or medium sized company within the meaning of the Annex to Commission Recommendation 2003/361/EC of 6 May 2003. In compliance with OECD criteria, the Finance Act 2015 requires certification of novelty, non-obviousness for this category of IP assets by an authority that is independent from the tax administration i.e. independent of the Revenue Commissioners. Accordingly, a Bill entitled the "Knowledge Development Box (Certification of Inventions) Bill" has been introduced which, when enacted, will empower the Controller of Patents, Designs and Trade Marks to provide the necessary certification. The Bill also provides for the re-introduction of substantive patent examination by way of amendments to the Patents Act 1992. It is expected that the Bill will be enacted in early 2017.



Large attendance at IRDG KDB seminar held in 2016

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Opening Hours 930-5pm Mon-Fri



Brollach



De réir na bhforálacha d'alt 103 d'Acht na bPaitinní, 1992, tá sé mar onóir dom anois mo Thuarascáil Bhliantúil a chur faoi bhráid an Oireachtas don bhliain dar críoch an 31 Nollaig 2016.

Baineann mo Thuarascáil le comhlíonadh na bhfeidhmeanna reachtúla atá agam faoi Acht na bPaitinní, 1992, (arna leasú); faoi Acht na dTrádmharcanna, 1996, (arna leasú); faoin Acht um Dhearaí Tionscail, 2001; faoi na Rialacha agus na Rialacháin Reachtúla éagsúla arna ndéanamh de bhun na nAchtanna sin; agus faoi Rialacháin na gComhphobal Eorpach (Deimhniú Forlíontach Cosanta). Is fúmsa, i gcáil reachtúil, atá sé cintí a dhéanamh faoi na hAchtanna, faoi na Rialacha agus faoi na Rialacháin sin, faoi réir cearta áirithe achomhairc chuig an Ard-Chúirt. Tá feidhmeanna reachtúla áirithe agam freisin faoin Acht Cóipchirt agus Ceart Gaolmhar, 2000. Tríd is tríd, baineann na feidhmeanna sin le déileáil le rialáil agus clárúchán na gcomhlacthaí ceadúnúcháin chóipchirt, le tagairtí agus iarratais a bhaineann le scéimeanna ceadúnúcháin atá á bhfeidhmiú ag na comhlacthaí sin agus le díospoidí a réiteach maidir le dleachtanna a eascraonn go príomha as taifeadtaí fuaime a sheinm go poiblí.

Is iad an nuálaíocht agus an chruthaitheacht is cúis le cearta maoine intleachtúla. Tá ag méadú ar thábhacht na gceart sin, a n-áirítear cípcheart leo, do gach cuideachta atá ag iarraidh buntáiste iomaíoch a ghnothú san áit mhargaidh. Go deimhin, is amhlaidh, i gcás roinnt mhaith fiontar gnó, go bhféadfadh an mhaoín intleachtúil a bheith ar cheann de na sócmhainní is tábhactaí atá acu.

Is í Oifig na bPaitinní an oifig reachtúil a bhfuil freagracht uirthi as cearta maoine intleachtúla a dheonú agus a chlárú in Éirinn, go háirithe cearta paitinne, cearta trádmhairc agus cearta dearaidh thionsclaíoch. Trí na seirbhísí sin a chur ar fáil, is é is aidhm d'Oifig na bPaitinní cabhrú le daoine agus gnólacthaí lánchumas eacnamaíoch a maoine intleachtúla a bhaint amach. Mar aon leis an reacthaíocht ábhartha a riad maidir le próiseáil a dhéanamh ar iarratais ar phaitinní, ar thrádmharcanna agus ar dhearaí tionscail, agus mar aon le cláir agus bhunachair shonraí leictreonacha a choinneáil i leith na gceart sin, comhlíonann Oifig na bPaitinní roinnt feidhmeanna éagsúla obríúcháin agus rialála freisin, lena n-áirítear na feidhmeanna seo a leanas:

- Cúnamh agus faisnéis a sholáthar maidir le maoín intleachtúil.
- Imeachtaí a riad os comhair an Cheannasaí maidir le cearta maoine intleachtúla (MI) agus éisteachtaí a sheoladh i gcás cur in aghaidh clárúcháin trádmharcanna.
- Cláir na n-eturnaetha paitinní agus trádmharcanna a bhfuil údarás acu feidhmiú sa Stát a choinneáil.
- Tuairisciú comhlíonta ag comhlacthaí ceadúnúcháin chóipchirt/eagraíochtaí comhbhainistíochta a riad.
- Rannchuidiú a dhéanamh maidir le forbairt beartais agus reacthaíochta ó thaobh cearta MI de.
- Comhaontuithe idirnáisiúnta a chur chun feidhme maidir le cearta MI agus éifeacht a thabhairt do na comhaontuithe sin

Bhain roinnt gníomhaíochtaí tábhachtacha eile a rinneadh sa bhliain 2016 le hobair ullmhúcháin le haghaidh scrúdú substainteach ar iarratais ar phaitinní a thabhairt isteach an athuair agus le haghaidh Deimhnithe Bosca Forbartha Eolais a eisíúint ar aon dul leis na forálacha san Acht Airgeadais, 2015. Tá na hathruithe sin á ndéanamh le go bhféadfaidh paitinní lántéarmacha Éireannacha, agus aireagán a bhfuil gnéithe de phaitinní ag baint leo agus nár paitinníodh, leas a bhaint as ráta laghdaithe cánach corporáide.

Chomh maith leis sin, lean an Oifig dá comhar le EUIPO chun ríomhsheirbhís níos fearr a chur ar fáil. Áirítear leo sin feidhmiúlacht leathnaithe le haghaidh táillí áirithe trádmharcanna agus deartháí a ioc ar líne agus obair ullmhúcháin le haghaidh réitigh theicniúla a thabhairt isteach chun déileáil le trádmharcanna neamhthraigdisíunta.

Tugtar faisnéis i mo Thuarascáil faoi conas a chomhlíon an Oifig na feidhmeanna reachtúla éagsúla atá aici agus faoi conas a rinne sí gníomhaíochtaí coimhdeacha le linn na bliana 2016. Gabhann raon staitisticí gnó leis an bhfaisnéis sin.

Ba mhaith liom aitheantas a thabhairt do thiomantas leantach na foirne do sheirbhís phoiblí atá éifeachtúil agus éifeachtach a choinneáil ar bun.

Gerard Barrett

Ceannasaí

Trácht Ginearálta ar Threochtaí, ar Chuspóirí agus ar Ghníomhaíochtaí

Treochtaí

Lean geilleagar na hÉireann de bheith ag fás sa bhliain 2016, go háirithe mar gheall ar an éileamh láidir intíre agus ar an méadú ar chruthú fostáiochta. Beag beann ar rioscaí a bhaineann leis an mBreatimeacht agus ar éiginnteachtaí seachtracha, bhí Éire fós ar cheann de na geilleagair is gasta fás san Eoraip sa bhliain. I mí Dheireadh Fómhair 2016, d'fhoilsigh Oifig Eorpach na bPaitinní agus EUIPO an dara staidéar don Aontas Eorpach ar fad ar an tionchar atá ag Cearta Maoine Intleachtúla ar gheilleagar na hEorpa i ndáil le hOlltárgeacht Intíre (OTI), le fostáiocht agus le trádáil. Léiríodh sa staidéar gurb amhlaidh, mar gheall ar an infheistíocht atá á déanamh sa nuálaíocht, gur tábhactaíanois an ról a imríonn Cearta Maoine Intleachtúla i mbogadh na hÉireann i dtreo geilleagar eolasbhunaithe níos domhanda. De réir an staidéir, bhí tionscail atá dian ar mhaoin intleachtúil in Éirinn freagrach as 24% d'fhostáiocht sa Stát agus as 53.8% d'OTI.

An rannchuidiú ó gach tionscal atá dian ar chearta maoine intleachtúla, meánfhigiúirí don tréimhse 2011-2013

	Breislúach (€ milliún)	Sciar d'OTI	Fostaíocht	Sciar den fos- taíocht iomlán
Éire	94,658	53.8%	444,846	24%
AE28	5,664,168	42.3%	60,032,200	27.8%

Foinse: Tuarascáil Anailíse ar Leibhéal Tionscail ag Eagraíocht Eorpach na bPaitinní agus ag EUIPO, Deireadh Fómhair 2016, an dara heagrán.

Bunaithe ar líon na gcomhdúchán ceart maoine intleachtúla de réir thír thionscnaimh AE i ngach tionscail, léiríodh sa staidéar go raibh Éire rangaithe sa 12ú háit as 28 mballstát i ndáil le comhdúcháin phaitinní, sa 15ú háit as 28 mballstát i ndáil le trádmharcanna agus sa 17ú háit as 28 mballstát i ndáil le dearthaí. Léiríodh sa staidéar go raibh Éire rangaithe in éineacht leis an Ostair, leis an mBeilg, leis an Danmhraig, leis an bhFionlainn, leis an bhFrainc, leis an nGearmáin, leis an Iodáil, le Lucsamburg, le Málta, leis an Ísiltír agus leis an tSualainn mar thír atá os cionn mheán AE i ndáil le cruthú ceart maoine intleachtúla in aghaidh an fhostáí. Léiríodh sa staidéar freisin, áfach, gur “in Éirinn, agus é cothrom le 22%, atá an sciar is airde de phoist arna nginiúint ag cuideachtaí ó áit lasmuigh d'AE i dtionscail atá dian ar chearta maoine intleachtúla.”

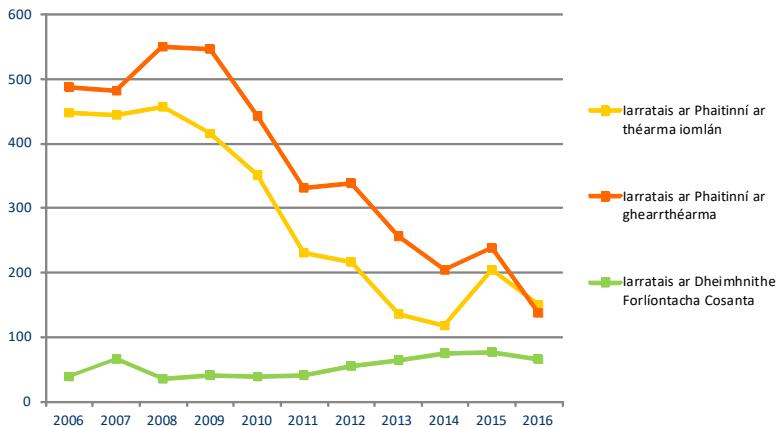
Is léir, mar sin, go bhfuil tábhacht shuntasach ag baint le maoin intleachtúil agus le í a chosaint i ndáil le hinfeistíocht dhíreach eachtrach a mhealladh go hÉirinn. Go deimhin, meastar go bhfuil straitéis an Rialtais chun Éire a chur chun cinn mar gheilleagar atá dirithe ar thaighde agus forbairt agus atá bunaithe ar an nuálaíocht ar cheann amháin de na príomhthosca taobh thiar de chumas na hÉireann infheistíocht leanúnach a mhealladh ó chuideachtaí ilnáisiúnta atá lonnaithe sna Stáit Aontaithe agus thar lear.

Tráchtairéacht Ghinearálta ar Threochtaí, ar Chuspóirí agus ar Ghníomhaíochtaí

Paitinní agus Deimhnithe Forlíontacha Cosanta (DFCanna)

Mar gheall ar ghníomhaíochtaí atá dian ar mhaoin intleachtúil a bheith i láthair san earnáil atá faoi réir onnmhairiúcháin, san earnáil infheistíochta dírí eachtraí agus san earnáil cuideachtaí ilnáisiúnta, ní dóigh gur comhdúchán náisiúnta Éireannacha a bheidh sna chéad chomhdúcháin phaitinní toisc go mbíonn sé mar bheartas ag móran gníomhaíochtaí faoi úinéireacht eachtrach atá lonnaithe in Éirinn agus a fhobráinn MI iarratais a chomhdú chun na cearta MI sin a chosaint i margáí eachtracha trína máthairchuideachta a bhfuil a ceanncheathrú lonnaithe thar lear. Ní gá go léiríonn an laghdú ar chomhdúcháin phaitinní náisiúnta a mhéid atá gníomhaíochtaí nó aireagóirí Éireannacha ag gabháil do ghníomhaíochta nuálach toisc go bhféadfadh gníomhaíochtaí a roghnú paitinní a chomhdú tríd an mbealach Eorpach nó tríd an gConradh Comhair Paitinní seachas tríd an oifig náisiúnta.

Iarratais Náisiúnta ar Phaitinní agus Dheimhnithe Forlíontacha Cosanta
2006 – 2016



- I gcomparáid leis an iomlán don bliaín 2015, bhí laghdú 26% ann ar líon na gcomhdúchán Paitinní lántéarmacha náisiúnta a fuarthas le linn na bliana 2016 (ó 203 cinn go 149 gcinn). Bhí laghdú 42% ann ar líon na n-iarratas ar phaitinní gearrthéarmacha a fuarthas sa bliaín i gcomparáid leis an mbliain 2015 freisin (ó 237 gcinn go 138 gcinn).
- Laghdaigh líon na n-iarratas ar Dheimhnithe Forlíontacha Cosanta (DFCanna) sa bliaín 2016, agus é ag titim ó 76 cinn sa bliaín 2015 go 66 cinn sa bliaín 2016.

Comhdúcháin phaitinní eachtracha ó dhaoine a bhfuil cónaí orthu in Éirinn chuitg údaráis phaitinní roghnaithe.

	2010	2011	2012	2013	2014	2015
An Conradh Comhair Paitinní ¹	443	415	391	432	438	457
Oifig Eorpach na bPaitinní ²	637	653	609	566	622	614
An Ríocht Aontaithe	289	330	336	361	352	330
Stáit Aontaithe Mheiriceá ³	796	829	947	1,039	1,068	1,295

Foinsí: Bunachar Sonraí Staidrimh na hEagraíochta Domhanda um Maoin Intleachtúil (EDMI) - Athbhreithniú Blantúil ar an gConradh Comhair Paitinní, "Facts & Figures" ó Oifig Maoine Intleachtúla na Ríochta Aontaithe (UKIPO), Staidreamh paitinní ó Oifig Paitinní agus Trádmharcanna na Stát Aontaithe (USPTO).

Tá an staidreamh comhdúcháin bunaithe ar áit chónaithe an iarratasóra chéadaímnithe. D'fhéadfadh go n-athródh figiúirí stairiúla comhdúcháin ó bláin go bliain mar gheall ar bhunachair shonraí a bheith á nuashonrú ag na húdaráis phaitinní.

¹ Iarratais a chomhdáigh daoine a bhfuil cónaí orthu in Éirinn faoin gConradh Comhair Paitinní (céim idirnáisiúnta)

² Bhí an analís bunaithe ar líon na n-iarratas ar phaitinní Eorpacha a comhdaíodh le hOifig Eorpach na bPaitinní (iarratais dhíreacha Eorpacha agus iarratais idirnáisiúnta a bhí ag dul isteach sa chéim Eorpach)

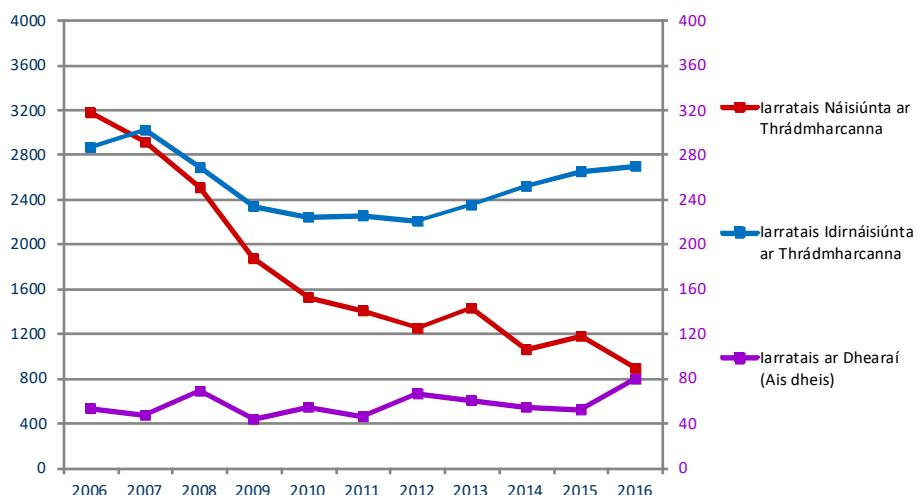
³ Tagraíonn comhdúite Stáit Aontaithe Mheiriceá le paitinní fóntais a dtugtar freisin mar paitinní d'aireagáin

Tráchtaireseacht Ghinearálta ar Threochtaí, ar Chuspóirí agus ar Ghníomhaíochtaí

Trádmharcanna agus Dearthaí

Bhí méadú beag 1% ann sa bhliain 2016 ar líon na n-iarratas náisiúnta ar thrádmharcanna a fuarthas. Leanann sé sin an treocht anuas atá ag teacht chun cinn le 4 bliana anuas. Tá líon na n-iarratas atáthar ag fáil 20% níos mó ná an líon a fuarthas idir an bhliain 2010 agus an bhliain 2012. Is féidir é sin a chur i leith roinnt tosca, lena n-áirítear méadú foriomlán ar ghníomhaíocht ghnó in Éirinn mar thoradh ar an téarnamh geilleagach leantach. Mar sin féin, tá ag laghdú fós ar na figiúirí i leith Clárúcháin Idirnáisiúnta. Tithíon na n-iarratas ar Chláirúcháin Idirnáisiúnta a fuarthas san Oifig faoi 1,000 iarratas den chéad uair sa bhliain 2016. Léiríonn sé sin an méadú ar líon na ngnólachtaí atá ag roghnú an tAontas Eorpach ar fad a ainmniú, ar leithligh ó chosaint a marc a iarraidh i mBallstáit aonair den Aontas Eorpach, rud atá níos costasaí. Táthar ag súil go leanfaidh an laghdú sin ar aghaidh sa bhliain 2017.

