

Foreword



I have the honour to submit my Annual Report to the Minister for Business, Enterprise and Innovation for the year ended 31 December 2018 in order for it to be laid before each House of the Oireachtas in accordance with Section 103 of the Patents Act 1992. 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 Copyright and Related Rights Act, 2000, 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.

My Report also includes a report on the KDB Certification Scheme as required by Section 18 of the Knowledge Development Box (Certification of Inventions) Act 2017.

The Patents Office is an independent statutory office under the aegis of the Department of Business, Enterprise and Innovation with responsibility for the grant and registration of intellectual property rights in Ireland, specifically patent, trade mark and industrial design rights. Through the provision of services associated with these rights, the Patents Office aims to assist people, business, industry and enterprises to realise the full economic potential of their intellectual property. The Office and its activities support a number of the Department's strategic goals which include fostering an entrepreneurial culture, creating an innovative enterprise base and maintaining a regulatory environment which is supportive of enterprise and business in Ireland. In addition to its core business of administering the relevant legislation concerned with the processing of applications for patents, trade marks and industrial designs and maintaining the electronic registers and databases of these rights, the Patents Office performs a number of operational and regulatory functions including:

- Administering proceedings before the Controller in relation to IP rights including hearings on oppositions to trade mark registrations.
- Maintaining the registers of patent and trade mark attorneys authorised to operate in the State.
- Administering the registration and compliance reporting by copyright licensing bodies/collective management organisations as well as the resolution of disputes regarding royalty amounts payable to those bodies arising mainly in the area of public performance of sound recordings.
- Contributing to policy and legislative development on IP rights.
- Providing assistance and information on intellectual property rights.

During 2018, staff in the Office worked on reconfiguring our systems and procedures to take account of technical and legislative changes including those arising from the EU Trade Marks Directive as well as contributing to the legal text transposing the Directive into Irish Law. Staff also began substantively examining patent applications following changes made to the Patents Act in 2017. In addition, work was completed on the technical and procedural changes necessary to allow for the introduction of patent and SPC e-filing in early 2019 and on the redesign and redevelopment of the Office's website which went live in 2018. I would like to acknowledge the considerable work and contribution of the staff of the Office and their commitment to continued improvement of services. My report provides more detailed information on how the Office discharged its various statutory functions and ancillary activities and is supported by a range of business statistics.

A handwritten signature in black ink that reads "Gerard Barrett". The signature is written in a cursive style and is positioned above a horizontal line.

Gerard Barrett, Controller

General Commentary on Trends and Activities

Trends

The Irish economy continued to perform very strongly throughout 2018. Once again, Ireland recorded one of the highest levels of growth across the Eurozone with indications that the economy is moving towards full employment. As well as growth in GDP levels, largely driven by the activities of multinational companies, there was a very positive performance in labour markets and construction investment. It is noteworthy that around 54% of total activity (GDP) in Ireland is generated by IPR intensive firms¹. Notwithstanding this positive performance, the long-term outlook is unpredictable due to the reliance of the Irish economy upon foreign direct investment and the adverse affects of Brexit. The latter is likely to have a detrimental effect across all sectors of the economy including IP intensive industries and cause a substantial reduction in output, export markets and employment. The effects of Brexit on Intellectual Property Rights is covered separately in this report.

Innovative R&D activities on the part of foreign multinational firms based in Ireland have also contributed to this strong economic growth. The World Intellectual Property Organisation (WIPO) in their 2018 publication of World Intellectual Property Indicators, in terms of IPR filing activity worldwide by country, ranked Ireland 28th for patent filings, 54th for trade marks and 50th for designs. The report also states that *“Ireland has a high proportion of applications filed abroad (85.2%), as a share of total applications”*. Multinational firms based in Ireland account for the majority of these international filings, which, due to the high costs involved in filing abroad, tend to be of a high net worth and reflect the importance of Ireland as a hub for foreign direct investment in the R&D sector.

The 2018 Annual Report of the European Patent Office reported strong growth in European patent applications from a number of countries with smaller patenting volumes including Ireland. Applications for European Patents from Ireland grew by 21.4% in comparison to 2017. This growth is largely attributable to greater patenting activity in pharmaceuticals and medical technology as well as in areas related to smart vehicle technology.

¹Intellectual property rights intensive industries and economic performance in the European Union (Industry Level Analysis Report, Second Edition, October 2016)

Irish resident foreign patent filings at selected patent authorities

	2013	2014	2015	2016	2017	2018
PCT ¹	432	438	453	441	486	620
EPO ²	566	622	614	727	660	801
UK	361	352	330	298	320	361**
USA ³	1,039	1,087	1,245	1,408	1,487	n/a

Sources: WIPO Statistics Database and PCT Yearly Review Country Profile, EPO Statistics Database, UKIPO “Facts & Figures” USPTO patent statistics (Table 10 USPTO Annual Report for 2018).

Filing statistics are based on residence of first named applicant. Historical filing figures shown in previous reports 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 by filing date.

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 (figures not available for 2018).

** 2018 UK figure is provisional.

General Commentary on Trends and Activities

National Patent and SPC filings

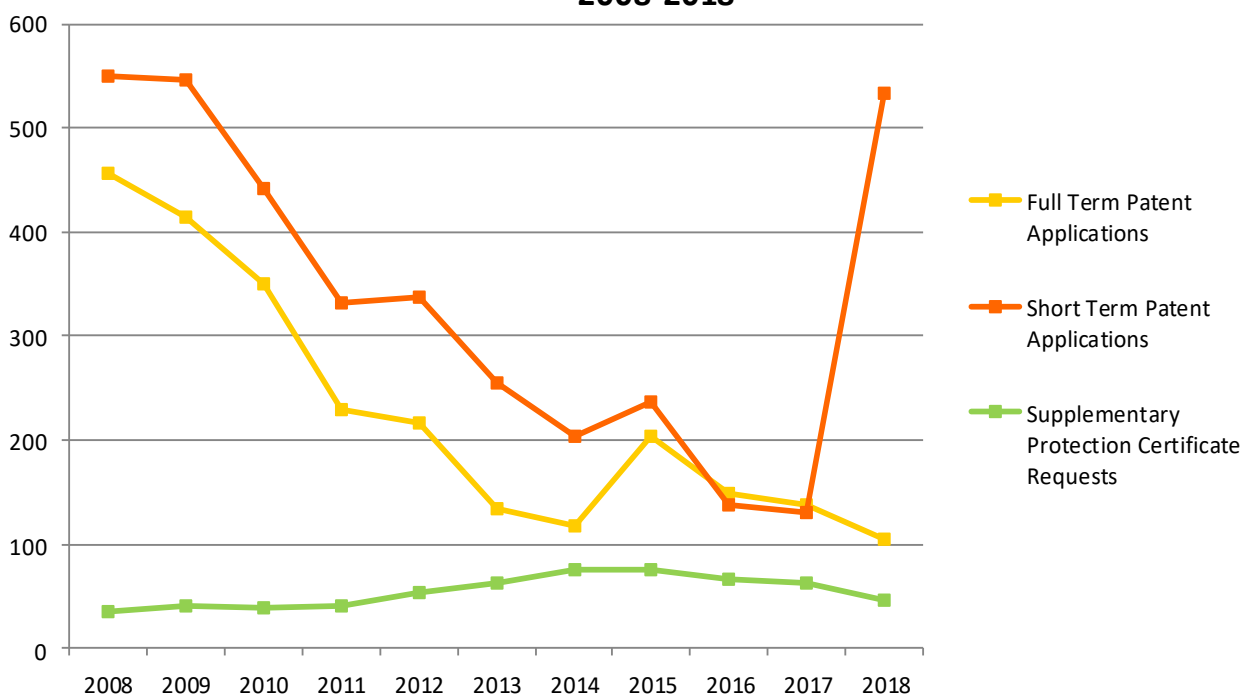
The level of national patent filings should not be taken as an indicator of the extent to which Irish based firms or inventors are engaged in innovative activity as firms may choose to file via the European route or use the PCT route rather than through the national office.

IP intensive firms in the export led, FDI and multinational sectors in Ireland do not generally elect to first file in Ireland. This is because many Irish based foreign firms, particularly multi-nationals, 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. Furthermore, many Irish exporting firms' primary markets may be outside of Ireland in the UK, Europe or further afield in the US and other countries. Consequently, their patent filing strategy may be to obtain patent protection in their primary markets by filing at the UK Intellectual Property Office (UKIPO), the European Patent Office (EPO), the US Patent and Trade Mark Office (USPTO) or by making an international filing using the Patent Co-operation Treaty system (PCT).

While the overall total number of national patent applications filed in 2018 showed a significant increase on previous years, (from 268 to 641) the increase is attributable to a large number of applications received from one specific applicant.

- National short term Patent filings received during 2018 increased significantly on the 2017 total (from 131 to 533) while the number of long term patent applications filed decreased slightly (from 137 to 108).
- Applications for Supplementary Protection Certificates (SPCs) decreased from 63 in 2017 to 46 in 2018.

**National Patent and Supplementary Protection Certificate Applications
2008-2018**



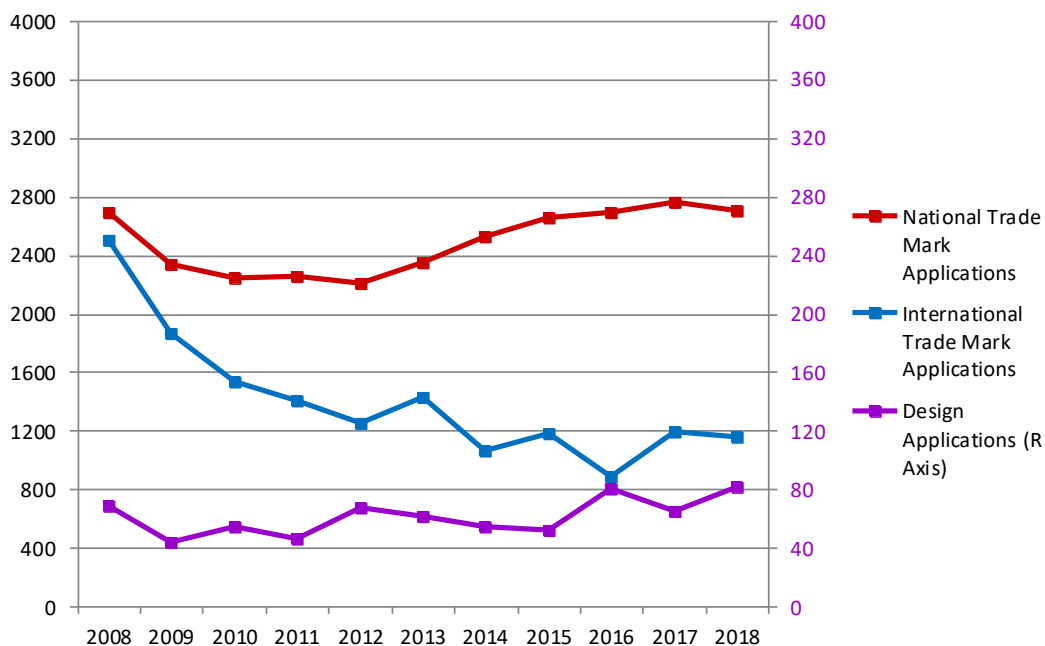
General Commentary on Trends and Activities

Trade Marks and Designs

The total number of national trade mark applications received in 2018 showed a slight decrease of 2% over the 2017 figure (from 2,765 to 2,697). The number of national trade mark applications filed has been rising steadily over the past few years due to continuing growth in the economy and, as expected, stabilised in 2018.

International applications for marks seeking protection in Ireland decreased slightly by comparison to 2017 (from 1,195 to 1,159).

Trade Mark and Design Applications 2008-2018



The number of industrial design applications received by the Office has fluctuated in recent years. 2018 was no different and the number of individual designs applied for increased significantly from 155 in 2017 to 555 in 2018. For the most part, the increase can be attributed to a large number of design applications filed by one particular applicant.

General Commentary on Trends 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 trade mark registration, which provides trade mark protection in all 28 EU countries. Filings of European Union Trade Mark (EUTM) applications by Irish resident applicants in 2018 remained strong but decreased slightly from 1,170 applications in 2017 to 1,162 applications in 2018.

EUIPO Trade Mark applications and registrations by Irish resident persons¹

	2015	2016	2017	2018
EUTM applications	1,103	1,170	1,170	1,162
EUTM registrations	1,003	1,042	1,058	965

Source: EUIPO Statistical travel pack by country

¹ Some historical figures may vary from year to year from those shown in previous reports, due to ongoing updating of EUIPO 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 161 international registrations for holders of marks domiciled in Ireland in 2018. These registrations include 1,132 designations of other Madrid members in which the holders sought to extend protection for their marks. Next, a total of 169 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 Applications and Registrations via the Madrid System for holders of trade marks domiciled/ resident in Ireland

	2015	2016	2017	2018
Madrid Applications where country of holder is Ireland (by filing date)	174	181	165	186
Number of International Registrations	158	175	165	161
Designations	1,337	1,601	1,716	1,132
Subsequent Designations	360	339	258	169

Source: WIPO IP Statistics Data Centre and Statistics database 2015—2018.