Iarratais Náisiúnta ar Trádmharcanna agus Dearthaí 2006 – 2016



- I gcomparáid leis an bhfigír don bhliain 2015, tháinig méadú 1% ar líon iomlán na n-iarratas náisiúnta ar thrádmharcanna a fuarthas sa bhliain 2016 (ó 2,654 cinn go 2,694 cinn). Tá méadú seasta tagtha sa réimse sin ón mbliain 2012 i leith, rud is féidir a chur i leith fhás leantach agus fhorbairt leantach an gheilleagair de réir mar a eiríonn le gnóthais teacht amach as tionchar diúltach an chúlaithe.
- I gcomparáid leis an bhfigír don bhliain 2015, laghdaigh líon na n-iarratas idirnáisiúnta ar thrádmharcanna cosanta in Éirinn faoi bheagnach 25% sa bhliain (ó 1,180 ceann go 891 cheann).
- Ábhar misnígh ba ea an méadú a bhí ann ar líon na n-iarratas ar dhearaí tionscail a chlárú, agus é ag méadú ó 49 gcinn sa bhliain 2015 go 80 ceann sa bhliain 2016. Tá líon na n-iarratas ar dheartháí atá faigte ag an Oifig ag dul suas agus síos le blianta beaga anuas.

Tráctaireacht Ghinearálta ar Threochtaí, ar Chuspóirí agus ar Ghníomhaíochtaí

Trádmharcanna an Aontais Eorpaigh (TAEnna)

Tháinig Trádmharc an Aontais Eorpaigh (Trádmharc Comhphobail roimhe sin) in éifeacht an 1 Aibreán 1996 agus tugtar clárúchán aonair don dílseánach leis, rud atá bailí sna 28 dtír d'AE. Maidir le líon na n-iarratas ar Thrádmharc an Aontais Eorpaigh ar chomhdaigh iarratasóirí a bhfuil cónaí orthu in Éirinn iad sa bláthain 2016, mhéadaigh sé faoi 8% ó 1,071 iarratas sa bláthain 2015 go 1,160 iarratas sa bláthain 2016.

	2013	2014	2015	2016
Iarratas as Thrádmharcanna an Aontais Eorpaigh	1,055	1,038	1,071	1,160
Líon thrádmharcanna an Aontais Eorpaigh a cláraíodh	840	1,023	971	1,021

Foinse: Staidreamh SSC003.1 ó EUIPO

¹ D'fhéadfadh go n-athróidh figiúirí áirithe ó bláthain go bliain mar gheall ar bhunachair shónraí staidrimh WIPO a bheith á nuashonrú

Trádmharcanna Idirnáisiúnta

Is éard atá i bPrótacal Mhaidrid ná córas idirnáisiúnta um chlárú trádmharcanna. Riarann Biúró Idirnáisiúnta na hEagraíochta Domhanda um Maoin Intleachtúil (WIPO) é. Le córas Mhaidrid, tugtar deis d'úinéir trádmhairc cosaint trádmhairc a fháil i roinnt tíortha éagsúla trí iarratas amháin a chomhdú. Chomh maith leis sin, éilítear le córas Mhaidrid nach mór iarratas idirnáisiúnta a bheith bunaithe ar iarratas nó clárúchán ar thrádmharc náisiúnta nó AE (dá dtagraítear buniarratas nó bunchláirúchán) a chomhdaítear trí Oifig na bPaitinní in Éirinn nó trí EUIPO, rud ar a dtugtar an "Oifig Thionscnaimh". Tá trádmharc idirnáisiúnta coibhéiseach le hiarratas ar an trádmharc céanna nó le clárúcháin an trádmhairc chéanna a chuirtear i bhfeidhm go díreach i ngach ceann de na tíortha atá ainmnithe ag an iarratasóir. Le córas Mhaidrid, tugtar réiteach gnó chliste do chuideachta ar bith atá ag iarraidh a cuid trádmharcanna a chosaint agus a bhainistiú i margáid idirnáisiúnta (lasmuigh d'AE de ghnáth) agus is féidir leis an méid a úsáideann cuideachtaí a bhfuil cónaí orthu in Éirinn é a bheith ina léiriú fónta ar an rún atá acu margáid eachtracha a aimsiú agus margáid nua a chruthú do raon táirgí atá ann cheana agus do raon táirgí nua.

Thaifead Biúró Idirnáisiúnta na hEagraíochta Domhanda um Maoin Intleachtúil 158 gclárúchán idirnáisiúnta sa bláthain 2015 do shealbhóirí trádmharcanna a bhfuil sainchónaí orthu in Éirinn. Áirítear leo sin 359 n-ainmniúchán le haghaidh baill eile de chóras Mhaidrid. Sna cásanna sin, d'iarr na sealbhóirí go leathnófaí cosaint le haghaidh a dtrádmharcanna. Dá éis sin, rinneadh 141 bhall sa bhereis de chóras Mhaidrid a ainmniú ina dhiaidh sin i gclárúcháin idirnáisiúnta reatha ó Éirinn d'fhoinn raon geografach bunaidh a gcosanta a leathnú chuig balltíortha nó dlínsí breise de chóras Mhaidrid.

Clárúcháin Idirnáisiúnta trí Chóras Mhaidrid do shealbhóirí trádmharcanna a bhfuil sainchónaí/cónaí orthu in Éirinn

	2013	2014	2015	2016
Líon na gClárúchán Idirnáisiúnta	146	181	158	n/a
Ainmniúcháin	1,647	1,297	359	n/a
Ainmniúcháin ina dhiaidh sin	144	192	141	n/a

Foinse: Athbhreithniú Bliantúil ar Chóras Mhaidrid ó WIPO do na blianta 2014, 2015 agus 2016.

1 Ní áirítear leis Éireannaigh a bhfuil trádmharc an Aontais Eorpaigh ina seilbh agus a roghnaigh a n-iarratas idirnáisiúnta a bhunú ar an Trádmharc atá acu

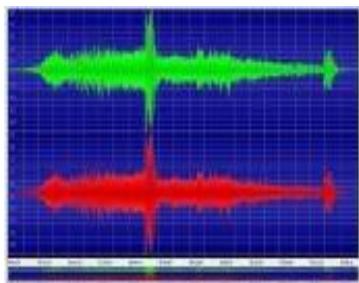
2. Níl sonraí don bláthain 2016 ar fáil ó WIPO.

3. D'fhéadfadh go n-athróidh figiúirí stairiúla áirithe ó bláthain go bliain mar gheall ar bhunachair shónraí staidrimh WIPO a bheith á nuasunrú.

Tráchtairéacht Ghinearálta ar Threochtaí, ar Chuspóirí agus ar Ghníomhaíochtaí

Díriú ar Thrádmharcanna Trádmharcanna Neamhthraigisiúnt

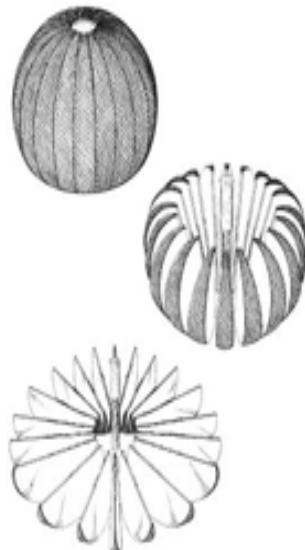
Beidh impleachtaí praiticiúla ag Treoir nua AE maidir leis an Trádmharc don Oifig seo. Faoin reachtaíocht reatha atá i bhfeidhm in Éirinn, tá ceanglas ann go mbeifear in ann trádmharcanna “a chur i láthair go grafach”. Go bunúsach, ciallaíonn sé sin nach mór go mbeifear in ann léiriú ar an marc a chur ar pháipéar agus nach mór go mbeidh tomhaltóirí in ann é a fheiceáil agus a thuisceint. Leis an Treoir nua, cuirfear deireadh leis an gceanglas sin agus ceadófar clárú a dhéanamh ar mharcanna is féidir a thuisceint le céadfaí eile seachas radharc. Dá réir sin, beifear in ann clárú a dhéanamh ar mharcanna is féidir a thabhairt faoi deara mar gheall ar a mboladh, ar a bhfuaim, ar a mblas nó ar a n-uigeacht. Féadfar clárúchán a lorg i leith holagram, íomhána gluaisteacha agus gothaí freisin. Tugtar trádmharcanna neamhthraigisiúnta ar thrádmharcanna den sórt sin de ghnáth. Cé gur leis an athrú reachtach a sholáthrófar do speisialtóirí margáiochta bealaí úrnua inar féidir leo tomhaltóirí a spreagadh a gcuid táirgí a aithint, ní gá go mbeidh gach marc a chomhdófar inghlactha dá gclárú. Leanfaidh an Oifig seo le hiarratais a scrúdú de réir na reachtaíochta agus i gcomhréir le cásdlí trádmharcanna na hEorpa. Déanfar amhlaidh i gcomhréir leis an bpríomhphrionsabal treorach (ar a dtugtar seacht gcritéar Sieckmann) freisin, is é sin, nach mór go mbeidh trádmharcanna soiléir, beacht, féinchuimsitheach, sorochtana, intuisceana, marthanach agus oibiachtúil. Má ghlactar cineál amháin maire neamhthraigisiúnta mar shampla, d’fhéadfadh go mbeadh sé deacair a chruthú gur marcanna marthanacha iad marcanna atá bunaithe ar a mboladh. D’fhéadfadh nár leor sampla den bholadh a sholáthar i mbuidéal toisc go bhfuil baol ann go dtiocfaidh athrú nó meath ar an mboladh le himeacht ama agus go mbeidh boladh an mhairc difriúil dá bharr sin. Bacáinn shuntasach ar mharcanna den sórt sin a chlárú is ea nár cheart an boladh a bheith ag baint le cineál an earra é féin. Dá réir sin, ní bheadh an leibhéal riachtanach uathúlachta ag gabháil leis an táirge. Dá bhrí sin, tá seans i bhfad níos fearr ann go bhféachfaidh déantóirí le bolaithe a chlárú i leith earraí nach bhfuil a mboladh mar shaintréith acu. Tiocfaidh deacrachartaí chun cinn don Oifig i ndáil leis an dóigh a bhfaighidh sí marcanna neamhthraigisiúnta agus maidir leis an dóigh a ndéanfaidh sí clár marcanna neamhthraigisiúnta a stóráil, a fhoilsíú agus a chothabháil. Ós rud é go scrúdaítear iarratais i ndáil le forais choibhneasta lena ndiúltú, is amhlaidh freisin nach mór córais a chur i bhfeidhm chun iarratais den sórt sin a chuardach i gcoinne marcanna atá faoi chosaint ag EUIPO nó atá ar chlár na hÉireann cheana féin ionas gur féidir marcanna atá comhionann le chéile nó atá an-chosúil le chéile a shainaithint. Faoin am sin, beidh réitigh theicniúla i bhfeidhm ag an Oifig chun na cineálacha nua trádmharcanna a fháil, a stóráil agus a fhoilsíú. A bhui leis an gcúnamh atá ar fáil ó EUIPO mar chuid dá Chiste Comhair agus de Thionscadail an Chláir Chóineasaithe dá chuid, tá síul ag Oifig na bPaitinní go mbeidh sí in ann cúnamh i bhfoirm uirlisé agus réiteach a ghiarál ó EUIPO ionas go mbeidh cumas aici sárú a dhéanamh ar na dúshláin a bhaineann le trádmharcanna neamhthraigisiúnta a fháil agus a phróiseáil.



Fuaim ríomhghinte a mhaireann

10 soicind.

[EUTM 11654209](#)



Trádmharc holagram VF - Video Future (EUTM 2117034) atá cláraithe ag GDS Video.

Grianghraf: EUIPO



Rinne Kraft Foods UK Ltd an trádmharc íomhá gluaistí seo (UK 228003) a chlárú do sheacláid agus do mhilseogra seacláide.

Foinse: Oifig Maoine Intleachtúla na Ríochta Aontaithe



Tráchtairéacht Ghinearálta ar Threochtaí, ar Chuspóirí agus ar Ghníomhaíochtaí

Díriú ar an mBreatimeacht agus ar an tionchar a d'fhéadfadh bheith aige ar an gcóras Trádmharcanna agus Dearthaí

Cé go bhfuil cuid mhór scríofa cheana féin faoin tionchar a bheidh ag imeacht na Breataine ón Aontas Eorpach (an Breatimeacht) ar chearta maoine intleachtúla, níl aon fhianaise bheacht ann faoin gcuma a bheidh ar an tírdhreach tar éis an Bhreatimeachta. Is é an príomhábhar imní a bheidh ag sealbhóirí trádmhairc ná an cheist maidir le cé acu a leanfaidh nó nach leanfaidh an Ríocht Aontaithe le caitheamh le Dearthaí agus Trádmharcanna AE mar dheartháí agus trádmharcanna atá faoi chosaint sa Ríocht Aontaithe. Cé go bhfuil roinnt cásanna féideartha ann, is dóigh go dtiocfaidh ceann amháin de na ceithre chás seo a leanas chun cinn: (i) scoirfidh trádmharcanna AE de bheith faoi chosaint sa Ríocht Aontaithe nuair a imeoidh sí go foirmiúil ón Aontas Eorpach; (ii) leanfaidh trádmharcanna AE le bheith faoi chosaint sa Ríocht Aontaithe fad a bheidh siad i bhfeidhm; (iii) tabharfaidh an Ríocht Aontaithe cead do shealbhóirí trádmhairc AE trádmharcanna AE atá ina seilbh a thiontú ina marc de chuid na Ríochta Aontaithe laistigh de thréimhse ama ar leith; agus (iv) leanfaidh an Ríocht Aontaithe le trádmharcanna AE a urramú suas go chéad athnuachan eile na dtrádmharcanna nuair a bheidh an sealbhóir in ann trádmharc AE a thiontú ina mharc de chuid na Ríochta Aontaithe ar an táille athnuachana ábhartha sa Ríocht Aontaithe a ioc.

Maidir le trádálaite nach dtrádálann ach in Éirinn agus sa Ríocht Aontaithe, d'fhéadfadh gur ghá dóibh a straitéis trádmhairc a athmheas go luath. Tar éis an Bhreatimeachta, tá seans ann nach soláthrófar le trádmharcanna AE an luach is fearr ar airgead a thuilleadh. Tá seans ann freisin, ag brath ar an gcomhaontú scartha a dtiocfar air, go mbeidh sé níos ciallmhaire ón taobh eacnamaíoch de clárúcháin aonair a lorg in Éirinn agus sa Ríocht Aontaithe. Cosúil le Trádmharcanna an Aontais Eorpaigh, tá Dearthaí Cláraithe Comhphobail ina gcineál cirt aonadaigh lena gcumhdaítear críoch iomlán an Aontais Eorpaigh. Tar éis an Bhreatimeachta, beidh gá ann lena fhoráil go leanfar le cosaint choibhéiseach náisiúnta sa Ríocht Aontaithe a thabhairt do Dheartháí Cláraithe Comhphobail nuair a imeoidh sí go foirmiúil ón Aontas Eorpach. Ina theannta sin, is doiléire fós an cheist maidir le cé acu a thabharfar nó nach dtabharfar cosaint choibhéiseach do Dheartháí neamhchláraithe Comhphobail ar feadh na coda eile dá dtéarma, go háirithe mar gheall ar an bhfíric gur ag an Ríocht Aontaithe cheana féin atá a córas uathúil féin um chearta dearaidh neamhchláraithe.

Tríd is tríd, is amhlaidh, maidir le straitéisí corparáideacha MI tar éis an Bhreatimeachta, go bhféadfadh, ar chúiseanna eacnamaíocha, go gcinneadh gnóthais atá dírithe ar mhargaí na hÉireann agus na Ríochta Aontaithe amháin an córas cosanta náisiúnta dearai tionscail atá i bhfeidhm in Éirinn agus/nó sa Ríocht Aontaithe a roghnú in ionad an chórais chlárúcháin ar fud AE, ar córas níos leithne agus níos costasaí é. Ceist eile a bhaineann le MI, maidir le tásca geografacha a rialaítear iad faoi láthair le córas cosanta sui generis ar fud AE, is ea go mbeidh gá ann le tásca geografacha na Ríochta Aontaithe a bhaint de chóras clárúcháin AE tar éis an Bhreatimeachta agus le iad a chosaint ar bhonn náisiúnta.

Toisc go rachaidh imeacht na Ríochta Aontaithe i bhfeidhm orthu, ba cheart athbhreithniú a dhéanamh ar straitéisí dlíthíochta agus forfheidhmithe in am is i dtráth. Tar éis animeachta, ní chumhdófar an Ríocht Aontaithe a thuilleadh le himeachtaí dlíthiúla nua a bhaineann le trádmharcanna AE agus le dearthaí Comhphobail. Dá bharr sin, ní bheidh sealbhóirí trádmharcanna AE na trádmharcanna sin a fhorfheidhmiú sa Ríocht Aontaithe agus ní bheidh siad in ann urghairí ar fud an Aontais Eorpaigh ar fad a fháil faoin Rialachán maidir le Trádmharcanna AE. Ba cheart athbhreithniú a dhéanamh freisin ar aon tagairtí a dhéantar i gcomhaontuithe tráchtala don dlí is infheidhme agus don dlínse is infheidhme.

Misean agus Cuspóirí Oifig na bPaitinní

Is é seo a leanas lármhisean Oifig na bPaitinní:

“Córas éifeachtach éifeachtúil um maoin thionsclaioch a chosaint a chur ar fáil, rud a spreagfaidh dul chun cinn teicneolaiochta agus a chuirfidh fiontraíocht chun cinn trí chur chun feidhme na reachtaiochta ábhartha ag an Oifig.”

Bainfear é sin amach trí chearta maoine tionsclaíche a chosaint i réimsí na bpaitinní, na dtrádmharcanna agus na ndearthaí agus trí eolas agus fhaisnéis ábhartha a scaipeadh go réamhghníomhach i gcomhar le gach ceann de na gníomhaíochtaí sin. Féachfaidh Oifig na bPaitinní lena cion féin a dhéanamh i gcóras rialála nua-aimseartha freagrúil a sholáthar lena dtacófar leis an nuálaíocht agus leis an bhfiontraíocht araon agus lena gcothófar timpeallacht éifeachtach ghnó in Éirinn.

Is sa tráchtairreacht seo a leanas agus sa tuarascáil staidrimh a ghabhann léi a dhéantar breithniú ar gníomhaíochtaí na hOifige maidir leis na sé phríomhchuspóir atá leagtha amach sa Ráiteas Straitéise 2014-2016 a chomhlíonadh. Meastar go bhfuil na sé chuspóir sin ríthábhachtach maidir le misean na hOifige a chomhlíonadh agus maidir lena héifeachtúlacht oibriúcháin a choimeád ar bun.

Cuspóir 1

Leanúint ar aghaidh le Paitinní a dheonú agus le Trádmharcanna agus le dearthaí a chlárú bunaithe ar nósanna imeachta riarcháin agus ar chaighdeán seirbhísí atá éifeachtúil (agus aon dul leo sin a léiríonn an dea-chleachtas idirnáisiúnta agus a fhreastalaíonn ar riachtahais chustaiméiri).

Ba le breis éifeachtúlachta agus éifeachtachta a lean an Oifig lena seirbhísí a sholáthar sa bhliain 2016 agus ba ar leibhéal an-sásúil a bhíothas ag comhlíonadh fhormhór na spriocanna seirbhíse do chustaiméiri. Tá an Oifig tiomanta do chlár ríomhchu-marsáide a sholáthar, clár a bhfuil ríomhchomhdú ina chuid ríthábhachtach de. Tá córas ríomhchomhdúcháin i bhfeidhm ag Oifig na bPaitinní le haghaidh iarratais ar thrádmharcanna agus ar dhearthaí. Mórthairbhe a bhaineann leis an gcóras d'úsáideoirí is ea an dearbhú a fhaigheann siad go nglacfaidh an Oifig le haon téarmaí a roghnaíonn siad ón liosta ceadaithe aicmithe comhchuibhithe in TMclass. Chabhraigh sé sin leis an bpróiseas iarratas a chuichóiriú agus tabharfaidh sé leibhéal intuarthachta d'úsáideoirí. Cabhraíonn an córas leis an bpróiseas scrúdúcháin freisin agus déanfar cinntí níos tapa ar iarratais ar chosaint mar thoradh air. Faoi dheireadh na bliana 2016, ba go leictreonach trí shuíomh Gréasáin na hOifige a fuarthas 91% de na hiarratais uile ar thrádmharcanna. Ní chruthaítear páipéarchomhaid a thuilleadh d'iarratais ar thrádmharcanna agus ar dhearthaí a fhaightear go leictreonach agus tá próiseas gan pháipéar den chuid is mó i bhfeidhm d'obair cuardaigh agus scrúdaithe, rud atá ag teacht leis an dea-chleachtas idirnáisiúnta.

Le soláthar na gcóras comhdúcháin ar líne le haghaidh trádmharcanna agus dearthaí, cuireadh an Oifig ar chomhréim le hOifigí eile Maoine Tionsclaíche san Eoraip. Tá na hoifigí sin ag tairiscint seirbhís ríomhchomhdúcháin dá gcuid custaiméiri le roinnt mhaith blianta anuas. Cuireadh túis sa bhliain 2016 le réamhobair ar fhorbairt an chórais ríomhchomhdúcháin le haghaidh iarratas ar Phaitinní agus ar DFCanna. Beidh seirbhís iomlán ar fáil tar éis deis a thabhairt iarratais ar phaitinní agus ar DFCanna a chomhdú ar líne agus, tar éis déanamh amhlaidh, comhlíonfaidh an Oifig ceanglas an Rialtais nach mór tosaíocht a thabhairt do gach nós imeachta ceadúnúcháin agus údarúcháin do ghnólachtaí a chur ar fáil ina n-ionláine ar líne ar bhonn forchéimnitheach roimh dheireadh na bliana 2018.

B'ionann na glanfháltais a bhí dlite don státhiste sa bhliain 2016 agus €9.07m. Ba mhéadú €0.68m nó 8% é sin ar an bhfigiúr €8.386m don bhliain 2015. Tagann an chuid is mó d'ioncam táillí na hOifige ó tháillí athnuachana ar Phaitinní Eorpacha. Bhí dea-mhéadú €0.682m nó 8% ón bhfigiúr don bhliain 2015 ann san ioncam comhcheangailte ó tháillí paitinní agus trádmharcanna (lena n-áirítear táillí trádmharcanna idirnáisiúnta). Agus iad cothrom le €3.066m don bhliain 2016, bhí méadú €0.096m ann i nglangspeansais na hOifige i gcomparáid leis an bhfigiúr comhfheagrach €2.97m don bhliain 2015.

Cuspóir 2

Féachaint leis an teicneolaíocht nua a chur i bhfeidhm ar mhaithe le feabhas a chur ar chórais, ar nósanna imeachta agus ar an tseirbhís a chuirtear ar fáil do chustaiméirí, rud a fhéachfaidh freisin d'élimh na sochaí faisnéise agus an Ríomhghhnó am céanna.

Ar mhaithe le seirbhísí a sholáthar ar bhealach níos éifeachtúla, lean an fhoireann le feabhas a chur ar na próisis oibre agus ar na réitigh theicneolaíochta atá mar bhonn thaca ag a croíthárgí agus ag a croísheirbhísí le linn na bliana 2016. Tá an tioman-tas atá againn do sheirbhís ardchaighdeán a sholáthar do chustaiméirí leagtha amach inár bPlean Gníomhaíochta um Sheirbhís do Chustaiméirí, rud atá ar fáil ar ár suíomh Gréasáin. Is é 95% an meánleibhéal gnóthachtála i gcás na 37 sprioc seirbhíse do chustaiméirí atá againn, spriocanna lena leagtar síos uasteorainneacha ama chun cúramí éagsúla atá dírithe ar an gcuastaiméir a chur i gcrích. Cuirtear síos ar na spriocanna sin sa rannán "Spriocanna Feidhmíochta" den tuarascáil.

Téann an Oifig go gníomhach le clár ríomhchumarsáide d'fhoinn soláthar seirbhísí a fheabhsú agus próiseáil a dhéanamh ar bhealach níos éifeachtúla trí chomhdúchán leictreonach, phróiseáil leictreonach comhad agus chumarsáid leictreonach a chomhcheangal ar bhealach a chabhróidh ar deireadh le próiseáil gan pháipéar san Oifig. Is trí ríomhphost a eisítear formhór mór chomhfhereagras na Roinneanois. Spreagtar custaiméirí cumarsáid trí ríomhphost a dhéanamh leis an Oifig nuair is féidir. Thug an Oifig ríomhchomhdú na n-iarratas ar thrádmharcanna isteach sa bláthain 2014 agus thug sí ríomhchomhdú dearthaí isteach sa bláthain 2015. Faoi láthair, tá sí ag forbairt ríomhchomhdúchán le haghaidh paitinní agus DFCanna. Tá sé beartaithe go dtiocfaidh sé i bhfeidhm sa bláthain 2018. Thug an Oifig bosca seachadta leictreonach isteach sa bláthain 2011, rud a fhágann gur féidir iarratais chriptithe ar phaitinní, ar thrádmharcanna agus ar dheartháí a chur isteach go leictreonach agus go slán. Úsáideann aturnaetha maoine intleachtúla an bosca seachadta agus, ag deireadh na bliana 2016, bhí leas á bhaint ag 22 ghnó-lacht as an tsaoráid.

Thug an Oifig leathnú na saoráide íocaíochtaí ar líne isteach sa bláthain 2016, rud a fhágann gur féidir gach cineál táille Trádmharcanna agus Dearthaí náisiúnta a íoc ar líne i dteannta chomhdú na ndoiciméad gaolmhar. Bhí an fheidhmiúlacht íocaíochta táillí roimhe sin teoranta do tháillí athnuachana, deontais agus clárúcháin a íoc ar líne. Leis an tsaoráid ar líne nua, méadaítear raon na gcineálacha táille is féidir a íoc ar líne le go n-áirítear leo gach cineál táille Trádmharcanna agus Dearthaí náisiúnta. De bhréis air sin, is féidir na doiciméid ar fad atá bainteach le cineál táille ar leith a chur isteach tríd an bhforbairt nua seo. Fágann leathnú na saoráide íocaíochtaí ar líne go bhfuil tulleadh éifeachtúlachta agus caoithiúlachta ann don úsáideoir. Chomh maith leis sin, beidh an Oifig in ann iarrataí agus doiciméid a phróiseáil gan pháipéar ar bhealach níos tapa agus níos éifeachtaí. Tá cabhair ar líne ar fáil don úsáideoir agus é/í ag comhlánú rannáin éagsúla. Cuireann an ghné nua sin lenár gcórais ríomhchomhdúchán Trádmharcanna agus Dearthaí a bhfuil ag éirí leo cheana féin. Ba mhaith leis an Oifig aitheantas a thabhairt don chabhair a thug EUIPO dúinn le linn an córas ar líne seo a fhorbairt agus a chur chun feidhme. Forbraíodh an tionscadal faoi Chiste Comhair EUIPO. Is é aidhm an Chiste tulleadh comhchuibhithe a chur chun cinn, Oifigí náisiúnta MI a nuachóiriú agus cúrsáí a éascú d'úsáideoirí na gcóras Eorpach Trádmharcanna agus Dearthaí. Is é leathnú na saoráide íocaíochtaí ar líne an beart is déanaí a chuirfidh ar chumas úsáideoirí raon níos leithne táillí a íoc ar líne. Is go leictreonach a íocatar geall le 100% de tháillí reachtúla na hOifigeanois, i gcomparáid le 99% sa bláthain 2015. Chomh maith leis sin, baineann an Oifig úsáid as teirminéal cártaí creidmheasa (TCC) ar mhaithe le híoc táillí a éascú agus a uathoibriú tulleadh.

Le linn na bliana, lean an Oifig ar aghaidh ag baint leas as cúnamh ó Chiste Comhair EUIPO, rud a chuireann cúnamh ar fáil d'Oifigí Náisiúnta AE maidir le huirlisí Gréasánbhunaithe a fhorbairt agus a chur chun feidhme chun tacú leis an tsaolré trádmharcanna agus dearthaí. Comhlánóidh na tionscnaimh sin tionscadail eile a soláthraíodh go Rathúil cheana féin le cúnamh ón gCiste Comhair, lena n-áirítear tionscadal arb é is aidhm dó cur le líon na ndoiciméad paitinne náisiúnta atá cartlanaithe go leictreonach. Tosaíodh an tionscadal sa bláthain 2013 agus leanadh ar aghaidh leis ar fud na bliana 2016. Is é aidhm an tionscadail na doiciméid sonraíochta uile atá ar fáil faoi iarratasóirí ar phaitinní a fuarthas sa tréimhse idir na 1960í agus túis na 2000í a scanadh agus iad a chur ar fáil don phobal ar an suíomh Gréasáin. Meastar go bhfuil thart ar 58,000 doiciméad ann atá le scanadh fós. Leanadh ar aghaidh leis an tionscadal sa bláthain 2016, agus breis agus 30,000 doiciméad scanta go dtí seo. D'fhoinn costais a laghdú agus rochtain leanúnach a chumasú ar na doiciméid, chinn an Oifig gan an obair a sheachfhoinsíú. Ina ionad sin, bíonn acmhainní inmheánacha foirne agus trealamh á n-úsáid aici chun an obair a chur i gcrích. Maidir le héifeachtúlachtaí teicneolaíochta a fheabhsú, forbraíodh ceithre cinn d'fheabhsuithe substainteacha ar chóras riarracháin PTOLEMY le linn na bliana. Ba é an aidhm a bhí le gach ceann acu ná feabhas a chur ar éifeachtúlachta oibriúcháin agus a chinntí go mbíonn croíchórais ghnó na hOifige cothrom le dáta. Le linn na bliana 2016, d'uasghrádaigh an Oifig gach ceann de stáisiúin oibre na hOifige chuig Windows 10

Cuspóir 3

Cur le dréachtú aon reachtaíochta nua maidir le maoin intleachtúil lena gcruthaítear feidhmeanna don Cheannasaí agus cur le cur chun feidhme na reachtaíochta ina dhiaidh sin.