- Does not include Irish holders of EUTMs which have elected to base their international application on their EUTM.
- Some historical figures may vary from year to year due to ongoing updating of WIPO statistical databases.

General Commentary on Trends and Activities

Brexit and its impact on Intellectual Property Rights

Should the United Kingdom's (UK) departure from the European Union (EU) come to pass, a number of intellectual property rights deriving from EU Regulations will no longer apply to the UK. European Union Trade Marks (EUTM's) and Registered Community Designs (RCD's) are the most harmonised forms of IP rights in the EU, which means they will be the most affected by Brexit.

Trade marks

The United Kingdom Intellectual Property Office (UKIPO) will consider registered EUTM's to be "comparable" to UK national registrations and has indicated that EUTM's will continue to be protected in the UK. This will happen automatically and there will not be a need to apply or to pay any fees. The comparable marks will be entered on the UKIPO register and will inherit their respective filing, priority, seniority and renewal dates, where applicable. They will be fully independent UK trade marks which can be challenged, assigned, licensed or renewed, separately from the original EUTM.

International trade marks under the Madrid Protocol that designate the EU will be treated in the same manner. Accordingly, they will not be regarded as International Trade Mark Registrations designating the UK. The term of protection for the resulting comparable UK trade mark registration will be the same as that of the original EUTM or the original International Trade Mark Registration designating the EU. The renewal of these comparable trade marks will have to be carried out at the UKIPO, in accordance with the fees and terms set by the UKIPO. Applicants whose applications for EUTM's are pending on the date the UK exits the EU may, if UK protection is desired, re-file with the UKIPO within nine months from Brexit day. Such applications will retain their EU filing, priority and seniority dates, as appropriate. Rights holders taking this step will need to meet the cost of re-filing the application in accordance with the UK application fee structure. Applications for International Registrations that designate the EU which are pending prior to Brexit day will be treated in the same fashion. If, within 9 months after exit, a UK application is not made, EUTM and International trade marks designating the EU will simply cease to take effect in the UK from exit day, and any resulting registration will not cover the UK after this date.

Designs

Registered Community Designs (RCD's) will continue to be protected in the UK. They will be known as "re-registered" UK designs. The protection will happen automatically and there will not be a need to apply or to pay any fees. The designs will be entered on the UKIPO register and will retain their respective filing and priority dates. International designs under the Hague Agreement that designate the EU will be treated in a similar fashion. Accordingly, they will not be regarded as International Designs designating the UK.

Any applications for RCD's that are pending on Brexit day, may be re-filed with the UKIPO, within nine months from Brexit day and will retain their EU filing and priority date. Applications for International Designs that designate the EU that are pending prior to Brexit day will be treated in the same manner. The term of protection for the resulting UK design will be the same as that of the original RCD or the original International Design Registration designating the EU under the Hague Agreement. The renewal of these re-registered designs will have to be carried out at the UKIPO, in accordance with the fees and terms set by the UKIPO. These designs can form the basis for proceedings before the UK Courts and the UKIPO's Tribunal and can be assigned and licensed independently from the EU right.

Unregistered Designs

Unregistered Community designs, first disclosed to the public in the EU before Brexit day, which are afforded protection for three years, will continue to be protected in the UK for the remainder of the three year period. They will be known as "continuing unregistered Community Designs".

Renewal of UK Comparable Trade Marks and UK Re-registered Designs

It is expected the UKIPO will send renewal notices to the proprietors of the respective trade marks and designs. Proprietors of such registrations should pay particular attention if the renewal date falls soon after Brexit day, to ensure their UK registrations are renewed.

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Proprietors should always remain vigilant in relation to making renewal payments by checking the legitimacy and origin of any renewal requests. It is highly likely that fraudsters will seek to use this opportunity to take advantage of unsuspecting rightsholders by issuing fraudulent renewal letters.

Other Trade Mark and Design Issues

Proprietors will need to be cognisant of licences, co-existence agreements, injunctions and infringement proceedings which may include the UK. Licences and co-existence agreements would need to be reviewed where there is no specific mention of the UK but one of the territories listed is “the EU”, particularly where the UK is a significant market. Should the need arise to legally enforce their rights, post-Brexit owners would need to bring two sets of proceedings (one before a UK Court and the other before an EU Court) and increased litigation costs will be unavoidable. Also, it is unknown whether existing pan-European injunctions will require fresh proceedings before the UK courts.

Existing common law in the UK will be unaffected and trade mark rights under the tort of passing-off will remain enforceable.

Irish businesses that trade solely within Ireland and the UK and who heretofore made a single application to the EUIPO to protect their brand(s) may want to reconsider their filing strategy, as it may be more cost-effective to make two separate applications to this office and the UKIPO.

Patents

As the UK is and will remain a party to the Patent Co-operation Treaty and the European Patent Convention, neither of which rely on EU membership for effect, there will not be any significant changes in respect of patents. However, uncertainty around an actual date for Brexit has created some legal uncertainties around the UK’s continued participation in the Unitary Patent and the Unified Patent Court (UPC). The establishment of the UPC requires each of France, Germany and the UK to ratify the Unified Patent Court Agreement (UPCA) France and the UK have already ratified the UPCA but German ratification has been delayed pending a decision of the German Federal Constitutional Court on a “Constitutional Complaint”.

Supplementary Protection Certificates

Although they are applied for and granted individually at national level, Supplementary Protection Certificates (SPC’s) are governed by EU law, which will no longer apply in the UK, and therefore they will be impacted by Brexit. However, it is anticipated that agreement can be reached to ensure that already granted SPC’s will be recognised in the UK for the remainder of their duration. Though it is less certain whether the UK government would wish to offer ‘new’ SPC protection post-Brexit, and if so, whether the terms would be similar to the current EU regime.

Even if post-Brexit the UK automatically applies an equivalent to the European SPC right in the UK, it may not result in UK SPC law being interpreted in line with the CJEU’s rulings on the SPC Regulations. The validity and scope of protection of SPCs has been debated at length before the CJEU in recent years, but the UK courts may take any ‘new’ UK SPC legislation in a very different direction leading to greater uncertainty for SPC rights holders. Furthermore, SPC law is undergoing a review at EU level and due to the potential changes that may be made on both sides, UK and EU SPC law may start to diverge creating a potentially complex legal landscape in an area already considered complicated.

Cross Border Copyright

There is a body of EU law on copyright and related rights that goes beyond the provisions of the various international treaties on copyright, which includes several cross-border copyright mechanisms. These mechanisms are unique to the EU and provide reciprocal protections and benefits between EU member states. They include:

- Sui generis database rights under the Database Directive, (Directive 96/9/EC).
- Portability of online content service under the Portability Regulation, (Regulation (EU) 2017/1128).

General Commentary on Trends and Activities

- Country-of-origin principle for copyright clearance in satellite broadcasting under the Satellite and Cable Directive, (Council Directive 93/83/EEC).
- Orphan works (works without documented owners) copyright exception under the Orphan Works Directive, (Directive 2012/28/EU).
- Collective management of copyright licensing bodies under The Collective Rights Management (CRM) Directive, (Directive 2014/26/EU).
- Cross-border transfer of accessible format copies of copyright works under the Marrakesh Directive, (Directive (EU) 2017/1564).

Irish entities which make use of these EU cross-border copyright mechanisms should be aware that they extend only to member states of the EU or the EEA. On exit, the UK may be treated by the EU and EEA as a third country and if so, the reciprocal element of these mechanisms may cease to apply to the UK.

Patents Office Mission and Objectives

The central mission of the Patents Office is:

“To provide an efficient and effective system of intellectual property protection that encourages technological development and promotes enterprise”

This is to be achieved through the protection of intellectual property rights in the fields of patents, trade marks and designs, and the proactive dissemination of relevant knowledge and information in conjunction with each of these activities. During 2018, the Patents Office continued to play its part in delivering 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 its Strategy Statement 2017-2019. These six objectives are seen as central to fulfilling the mission of the Office and maintaining its operational efficiency. The Strategy Statement is available on the Office’s website (www.patentsoffice.ie).

Objective 1

Provide excellent customer service

The Office’s commitment to quality customer service is outlined in the “Customer Service Action Plan 2017-2019” which sets out 42 customer service targets establishing optimum time limits for carrying out various customer tasks. These are detailed in the “Performance Targets” section of the report. The Customer Service Action Plan is available on the Office’s website (www.patentsoffice.ie). During 2018, the Office continued to deliver its services with the majority of customer service targets being met to a satisfactory level.

The Patents Office is committed to continuously reviewing its administrative procedures with a view to achieving maximum efficiency. Since 2015, the Office has offered e-filing for trade mark and design applications. By the end of 2018, 92% of all trade mark applications were filed online via the Office’s website and 92% of design applications. 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. Functionality to enable patent and SPC e-filing has been developed and will be launched in early 2019. As part of a “soft go live”, the Office accepted its first e-filed patent application in December 2018 thus ensuring the Office complied with the Government’s requirement that all licensing and authorisation procedures for business are available online before the end of 2018. As with trade marks and designs, paper files will no longer be created for any patent applications e-filed with the Office.

During 2018, the Office developed a ‘Patent Specification Template Tool’ which is an interactive template aimed at helping individual unrepresented applicants to better prepare a fully formatted and fully disclosed patent specification. The tool provides users with both clear written instructions and a detailed example of what should be input in each section of a patent specification. It allows a user to enter their information on screen to build the specification as they go. When the user is happy with the information they have provided, the system will produce fully formatted PDF and Word versions of the completed patent specification which the user can save and file at their own convenience. Following security testing, the tool will be made available in conjunction with the patent and SPC online filing module.

In addition to online free-of-charge access to its registers, databases, and Official Journal, the Office also provides online access to various customer friendly search tools such as TMView, DesignView, Espacenet and the Federated Patent Register. The Office also re-designed and upgraded its website in 2018, offering greater flexibility in terms of online services including online payments. It also provides a range of IP information to the Office’s customers in a clear and user friendly way.

Objective 2

Ensure effective business processing resulting from ICT infrastructure improvements

During 2018, staff continued to refine the work processes and technology solutions that underpin its core products and services to provide more efficient service delivery. The Office's e-services programme aims at 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 largely paperless processing in the Office. The vast majority of Office correspondence is now issued by e-mail and customers are encouraged to correspond by e-mail with the Office, where possible. Pending the introduction of e-filing for patent and SPC applications, the Office has maintained a Dropbox facility, which is a secure facility by which IP Attorneys can submit encrypted patent, trade mark and design applications electronically. In 2018, 26 firms availed of the Dropbox facility. The drop box facility will be discontinued in 2019 when patent and SPC e-filing becomes fully operational.

The Office operates an online payments system which facilitates the online payment of all national Trade Mark and Design fee types as well as all grant and renewal fees for patents. Almost 100% of the Office's statutory fees are now paid electronically. For customers who can't avail of the online payments facility, the Office also uses a credit card terminal (CCT) to further facilitate payment of fees over the telephone.

During the year the Office continued to benefit from the assistance of the European Union Intellectual Property Office (EUIPO) Co-operation Fund which provides assistance to EU National Offices with training and the development and implementation of web-based tools to support the trade marks and designs life-cycle. The Office also engages in various co-operation and training activities as a participant in the European Patent Network which is supported by the European Patent Office (EPO). As part of the "Quality at source initiative" the Office is working with the EPO to improve the quality of patent data transmitted to the EPO. For its own part, the Office is continuing with a project to expand the amount of national patent documents which are electronically archived. This project commenced in 2013 and continued throughout 2018 with the aim of scanning 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 2018 with 41,000 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, the PTOLEMY administration system was upgraded to V4 during 2018. Work on the new patent and SPC e-filing system was largely completed within the Office as part of a soft go-live, accepting its first e-filed patent application in December 2018. The online trade marks e-filing system and the PTOLEMY administration system were further enhanced in late 2018 to accommodate the acceptance of non-traditional trade mark applications from mid-January 2019. This change follows from the transposition of Directive (EU) 2015/2436 into Irish law and represents the first major reform of trade mark law in Ireland for over 20 years.