Tá rialáil na gceart maoine intleachtúla in Éirinn ina cuid riachtanach den chreat fhiorimlán reachtaíochta lena ndéantar nuálaíocht a spreagadh, a chosaint agus a chur chun cinn. Tá sé ar aon dul leis an dea-chleachtas idirnáisiúnta, a léiríonn an tionsumas atá ag Éirinn do Dhlí Maoine Intleachtúla AE agus do chonarthaí agus do choinbhinsiúin idirnáisiúnta eile, amhail Coinbhinsiún na bPaitinní Eorpacha agus Conarthaí agus Comhaontuithe éagsúla na hEagraíochta Domhanda um Maoin Intleachtúil. Is é Aonad Maoine Intleachtúla (AMI) na Roinne Post, Fiontar agus Nuálaíochta atá freagrach as beartas maoine intleachtúla agus as reachtaíocht a ullmhú sa réimse sin. Soláthraíonn Oifig na bPaitinní comhairle agus cúnamh ar na hábhair sin, go háirithe ar an tionchar a d'imreodh athruithe dlíthiúla nó rialála a bheartaítear ar obair na hOifige. Is iad seo a leanas na hábhair ar chuir an Oifig leo agus ar chuir sí tuairimí in iúl ina leith le linn na bliana 2016:

- Leagtar síos le Rialacha na dTrádmharcanna (Leasú), 2016 (I.R. Uimh. 46 de 2016), na nósanna imeachta atá bainteach le Gníomhairí Trádmharcanna a chlárú de bhun Chuid V d'Acht na dTrádmharcanna, 1996.
- Le Rialacháin na gComhphobal Eorpach (Gníomhairí Trádmharcanna), 2016 (I.R. Uimh. 47 de 2016), a rinneadh de bhun Acht na gComhphobal Eorpach 1972, leasaítear ailt 85, 86 agus 90 d'Acht na dTrádmharcanna, 1996. Tríd sin, baintear srianta foirme dlíthiúla agus scairshealbhóireachta ar ghníomhairí trádmharcanna de chuid LEE. Éascaítear leis na Rialacháin sin clárú a dhéanamh ar chomhpháirtíochtaí agus ar chuideachtaí gníomhairí trádmharcanna AE ar mian leo bunaíocht thánaisteach a chur ar bun in Éirinn.
- Le Rialacháin an Aontais Eorpaigh (Comhbhainistíocht Ceart) (Treibh 2014/26/AE), 2016 (I.R. Uimh. 156 de 2016), a rinneadh de bhun Acht na gComhphobal Eorpach, 1972, trasuitear Treibh 2014/26/AE ó Pharlaimint na hEorpa agus ón gComhairle an 26 Feabhra 2014. Leis na Rialacháin, forchuirtear ceanglais rialachais ar eagraíochtaí comhbhainistíocha atá ar bun sa Stát agus, ar leithligh ó na ceanglais sin, ceadaítear dóibh tabhairt faoi chlárú ar bhonn ilchríche ar fud an Aontais Eorpaigh.
- An Scéim Ghinearálta de Bhille dar teideal “an Bille um Bosca Forbartha Eolais (Deimhniú Aireagán), 2016” lena bhforáiltear do dheimhniú bosca forbartha eolais á bheith á eisiúint ag an gCeannasaí Paitinní, Dearthaí agus Trádmharcanna chuiig cuideachta ábhartha i leith aireagán leis an gcuideachta sin ar aireagán nuálach neamhshaonta úsáideach é, mar a shonraítear sa sainmhíniú ar “maoin intleachtúil do chuideachtaí beaga” in alt 769R den Acht Comhdhlúite Cánacha, 1997, chun cur ar chumas na cuideachta an deimhniú a úsáid chun sochar cánach a fháil faoin Acht Comhdhlúite Cánacha, 1997; agus chun Acht na bPaitinní, 1992, a leasú chun a chinntí go bhféadfaidh paitinní Éireannacha a deonaíodh an 1 Eanáir 2017 nó ina dhiaidh teacht faoi mhír (a) den sainmhíniú ar “paitinn cháilitheach” in alt 769G den Acht Comhdhlúite Cánacha, 1997, ós rud é nach bhféadfaidh ach paitinní Éireannacha a deonaíodh roimh an dáta sin teacht faoi mhír (b) den sainmhíniú sin; agus chun foráil a dhéanamh do nithe gaolmhara. Is é aidhm an Bhille dreasacht a thabhairt do chuideachtaí gníomhaíochtaí nuálacha a dhéanamh in Éirinn trí ráta laghdaithe cánach corparáide de 6.25% a chur ar fáil le haghaidh ioncam arna ghiniúint ó mhaoin intleachtúil áirithe a shaothrú.

Cuspóir 4

Tuiscant ar mhaoin intleachtúil a mhéadú.

Is é ceann de na príomhchuspóirí atá ag Oifig na bPaitinní ná cúnamh a thabhairt do ghnólachtaí, do nuálaithe agus d'fhiontraithe a thuiscint conas is féidir le MI cabhrú leo luach a bhaint amach óna gcuid smaointe agus bheith in ann fainseis a rochtain ar chearta maoine intleachtúla, rud a chuirfidh ar a gcumas a maoin intleachtúil a úsáid, a bhainistiú agus a fhorfheidhmiú chomh fada agus is féidir. Tá an Oifig ag diríú a clár feasachta MI go sonrach ar chúnamh a thabhairt d'fhiontair bheaga, do mhicreafhiontair agus d'fhiontraithe agus do nuálaithe aonair. Lean an Oifig lena clár for-rochtana a reáchtáil, rud arb é an aidhm atá leis feasacht a mhéadú i measc an phobail i gcoitinne ar chúrsáí maoine intleachtúla, agus é dírithe go háirithe ar earnáil na ngnólachtaí beaga nuathionscanta agus ar dhaltaí. Le linn na bliana 2016, ghlac an Oifig páirt i 67 n-imeacht agus labhair sí faoi MI ag cúrsaí "Do Ghnó Féin a Chur ar Bun", a bhí á reáchtáil ag na hOifigí Fiontar Áitiúil. D'fhreastail an Oifig ar thaispeántais éagsúla comhairle gnó agus fiontair ar fud na tíre sa bliaín, lenar airíodh Cruinníú Mullaigh Uile-Éireann na bhFiontar Beag agus Meánmhéide agus an Comórtas Náisiúnta Treabhdóireachta. Tá "MeetWest" ina imeacht rathúil lónraithe gnó inar chuir foireann na hOifige seisiún duine le duine ar siúl le gnólachtaí éagsúla. Thionóil Oifig na bPaitinní 50 clinic MI sa bliaín 2016, áit a dtugtar deis do dhaoine den phobal, d'aireagóirí, d'fhiontraithe agus don lucht gnó ceisteanna a bhaineann le hiarratais MI a bheartaíonn siad a dhéanamh nó atá déanta acu cheana féin chuig Oifig na bPaitinní a phlé le foireann na hOifige. Táthar den tuairim go bhfuil an cur chuige sin an-úsáideach maidir le buntreoir a thabhairt maidir le nósanna imeachta agus le foirmeacha a theastaíonn chun cearta MI a chlárú agus maidir leis na próisis a bhaineann le cosaint MI a fhál in Éirinn nó thar lear. Tugtar cúnamh freisin maidir le straitéis chuardaigh 'déan féin é' i gcomhair paitinní, trádmharcanna agus dearthaí a chur le chéile agus maidir le bunachar sonraí paitinní, trádmharcanna agus dearthaí a rochtain agus a úsáid.



Díritear cuid shuntasach d'iarrachtaí na hOifige chun feasacht a ardú ar dhaltaí dara leibhéal ach páirt a ghlacadh sa Taispeántas bliantúil Eolaíthe Óga agus Teicneolaíochta de chuid BT agus sna Dámhachtainí bliantúla Fiontair Mac Léinn. Lean an Oifig freisin le hurráocht a dhéanamh ar dhuais a bhronntar ar an dalta a mbaineann a thionscadal an úsáid is fearr as teicneolaíochta i bhfeidhmchláir nua nó fheabhsaithe agus a mbaineann a thionscadal na héifeachtúlachtaí feabhsaithe nó na nuálaíochtaí núiosacha is fearr amach. Ba iad Heather Murphy agus Naoise Tobin ó Scoil Pháirc Chill Phionntain, Baile Átha Cliath, a bhuaigh an duais a d'urraigh Oifig na bPaitinní sa Taispeántas sa bliaín 2016.



Tá na Dámhachtainí Fiontair Mac Léinn atá á reáchtáil ag na Boird Fiontar Áitiúil ar an gcomórtas fiontair is mó do dhaltaí dara leibhéal in Éirinn. Bhí na Babhtaí Ceannais Náisiúnta ar siúl i mí Aibreán 2016. Ba iad seo a leanas buaiteoirí na ndámhachtainí Maoine Intleachtúla: Merlin Pearson, Jason Reinhardt, Joshua Webb, Kevin Durkan agus Cian Walsh ó Phobalscoil Bhéal Átha hAmhnaí, a bhuaigh dámhachtain i leith a ngnó darb ainm "The Story of my Life"; Aoife Gethings agus Dawn Worth (sa phictiúr ar chlé) ó Mheánscoil Mhuire, Béal an Mhuirthead, a bhuaigh dámhachtain leith a ngnó darb ainm "Melting Moments"; agus Jordan Casey, Tom O'Donnell agus Daniel Lye ó Choláiste De La Salle, a bhuaigh dámhachtain i leith a ngnó darb ainm "KidsCode". Tugtar leis an gcomórtas deis den scoth don Oifig dul i dteagháil le fiontraithe is daltaí d'fhoinn feasacht ar MI a chur chun cinn nuair a bhíonn smaoineamh gnó á fhorbairt acu agus nuair a bhíonn fiontar rathúil á bhunú acu. Is é atá i leabhar oibre na nDámhachtainí Fiontair Mac Léinn ná caibidil a bhaineann go sonrach le Maoin Intleachtúil, rud a athdhingníonn feasacht ar MI i measc daltaí dara leibhéal.

Cuspóir 5

Baill foirne a aithint mar shócmhainn thábhachtach de chuid na hOifige agus úsáid a bhaint as pleanáil ghnó agus as bainistíocht agus forbairt feidhmíochta aonair d'fhoinn feidhmíochta ghnó agus próisis ghnó a fheabhsú agus éifeachtacht eagrúcháin a bhreisiú.

Bhí 46 phost údaraithe ag an Oifig amhail an 31 Nollaig 2016. B'ionann é sin agus an líon post sa bhliain 2015. Tar éis sosanna gairme, postroinnt agus socruthe oibre eile a thacaíonn leis an teaghlaigh a chur san áireamh, áfach, bhí leibhéal foirne 42.62 duine de choibhéis lánamseartha ag an Oifig le linn na bliana 2016. Tá laghdú mór tagtha ar an líon foirne san Oifig ó dhíláraigh an Oifig chuig Cill Chainnigh den chéad uair sa bhliain 1998. Ón mbliain 2008 ar aghaidh, mar shampla, tá an líon foirne laghdaithe faoi 27%, is é sin, ó 63 dhuine go 46 dhuine faoi láthair. Agus níos lú acmhainní foirne aici, tá iarracht déanta ag an Oifig ardleibhéal seirbhise poiblí a sholáthar gan dochar a dhéanamh dá héifeachtacht oibriúcháin trí níosannaimeachta níos fearr agus níos éifeachtúla agus trí theicneolaíocht a úsáid ar bhealach níos fearr agus níos éifeachtúla.

Tá rún daingean ag an Oifig a chinntíú go ndéantar measúnú rialta ar fheidhmíocht na foirne ar fad agus go gcuirtear athbhreithnithe foirne i gcrích ar bhealach tráthúil. Nascann an Córas Bainistíochta agus Forbartha Feidhmíochta (CBFF) le plein gnó bliantúil na hOifige agus tugann sé deis do gach ball foirne spriocanna aonair a shocrú, athrú a thionscnamh agus a sholáthar agus leanúint de chleachtais oibre a fheabhsú chun seirbhís éifeachtúil ardchaighdeáin a sholáthar.

De réir CBFF, rinneadh Plean Forbartha Oiliúna a dhréachtú, rud inar cuireadh san áireamh na riachtanais éagsúla oiliúna ar aithin na baill foirne iad a bheith acu ina bpleannanna forbartha pearsanta don bhliain 2016. Lasmuigh den oiliúint leanúnach ar an láthair oibre, thug an fhoireann faoi 28 lá oiliúna san ionlán le linn 2016. Cuireadh oiliúint ar fáil i réimsí amhail forbhreathnú ar an tionscal feistí Leighis, bainistíocht ama agus scileanna bainistíocha. Chomh maith leis sin, ghlac ball foirne amháin páirt i gClár 'Éire Óg 2016' in Albain. Is clár é sin atá dírithe ar scileanna cumarsáide daoine óga a fhorbairt agus a dtaití a leathnú go luath ina saol oibre.

Lean an fhoireann le ról ríthábhachtach a imirt maidir le hídiú fuinnimh a laghdú san Oifig, ar aon dul leis an gClár Earnála Poiblí atá i bPlean Gníomhaíochta an Rialtais um Éifeachtúlacht Fuinnimh. Is é sprioc an phlean ídiú fuinnimh a laghdú, feasacht na foirne a mhéadú ar éifeachtúlacht fuinnimh agus faireachán a dhéanamh ar fheidhmíocht an trealamh théimh/ aerchóirithe. Mar thoradh ar na bearta coigilt fuinnimh atá déanta ag an bhfoireann, tá coigiltí suntasacha ar ídiú fuinnimh bainte amach sa bhliain seo a chuaigh thart (i gcomparáid leis an mbliain 2008, arb í an bhliain tagarmhairc) agus tá coigilt iarmhartach tagtha chun cinn i gcostais fuinnimh.

- Tá laghdú 24% tagtha ar ídiú leictreachais sa 12 mhí seo a chuaigh thart (i gcomparáid leis an bhfigír don bhliain 2008)
- Tá laghdú 9% tagtha ar ídiú breosla sa 12 mhí seo a chuaigh thart (i gcomparáid leis an bhfigír don bhliain 2008)

Cuspóir 6

Ionadaíocht a dhéanamh d'Éirinn ag fóram idirnáisiúnta.

Déanann baill foirne Oifig na bPaitinní ionadaíocht d'Éirinn ag roinnt fóram idirnáisiúnta. Agus an méid sin á dhéanamh acu, cinntíonn siad go gcuirtear seasamh na hOifige ar ábhair Mhaoine Intleachtúla in iúl, go gcuirtear daoine ar an eolas faoin seasamh sin agus go dtugtar cosaint dó. Déanann ardbhainisteoirí na hOifige ionadaíocht d'Éirinn ar Chomhairle Riaracháin Oifig Eorpach na bPaitinní agus ar na Coistí Bainistíochta éagsúla dá cuid. Déanann siad ionadaíocht don tir ar Bhord Bainistíocha agus ar Choiste Buiséid EUIPO freisin. Agus iad ina saineolaithe ina réimsí féin, suíonn baill foirne ar roinnt coistí teicniúla agus idirchaidrimh de chuid Oifig Eorpach na bPaitinní agus EUIPO. Suíonn siad freisin ar Mheithleacha Tionscail a bhrúnn tionscnaimh chóineasaithe agus chomhchuibhithe Eorpacha chun cinn in EUIPO.

Tá clár chomhair dhéthaobhaigh i bhfeidhm ag an Oifig le hOifig Eorpach na bPaitinní agus le EUIPO freisin, ar clár iad faoina bhfaigheann an Oifig cúnamh le haghaidh na nithe seo a leanas: páirt a ghlacadh in imeachtaí éagsúla atá dírithe ar fheasacht ar MI a ardú, páirt a ghlacadh i sainoiliúint MI, páirt a ghlacadh i dtionscadail TFC arb é is aidhm dóibh malartú sonraí MI a éascú, uirlisí a fhorbairt chun rochtain níos fearr a chur ar fáil ar fhaisnéis MI agus cleachtais agus níosannaimeachta a chomhchuibhiú. Éascaíonn ár rannpháirtíocht sna cláir comhphlé a dhéanamh ar ábhar agus ar struchtúr clár comhair idir na heagraíochtaí sin agus oifigí náisiúnta eile MI san Eoraip, rud a chuireann ar chumas na hOifige a seirbhísí do chustaiméirí a fheabhsú agus a fhorbairt tuilleadh de réir an dea-chleachtais idirnáisiúntabealaí níosannaimeachta ri-aracháin agus rialacha cur chun feidhme a chinneadh le haghaidh cosaint aonadach paitinne.

Anuas air sin, glacann baill foirne páirt i gcruiinnithe na gcomhlachtaí rialaithe agus na gcomhlachtaí teicniúla de chuid WIPO (a riarrann an Conradh Comhair Paitinní agus socruithe faoi Phrótacl Mhaidrid lena ndéileáiltear le hiarratais id-irnáisiúnta trádmhairc) agus i roinnt conarthaí idirnáisiúnta maidir le maoín intleachtúil.

Comhoibriú Idirnáisiúnta



Glacann an Oifig páirt i ngníomhaíochtaí comhair lena macasamhlacha i dtíortha eile, leis an Oifig um Chomhchuibhíú sa Mhargadh Inmheánach (OCMI) agus le hOifig Paitinní na hEorpa ar roinnt tionscadal arb é is aidhm dóibh comhchuibhíú a chur chun cinn ar fud oifigí náisiúnta MI agus cúrsaí a éascú d'úsáideoirí na gcóras paitinne, trádmhairc agus dearaidh. Is éard atá sna nithe seo a leanas ná samplaí de roinnt de na tionscadail chomhair ar tugadh fúthu in 2016

CLÁR COMHAIR AGUS PACÁISTE BOGEARRAÍ EUIPO

Trí Chlár Cóineasaithe EUIPO, a seoladh sa bhliain 2011, nasctar EUIPO agus Oifigí Náisiúnta agus Cumainn Úsáideoirí le chéile d'fhonn teacht ar chomhaontú i réimsí ina bhfuil cleachtas dhifriúla i bhfeidhm ag oifigí MI. Comhlánaíonn sé an obair a bhíonn á déanamh faoin gCiste Comhair chun uirlísí comhchoiteanna TF a chruthú. Glacann foireann na hOifige páirt sna Grúpaí Oibre a bunaíodh le haghaidh gach tionscadail chóineasaithe. Cuireadh cúig thionscadal Trádmhairc i gcrích roimhe sin agus eisíodh Teachtaireachtaí Coiteanna ina leith. Rinneadh an-dul chun cinn sa bhliain 2016 ar an dá thionscadal dearaidh atá liostaithe thíos:

CP6: Cóineasú ar léirithe grafacha ar Dearthaí.

CP7: Tásca Táirge le haghaidh Dearthaí a chomhchuibhíú

Cuireadh tionscadal CP6 i gcrích agus eisíodh Teachtaireachtaí Choiteann an 15 Aibreán 2016. Bhí tionscadal CP7 curtha i gcrích den chuid ba mhó faoi mhí na Samhna 2016. Le sreabhadh oibre comhchuibhithe le haghaidh sonraí táirgí, beidh oifigí AE in ann nuashonrú leanúnach a dhéanamh ar an mbunachar sonraí comhchuibhithe um shonraí táirgí. Seolfar é sin faoi dheireadh mhí Eanáir 2017. Cinnteoidh sé go leanfaidh DesignClass ar aghaidh ag léiriú an mhargaidh mar atá.

Is iad seo a leanas na príomhbhuntáistí d'úsáideoirí a eascraíonn as na Cláir Chóineasaithe éagsúla:

- Soiléire agus tréadhearcacht: Conníonn comhthionscnamh chumarsáide geallsealbhóirí ar an eolas faoi dhul chun cinn trí fhaisnéis chomhaontaithe thráthúil a chur ar fáil.
- Cáilíocht agus inúsáidteach: rochtain éifeachtach éifeachtúil ar an gcosaint a thugtar le córais chlárúcháin ag leibhéal náisiúnta agus ag leibhéal AE araoen.
- Deimhneacht dhlíthiúil: deimhneacht dhlíthiúil mhéadaithe mar gheall ar an gcomhsheasmhacht mhéadaithe a bhíonn ann maidir le ciintí a dhéantar ag leibhéal náisiúnta agus ag leibhéal AE araoen.
- Coigiltí ama agus costais: laghduithe féideartha ar amanna próiseála iarratais agus coigiltí costais d'oifigí MI agus d'iarratasoirí araoen. Cur chun feidhme agus leanúnachas Cleachtas Comhchoiteann

I gcomhar le EUIPO, chríochnaigh an Oifig obair ar thionscadal Ríomhsheirbhísí sa bhliain 2016. Ba é an aidhm a bhí leis an tionscadal méadú a dhéanamh ar an raon táillí trádmharcanna agus dearthaí is féidir a foc ar líne. Fuair an Oifig tacáiocht ó EUIPO le haghaidh an tionscadail sin agus le haghaidh uirlísí TMview agus Designview a chothabháil. Ina theannta sin, bhain an Oifig leas, faoi chomhaontú déthaobhach le EUIPO, as cúnamh le freastal ar an gcostas a bhaineann le raon imeachtaí chun feasacht a ardú mar ar scaipeadh faisnéis faoin gCóras Trádmharc Comhphobail agus faoi Chórás Dearthaí an Chomhphobail. I gcomhar le Pleán Straitéiseach 2020 ó EUIPO a sheoladh, seoladh sraith nua Tionscadal Comhair i mí Mheán Fómhair 2016. Déantar ionadaíocht don Oifig ar an nGrúpa Oibre le haghaidh na dtionscadal sin. Táthar ag súil go ndéanfaidh na tionscadail forbairt ar an méid a baineadh amach faoin bPleán Straitéiseach roimhe a bhí i bhfeidhm idir an bhliain 2011 agus an bhliain 2015.

Láithreán greasáin agus foilseacháin na hOifige



Suíomh gréasáin Oifig na bPaitinní

Soláthraíonn an suíomh gréasáin (www.patentsoffice.ie) réamhrá ginearálta do mhaoin intleachtúil agus eolas sonrach ar conas do smaointe a chosaint agus tá rannán ann ar MI do ghnó. Áirítear ar an ábhar atá foilsithe ar an ngréasán tuarascálacha bliantúla ó bhlianta roimhe seo, réimse de leabhrán fhaisnéise MI, ráiteas reatha straitéise na hOifige agus plean gníomhaíochta seirbhís do chustaiméirí agus gach reachtaíocht phríomha agus thánaisteach a rialaíonn feidhmeanna Oifig na bPaitinní. Tá na seirbhísí seo a leanas ar fáil ar líne:

- Amharc ar na Cláir agus ar na Bunachair Shonraí agus iad a chuardach - paitinní, trádmharcanna agus dearthaí a lorg
- Cláir na gcomhlachtaí ceadúnúcháin chóipchirt a rochtain agus amharc orthu
- Cláir na ngníomhairí paitinne agus trádmhairc a rochtain agus amharc orthu
- Táillí athnuachana paitinne, trádmhairc nó dearaidh a íoc ar líne
- Táillí deonaithe paitinne agus táillí clárúcháin trádmhairc a íoc ar líne
- Amharc ar na cinntí ón gCeannasaí i gcásanna trádmhairc inter-partes
- Irisleabhar Oifig na bPaitinní a chuardach agus amharc air ar líne
- Trádmharcanna agus Dearthaí a chomhdú ar líne
- Amharc ar TMview agus ar Designview agus iad a chuardach
- Cúnamh maidir le haicmithe trádmhairc a roghnú agus TMclass á úsáid

Lean suíomh Gréasáin na hOifige de bheith ar an bpríomh-mhodh chun fainseáin maidir le MI a chur ar fáil don phobal mór. Bealach éifeachtúil chun raon de sheirbhís idirghníomhacha cuardaigh agus íocaíochta táillí ba ea an suíomh Gréasáin freisin. Tugadh uirlis nua anailísíochta suíomh Ghréasáin isteach sa bhliain 2016 chun figiúirí níos cruinne a fháil agus chun deireadh a chur le saobhadh féideartha a eascraíonn as “mianadóireacht sonrai” amhrasta agus as úsáid róbat. Bhí beagnach 20,000 cuairt ann ar an suíomh gach mí ar an meán agus bhí 234,000 cuairt san iomlán ann sa bhliain 2016. Bhí cuairteoirí nua freagrach as 59% de na cuairteanna sin. Faoi mar a tharla i mblianta roimhe, bhí na leathanaigh idirghníomhacha chlárúcháin ar líne ar na leathanaigh ba mhó amharc go fóill, agus níos mó ná 70,000 cuairt tugtha orthu sa bhliain 2016.

Cuireadh túis le mór-athdhearthadh a dhéanamh ar shuíomh Gréasáin Oifig na bPaitinní sa bhliain 2016 ionas gur aige a bheidh na tréithe agus na riachtanais atá ag suíomhanna Gréasáin nua-aimseartha ó thaobh inúsáidteachta, inrochtaineachta, feidhmiúlachta, cur i láthair agus freagrúlachta de. Cuirfidh an méid sin ar fad feabhas ar shásamh agus ar úsáid araon i measc custaiméirí.

An tIrisleabhar Oifigiúil

Foilsítear an t-irisleabhar gach coicís ar an suíomh Gréasáin. Is i ngach eagrán den irisleabhar a bhíonn innéacs inchuardaithe agus fainseáin faoi ghníomhartha a bhaineann le hiarratais ar phaitinní, ar thrádmharcanna agus ar dhearthaí agus faoi chlárúcháin. Mar shampla, bítear in ann sonraí a fháil i ngach irisleabhar faoi thrádmharcanna agus faoi dhearthaí ar glacadh leo. Is san irisleabhar freisin a bhíonn sonraí faoi phaitinní a ndearnadh iarratas orthu, a foilsíodh agus a deonaíodh, lena n-áirítear paitinní a deonaíodh faoi Choinbhinsiún na bPaitinní Eorpacha agus lena n-ainmnítear Éire iontu.

Cuimsítear san irisleabhar chomh maith fainseáin faoi nithe amhail fógraí oifigiúla, sonraí faoi mhodhanna íocaíochta táillí reachtúla agus uaireanta oscailte Oifig na bPaitinní. Cuireadh saoráid idirghníomhach leis an irisleabhar ar líne sa bhliain 2012. Mar gheall ar an tsaoráid sin, tá úsáideoirí in ann an sliocht d'aon phaitinn, d'aon trádmharc nó d'aon dearadh ar leith sa Chláir a rochtain laistigh den irisleabharanois trí chliceáil ar hipearnasc laistigh den irisleabhar.

Eagrú, Struchtúr agus Pearsanra



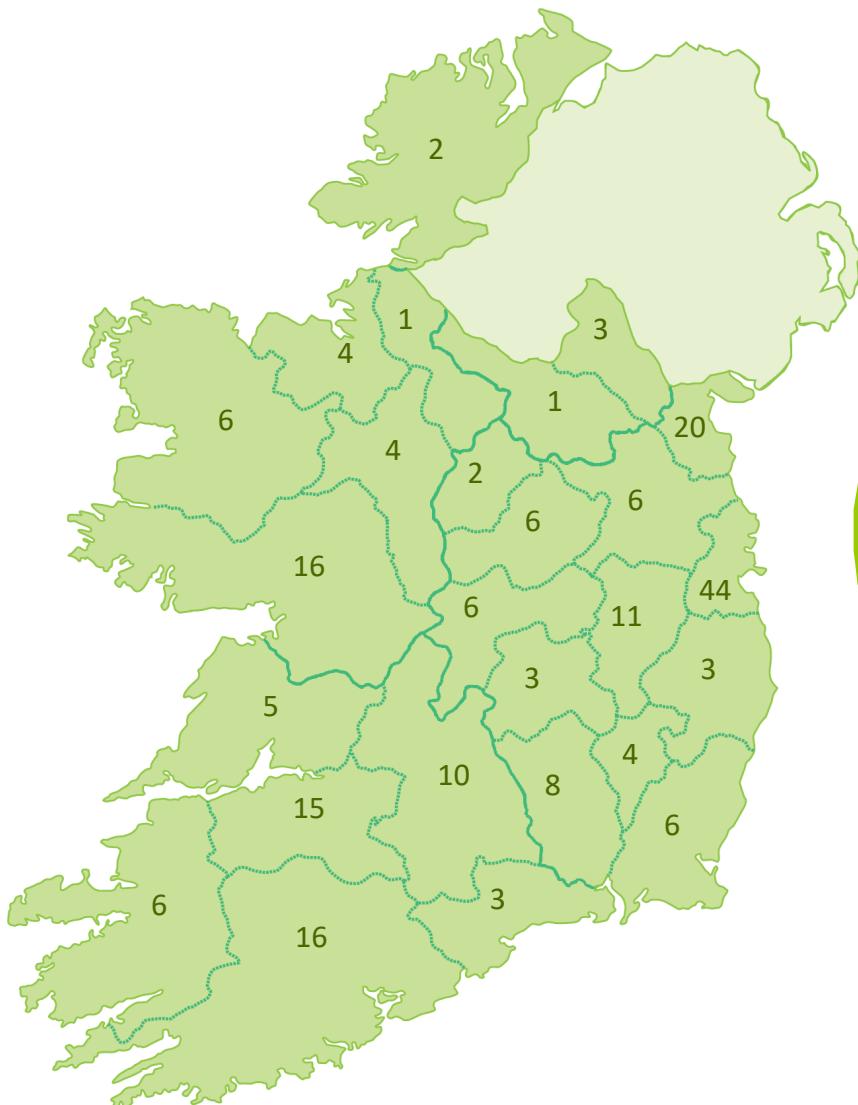
Foireann ar Seirbhís

Foireann	Líon na bpost
Ceannasaí	1
Scrúdaitheoir Sinsearach Paitinne	1
Príomhoifigeach Cúnta	1
Scrúdaitheoir Paitinne	3
Ardoifigeach Feidhmiúcháin	4
Oifigeach Riaracháin	1
Oifigeach Feidhmiúcháin	17
Oifigeach Foirne	1
Oifigeach Cléireachais	16
Oifigeach Seirbhísí	1
Iomlán	46

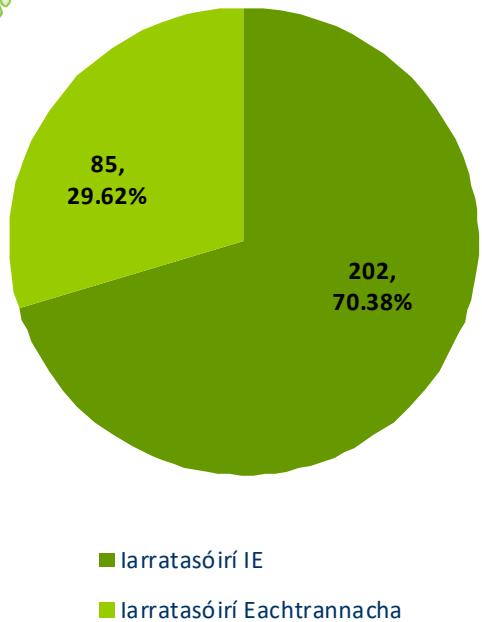
Áirítear leis na 46 bhall foirne 2 Ardoifigeach Feidhmiúcháin, 1 Oifigeach Riaracháin, 6 Oifigeach Feidhmiúcháin agus 4 Oifigeach Cléireachais a bhain leas as scéim comhroinnta oibre, rud lena gceadaítear patrún éagsúla freastail. Bhain triúr ball foirne leas as scéim teilea-oibrithe, rud lena gceadaítear do bhaill foirne a gcuid dualgas a chomhlíonadh ón mbaile ar feadh cuid den tseachtain. B'ionann agus 42.35 post líon na bpost coibhéisí lánaimseartha san Oifig an 31 Nollaig 2016. Cuireann an Roinn Post, Fiontar agus Nuálaóchta seirbhísí teicneolaíocht faisnéise ar fáil don Oifig. Tá ceathrar ball foirne ann d'Aonad Teicneolaíochta Faisnéise na Roinne atá suite san Oifig.

.

Staidreamh Gnó - Paitinní



Iarratais Náisiúnta ar Phaitinní
on tir den chéad iarratasóir



Iarratais Náisiúnta ar Phaitinní faoi contae i 2016

IARRATAIS FAIGHTE		BLIAIN		PAITINNÍ DEONTA		
Ar Théarma Iomlán	Ar Ghearr-théarma	IOMLÁN	Ar Théarma Iomlán	Ar Ghearr-théarma	IOMLÁN	
118	203	321	2014	69	79	148
203	237	440	2015	48	78	126
149	138	287	2016	64	100	164

Ar an 31^ú Nollaig 2016, bhí 1,137 iarratas san iomlán ar feitheamh idir lámha. Díobh seo, bhí 192 iarratas ag fanacht go gcuirfí isteach fianaise ar nuagacht.

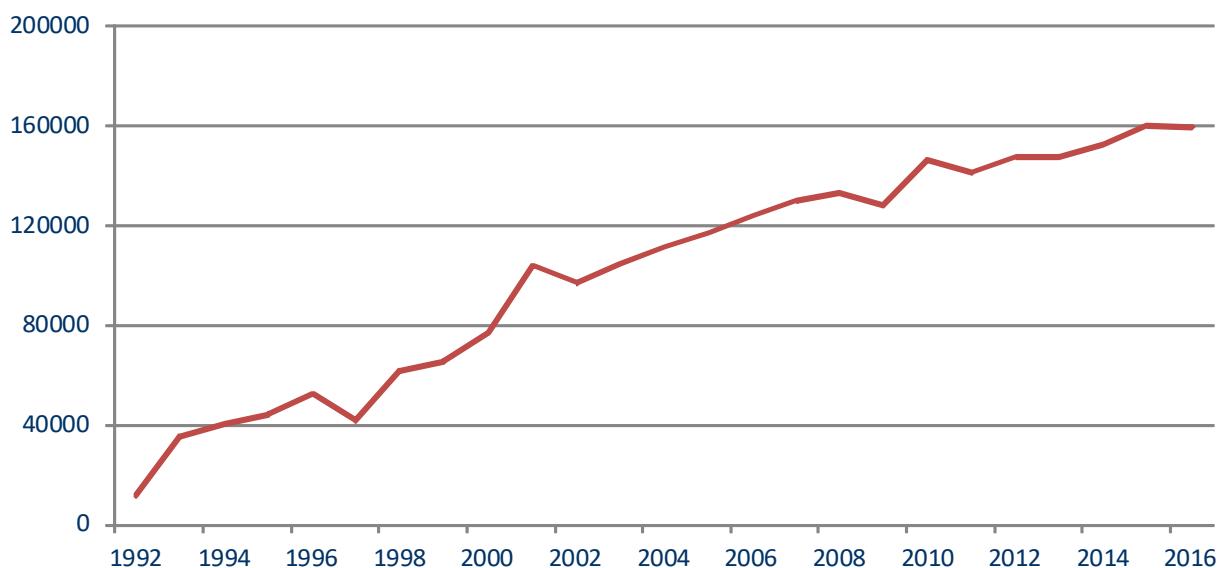
Fuarhas 202 iarratas ó iarratasóirí sa Stát i 2016 i gcomparáid le 250 i 2015.