Objective 3

Continue to contribute to the creation of an effective IP legal framework in Ireland and to IP policy

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 Business, Enterprise and Innovation has responsibility for intellectual property policy and legislation in this field. The Patents Office furnishes advice and assistance in the form of draft legislation 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 2018 were:

- **S.I. No. 561 of 2018 European Union (Trade Marks) Regulations 2018** These Regulations, made pursuant to the European Communities Act, 1972, amend and extend certain provisions of the Trade Marks Act 1996 to give statutory effect in the State to Directive (EU) 2015/2436 of the European Parliament and of the Council of 16 December 2015 amending Directive 2008/95/EC relating to trade marks and to certain provisions of Council Regulation (EU) 2017/1001 of 14 June 2017, on the European Union Trade Mark.
- **S.I. No. 562 of 2018 Trade Marks (Amendment) Rules 2018** This Statutory Instrument primarily transposes procedural matters laid down in Directive (EU) 2015/2436 of the European Parliament and of the Council of 16 December 2015 and thereby amends and extends certain provisions of secondary Irish trade mark legislation namely, the Trade Marks Rules 1996.
- **S.I. No. 563 of 2018 European Union (Trade Marks Act, 1996) (Community Trade Mark) (Amendment) Regulations 2018** These Regulations amend certain technical provisions in the Community Trade Mark Regulations 2000 (S.I. 229/2000) ("the CTM Regulations").
- **S.I. No. 564 of 2018 Patents, Trade Marks and Designs (Fees) (Amendment) Rules 2018** This Statutory Instrument introduces amendments to the Patents, Trade Marks and Designs (Fees) Rules 2001 (S.I. No. 482 of 2001), including the introduction of a new fee of €125 for the division of a trade mark registration.

Objective 4

Promote awareness and understanding of IP amongst Irish businesses, enterprises and students.

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 2018, the Office participated in 53 events speaking on IP matters. These events varied from “Start your own business” courses run by the Local Enterprise Offices to speaking in third level colleges through the “New Frontiers” programme. The Office engaged in IP awareness raising activities at various business advice and enterprise exhibitions throughout the country, including the All Ireland SME Summit, the National Ploughing Championships and the Tullamore Show, Co Offaly. The Office also held 54 IP clinics in 2018, which give an opportunity to the public, inventors, entrepreneurs and business people to discuss on a one-to-one basis 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 and the process 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 BT Young Scientist & Technology Exhibition and the annual Student Enterprise Awards. The Office 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 winner of the 2018 Patents Office sponsored prize was Liam O’ Mara of Castletroy College, Limerick for his project entitled “*Hel-Mate: a concussion monitoring device*”.



The Student Enterprise Awards run by the Local Enterprise Board is the biggest enterprise competition for second level students in Ireland with 16,000 participants. The National Finals took place in April 2018. The winners of the Intellectual Property awards were: Junior Award: “*Complete Caman*”, Presentation Secondary School, Castleisland, Co Kerry (pictured left); Intermediate Award: “*Comfy Hands Healthcare*”, Our Lady’s Secondary School, Belmullet, Co Mayo; Senior Award: “*Back to Basics*”, St. Mary’s Secondary School, Ballina, Co Mayo. 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

Improve organisational effectiveness through enhancing staff skills, job satisfaction and knowledge sharing

As of 31 December 2018 the Office had 47 authorised posts. However when career breaks, work-sharing and other family friendly working arrangements are taken into account, the Office operated with a staffing level of 43.58 full time equivalents during 2018. The number of staff working in the Office has decreased significantly since the Office first decentralised to Kilkenny in 1998. The automation of procedures and innovative improvements to internal business processing has facilitated a significant decrease in staff numbers from 76 in 1998 to 43.58 full time equivalent posts as at 31 December 2018. The Office has sought to meet the demands for 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. The Performance Management Development System (PMDS) affords 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 2018. Outside of continuing on-the-job training, staff undertook training during 2018 in areas such as economics, financial systems, writing skills, customer service, communication skills and presentation skills.

In performing its statutory functions, the Patents Office always has regard to its obligations under Section 42 of the Irish Human Rights and Equality Commission Act 2014 to:

- eliminate discrimination;
- promote equality of opportunity and treatment for staff and persons to whom it provides services; and
- protect the human rights of staff and services users.

Staff have continued to play a pivotal role in reducing energy consumption within the Office in line with 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. Energy consumption in the Office's building has been reduced by 30% since joining the Optimising Power@Work campaign in 2008.

Objective 6

Work and co-operate with EU, international partners and other national offices to ensure that European and International IP systems are accessible to and supportive of Irish businesses and enterprises

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. During 2018, the Controller, Mr Gerard Barrett was elected Deputy Chair of the EPO's Budget & Finance Committee and was also elected to be a member of the Board of the Administrative Council of the European Patent Organisation. Mr Dermot Doyle, Head of Trade Marks was elected Deputy Chair of the EUIPO's Management Board. In addition, Office staff, who are experts in their particular fields, sit on and take an active role in 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.

Civil Service Excellence and Innovation Awards 2018

The 2018 Civil Service Excellence and Innovation Awards were presented at a ceremony in St Patrick's Hall, Dublin Castle on 22 November 2018. The awards are held each year to publicly recognise excellence and innovation across the Civil Service and were established under the Civil Service Renewal Plan. In total 30 projects were shortlisted from across the Civil Service with 11 winners on the night.

The Patents Office was shortlisted under the Digital Excellence category for their application on e-business services and tools. The awards ceremony was attended by the shortlisted project teams from across the Civil Service, those involved in the awards process, senior civil servants including Secretary General, Dr Orlaigh Quinn and the Minister for Finance and Public Expenditure and Reform Paschal Donohoe TD.

The Patents Office e-business services and tools project focuses on delivering principal services to business digitally and online. Using open source technology, the Office developed a complementary suite of customer friendly e-services ranging from online trade mark and design searching to e-filing and e-payment tools. By enhancing their digital solutions, the Office has achieved significant staff savings, less labour-intensive processing and high levels of customer satisfaction.

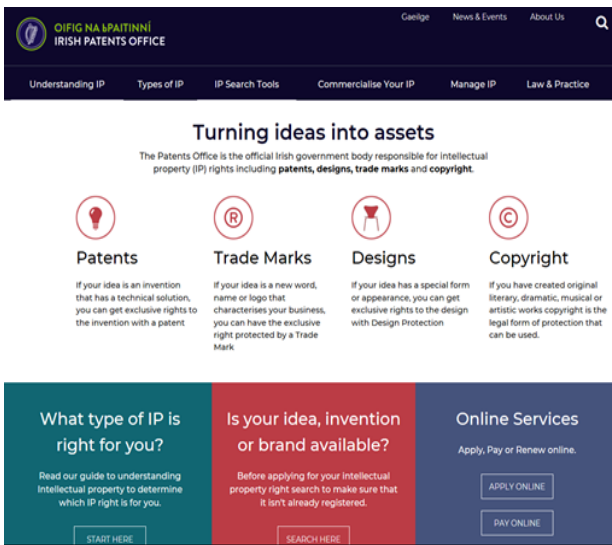


Members of the Patents Office project team: John Nolan, Mary Flynn, Gerard Barrett, John Tuffy and Avril Hetherington

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 registered designs in any journal. The journal also contains details of patents applied for, published, granted and lapsed, 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. The online journal has an interactive facility which allows users access to the Register extract for any particular patent, trade mark or design by clicking on a hyperlink within that journal.

Office Website



The website (www.patentsoffice.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. Online services include: online fee payments, e-filing of trade mark and design applications, viewing and searching of patent, trade mark and design registers and databases; the registers of copyright licensing bodies and the registers of patent and trade mark agents. 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 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. The number of visits to the website averaged over 25,000 per month or just under 301,500 per annum in 2018. As in previous years the interactive online register search pages continue to remain the most popular with over 237,800 visits in 2018.

Upgrade of Website

The Patents Office website was first established in 1997 in co-operation with the EPO and was, at that time, hosted on an EPO server. The Office moved its website to its own locally based web server in 1999. A new website layout and design was put in place in 2005. Since then, an increasing number of interactive customer service orientated elements were incorporated into the site and the website became a key tool in regard to the provision of online IP services to business and of considerable importance in facilitating the dissemination of IP information.

Upgrading and redesigning the website became necessary in order to keep pace with current website developments in terms of usability, accessibility, functionality, responsiveness and visual presentation and to ensure that it had the capability to be properly viewed on newer versions of browsers. An upgrade was also necessary in order to provide a suitable portal to facilitate the efficient delivery of the Office's e-services to business and, in that regard, to comply with the requirement from Government that the e-delivery of all government services such as licencing, authorisation, certification, permit application, and payment-taking procedures most relevant to business users, should be in place by 2018.

The new website was launched in 2018 and offers a more responsive website design as well as updated content, greater flexibility in terms of online services and provides more information to the Office's customers in a clear and user friendly way.

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.

EUIPO Co-operation

The Convergence Programme of the EUIPO, launched in 2011, enables the EUIPO to work with National Offices and user associations 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 continued to actively participate in various Working Groups established for each convergence project.

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

- Clarity and transparency: Shared communication initiatives keep stakeholders informed of advancements.
- Quality and usability: efficient access to protection offered by registration systems at 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 savings for Offices and applicants.

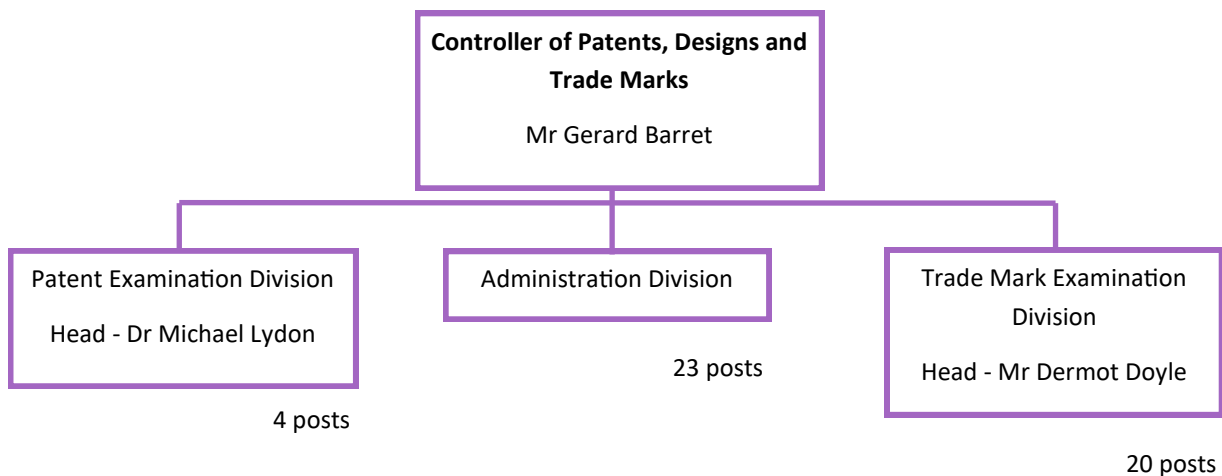
The Office also continued to receive support from the EUIPO to maintain its flagship tools TMView and Design View. In addition, under a bilateral agreement with EUIPO, the Office availed of assistance towards the cost of a range of awareness raising events where information on the Community Trade Mark and Community Design Systems was disseminated.

The new suite of Cooperation Projects that were launched in line with the objectives of the EUIPO Strategic Plan 2020, were further developed during 2018, thus building on the success achieved under the previous Strategic Plan 2011-2015. The Office is represented on the EUIPO's Working Group for Convergence Analysis and successfully worked closely with EUIPO on the technical aspects of the Transposition of the Trade Marks Directive to facilitate the introduction of new trade mark types in January 2019. The Office, represented by Mr John P. Nolan, also assisted the EUIPO with a joint Technical Workshop on IP Tools held in conjunction with the African Regional Intellectual Property Office in Namibia in July 2018. This event was attended by representatives from twenty-two African countries.

EPO Co-operation

The Office has a longstanding bi-lateral co-operation programme with the European Patent Office. The Programme mainly facilitates co-operation between the Patents Office and the EPO in areas such as specialised training, patent data acquisition and transmission based on a quality at source system as well as European Patent Network events which are aimed at strengthening the European Patents System.