Iarratais Eorpacha a rinne sainiú ar Éirinn

Bliain	Comhadaithe	Bliain	Comhadaithe	Bliain	Comhadaithe
1992	11,755	2001	103,659	2010	146,726
1993	35,762	2002	96,779	2011	141,373
1994	40,705	2003	104,529	2012	147,551
1995	44,161	2004	111,537	2013	147,487
1996	52,755	2005	117,096	2014	152,400
1997	41,875	2006	123,912	2015	160,028
1998	61,584	2007	129,890	2016	159,358
1999	65,708	2008	133,248		
2000	76,806	2009	128,378		

Níl iarratais Eorpacha le sainiú ar Éirinn (cuireadh an deis seo ar fáil don chéad uair i 1992) san áireamh sna cairteanna thusa ach seo thíos na figíúirí fana gcoinne. Iontráladh na paitinní seo i gClár Náisiúnta na bPaitinní. Tá an seasamh céanna dlíthiúil acu in Éirinn is a bheadh dá mbeidís deonta ag an Oifig-se.

Iarratais Eorpacha a rinne sainiú ar Éirinn



Paitinní a deonadh i 2016 a raibh feidhm leo sa Stát

2016	Iomlán	Líon na bpaitinní a deonadh d'iarratasóirí ó laistigh den Stát	% de nan paitinní a deonadh d'iarratasóirí ó laistigh den Stát
Deonta ag m'Oifig-se	164	77	47%
Deonta ag an OPE	90,305	360	0.40%
Iomlán Deonta	90,469	437	0.48%

Paitinní

	2014	2015	2016
Paitinní agus iarratais ar phaitinní ina n-ábhar sannta	827	1,188	887
Paitinní cúlgairthe	0	0	0
Paitinní tugtha suas	2	1	2
Paitinní tite ar láir	54,914	55,035	61,306
Paitinní curtha ar ais	10	13	10
Paitinní athnuaithe	42,061	42,740	44,729
Paitinní éagtha	959	1,064	1,198
Paitinní i bhfeidhm	111,109	118,273	147,125
Éisteachtaí	0	0	1
Iarratais PCT a fuarthas le cur chuig EDMI	19	21	23
Iarratais ar Phaitinní Eorpacha a fuarthas le cur chuig OPE	0	1	4

Iarratais ar Dheimhnithe Cosanta Forlíontacha

Fuarthas 66 iarratas san ionlán ar Dheimhnithe Cosanta Forlíontacha i rith na bliana faoi Rialacháin na gComhphobal Eorpacha (Deimhnithe Cosanta Forlíontacha), 1992 (móchaineach) agus 1996 (táirgí cosanta plandaí). I rith na bliana, deonadh 68 deimhniú (cosaint móchaineach agus plandaí), diúltáodh do 5 iarratas agus tarraingíodh siar 2 iarratas. Ag deireadh na bliana bhí 207 iarratas ar feitheamh.

Clár na nGníomhairí Paitinne

Ag deireadh na bliana 2016, bhí 82 duine aonair agus 7 comhpháirtíochtaí iontráilte i gClár na nGníomhairí Paitinne.

**AICMIÚ AR NA PAITINNÍ A DHEONAIGH AN OIFIG SA BLIAIN DAR CHRÍOCH 31 NOLLAIG 2016 DAR LEIS AN
AICMIÚ IDIRNÁISIÚNTA PAITINNE (AIP)**

Nóta ar Aicmiú Paitinne

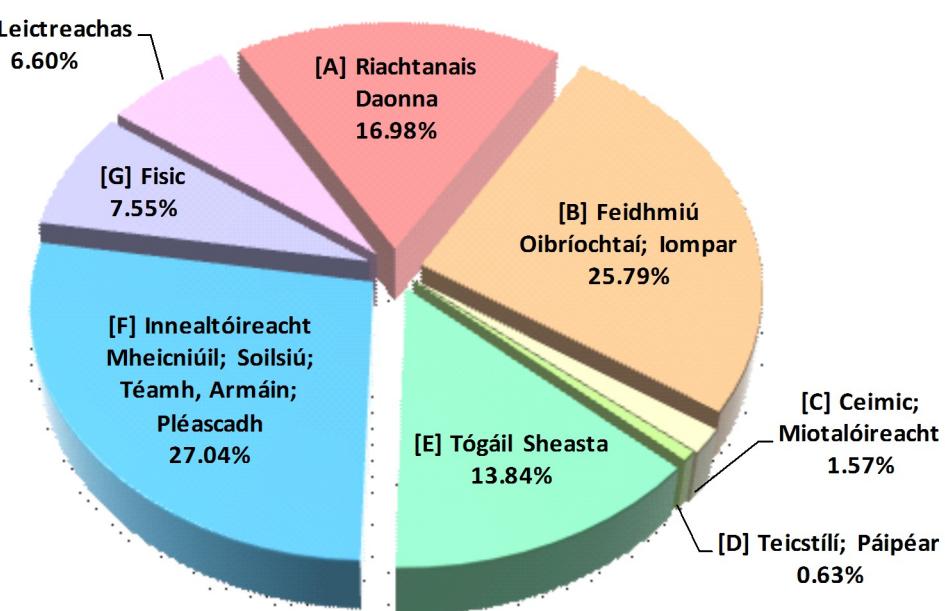
Déantar aicmiú ar phaitinní bunaithe ar a n-ábhar teicniúil. Ceadaíonn aicmiú den chineál sin aisghabháil paitinní de réir nádúr na n-aireagán a nochtar iontu. Is é an tAicmiú Idirnáisiúnta Paitinne (AIP) an córas caighdeánach do rangú paitinne. Tá sé comhdhéanta de thart ar 70,000 siombal aicmithe roinnte ar 8 rannóg bunúsacha (A go H), a bhaineann le cineálacha difriúla bunúsacha teicneolaíochta. I 2015 bhí sé ina 11ú eagrán (Int. Cl. (2011)).

Tugtar cód aicmithe ar gach ní airtgeach i bpaitinn. Is féidir dhá aireagán nó níos mó a bheith i bpaitinn chomh fada is atá leorghaoil eatarthu; mar shampla, comheascán nua ceimice agus a úsáid mar mhíochaine nó mar luibhicíd, nó léasair 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 í 2016. Seasann gach rangú ar leith do ní airtgeach a nochtar i bpaitinn, agus dá bhrí sin is ionann seo cuid mhaith agus cuntas scóir ar airtgeacht. Tá na haicmí curtha i ngrúpaí de réir rannóga AIP.

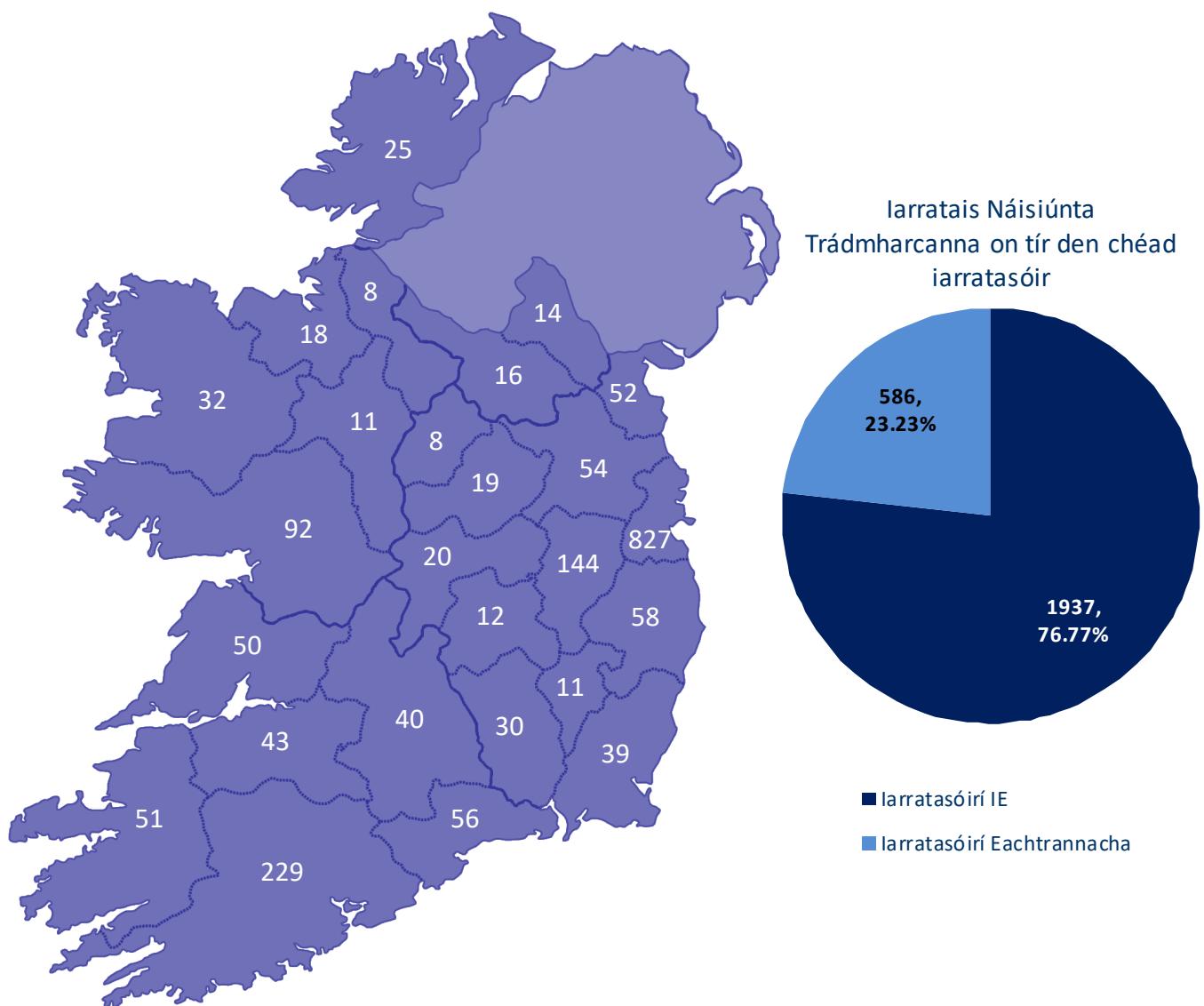
AICMIÚ	An líon deonuithe san Aicmiú *
A. RIACHTANAIS DAONNA m.sh. Ábhair bia, Sláinte, Nithe Pearsanta.	54
B. FEIDHMIÚ OIBRÍOCHTAÍ; IOMPAR: m.sh. Teicneolaíocht múnlaithe, prioritála, feithiche.	82
C. CEIMIC; MIOTALÓIREACHT	5
D. TEICSTÍLÍ; PÁIPÉAR	2
E. TÓGÁIL SHEASTA: m.sh. Foirgníocht, druileáil, mianadóireacht.	44
F. INNEALTÓIREACHT MHEICNIÚIL; SOILSIÚ; TÉAMH, ARMÁIN; PLÉASCADH	86
G. FISIC: m.sh. Optaic, ríomhaireacht, fisic núicléach.	24
H. LEICTREACHAS: m.sh. Ciorcaid leictreonacha, giniúint agus dáileadh leictreachais.	21

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

Aicmithe de réir Choidanna IPC do Phaitinní Deonaithe in 2016



Staidreamh Gnó - Trád Mharcanna



Iarratais Náisiúnta ar Thrádmharcanna faoi contae í 2016

Iarratais a Fuarthas	Iarratais Náisiúnta				BLIAIN	Clárúchán Idirnáisiúnta ina sainíodh Éire			
	Fógraithe	Curtha ina gCoinne	Dearáí cláraithe	Iarratais a Fuarthas		Fógraithe	Curtha ina gCoinne	Cosanta	
2,523	2,013	53	1,684	2014	2014	1,058	974	11	1,084
2,654	2,198	72	1,860	2015	2015	1,180	945	5	879
2,694	2,246	91	1,894	2016	2016	891	865	7	888

Trádmharcanna

	2014	2015	2016
Líon na dtrádmharc ina n-ábhar sannta	1,229	1,626	1,769
Líon na gceadúnas ar thrádmhairc taifeadta sa chlár	14	40	121
Clárúcháin Trádmharc asbhainte de dheasca neamhíocaíocht na dtáillí athnuachana	1,963	2,018	2,112
Clárúcháin trádmharc tugtha suas	10	3	25
Clárúcháin trádmharc tugtha ar ais	19	4	5
Clárúcháin trádmharc athnuaithe	3,619	3,387	5,537
Trádmhairc Náisiúnta cúlghairthe go hiomlán nó i bpáirt	5	4	7
Trádmhairc Idirnáisiúnta cúlghairthe go hiomlán nó i bpáirt	4	1	0
Trádmhairc Náisiúnta fógraithe neamhbhailí	0	0	1
Trádmhairc Idirnáisiúnta fógraithe neamhbhailí	0	0	0
Trádmhairc náisiúnta cláraithe i bhfeidhm	61,423	61,266	60,944
Trádmhairc Idirnáisiúnta i bhfeidhm	22,260	21,305	20,946
Iomlán na dTrádmharc i bhfeidhm	83,683	82,571	81,890

Éisteachtaí agus Ilnithe

	2014	2015	2016
Éisteachtaí (<i>ex-partे</i>)	9	9	4
Éisteachtaí (<i>inter-partes</i>)	11	6	6
Eisteachtaí (<i>inter-partes ar mhodh aighneacht i scribhinn</i>) *	8	14	4
Iarratais le hiarratais Trádmhairc na bPobal Eorpacha a aistriú go hiarratais náisiúnta	28	31	37
Iarratais idirnáisiúnta trádmhairc ina raibh Éire ina hOifig Tionscnaimh comhadaithe atá curtha chuig EDMI	82	83	62

*Léirítear san fhíor seo líon na n-imeachtaí idir na páirtithe a cinneadh bunaithe ar aighneachtaí i scribhinn in ionad bheith i láthair ag éisteacht.

Clár na nGníomhairí Trádmhairc

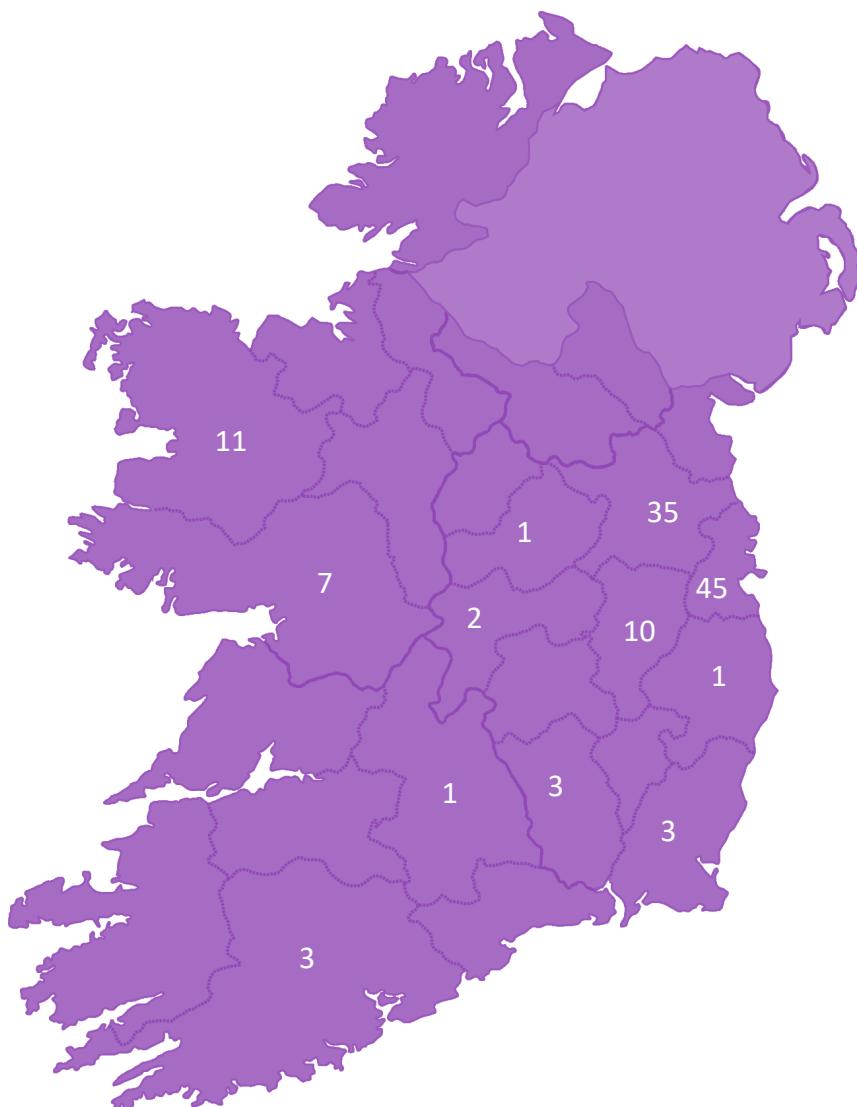
Ag deireadh na bliana 2016, bhí 211 duine aonair agus 5 compháirtíochtaí iontrálta ar an gClár.