Organisation Structure and Personnel



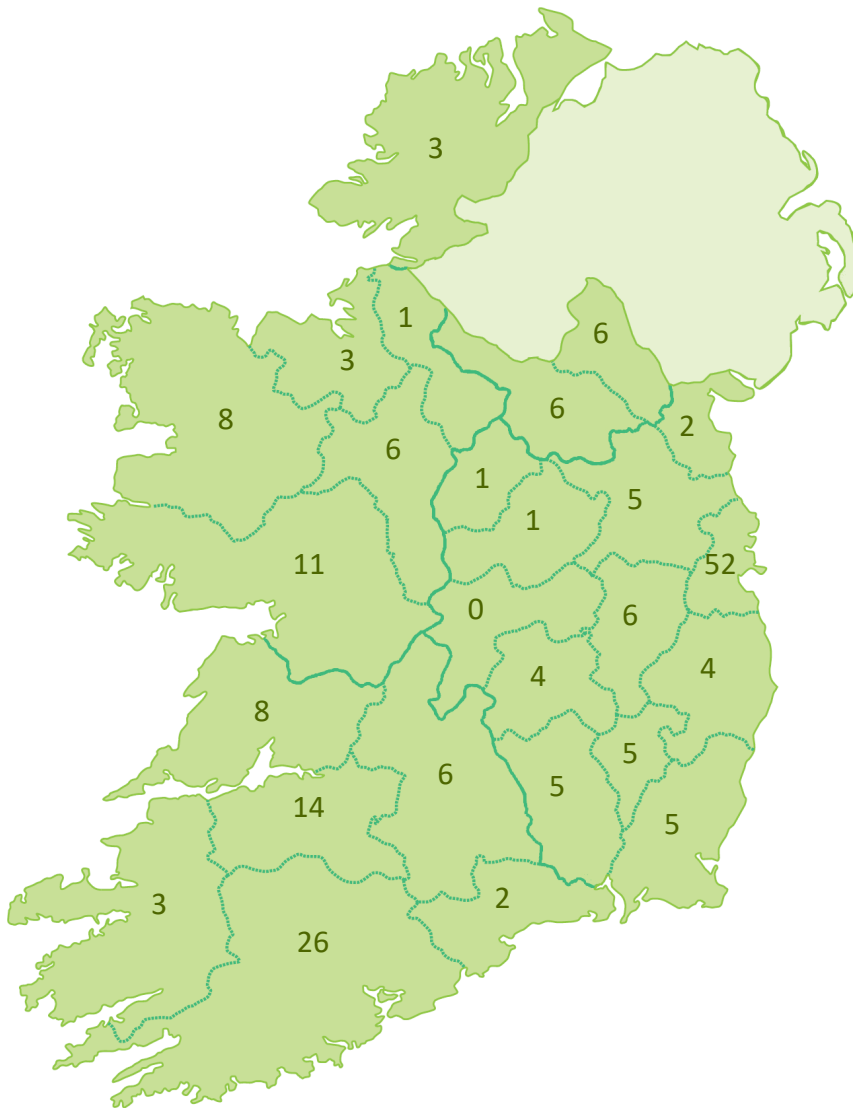
Staff Numbers

Title	Number of posts
Controller	1
Senior Patent Examiner	1
Assistant Principal	1
Higher Executive Officer	4
Patent Examiner	3
Administrative Officer	1
Executive Officer	19
Clerical Officer	16
Services Officer	1
TOTAL	47

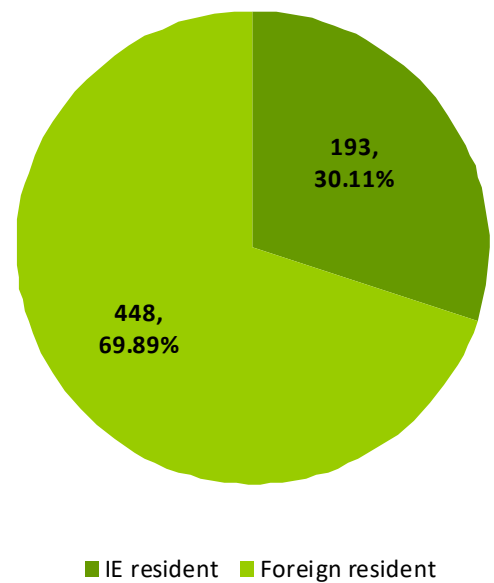
The total staff figure of 47 includes 2 Higher Executive Officers, 1 Administrative Officer, 6 Executive Officers and 4 Clerical Officers who avail of a work-sharing scheme, which permits a variety of attendance patterns. Three staff availed of a teleworking scheme, which permits staff to carry out their duties from home for part of the week. The number of full-time equivalent posts in the Office on 31 December 2018 was 43.58.

The Department of Business, 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 2018

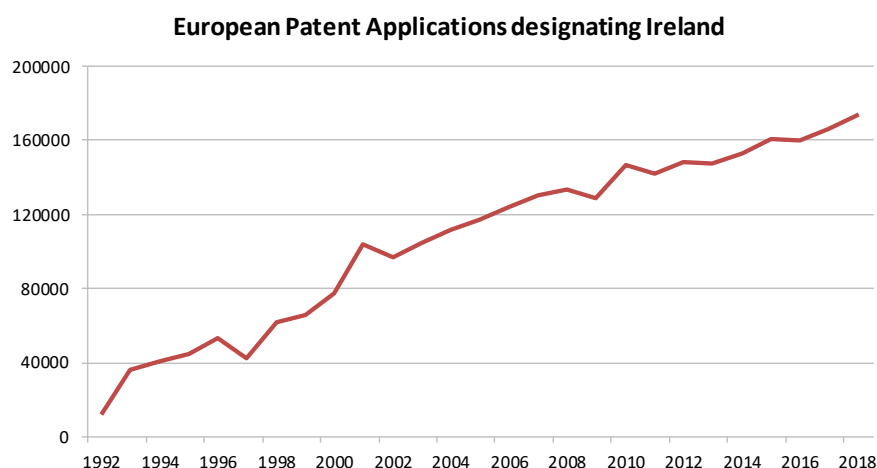
APPLICATIONS RECEIVED			YEAR	PATENTS GRANTED		
Full Term	Short Term	TOTAL		Full Term	Short Term	TOTAL
149	138	287	2016	64	100	164
137	131	268	2017	60	27	87
108	533	641	2018	52	35	87

As at 31 December 2018, there were a total of 1,549 pending applications on hand. Of these, 177 applications were awaiting the submission of evidence of novelty. The number of applications received from applicants in the State was 194 compared with 183 in 2017.

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	2017	165,629
2000	76,806	2009	128,378	2018	174,317

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 2018 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.



There were 174,317 European Patent Applications designating Ireland in 2018 (71,996 Euro-direct and 102,321 PCT applications entering the regional phase). The total number of European Patent Applications in 2018 was 174,317. For each EPC contracting state, the number of designations in applications is generally nearly 100% of the total applications, since all countries are initially automatically designated.

Patents granted in 2018 having effect in the State

2018	Total	Number of patents granted to Applicants from within the State	% of patents granted to Applicants from within the State
Granted by Office	87	55	63%
Granted by EPO	123,833	522	0.42%
Total Grants	123,920	577	0.46%

Patent Register Data

	2016	2017	2018
Patents and patent applications the subject of assignments	887	794	914
Patents revoked	0	0	0
Patents surrendered	2	1	1
Patents lapsed	61,306	77,528	94,503
Patents restored/reinstated	10	6	12
Patents renewed	44,729	47,837	51,463
Patents expired	1,198	1,240	1,258
Patents in force¹	147,125	169,453	197,468
Hearings	1	0	1
PCT applications received for transmission to WIPO	23	15	16
European patent applications received for transmission to EPO	4	2	0

¹ NB: The figure for patents in force also includes SPCs which are in force.

Requests for Supplementary Protection Certificates

A total of 46 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, 46 certificates were granted (medicinal and plant protection), 3 were rejected and 8 requests were withdrawn. At the end of the year there were 164 requests pending.

Register of Patent Agents

At the end of 2018, there were 87 individuals and 8 partnerships entered in the Register of Patent Agents.

CLASSIFICATION OF PATENTS GRANTED BY THE OFFICE IN YEAR ENDED 31 DECEMBER 2018 ACCORDING TO THE INTERNATIONAL PATENT CLASSIFICATION (IPC)

Note on Patent Classification

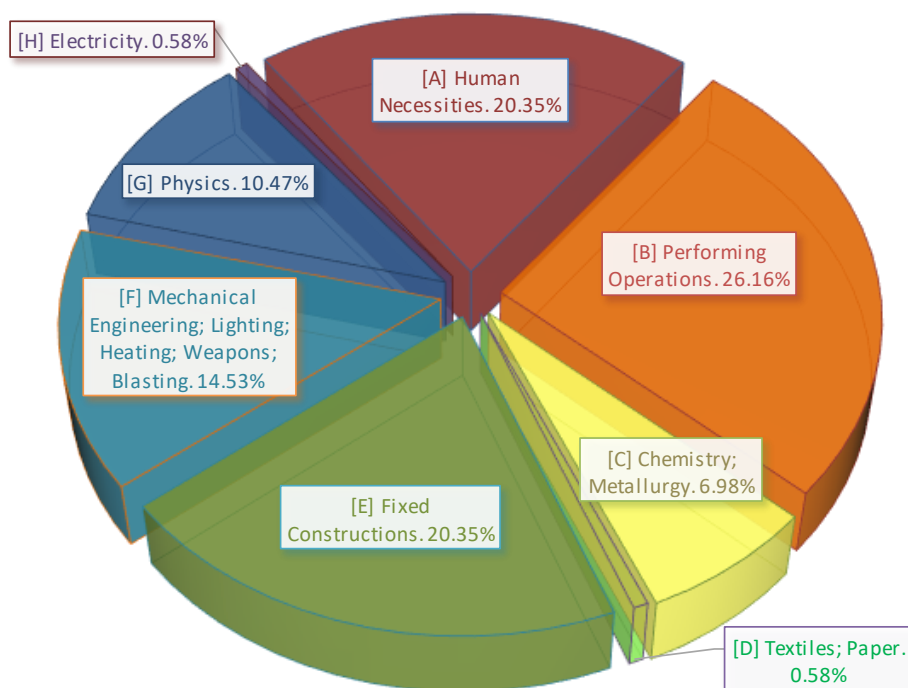
Patents are given classifications based on their technical content. Such classification allows retrieval of patents according to the nature of the inventions revealed therein. The International Patent Classification (IPC) consists of about 70,000 classification symbols divided between 8 basic sections (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 2018. 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.

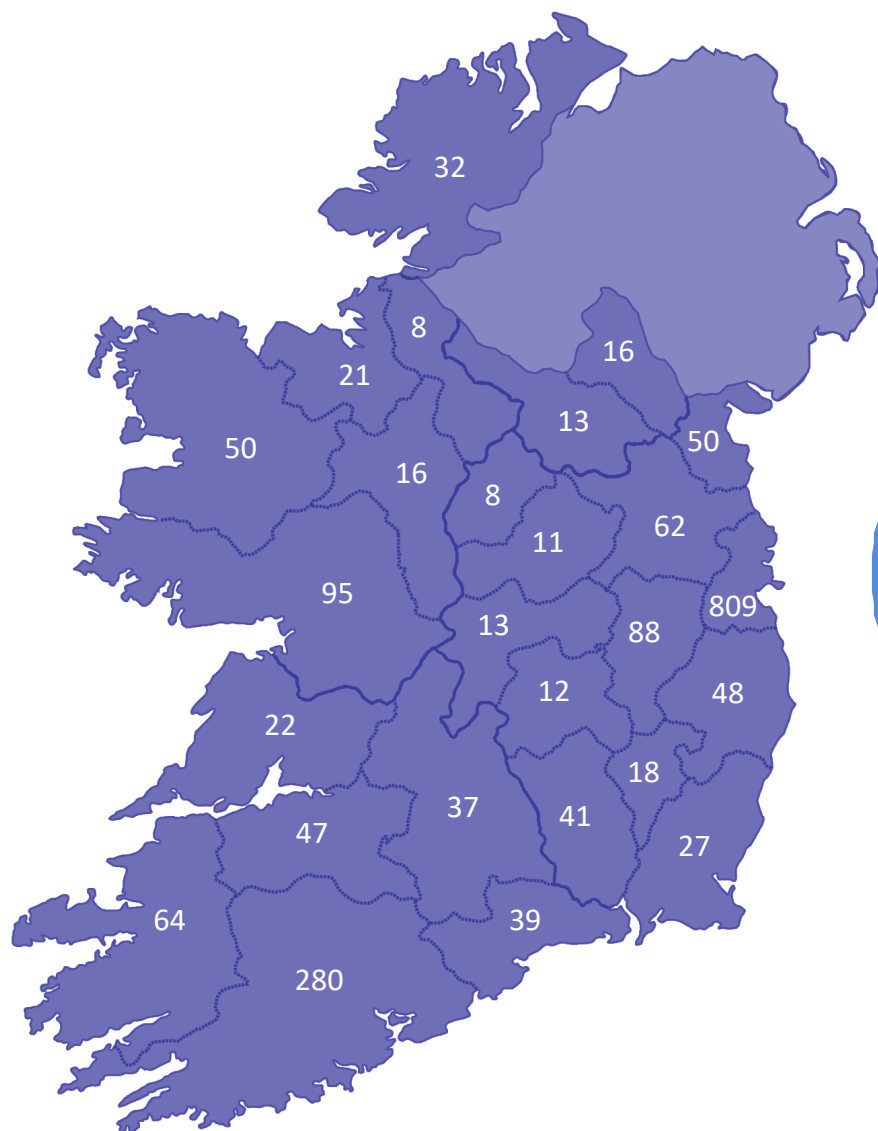
CLASSIFICATION	No of grants*
A. HUMAN NECESSITIES: e.g. Foodstuffs, Health, Personal Articles	35
B. PERFORMING OPERATIONS; TRANSPORTING: e.g. Shaping, printing, vehicle technology.	45
C. CHEMISTRY; METALLURGY	12
D. TEXTILES; PAPER	1
E. FIXED CONSTRUCTIONS: e.g. Building, drilling, mining.	35
F. MECHANICAL ENGINEERING; LIGHTING; HEATING; WEAPONS; BLASTING	25
G. PHYSICS: e.g. Optics, computing, nuclear physics.	18
H. ELECTRICITY: e.g. Electronic circuits, electricity generation and distribution.	1

* 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.

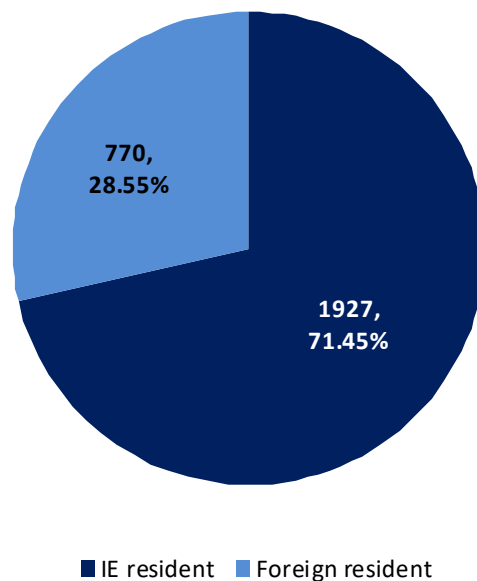
GRANTED PATENT CLASSIFICATIONS BY IPC SECTION IN 2018



Business Statistics - Trade Marks



National Trade Mark applications by country of first applicant.



National Trade Mark applications by county in 2018

National Applications				Year	International Registrations			
Received	Advertised	Opposed	Registered		Received	Advertised	Opposed	Protected
2,694	2,246	91	1,894	2016	891	865	7	888
2,765	1,779	50	1,896	2017	1,195	849	9	862
2,697	2,111	61	1,713	2018	1,159	870	5	844

Trade Mark Register Data

	2016	2017	2018
Number of trade marks the subject of assignments	1,769	1,484	966
Number of licences of trade marks recorded in the register	121	10	21
Trade mark registrations removed for non payment of renewal fees	2,112	4,616	4,165
Trade mark registrations surrendered	25	10	10
Trade mark registrations restored	5	10	15
Trade mark registrations renewed	5,537	5,472	5,517
National trade marks revoked in full and in part	7	4	4
International trade marks revoked in full and in part	0	0	0
National trade marks declared invalid	1	1	1
International trade marks declared invalid	0	0	0
National registered trade marks in force	60,944	58,207	55,727
International trade marks in force	20,946	20,600	20,221
Total trade marks in force	81,890	78,807	75,948

Hearings & Miscellaneous Matters

	2016	2017	2018
Hearings (<i>ex-parte</i>)	4	3	10
Hearings (<i>inter-partes</i>)	6	4	8
Hearings (<i>inter-partes by way of written submission or papers filed</i>)*	4	9	11
Applications to convert EU Trade Mark applications into national applications	37	24	16
International Trade Mark applications filed and transmitted to WIPO	62	65	74

* 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 2018, there were 241 individuals and 7 partnerships entered on the Register.

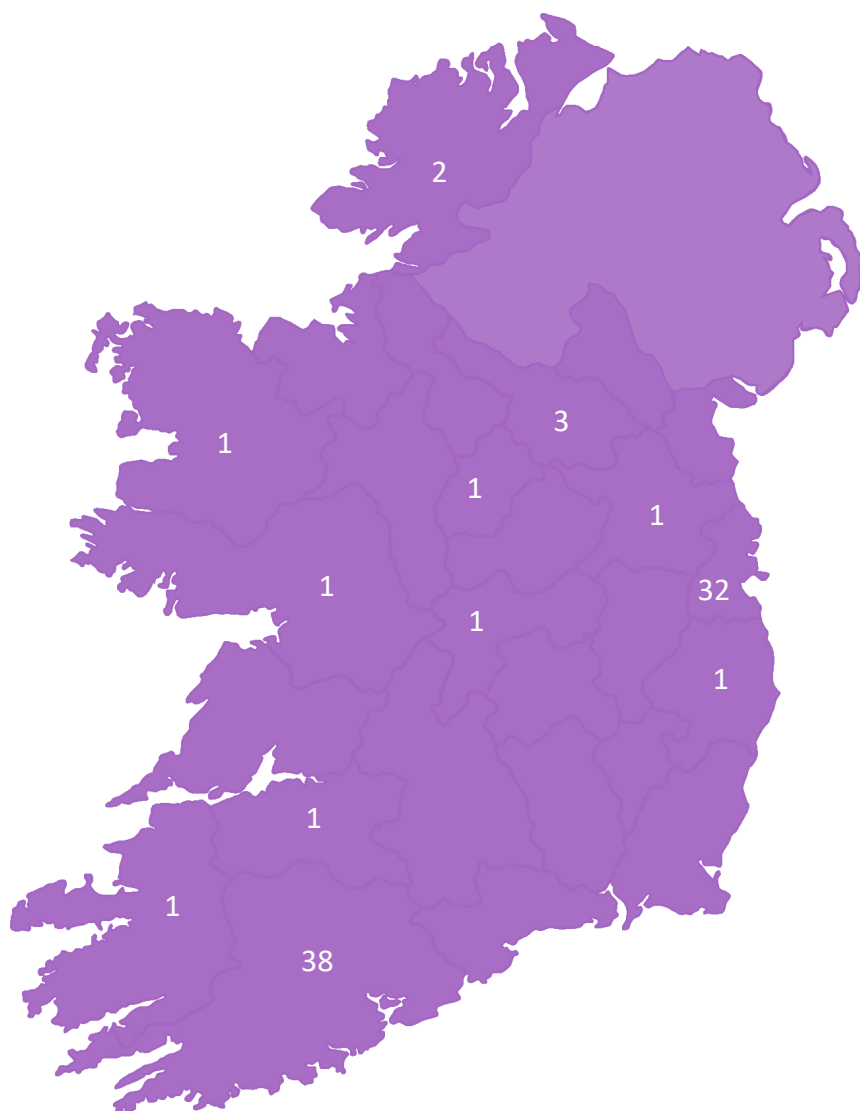
INTERNATIONAL CLASSIFICATION OF GOODS AND SERVICES INTO WHICH TRADE MARKS

REGISTERED IN 2018 FALL

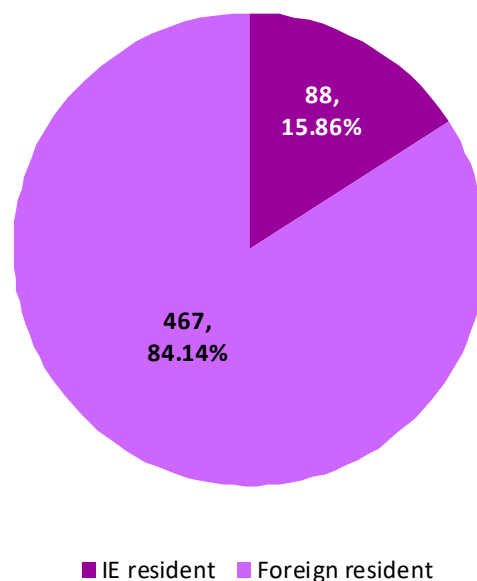
A multilateral treaty called the “Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks” established a classification system for trade marks. The Nice Classification comprises 45 class headings which describe in very broad terms 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 (eleventh) edition has been in force since 1 January 2018.

Class	Classification of Goods	No. of marks in classification	Class	Classification of Goods	No. of marks in classification
1	Chemical Products, etc.	53	24	Tissues (piece goods), etc.	25
2	Paints, etc.	22	25	Clothing, including Boots, Shoes and Slippers	117
3	Bleaching Preparations, etc.	72	26	Lace and Embroidery, etc.	8
4	Industrial Oils, etc.	26	27	Carpets, etc.	13
5	Pharmaceutical Substances, etc.	148	28	Games, etc.	65
6	Unwrought and Partly Wrought Common Metals and their Alloys	28	29	Meat, Fish, Poultry and Game, etc.	144
7	Machines and Machine Tools, etc.	30	30	Coffee, Tea, Cocoa, Sugar, Rice, etc.	198
8	Hand Tools and Instruments, Cutlery, etc.	17	31	Agricultural Products, etc.	59
9	Scientific Apparatus and Instruments, etc.	222	32	Beer, etc.	60
10	Surgical Instruments, etc.	28	33	Wines, Spirits and Liqueurs	88
11	Installations for Lighting, etc.	57	34	Tobacco, etc.	18
12	Vehicles; Apparatus for Locomotion by Land, Air or Water	41	35	Advertising, Business Management, etc.	281
13	Firearms, Ammunition and Projectiles; Explosive Substances; Fireworks	3	36	Insurance, Financial Affairs, etc.	137
14	Precious Metals and their Alloys, etc.	34	37	Building Construction, Repair, Installation Services.	77
15	Musical Instruments (other than talking machines and wireless apparatus)	8	38	Telecommunications	44
16	Paper, etc.	148	39	Transport, Packaging and Storage of Goods, etc.	94
17	Gutta Percha, India Rubber, etc.	20	40	Treatment of Materials	35
18	Leather, etc.	48	41	Education, Entertainment, etc.	301
19	Building Materials, etc.	39	42	Scientific and technological services	160
20	Furniture, etc.	32	43	Providing food and drink	166
21	Small Domestic Utensils, etc.	52	44	Medical services, etc	102
22	Ropes, etc.	1	45	Personal and social services	67
23	Yarns, Threads	3			

Business Statistics - Designs



National Design applications by country of first applicant.



National Design applications by county in 2018

	2016	2017	2018
Number of designs applied for*	181	155	555
Designs Registered	116	96	588
Designs Lapsed	90	96	236
Designs Renewed	30	76	63
Designs in force	1,134	1,140	1,630

*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 2018 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 (twelfth) edition has been in force since January 1, 2018.

Class	Classification	Designs Registered
1	Foodstuffs	0
2	Articles of Clothing and Haberdashery	444
3	Travel Goods, Cases, Parasols and Personal Belongings, not elsewhere specified	17
4	Brushware	6
5	Textile Piecegood Articles, Artificial and Natural Sheet Material	0
6	Furnishings	7
7	Household Goods, not elsewhere specified	6
8	Tools and Hardware	1
9	Packages and Containers for the Transport or Handling of Goods	27
10	Clocks and Watches and other Measuring Instruments, Checking and Signalling Instruments	1
11	Articles of Adornment	42
12	Means of Transport or Hoisting	0
13	Equipment for Production, Distribution or Transformation of Electricity	0
14	Recording, Communication or Information Retrieval Equipment	0
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	3
20	Sales and Advertising Equipment, Signs	1
21	Games, Toys, Tents and Sports Goods	7
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	0
24	Medical and Laboratory Equipment	1
25	Building Units and Construction Elements	0
26	Lighting Apparatus	11
27	Tobacco and Smokers' Supplies	0
28	Pharmaceutical Products and Cosmetic Products, Toilet Articles and Apparatus	2
29	Devices and Equipment Against Fire Hazards, for Accident Prevention and for Rescue	1
30	Articles for the Care and Handling of Animals	0
31	Machines and Appliances for Preparing Food or Drink, not elsewhere specified	0
32	Graphic Symbols And Logos, Surface Patterns, Ornamentation	9
	Total	588

*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

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 two aims:

- 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 and Independent Management Agencies (IMEs)
- 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 monitoring compliance with the regulations. The regulations also provide that in addition to meeting the requirements set out 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 or IME headquartered in Ireland must also submit an annual compliance statement and compliance report to the Controller together with their registration documentation. The compliance reporting requirements of the CRM Regulations currently apply to seven of the thirteen registered copyright licensing bodies operating in the State.

References to the Controller under the Copyright and 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 those recordings, regarding the equitable remuneration payable to the copyright owner, may be referred to the Controller for determination. Under Sections 151 and 152 of the Act, disputes between people or organisations regarding a proposed or existing licensing scheme and the operator of the licensing scheme regarding the equitable remuneration payable, may be referred to the Controller for determination. In 2018 the Controller determined one reference made under Section 38. There are currently no disputes outstanding.

Registers of Copyright Licensing Bodies under the Copyright and Related Rights Act, 2000

The Act 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.

In 2018, twelve bodies were registered in the Register of Copyright Licensing Bodies, one body was registered in the Register of Licensing Bodies for Performers' Property Rights and there were no entries in the Register of Licensing Bodies for Database Rights. The Registers may be viewed at <https://www.patentsoffice.ie/en/types-of-ip/copyright1/copyright-licensing-bodies/register-of-copyright-licensing-bodies/>.