**AICMIÚ IDIRNÁISIÚNTA AR EARRAÍ AGUS AR SHEIRBHÍSÍ INA GCUIRTEAR NA
MARCANNA A CLÁRAÍODH IN 2016**

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-earrái nó na seirbhísí atá i ngach ceann de na 34 aicme earraí agus na 11 aicme seirbhísí inar féidir trádmharcanna a chur. Riarann An Eagraíocht Domhanda um Maoin Intleachtúil (EDMI) an t-aicmiúchán agus tá an t-eagrán reatha (an deichiú ceann) i bhfeidhm ó Eanáir 1, 2012.

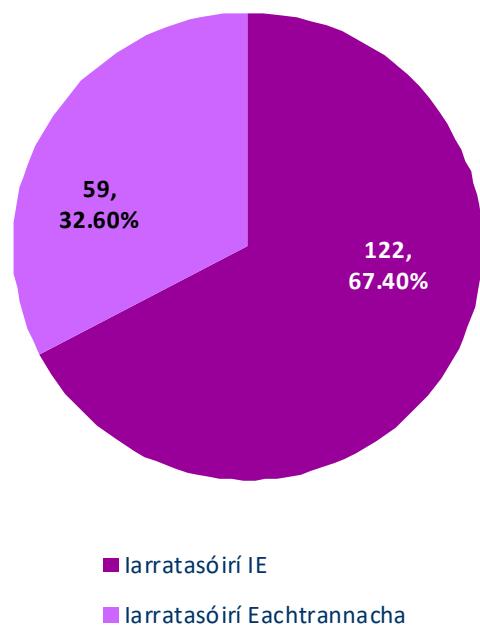
Aicme	Aicmiúchán Earraí	Líon na marc san aicme	Aicme	Aicmiúchán Earraí	Líon na marc san aicme
1	Táirgí Ceimiceacha, srl.	30	24	Fíocháin (gréasáin), srl.	15
2	Péinteanna, srl.	17	25	Éadaí, ag áireamh Buataisí, Bróga agus Slipéir	146
3	Uillmhoidí Tuartha, srl.	79	26	Lásá agus Bróidnéireacht, srl.	7
4	Olaí Tionsclaíochta, srl.	22	27	Cairpéid, srl.	5
5	Substaintí Cógaisíochta, srl.	190	28	Cluichí, srl.	51
6	Miotail Choitianta agus a gcóimhiotail Neamhoibrithe agus Páirt Oibrithe	21	29	Feoil, lasc, Éineoil agus Géim, srl.	201
7	Meaisíní agus Inneal Úirlisí, srl.	28	30	Caifé, Tae, Cócó, Siúcra, Rís, srl.	209
8	Uirlisí agus Ionstraimí Láimhe, Sceanra, srl.	21	31	Táirgí Talmhaíochta, srl.	56
9	Fearas agus Ionstraimí Eolaíochta, srl.	257	32	Beoir, srl.	128
10	Uirlisí Máinliachta, srl.	24	33	Fíonta, Biotáille agus Licéir	96
11	Fearas Soilsithe	49	34	Tobac, srl.	10
12	Feithiclí; Fearas Gluaiseachta ar Thalamh, san Aer agus ar Uisce	28	35	Fógraíocht, Bainistiú Gnó, srl.	289
13	Airm Thine, Lón Lámhaigh agus Diúracáin; Substaintí Pléascacha; Spréachairí	0	36	Árachas, Gnóthaí Airgeadais, srl.	127
14	Miotail luachmhara agus a gCóimhiotail, srl.	33	37	Tógál Foirgníochta, Deisiúchán, I Seirbhísí suiteála.	80
15	Uirlisí Ceoil (seachas meisíní cainte agus fearas raidió)	0	38	Teileachumarsáidí	94
16	Páipéar, srl.	177	39	Iompar, Pacáistíu agus Stóráil Earraí, srl.	90
17	Guma Peirc, Cútiúc, srl.	13	40	Cóiriú Ábhar	22
18	Leathar, srl.	38	41	Oideachas, Siamsaíocht, srl.	329
19	Ábhair Thógála, srl.	31	42	Seirbhísí eolaíochta agus teicneolaíochta	145
20	Troscán, Srl.	41	43	Soláthar bia agus dí	179
21	Acraí Beaga Tí, srl.	47	44	Seirbhísí míochaine, srl.	126
22	Rópaí, srl.	3	45	Seirbhísí pearsanta agus sóisialta	72
23	Snáitheanna	0			

Staidreamh Gnó - Dearáí



Iarratais Náisiúnta ar Dhearaí faoi contae í 2016

Iarratais Náisiúnta Dearáí on thír den chéad iarratasóir



	2014	2015	2016
Iarratais ar Dhearaí*	54	49	80
Líon na ndearaí iarrtha*	139	178	181
Dearáí cláraithe	138	149	116
Dearáí tite ar lár	82	53	90
Dearáí athnuaithe (Acht 2001)	43	79	30
Dearáí athnuaithe (Acht 2001)	214	100	4
Dearáí i bhfeidhm (Acht 2001)	1,000	1,066	1,134
Iarratais Chomhphobail comhadaithe trí Oifig na bPaitinní agus a cuireadh ar aghaidh chuig an Oifig um OCMI	5	1	2

*Nóta - Déanann Rial 19 de Rialachán um Dheارadh Tionsclaíoch 2002 soláthar gur féidir 2 dheارadh nó níos mó faoi réir ag uaslón de 100 dearadh a bheith comhcheangailte in aon iarratas amháin ar chlárú dearáí.

**DEARAÍ A CLÁRAÍODH FAOI ACHT DEARADH TIONSCLAÍOCH, 2001 I GCAITHEAMH NA BLIANA DAR
CHRÍOCH 31 NOLLAIG 2016**

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 dearáí tionsclaíocha a ionchorprú. Riarrann An Eagraíocht Domhanda um Maoín Intleachtúil (EDMI) an t-aicmiúchán agus tá an t-eagrán reatha (an deichiú ceann) i bhfeidhm ó Eanáir 1, 2014. Beidh sé ar siúl go dtí an 31 Nollaig 2018.

Rang	Aicmiúchán	Dearáí Cláraithe
1	Ábhair Bia	0
2	Baill éadaigh agus Mionéadaí	0
3	Earraí Taistil, Cásanna, Parasóil agus Earraí Pearsanta, nach bhfuil sonraithe in áit eile	7
4	Earraí scuaibé	0
5	Earraí Gréasán Teicstíle, Leatháin Shaorga agus Nádúrtha	0
6	Feistis	20
7	Earraí Tí, nach bhfuil sonraithe in áit eile	1
8	Uirlísí agus Crua-earraí	4
9	Pacáistí agus Gabhdáin d'lompar nó do Láimhseáil Earraí	10
10	Cloig, Uaireadóirí agus Ionstraimí eile Tomhais, Ionstraimí Seiceála agus Comharthaíochta	9
11	Earraí Maisiúcháin	32
12	Modhanna lompair nó Árdaithe	2
13	Trealamh do Tháirgeadh, Dáileadh nó Tarchur Leictreachais	1
14	Trealamh chun Taifeadadh, Cumarsáide nó Aisghabháil Faisnéise	5
15	Meaisíní, nach bhfuil sonraithe in áit eile	0
16	Gaireas Fótografaíochta, Cineamatografaíochta agus Optaice	3
17	Uirlísí Ceoil	0
18	Meaisíní Priontála agus Oifige	0
19	Stáiseanóireacht agus Trealamh Oifige, Ábhair Ealaíontóirí agus Múinteoiréachta	0
20	Trealamh Díolacháin agus Fógraíochta, Comharthaí	0
21	Cluichí, Bréagáin, Pubail agus Earraí Spóirt	29
22	Airm, Earraí Piorthéicniúla, Earraí chun Fiaigh, lascaireachta agus Marú Lotnaidí	0
23	Trealamh Dáilithe Leachta, Trealamh Sláintíochta, Téimh, Aerála agus Aerchóirithe, Breosla Soladach	1
24	Trealamh Míochaine agus Saotharlainne	3
25	Aonaid Foirgníochta agus Eilimíntí Tógála	5
26	Fearas Soilsithe	0
27	Tobac agus Soláthairtí do Lucht Caite Tobac	0
28	Tárgí Cógaisíochta agus Cosmáide, Earraí agus Fearas Maisiúcháin	0
29	Gléasanna agus Trealamh in aghaidh Guaise Tine, Cosc ar Thionóisc agus chun Tarrthála	1
30	Earraí um Chúram agus Láimhseáil Ainmhíthe	1
31	Meaisíní agus Fearas Ullmhúchán Bia agus Dí, nach bhfuil sonraithe in áit eile	0
32	Siombalachá Grafaíochta agus Comharthaí, Patrún Dreacha, Ornadaíochta	8
	IOMLÁN	144

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

Cóipcheart

Tagairtí don Cheannasaí faoin Acht Cóipchirt agus Ceart Gaolmhar, 2000

Díospoidí idir daoine atá ag seimh taifeadtaí fuaime go poiblí agus úinéir an chóipchirt atá ar marthain sna taifeadtaí maidir leis an luach saothair cothromasach atá iníoctha le húinéir an chóipchirt, féadfar iad a tharchur chuig an gCeannasaí lena chinneadh faoi alt 38 den Acht. Díospoidí idir daoine nó eagraíochtaí a dteastaíonn ceadúnás uathu faoi scéim atá i bhfeidhm agus oibreoir na scéime sin maidir leis an luach saothair cothromasach atá iníoctha, féadfar iad a tharchur chuig an gCeannasaí lena chinneadh faoi alt 152 den Acht. Faoi láthair, tá díospoid amháin á breithniú ag an gCeannasaí faoi alt 38.

Cláir na gComhlachtaí Ceadúnúcháin Chóipchirt

Déantar foráil leis an Acht freisin do na Cláir seo a leanas a bheith á mbunú agus á gcoinneáil ar bun ag an gCeannasaí.

- Clár na gComhlachtaí Ceadúnúcháin Chóipchirt.
- Clár na gComhlachtaí Ceadúnúcháin um Chearta Maoine Taibheoirí.
- Clár na gComhlachtaí Ceadúnúcháin um Chearta do Bhunachair Sonraí.

Chláraigh 14 chomhlacht i gClár na gComhlachtaí Ceadúnúcháin Chóipchirt. Chuaigh dhá cheann de na clárúcháin sin as feidhm agus níor athnuadh iad ina dhiaidh sin. Tá comhlacht amháin cláraithe i gClár na gComhlachtaí Ceadúnúcháin um Chearta Maoine Taibheoirí. Níl comhlachtaí ar bith cláraithe i gClár na gComhlachtaí Ceadúnúcháin Chóipchirt.

Comhbhainistíocht Ceart

Le Rialachán an Aontais Eorpaigh (Comhbhainistíocht Ceart) (Treoir 2014/26/AE), 2016 (I.R. Uimh. 156 de 2016), trasuíodh an Treoir maidir le Comhbhainistíocht Ceart isteach i ndí na hÉireann le héifeacht ón 10 Aibreán 2016. Tá dhá aidhm ag an Treoir maidir le Comhbhainistíocht Ceart:

- (1) a chinniú go ngníomhaíonn eagraíochtaí comhbhainistíocha le leas a n-úinéirí ceart trí íoschaighdeán rialachais agus tréadhearcachta a fhorfheidhmiú maidir le gach eagraíocht comhbhainistíocha Eorpach
- (2) cabhrú le ceadúnú ilchríochach chearta na n-údar i saothair cheoil le haghaidh úsáidí ar líne

Foráiltear leis na Rialacháin maidir le Comhbhainistíocht Ceart gurb é an Ceannasaí an t-údarás inniúil in Éirinn i dtaca le faireachán a dhéanamh ar chomhlíonadh na rialachán. Anuas ar chomhlíonadh a dhéanamh ar an gceanglas san Acht Cóipchirt agus Ceart Gaolmhar, 2000, lena gceanglaítear ar eagraíocht comhbhainistíocha clárú agus a clárúchán mar chomhlacht ceadúnúcháin chóipchirt a choinneáil ar bun sula bhféadann sí feidhmiú sa Stát, foráiltear leis na Rialacháin freisin nach mór do na heagraíochtaí comhbhainistíocha go léir a bhfuil a gceanncheathrú in Éirinn ráiteas bliantúil comhlíonta a chur faoi bhráid an Cheannasaí, in éineacht le hathnuachan a ndoiciméad clárúcháin. Tá mion-nótaí treorach faoi na Rialacháin maidir le Comhbhainistíocht Ceart agus faoi na ceanglaíochtaí comhlíonta ar fáil ar shuíomh Gréasáin na hOifige. Tá feidhm ag na ceanglaíochtaí comhlíonta sna Rialacháin maidir le Comhbhainistíocht Ceart maidir le 6 cinn de na 14 chomhlacht ceadúnúcháin chóipchirt cláraithe atá ag feidhmiú sa Stát.

Saothair Dhílleachtacha

Is é is Saothair Dhílleachtacha ann ná saothair amhail leabhair, scannáin, ailt nuachtáin agus ábhar cruthaitheach eile a chosnaítear le cóipcheart sa chás nach féidir úinéir na saothar a fháil ná teagmháil a dhéanamh leis chun cead a fháil na saothair a úsáid. D'fhéadfadh go mbeadh na saothair sin mar chuid de bhailíúcháin atá i seilbh Eagraíochtaí Tairbhíocha amhail leabharlanna, músaem, cartlanna, institiúidí oidhreachta scannáin agus fuaime, agus eagraíochtaí craoltóireachta seirbhíse poiblí. Leagtar amach i dTreoir AE um Shaothair Dhílleachtacha (Treoir 2012/28/AE) rialacha comhchoiteanna maidir le húsáid a bheith á baint ag eagraíochtaí cultúrtha as saothair dhílleachtacha i leabhar, in irisleabhair nó i saothair scríofa eile, mar aon le saothair chineamatagrafaíochta nó chlosamhairc nó taifeadtaí fuaime agus amharcealaín leabaithe (seachas saothair ealaíonta aonair amhail grianghraif agus léaráidí), sa chás go bhfuil sé mar aidhm leis an eagraíocht chultúrtha saothair den sórt sin a dhigitíu chun críocha neamhthráchtála gan cóipcheart a shárú. Ta eis dí cuardach dícheallach a dhéanamh chun úinéireacht an tsaothair/na saothar nó cineál dílleachtach an tsaothair/na saothar a dhéanamh amach, ní mór d'aon eagraíocht ar mian léi Saothar Dílleachtach a chlárú i mBunachar Sonraí na Saothar Dílleachtach iarratas ar líne a dhéanamh ar dtús chun bheith cláraithe mar "Eagraíocht Thairbhíoch". Is don Údarás Inniúil Náisiúnta atá ainmnithe i ngach Ballstát a thugtar fógra faoin iarratas ar líne sin. Cuirfidh an tÚdarás Inniúil Náisiúnta an t-iarratas ar aghaidh chuig EUIPO ansin lena chur ar áireamh i mBunachar Sonraí na Saothar Dílleachtach. Is é an Ceannasaí Paitinní, Dearthá agus Trádmharcanna an tÚdarás Inniúil Náisiúnta in Éirinn. Cláraíodh trí éagraíocht Éireannacha mar Eagraíochta Tairbhíocha le linn na blain 2016.

REACHTAÍOCHT

Is ar Aonad Maoine Intleachtúla na Roinne Post, Fiontar agus Nuálaíochta atá an fhreagracht uileghabhálach as beartas agus as reachtaíocht a bhaineann le maoin intleachtúil a ullmhú.

Reachtaíocht 2016

Trádmharcanna

Rialacha na dTrádmharcanna (Leasú), 2016 (I.R. Uimh. 46 de 2016)

Leagtar síos le Rialacha na dTrádmharcanna (Leasú), 1996, na nósanna imeachta atá bainteach le Gníomhairí Trádmharcanna a chlárú de bhun Chuid V d'Acht na dTrádmharcanna, 1996. Éascaítear leis na Rialacha sin clárú a dhéanamh ar ghníomhairí trádmharcanna LEE ar mian leo bunaíocht thánaisteach a chur ar bun in Éirinn.