Orphan Works

Orphan Works are 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 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 the EUIPO to be registered as a "Beneficiary Organisation." To date, six Irish organisations have been registered as Beneficiary Organisations.

Knowledge Development Box

The **Knowledge Development Box (Certification of Inventions) Act 2017, (No. 6 of 2017) (the KDB Act)** establishes a certification scheme to enable SMEs which have inventions in the form of intellectual property (IP) equivalent to a patentable invention, to qualify for the KDB and avail of the reduced corporate tax rate. Eligible SMEs are those with income arising from intellectual property of less than €7.5m and with global turnover of less than €50m where the profits result from R&D.

The KDB Act provides that the Controller of Patents, Designs and Trade Marks will oversee and operate this certification scheme. It is important to note that an application for a KDB Certificate does not constitute an application for tax relief and a KDB certificate confers no intellectual property rights on a certificate holder.

KDB Report

Section 18 requires the Controller to include statistical information on the number of applications received, withdrawn or refused, the number of certificates issued and information on the number of applications reviewed and the outcome of each review in the report to the Minister, made in accordance with Section 103(1) of the Patents Act 1992. The report shall not disclose any details of an invention which is the subject of an application.

In 2018, there were no valid applications for a KDB Certificate received by the Controller.

Coming in 2019

TM e-filing –modification to allow filing of non-traditional trade marks

Member States have until 14 January 2019 to transpose the provisions of Directive (EU) 2015/2436. The Directive requires some changes to the Trade Marks Act and Rules, and also involves modification of a number of procedures and processes in the Office. The online Trade Marks e-filing functionality has been amended in order to cater for the possibility to file non traditional trade marks such as sound, motion, multi-media, and holograms. The Office already has systems put in place to ensure that it will be fully compliant with this deadline in 2019.

Upgrade of Office Journal

The Office plans on upgrading its Official Journal in 2019 to modernise the format, to accommodate the incorporation of non traditional trade marks into Irish Trade Mark law and make it more user friendly.

Change of name of Patents Office

The “Copyright and Other Intellectual Property Law Provisions Bill, 2018”, is currently before the Oireachtas to change the name of the Patents Office to the “Intellectual Property Office of Ireland.” While it had been anticipated that this legislation would have been enacted in 2018, these legislative changes to officially change the name of the Office will now be effected some time in 2019.

Legislation

2018 Legislation

The Intellectual Property Unit of the Department of Business, Enterprise and Innovation has overarching responsibility for policy and the preparation of legislation relating to intellectual property. However, in accordance with Section 103(1)(b) of the Patents Act 1992, the Controller includes particulars of all legislation made in 2018 for the administration of which the Controller is responsible.

- **EUROPEAN UNION (TRADE MARKS) REGULATIONS 2018 (S.I. NO. 561 OF 2018).** These Regulations, made pursuant to the European Communities Act, 1972, amend and extend certain provisions of the Trade Marks Act 1996 to give statutory effect in the State to Directive (EU) 2015/2436 of the European Parliament and of the Council of 16 December 2015 amending Directive 2008/95/EC relating to trade marks and to certain provisions of Council Regulation (EU) 2017/1001 of 14 June 2017, on the European Union Trade Mark.
- **TRADE MARKS (AMENDMENT) RULES 2018 (S.I. NO. 562 OF 2018).** This Statutory Instrument primarily transposes procedural matters laid down in Directive (EU) 2015/2436 of the European Parliament and of the Council of 16 December 2015 and thereby amends and extends certain provisions of secondary Irish trade mark legislation namely, the Trade Marks Rules 1996.
- **TRADE MARKS ACT 1996 (COMMUNITY TRADE MARK) (AMENDMENT) REGULATIONS 2018 (S.I. NO. 563 OF 2018).** These Regulations amend certain technical provisions in the Community Trade Mark Regulations 2000 (S.I. 229/2000) (“the CTM Regulations”). The amendments are for the purpose of giving effect to technical changes in certain provisions and changes in terminology arising from Regulation (EU) No. 2017/1001 of the European Parliament on the European Union Trade Mark.
- **PATENTS, TRADE MARKS AND DESIGNS (FEES) (AMENDMENT) RULES 2018 (S.I. NO. 564 OF 2018)** This Statutory Instrument introduces amendments to the Patents, Trade Marks and Designs (Fees) Rules 2001 (S.I. No. 482 of 2001), including the introduction of a new fee of €125 for the division of a trade mark registration (which is required by Article 41 of the Directive).

Unofficial consolidated versions of the Trade Marks Act 1996 (as amended) and the Trade Marks Rules 1996 (as amended) incorporating the above amendments are available on the Office’s website in the “Law and Practice” section.

Financial Information

Net receipts all of which accrued to the exchequer in 2018, amounted to €9.82m, an increase of €0.49m or 5% on the 2017 figure of €9.33m. 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 €9.94m showed an encouraging increase of €0.50m, or 5% over the 2017 figure.

The Office’s net expenses for 2018 amounted to €3.29m which represented a slight increase of €0.02m over the corresponding 2017 figure of €3.27m. One of the most noteworthy figures shows a reduction of 43% in the postal and telecommunications charges in 2018 over the 2017 figure (from €166,000 to €95,000) which is as a direct result of the Office’s e-communications strategy whereby (rules permitting), as much correspondence as possible is sent electronically.

Financial Information

RECEIPTS AND EXPENSES - YEAR ENDED 31 DECEMBER 2018 (Accounts not yet audited by C&AG)

RECEIPTS	€000
Patent fees (Notes 1 & 2)	6,859
Trade Mark fees	2,211
International Trade Mark Registration – fees received from WIPO (Note 3)	869
Design fees	24
Other fees	98
Less refunds made in respect of fees paid to the Office in error	98
Less transaction fees arising in respect of online credit card payments	145
Net receipts accruing to the exchequer	9,818

EXPENSES	€000
Salaries	2,013
Travel & Subsistence	56
Miscellaneous & Incidental expenses	97
Postal & Telecommunications Services	95
Office Equipment and Supplies & Related Services	555
Office Premises Expenses	88
Information resources, books periodicals, etc.	2
Subscriptions to Industrial Property Unions	390
Net expenses	3,296

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	13,248
Less Proportion of patent renewal fees transferred to the European Patent Office	6,389
Net Patent fees which accrue to the Exchequer	6,859

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 2018 are shown below:

	€000
21	€000
PCT Basic and Designation Fees transferred to WIPO, Geneva	21
PCT Search fees transferred to EPO, Munich	27
Total	48

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 2018

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.	70%	7.	Transmit European and PCT applications to EPO/WIPO within 5 working days of receipt.	100%
2.	Issue certified copies of patent documents within 4 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.	53%
3.	Issue patent renewal certificate within 3 working days of receipt of renewal fee.	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.	89%
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 date.	100%
5.	Issue confirmation that amendments requested to the patents register in respect of names and addresses 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.	100%
6.	Grant patents within 3 working days of receipt of grant fee.	100%	12.	Classify for publication 90% of all non-divisional patent applications within 18 months after the priority filing date.	86%
Supplementary Protection Certificates					
1.	Issue formal filing receipts for correctly filed SPC applications within 5 working days.	99%	3.	Perform examination of all applications for Supplementary Protection Certificates at least 12 months before expiry date of the basic patent.	89%
2.	Issue notification of formal defects within 10 working days of filing date.	100%			
Designs					
1.	Issue formal filing receipts for correctly filed (paper based) design applications within 5 working days.	89%	3.	Issue Certificate of Registration within 5 working days of the application being registered.	100%
2.	Issue formal filing receipts for correctly e-filed Design applications within 2 working days.	76%	4.	Issue design renewal certificates within 1 working day of receipt of the renewal fee.	100%

Performance Targets 2018

1.	Issue formal filing receipts for correctly filed (paper based) trade mark applications within 5 working days.	73%	12.	Issue decisions on regulations governing the use of collective trade marks within 2 months of filing acceptable regulations.	N/A
2.	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%	13.	Issue 90% of decisions in hearings within 1 month of hearing.	89%
3.	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%	14.	Issue 80% of written statement of grounds of decisions in hearings within 2 months following request for same.	50%
4.	Register trade marks within 3 working days of receipt of registration fee.	98%	15.	Issue to relevant parties copies of notices of opposition and applications for revocation or declaration of invalidity within 2 weeks of receipt.	100%
5.	Transmit applications for International Trade Mark registrations within 3 working days of receipt of correctly filed applications.	100%	16.	Respond to 95% of written correspondence on individual applications (opposition, revocation, invalidity) within 2 weeks.	100%
6.	Issue formal filing receipts for correctly e-filed trade mark applications on the next business day.	100%	17.	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%
7.	Conduct initial search in respect of new applications within 1 week of receipt.	65%	18.	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.	0%
8.	Complete formalities check on all e-filed application within 1 week of receipt.	100%	19.	Issue trade mark renewal certificate within 1 working day of receipt of payment.	100%
9.	Issue initial acceptance/objection letters within 8 weeks of receipt of new applications in Division.	16%	20.	Issue certified copies and extracts from the Trade Marks Register within 4 working days of application.	100%
10.	Issue preliminary search reports within 1 week of request.	100%	21.	Process applications for registration of trade mark assignments within 7 working days of submission of a properly, fully completed application.	100%
11.	Respond to 95% of written correspondence on individual applications in examination within 2 weeks.	100%	22.	Issue confirmation that requests for amendments to the Trade Marks register in respect of names and addresses of proprietors, trade mark agents and addresses for service have been recorded within 5 working days of receipt of a properly completed application.	100%
General					
	Issue payment receipts for all fees received (in the form of cash, bank draft and money order) within 2 working days.				100%

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Brollach



I gcomhréir le forálacha Alt 103 d'Acht na bPaitinní, 1992, tá an onóir agam mo Thuarascáil Bhliantúil a chur faoi bhráid an Aire Gnó, Fiontar agus Nuálaíocht don bhliain dar críoch an 31 Nollaig 2017. Baineann mo Thuarascáil le cur i gcrích mo chuid feidhmeanna reachtúla faoi Acht na bPaitinní, 1992 (arna leasú); an tAcht Trádmharcanna, 1996 (arna leasú); an tAcht um Dhearthaí Tionscail, 2001; an tAcht um Chóipcheart agus Ceart Gaolmhar, 2000; na Rialacha Reachtúla agus Rialacháin éagsúla a rinneadh faoi na hAchtanna seo; agus Rialacháin na gComhphobal Eorpach (Deimhniú Forlíontach Cosanta). Tá cinní faoi na hAchtanna, na Rialacha agus na Rialacháin seo le mo chumas reachtúil, faoi réir cearta áirithe achomhairc chuig an Ard-Chúirt. Cuimsíonn mo Tuairisc freisin tuairisc ar

Scéim Dheimhniúcháin KDB mar a éilítear faoi Alt 18 den Acht um Bosca Forbartha Eolais (Deimhniú Aireagán) 2017. Oifig neamhspleách reachtúil is ea Oifig na bPaitinní atá faoi choimirce na Roinne Gnó, Fiontar agus Nuálaíochta. Tá sí freagrach as cearta maoinne intleachtúla a dheonú agus a chlárú in Éirinn, go sonrach, cearta paitinne, trádmhairc agus cearta dearaidh thionsclaíoch. Trí sheirbhísí a sholáthar a bhaineann leis na cearta seo tá sé mar sprioc ag Oifig na bPaitinní cabhrú le daoine, an eanáil ghnó, an tionscal agus le fiontair acmhainneacht iomlán na maoinne intleachtúla a fhíorú. Tacaíonn an Oifig agus a cuid gníomhaíochtaí roinnt cuspóirí straitéiseacha de chuid na Roinne lena n-áirítear cultúr na fiontraíochta a chothú, bunús fiontar nuálach a chruthú agus timpeallacht rialacháin a choinneáil a thacaíonn le fiontar agus gnó in Éirinn. Chomh maith lena phríomhghnó maidir leis an reachtaíocht ábhartha a bhaineann le próiseáil iarratais ar phaitinní, trádmharcanna agus dearáil tionsclaíoch a phróiseáil agus clárú leictreonacha agus bunachair sonraí na gcearta seo a chothabháil, comhlíonann Oifig na bPaitinní roinnt feidhmeanna oibriúcháin agus rialála lena n-áirítear:

- Imeachtaí a riaradh os comhair an Rialaitheora maidir le cearta Maoine Intleachtúla lena n-áirítear éisteachtaí maidir le cur i gcoinne clárúcháin trádmhairc.
- Clárú aturnaetha paitinne agus trádmhairc a choinneáil atá údaraithe feidhmiú sa Stát.
- Clárú agus tuairisciú um chomhlíonadh a dhéanann comhlachtaí ceadúnú cóipchirt /comheagraíochtaí bainistíochta a riaradh agus díospóidí maidir le méideanna dleacht údair atá iníoctha leis na comhlachtaí sin a réiteach, go mór mór i ndáil le taispeántais phoiblí taifid fuaime.
- Cur le forbairt beartais agus reachtaíochta i dtaobh cearta maoinne intleachtúla.
- Cúnamh agus faisnéis a thabhairt ar chearta maoinne intleachtúla.

Le linn 2018 d'oibrigh baill foirne san Oifig ar athchumrú ár gcuid córas agus nósanna imeachta chun athruithe teicniúla agus reachtaíochta a ghlacadh san áireamh, athruithe a tharla mar thoradh ar Threoir de chuid an AE um Thrádmharcanna agus rannchuidiú i leith an téacs dlí a thras-suíonn an Treoir chuig Dlí na hÉireann san áireamh. Lena chois sin thosaigh an fhoireann ar iarratais ar phaitinní a scrúdú go substaintiúil i ndiaidh athruithe a rinneadh ar Acht na bPaitinní in 2017. Lena chois sin cuireadh obair i gcrích ar na hathruithe, idir theicniúil agus ó thaobh nósanna imeachta de, atá riachtanach chun paitinní agus ríomhchomhdú SPC a thabhairt isteach go luath in 2019. Lena chois sin críochnaíodh obair ar athdhearadh agus athfhorbairt suíomh gréasáin na hOifige a rinneadh beo in 2018. Ba mhaith liom aitheantas a thabhairt don obair agus don rannchuidiú suntasach atá déanta ag foireann na hOifige agus dá dtiomantas i dtaobh feabhas a chur ar á gcuid seirbhísí go leanúnach. I mo thuairisc tugtar eolas níos mionsonraithe ar an tslí inar chuir an Oifig a cuid feidhmeanna reachtúla agus na gníomhaíochtaí a ghabhann leo a i gcrích agus tacaíonn réimse staitisticí gnó leis.

Gerard Barrett, Ceannasaí

Trácht Ginearálta ar Threochtaí agus ar Gníomhaíochtaí

Treochtaí

Chruthaigh eacnamaíocht na hÉireann go fíor-láidir ar feadh 2018 ar fad. Bhí an leibhéal fáis in Éirinn ar na leibhéil is airde i Limistéar an Euro uair eile agus bhí táscairí ann go bhfuil an eacnamaíocht ag bogadh i dtreo lánfhostaíochta. De bhreis ar fhás ar leibhéal OTI atá á gcur chun cinn go mór mór ag gníomhaíochtaí cuideachtaí ilnáisiúnta cruthaíodh go breá sna margaí saothair agus in infheistíocht foirgníochta. Is díol suntais é gur gnóthais Cearta Maoine Intleachtúla a ghineann tuairim is 54% den ngníomhaíocht iomlán (OTI) in Éirinn¹. D’ainneoin go bhfuil cruthú dearfach ann ní féidir a rá le cinnteacht conas a bheidh an scéal sa bhfadtárma mar tá eacnamaíocht na hÉireann ag brath go mór ar infheistíocht dhíreach ón iasacht agus drochthionchar Brexit. Is dócha go mbeidh éifeacht dhíobhálach ar fad aige siúd ar fud gach earnáil na heacnamaíochta, tionscail a mbaineann Maoine Intleachtúil go mór leo san áireamh. Beidh sé ina chúis le laghdú mór ar thorthaí, ar mhargaí easpórtála agus ar fhostaíocht. Pléitear éifeachtaí Brexit ar Chearta Maoine Intleachtúla go in áit ar leith sa tuairisc seo.

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

	2013	2014	2015	2016	2017	2018
An Conradh Comhair Paitinní¹	432	438	453	441	486	620
Oifig Eorpach na bPaitinní²	566	622	614	727	660	801
An Ríocht Aontaithe	361	352	330	298	320	361**
Stáit Aontaithe Mheiriceá³	1,039	1,087	1,245	1,408	1,487	n/a

Chuir gníomhaíochtaí T&F de chuid gnólachtaí iasachta ilnáisiúnta atá bunaithe in Éirinn go mór leis an bhfás láidir eacnamaíoch, leis. De réir foilseachán na dTáscairí Maoine Intleachtúla Domhanda 2018 de chuid na hEagraíochta Domhanda um Mhaoine Intleachtúil i ndáil le gníomhaíocht comhdaithe ar fud an domhain de réir tíre, tá Éirinn sa 28ú háit i dtaobh comhdú paitinní, sa 54ú háit maidir le trádmarcanna agus sa 50ú háit maidir le dearaí. Lena chois sin deirtear sa tuairisc go bhfuil *“cion ard d’iarratais comhdaithe thar lear ag Éirinn (85.2%), mar chuid d’iomlán na n-iarratas”*. Tá mórchuid na gcomhdúcháin idirnáisiúnta seo déanta ag gnóthais ilnáisiúnta atá bunaithe in Éirinn. De bharr an chostais aird atá ar chomhdúcháin thar lear bíonn glanluach ard orthu de ghnáth agus léiríonn siad a thábhacht agus atá Éire mar mhol d’infheistíocht dhíreach ón iasacht san earnáil T&F.

I dTuarascáil Bhliantúil 2018 de chuid Oifig Eorpach na bPaitinní tuairiscíodh fás láidir ar iarratais paitinne Eorpacha ó roinnt tíortha ag a bhfuil méid níos lú paitinní, Éire ina measc. Tháinig fás 21.4% ar líon na n-iarratas ar Phaitinní Eorpacha as Éirinn i gcomparáid le 2017. Is féidir an chuid is mó den bhfás seo a chur i leith gníomhaíocht paitinne níos mó sa chógaisíocht agus sa teicneolaíocht leighis agus i réimsí a bhaineann le teicneolaíocht feithicle cliste.

Foinsí: Bunachar Sonraí Staidrimh na hEagraíochta Domhanda um Maoine Intleachtúil (EDMI) - Athbhreithniú Bliantúil ar an gConradh Comhair Paitinní, “Facts & Figures” ó Oifig Maoine Intleachtúla na Ríochta Aontaithe (UKIPO), Staidreamh paitinní ó Oifig Paitinní agus Trádmarcanna na Stát Aontaithe (USPTO). Tá an staidreamh comhdúcháin bunaithe ar áit chónaithe an iarratasóra chéadainmnithe. D’fhéadfadh go n-athródh figiúirí stairiúla comhdúcháin ó bhliain go bliain mar gheall ar bhunachair shonraí a bheith á nuashonrú ag na húdaráis phaitinní.

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

² Bhí an anailís 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 comhduite Stáit Aontaithe Mheiriceá le paitinní fónais a dtugtar freisin mar paitinní d’aireagáin.

** Is é an figiúr 2018 sealadach.

Trácht Ghinearálta ar Threochtaí agus ar Ghníomhaíochtaí

Paitinní agus Deimhnithe Forlíontacha Cosanta (DFCanna)

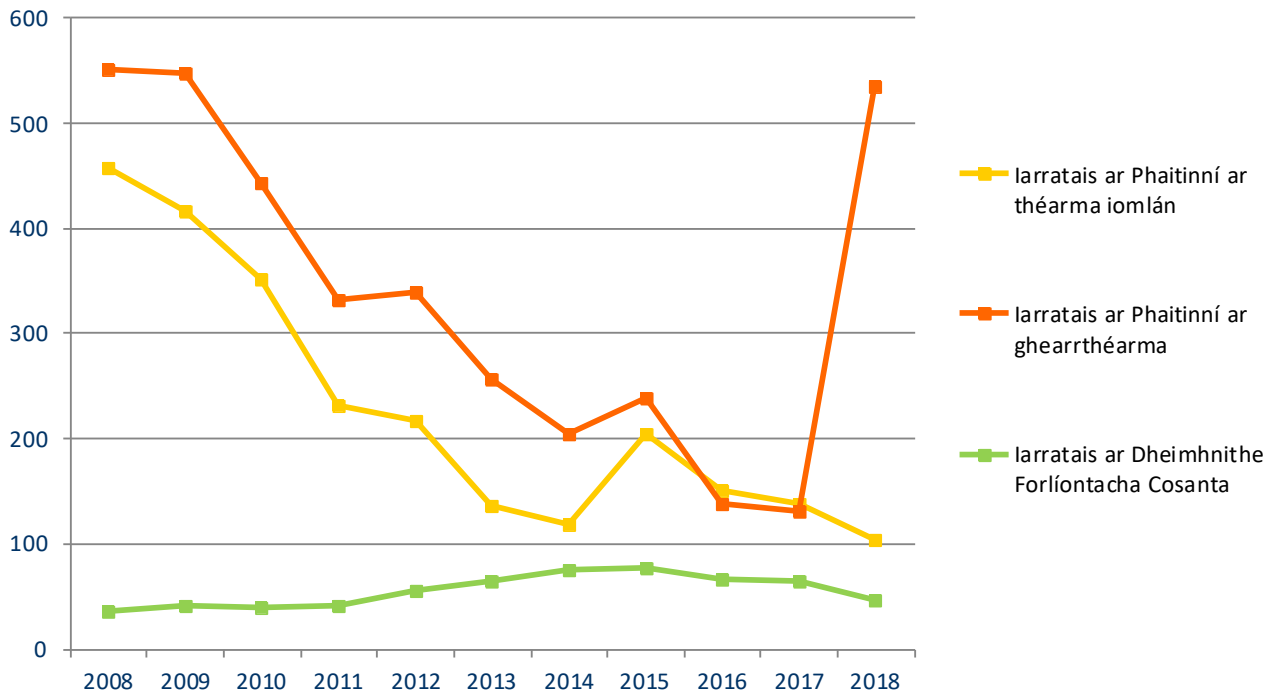
Níor chóir glacadh leis go léiríonn an leibhéal comhdúchán paitinne náisiúnta an méid ina bhfuil gnóthais nó aireagóirí atá bunaithe in Éirinn rannpháirteach i ngníomhaíocht nuálach mar d'fhéadfadh gur rogha le gnóthais comhdú tríd an mbealach Eorpach nó úsáid a bhaint as an mbealach Conradh Comhair Paitinní (PCT) seachas comhdú tríd an oifig náisiúnta.

Ní rogha le gnóthais atá láidir ó thaobh Maoine Intleachtúil de, sna hearnálacha a bhíonn dírithe ar easpórtáil, margaí Infheistíochta Dírí ón lasacht agus margaí ilnáisiúnta comhdú in Éirinn ar dtús. Tá sé seo amhlaidh toisc go mbíonn polasaí ag mórán gnóthas atá bunaithe in Éirinn, go háirithe ag gnóthais ilnáisiúnta a fhorbraíonn Maoine Intleachtúil in Éirinn go minic, iarratais a chomhdú d'fhonn na cearta Maoine Intleachtúla a chosaint i margaí thar lear trína máthairchuideachta a bhfuil a ceanncheathrú bunaithe thar lear. Lena chois sin d'fhéadfadh go bhfuil príomh-mhargaí mórán gnóthais easpórtála Éireannacha lasmuigh d'Éirinn, sa R.A., san Eoraip nó níos faide anonn, sna S.A. agus i dtíortha eile. Dá thoradh sin d'fhéadfadh go bhfuil mar straitéis comhdú paitinní acu cosaint paitinne a fháil ina gcuid príomh-mhargaí trí chomhdú ag Oifig Maoine Intleachtúla de chuid na R.A. (UKIPO), ag Oifig Eorpach na bPaitinní (EPO), ag Oifig Trádmhairc sna Stáit Aontaithe (USPTO) nó trí chomhdú idirnáisiúnta a dhéanamh tríd an gCóras Conradh Comhair Paitinní (PCT).

Cé gur thaispeáin an líon iomlán iarratas ar phaitinní náisiúnta a comhdaíodh in 2018 méadú nach beag i gcomparáid leis na blianta roimhe (ó 268 go 641) is féidir an méadú a mhíniú le líon mór iarratas a fuarthas ó iarrthóir áirithe amháin.

- Tháinig méadú mór ar líon na gComhdúchán Paitinne Náisiúnta gearrthearma le linn 2018 i gcomparáid leis an méid a fuarthas in 2017 (ó 131 go 533) ach tháinig laghdú beag ar líon na n-iarratas fadtéarmacha (síos ó 137 go 108).
- Tháinig laghdú ar iarratais ar Dheimhniúcháin Cosanta Fhorlíontacha (SPCnna) ó 63 in 2017 go 46 in 2018.