Rialacháin na gComhphobal Eorpach (Gníomhairí Trádmharcanna), 2016 (I.R. Uimh. 47 de 2016)

Leis na Rialacháin sin, a rinneadh de bhun Acht na gComhphobal Eorpach, 1972, leasaítear forálacha áirithe d'Acht na dTrádmharcanna, 1996, a bhaineann leis na critéir le haghaidh iontráil i gclár na ngníomhairí trádmharcanna.

Le Rialacháin na gComhphobal Eorpach (Gníomhairí Trádmharcanna), 2016, leasaítear ailt 85, 86 agus 90 d'Acht na dTrádmharcanna, 1996. Tríd sin, baintear srianta foirme dlíthiúla agus scairshealbhóireachta ar ghníomhairí trádmharcanna de chuid LEE. Éascaítear leis na Rialacháin sin clárú a dhéanamh ar chomhpháirtiochtaí agus ar chuideachtaí gníomhairí trádmharcanna AE ar mian leo bunaíocht thánaisteach a chur ar bun in Éirinn.

Cóipcheart

Rialacháin an Aontais Eorpaigh (Comhbhainistíocht Ceart) (Treoir 2014/26/AE), 2016 (I.R. Uimh. 156 de 2016)

Leis na Rialacháin, a rinneadh de bhun Acht na gComhphobal Eorpach, 1972, trasuitear Treoir 2014/26/AE ó Pharlaimint na hEorpa agus ón gComhairle an 26 Feabhra 2014. Leis na Rialacháin, forchuirtear ceanglais rialachais ar eagraíochtaí comhbhainistíocha atá ar bun sa Stát agus, ar leithligh ó na ceanglais sin, ceadaítear dóibh tabhairt chlárú ar bhonn ilchríche ar fud an Aontais Eorpaigh.

Rialacháin an Aontais Eorpaigh (Comhbhainistíocht Ceart) (Treoir 2014/26/AE) (Leasú), 2016 (I.R. Uimh. 616 de 2016)

Leis na Rialacháin seo, a rinneadh de bhun Acht na gComhphobal Eorpach, 1972, leasaítear Rialacháin an Aontais Eorpaigh (Comhbhainistíocht Ceart) (Treoir 2014/26/AE), 2016 (I.R. Uimh. 156 de 2016), a achtaíodh chun Treoir 2014/26/AE ó Pharlaimint na hEorpa agus ón gComhairle an 26 Feabhra 2014 a thrasúí. Leis na Rialacháin, déantar leasú teicniúil ar na Rialacháin roimhe. Tá gá leis an leasú chun a chinntíú nach bhfuil aon choinbhleacht ann idir na dualgais ar Stiúrthóir cuideachta a bhainistiú faoi Acht na Gcuideachtaí, 2014, agus an ceanglas a leagtar le Rialacháin an Aontais Eorpaigh (Comhbhainistíocht Ceart) (Treoir 2014/26/AE), 2016, ar eagraíocht Comhbhainistíocha Ceart feidhm mhaoirseachta a chur ar bun nach gcuimsíonn na daoine sin a bhfuil baint acu le bainistiúchta laethúil na heagraíochta comhbhainistíocha ceart.

Faisnéis Airgeadais

FÁLTAIS AGUS CAITEACHAS 2016 (Níl cuntas iniúchta fós ag an Ard-Reachtaire Cuntas agus Ciste)

FÁLTAIS	€000
Táillí Paitinne (Nótaí 1 & 2)	6,195
Táillí Trádmhairc	2,188
Clárúchán ar Thrádmhairc Idirnáisiúnta – táillí a fuarthas ó EDMI (Nóta 3)	752
Táillí Dearaidh	11
Táillí eile	126
Lúide aisíochtaí i leith táillí a íocadh i ndearmad	112
Lúide táillí idirbhearta i leith íocaíochtaí ar-líne le cártáí creidmheasa	90
Fáltais ghlan fabhraithe don Státhiste	9,070

COSTAIS	€000
Tuarastail	1,935
Taisteal & Cothabháil	44
Ilinthe & Focostais	67
Seirbhísí Poist agus Teileachumarsáide	131
Meaisní Oifige agus Soláthairtí eile Oifige	366
Costais Áitreabhdh Oifige	88
Foinsí eolais, leabhair, tréimhseacháin, srl.	1
Síntíús do Chumainn Mhaoine Tionsclaíocha	434
Iomlán	3,066

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 iontrálte ar chlár náisiúnta na bpaitinní, a chur chuig Oifig Paitinní na hEorpa (OPE).

	€000
Táillí Paitinne	11,825
Lúide an cion de na táillí athnuachan paitinne a aistríodh go hOifig na bPaitinní Eorpacha	5,630
Táillí Paitinne glan fabhraithe don Státhiste	6,195

Nóta 2:

Feidhmíonn Oifig na bPaitinní mar Oifig fháltas d'íarratais ar phaitinní a dhéantar faoin Chonradh Comhair Paitinní agus sa cháilfacht sin faigheann sí táillí le tarchur chuig Oifig Paitinní na hEorpa agus chuig An Eagraíocht Domhanda um Maoín Intleachtúil araoen. Ní fhabhraíonn na táillí do Státhiste na hÉireann agus dá bhrí sin níl siad san áireamh sa bhfigiúr ar an bhfáltas glan. Seo a leanas mionsonraí ar na táillí a aistríodh chuig an OPE agus an EDMI i rith 2015:

	€000
Táillí Bunaigh agus Sainithe CCP tarchurtha chuig EDMI, an Ghinéiv.	31
Táillí cuardaigh CCP tarchurtha chuig OPE Munich.	41
Iomlán	72

Nóta 3:

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

SPRIOCANNA FEIDHMIÚCHÁIN 2016

Tá na bPaitinní Plean Gníomhaíochta um Sheirbhís do Chustaiméirí na hOifige bunaithe ar na Prionsabail um Sheirbhís do Chustaiméirí Dhéag Ardchaighdeáin leagtha amach i "Seirbhís Ardchaighdeáin do Chustaiméirí an Rialtais Thionscnamh" agus leagtar amach na gníomhartha a bheidh éifeacht do na prionsabail a thabhairt. Tá na spriocanna seirbhísí custaiméirí san áireamh sa phlean seo.

Réimhse Gníomhaíochta agus Leibhéal Bainte Amach

Paitinní					
1.	Admhálacha foirmeálta a eisiúint ar chomhadú iarrataisí foirfeacha laistigh de 5 lá oibre.	79 %	7.	Iarrataisí Eorpacha agus PCT agus sonraí bainteach leo a thraschur go dtí OPE/EDMI 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.	100%	8.	Deonú paitinní gearrthréimhseacha a cheadú laistigh de thréimhse 6 mhí tar éis d'iarratas cuí iomlán a bheith comhdaithe.	57%
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.	96%
4.	Iarratais ar chlárú sannaithe a phróiseáil laistigh de 7 lá oibre tar éis iarratas atá comhlánaithe go hiomlán agus i gceart a bheith tagtha isteach.	100%	10.	A chinntí go n-eisítear fógra i dtaobh fabhtaí foirmeálta laistigh de 15 lá oibre tar éis comhdaithe.	92%
5.	Dearbhú a eisiúint go bhfuil iarratais ar leasuithe ar chlár na bpaitinní maidir le hainmneacha agus seoltaí iarratasóirí, úinéirí agus gníomhairí paitinne agus seoladh na seirbhise taifeadta laistigh de 5 lá oibre tar éis iarratas atá comhlánaithe i gceart a fháil.	100%	11.	Fógra maidir le lochtanna substainteacha a eisiúint laistigh de 2 mhí ón gcomhdúchán.	97%
6.	Paitinní a dheonadh laistigh de 3 lá oibre ó fháil na táille deonaithe.	96%	12.	90% de na hiarratais neamhrannóige ar fad ar phaitinní a aicmiú lena bhfoilsíú laistigh de 18 mhí tar éis an dáta comhdúcháin tosaíochta.	37%

Deimhnithe Cosanta Forlíontacha

1.	Fógra ar mháchailí foirmeálta a eisiúint laistigh de 10 lá oibre ón dáta comhadaithe.	100%	2.	Admhála a eisiúint ar iarrataisí foirfeacha DFC ceartchomhdaithe laistigh de 5 lá oibre.	94%
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Dearaí

1.	Admhálacha foirmeálta comhdaithe a eisiúint laistigh de 5 lá oibre ar iarratais ar dhearaí atá comhlánaithe i gceart.	84%	4.	Deimhnithe athnuachana dearaidh a eisiúint laistigh de 3 lá oibre tar éis an íochaíocht a fháil.	100%
2.	Litir tosaigh agóidí / litir glactha a eisiúint laistigh de 12 sheachtain tar éis an t-iarratas a fháil.	100%	5.	Deimhnithe clárúcháin dearhtai a eisiúint laistigh de 5 lá oibre tar éis don rannóg scrúdaithe an t-iarratas a ghlacadh.	100%
3.	Freagra a thabhairt ar 95% de na chomhfhreagras ar iarratais aonair faoi scrúdú laistigh de 5 seachtaíne.	100%			

Réimhse Gníomhaíochta agus Leibhéal Bainte Amach

Trádmharcanna

1.	Admhálacha foirmeálta a eisiúint ar iarratais ar thrádmharcanna atá comhlánaithe i gceart laistigh de 7 lá oibre.	89%	9.	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%
2.	Iarratais ar shannadh a phróiseáil laistigh de 7 lá oibre tar éis iarratas atá comhlánaithe go hiomlán a fháil.	100%	10.	Sa chás go gcinntear an freasúra i bhfabhar an iarratasóra, iarratas ar íocaíocht táillí clárúcháin a eisiúint laistigh de 7 lá oibre ó tharraingt siar an fhreasúra a fhoiliú.	100%
3.	Cóipeanna deimhnithe agus sleachta as Clár na dTrádmharc a eisiúint laistigh de 5 lá tar éis an iarratais.	100%	11.	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%
4.	Deimhnithe athnuachana ar thrádmhairc a chur amach laistigh de 3 lá oibre tar éis an íocaíocht a fháil.	100%	12.	Trádmharcanna a chlárú laistigh de 3 lá oibre tar éis an táille clárúcháin.	99%
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.	100%	13.	Eisiúint 80% de ráiteas scríofa ar na forais do chinntí in éisteachtaí laistigh de 2 mhí tar éis iarratas céanna.	100%
6.	Glacadh le hiarratais ar thrádmharcanna laistigh de thréimse 2 mhí ó chomhdú iarratas atá comhlánaithe go cuí agus i gcás go bhfuil agus nach ndearnadh agóid ag an Oifig.	100%	14.	Eisiúint 90% de chinntí in éisteachtaí laistigh de 1 mhí ón éisteacht	100%
7.	Litir tosaigh agóidí/glactha a eisiúint laistigh de 8 sheachtain tar éis iarratas nua a fháil sa Rannóg.	95%	15.	Iarratas ar íocaíocht táillí clárúcháin a eisiúint laistigh de 7 lá oibre ó dheireadh na tréimhse inar féidir achomharc a chomhdú sa chás nach bhfuarthas aon fhreasúra.	100%
8.	Freagra a thabhairt ar 95% den chomhfhareagras ar iarratais indibhidiúla (freasúra, cúlghairm agus easláinte) laistigh de 2 seachtaine.	100%			

Ginearálta

Admhálacha íocaíochta a eisiúint laistigh de 2 lá oibre ar gach táille (i bhfoirm seice, dréacht bainc nó órdú airgid) a fuarthas.	100%
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Ríomhchomhdúchán Paitinní ag us Deimhnithe Forlíontacha Cosanta (DFCanna)

Leanfaidh an Oifig ar aghaidh sa bhliain 2017 le córas ríomhchomhdúcháin a fhorbairt d'íarratais ar Phaitinní agus ar Dheimhnithe Forlíontacha Cosanta (DFCanna). Beidh an córas sin ina shaoráid is féidir le custaiméirí na hOifige a úsáid chun a n-iarratas ar Phaitinní nó ar DFCanna a chomhdú ar líne agus chun an táille iarratas a íoc ar líne. Comhlíonfaidh an méid sin moladh a rinneadh i dTuarascáil an Tascfhórsa Nuálaíochta, is é sin, gur cheart don Oifig saoráidí comhdúcháin ar líne a chur ar fáil atá chomh maith leo sin atá i bhfeidhm ag Oifigí eile agus atá ag teacht leis an dea-chleachtas idirnáisiúnta.

Suíomh Gréasáin Oifig na bPaitinní

Tá a shuíomh Gréasáin á athdhearradh ag an Oifig faoi láthair. Cuireadh túis leis an obair sa bhliain 2016 agus meastar go seolfar an suíomh Gréasáin nua níos moille sa bhliain 2017. Leis an suíomh Gréasáin nua, taigrfear tuilleadh solúbthachta i dtaca le seirbhísí ar líne, lena n-áirítear íocaíochtaí ar líne. Chomh maith leis sin, tabharfar tuilleadh faisnéise ann do chustaiméirí na hOifige ar bhealach a bheidh soiléir agus áisiúil don úsáideoir.

An Bosca Forbartha Eolais

Ba leis an Acht Airgeadais 2015 a tugadh an Bosca Forbartha Eolais isteach. Is uirlis beartais dreasachta cánach é. Tá sé mar aidhm leis an nuálaíocht a spreagadh trí ráta níos ísle cánach corporáide a ghéarradh ar bhrabús ar Shócmhainní Maoine Intleachtúla a thagann as gníomhaíochtaí cálitheacha taighde agus forbartha a dtugtar fúthu sa Limistéar Eorpach Eacnamaíoch (LEE). Foráltear leis an mBosca Forbartha Eolais go mbeidh ráta laghdaithe cánach corporáide (6.25% seachas 12.5%) iníocha ar bhrabús a thagann as sócmhainní cálitheacha maoine intleachtúla.

Sainmhínítear sócmhainní cálitheacha maoine intleachtúla mar seo a leanas chun críocha an Bhosca Forbartha Eolais:

- paitinní fadtéarmacha Éireannacha a dheonaítear tar éis scrúdú substainteach
- bogearraí atá faoi chóipcheart, agus
- aireagáin inphaitinnithe de chuid cuideachtaí beaga i gcás nár paitinníodh iad go fóill agus gur coinníodh iad faoi rún.

San am i láthair, ní choinníonn Oifig na bPaitinní aon chóras scrúdúithe substainteacha ar bun le haghaidh paitinní fadtéarmacha. Chun a chinntí go mbeidh paitinní fadtéarmacha Éireannacha incháilithe don Bhosca Forbartha Eolais, leasófar Acht na bPaitinní, 1992, chun scrúdú substainteach a thabhairt isteach le haghaidh iarratas ar phaitinní fadtéarmacha Éireannacha. Sócmhainní maoine intleachtúla de chuid cuideachtaí beaga ar aireagáin iad atá cosúil le paitinní - i.e. aireagáin atá neamhfholasach, úsáideach agus úrnua - d'fhéadfadh go mbeidís incháilithe don Bhosca Forbartha Eolais. Chun críocha an Bhosca Forbartha Eolais, sainmhínítear cuideachta bheag mar chuideachta a bhfuil ioncam níos lú ná €7.5m gnóthaithe aici as maoín intleachtúil i dtréimhse chuntasaíochta 12 mhí agus mar chuideachta atá ina ball de ghrúpa a bhfuil láimhdeachas níos lú ná €50m aige, i gcás go bhfuil an chuideachta ina micreachuideachta, ina cuideachta bheag nó ina cuideachta mheánmhéide de réir bhrí na hlarscívhithe a ghabhann le Moladh 2003/361/CE ón gCoimisiún an 6 Bealtaine 2003. I gcomhréir leis na critéir ón Eagraíocht um Chomhar agus Forbairt Eacnamaíochta (ECFE), ceanglaítear leis an Acht Airgeadais, 2015, go ndéanfaidh údarás atá neamhspleách ar an gcóras riarrachán chánach, i.e. údarás atá neamhspleách ar na Coimisinéirí loncaim, úrnuacht agus neamhfholasacht a dheimhniú don chatagóir sin de shócmhainn maoine intleachtúla. Dá réir sin, tugadh Bille dar teideal "An Bille um Bosca Forbartha Eolais (Deimhniú Aireagán)" isteach. Nuair a achtófar an Bille, tabharfar de chumhacht don Cheannasaí Paitinní, Dearthaí agus Trádmharcanna an deimhniú riachtanach a sholáthar. Foráltear leis an mBille freisin do scrúdú substainteach ar phaitinní a thabhairt isteach an athuair trí leasuithe a dhéanamh ar Acht na bPaitinní, 1992. Meastar go n-achtófar an Bille go luath sa bhliain 2017.

IRDG Bosca Forbartha Eolais 2016



Déan teagmháil linn

Oifig na bPaitinní
Oifigí an Rialtais
Bóthar Hebron
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Uaireanta oscailte

9:30-5pm Dé Luain-Dé hAoine