Iarratais Náisiúnta ar Phaitinní agus Dheimhnithe Forlíontacha Cosanta 2008 – 2018



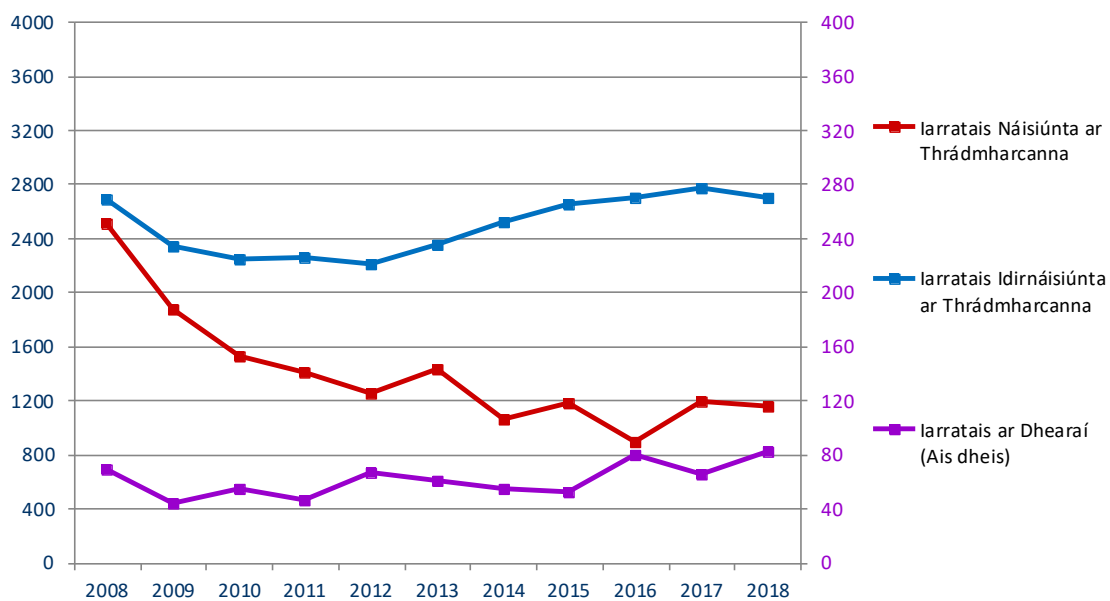
Trácht Ginearálta ar Threochtaí agus ar Ghníomhaíochtaí

Trádmharcanna agus Dearthaí

Bhí laghdú beag ar líon iomlán na n-iarratas náisiúnta ar thrádmharcanna a fuarthas, is é sin, 2%, i gcomparáid le 2017 (ó 2,765 go 2,697). Tá méadú seasmhach ag teacht ar líon na n-iarratas náisiúnta ar thrádmharcanna a comhdaítear le roinnt blianta anuas de bharr fáis leanúnach ar an eacnamaíocht agus cobhsaíodh a líon in 2018 de réir mar a bhíodh ag súil.

Tháinig laghdú beag ar iarratais idirnáisiúnta ar mharcanna atá ag lorg cosanta in Éirinn i gcomparáid le 2017 (ó 1,195 go 1,159).

Iarratais Náisiúnta ar Trádmharcanna agus Dearaí 2008 – 2018



Bhí líon na n-iarratas ar dhearadh tionsclaíoch a fuair an Oifig suas agus síos le blianta beaga anuas. Bhí an scéal mar an gcéanna anuraidh agus tháinig méadú suntasach ar líon na ndearaí ar leith a ndearnadh iarratas orthu: 155 in 2017 agus 555 in 2018. Ar an gcuid is mó de is féidir an méadú a mhíniú leis an líon mór iarratas ar dhearaí a chuir iarrthóir áirithe amháin isteach.

Trácht Ghinearálta ar Threochtaí agus ar Ghníomhaíochtaí

Trád Mharcanna an Aontais Eorpaigh (TAEnna)

Tháinig trád mharc an Aontais Eorpaigh (Trád mharc 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 comhdúcháin iarratas ar thrád mharc an Aontais Eorpaigh (EUTM) ó iarrthóirí ar cónaitheoirí Éireannacha iad, cuireadh roinnt mhaith isteach i gcónaí in 2018 ach tháinig laghdú beag ar a líon ó 1,170 in 2017 go 1,162 in 2018.

EUIPO Iarratais at Thrád Mharcanna agus clárúcháin arna ndéanamh ag daoine a bhfuil cónaí orthu in Éirinn

	2015	2016	2017	2018
Iarratais as Thrádmharcanna an Aontais Eorpaigh	1,103	1,170	1,170	1,162
Líon thrádmharcanna an Aontais Eorpaigh a cláraíodh	1,003	1,042	1,058	965

Staidreamh ó EUIPO

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

Trád mharcanna Idirnáisiúnta

Is éard atá i bPrótacal Mhaidrid ná córas idirnáisiúnta um chlárú trád mharcanna. Riarann Biúró Idirnáisiúnta na hEagraíochta Domhanda um Maoin Intleachtúil (WIPO) é. Le córas Mhaidrid, tugtar deis d'úinéir trád mhairc co-saint 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 thrád mharc náisiúnta nó AE (dá dtagraítear buniaratas nó bunchlárúchán) a chomhdaítear trí Oifig na bPaitinní in Éirinn nó trí EUIPO, rud ar a dtugtar an "Oifig Thionscnaimh". Tá trád mharc idirnáisiúnta coibhéiseach le hiarratas ar an trád mharc céanna nó le clárúcháin an trád mhairc céanna 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 trád mharcanna a chosaint agus a bhainistiú i margaí 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 fóna ar an rún atá acu margaí eachtracha a aimsiú agus margaí nua a chruthú do raon táirgí atá ann cheana agus do raon táirgí nua.

Thaifead Biúró Idirnáisiúnta na hEagraíochta Domhanda um Maoin Intleachtúil 161 clárúchán idirnáisiúnta sa bhliain 2018 do shealbhóirí trádmharcanna a bhfuil sainchónaí orthu in Éirinn. Áirítear leo sin 1,132 n-ainmniúchán le haghaidh baill eile de chóras Mhaidrid. Sna cásanna sin, d'iarr na sealbhóirí go leathnófaí cosaint le haghaidh a dtrád mharcanna. Dá éis sin, rinneadh 169 bhall sa bhreis de chóras Mhaidrid a ainmniú ina dhiaidh sin i gclárúcháin idirnáisiúnta reatha ó Éirinn d'fhonn raon geografach bunaidh a gcosanta a leathnú chuig balltíortha nó dlínsí breise de chóras Mhaidrid.

Iárúcháin Idirnáisiúnta trí Chóras Mhaidrid do shealbhóirí trád mharcanna a bhfuil sainchónaí/cónaí orthu in Éirinn

	2015	2016	2017	2018
Iarratais Mhaidrid ina bhfuil Éire ina tír ina bhfuil an sealbhóir	174	181	165	186
Líon na gClárúcháin Idirnáisiúnta	158	175	165	161
Ainmniúcháin	1,337	1,601	1,716	1,132
Ainmniúcháin ina dhiaidh sin	360	339	258	169

Foinse: Athbhreithniú Bliantúil ar Chóras Mhaidrid ó WIPO do na blianta 2015-2018

- Ní áirítear leis Éireannaigh a bhfuil trád mharc an Aontais Eorpaigh ina seilbh agus a roghnaigh a n-iarratas idirnáisiúnta a bhunú ar an Trád mharc atá acu.
- D'fhéadfadh go n-athróidh figiúirí stairiúla áirithe ó bhliain go bliain mar gheall ar bhunachair shonraí staidrimh WIPO a bheith á nuasunrú.

Trácht Ghinearálta ar Threochtaí agus ar Ghníomhaíochtaí

Breathimeacht agus a thionchar féideartha ar chearta maoinne intleachtúla

Ciallaíonn imeacht na Ríochta Aontaithe ón Aontas Eorpach (AE) ar lá Breathimeacht 2019 nó ina dhiaidh sin nach mbeidh feidhm ag roinnt cearta maoinne intleachtúla atá bunaithe ar Rialacháin AE a thuilleadh san R.A.. Is iad Trádmharcanna an Aontas Eorpaigh (EUTMnna) agus Dearaí Cláraithe Pobail (RCDnna) na leaganna is mó comhchuibhithe de chearta Maoinne Intleachtúla san AE, rud a chiallaíonn gur orthusan is mó a mbeidh tionchar ag Brexit.

Trád mharcanna

Beidh Oifig Maoinne Intleachtúla na Ríochta Aontaithe (UKIPO) ag féachaint ar EUTMnna mar thrád mharcanna atá “inchurtha” le clárúcháin náisiúnta na R.A. agus beidh cosaint acu i gcónaí san R.A.. Tarlóidh sé seo go huathoibríoch agus ní bheidh aon ghá le hiarratas a dhéanamh ná le táillí ar bith a íoc. Cuirfear na marcanna inchurtha isteach ar chlár an UKIPO agus tiocfaidh siad in oidhreacht a ndátaí comhdaithe, tosaíochta, sinsearachta agus athnuachana faoi seach mar is cuí. Beidh siad ina dtrád mharcanna R.A. neamhspleácha ar fad ar féidir iad a cheistiú, a shannadh, a cheadúnú nó a athnuachan go leithleach ón EUTM bunaidh. Caithfear le trád mharcanna idirnáisiúnta faoi Phrótagal Madrid a ainmíonn an AE ar an tslí céanna. Dá réir sin ní fhéachfar orthu mar Chlárúcháin Trádmhairc Idirnáisiúnta a léiríonn an R.A. Beidh téarma na cosanta don gclárú trádmhairc R.A. inchurtha a thiocfaidh as sin ar chomhfhad le téarma an EUTM bhunaidh nó an Chlárúcháin Trádmhairc Idirnáisiúnta bhunaigh a ainmíonn an AE. Caithfear athnuachan na dtrádmharc inchurtha seo a dhéanamh ag an UKIPO de réir na dtáillí agus na dtéarmaí atá leagtha síos ag an UKIPO. Is féidir le hiarrthóirí a bhfuil a gcuid iarratas ar EUTMnna ar feitheamh ar an dáta a bhfágfaidh an R.A. an AE athchomhdú a dhéanamh, má táthar ag lorg cosanta san R.A., leis an UKIPO laistigh de naoi mhí ó lá Brexit. Coinneoidh a leithéid d’iarratais a gcomhdú, a ndátaí tosaíochta agus sinsearachta AE de réir mar is cuí. Beidh orthu siúd a choinníonn an ceart an chéim seo a ghlacadh chun costas athchomhdú an iarratais a sheasamh de réir struchtúr táille iarratais na R.A. Caithfear le hiarratais ar Chlárúcháin Idirnáisiúnta a ainmíonn an AE agus atá ar feitheamh ar lá Brexit ar an tslí céanna. Mura bhfuil iarratas R.A. déanta laistigh de 9 mí ó d’fhág an R.A. an AE tiocfaidh deireadh le feidhm iarratais ar thrád mhairc EUTM agus IR a ainmíonn an AE sa R.A. le héifeacht ón lá imeachta agus ní chlúdóidh aon chlárúchán a dhéanfar dá thoradh an R.A. ina dhiaidh an dáta seo.

Dearaí

Beidh cosaint ag Dearaí Cláraithe Pobail (RCDnna) san R.A. i gcónaí. Tabharfar dearáí R.A. athchláraithe orthu. Beidh an chosaint acu go huathoibríoch agus ní bheidh aon ghá le hiarratas a dhéanamh ná le táillí ar bith a íoc. Clárófar na dearáí sa chlár UKIPO agus coinneoidh siad a ndátaí comhdúcháin agus tosaíochta faoi seach. Caithfear le dearáí idirnáisiúnta faoi Chonradh Háig a ainmíonn an AE ar an tslí céanna. Dá réir sin ní fhéachfar orthu mar Dhearáí Idirnáisiúnta a léiríonn an R.A.. Is féidir iarratais ar RCDnna atá ar feitheamh ar lá Breathimeacht a athchomhdú leis an UKIPO laistigh de naoi mí ó lá Brexit agus coinneoidh siad a ndáta comhdúcháin agus tosaíochta AE. Caithfear le hiarratais ar Dhearáí Idirnáisiúnta a ainmíonn an AE agus atá ar feitheamh ar lá Brexit ar an tslí céanna. Beidh téarma na cosanta don dearadh R.A. a thiocfaidh as sin ar chomhfhad le téarma an RCD bhunaidh nó an Chlárúcháin Dearaidh Idirnáisiúnta bhunaigh a ainmíonn an AE faoi chomhaontú Háig. Ní mór athnuachan na ndearáí athchláraithe seo a dhéanamh ag UKIPO de réir na dtáillí agus na dtéarmaí atá leagtha amach ag UKIPO. Is féidir leis na dearáí seo a bheith mar bhunús ag imeachtaí i gcúirteanna na R.A. agus ag Binse UKIPO agus is féidir iad a shannadh agus a cheadúnú go neamhspleách ón gceart AE.

Dearáí Neamhchláraithe

Maidir le dearáí Pobail neamhchláraithe a nochtadh don bpobal san AE roimh lá Breathimeacht agus a dtugtar cosaint dóibh ar feadh trí bliana, beidh cosaint acu i gcónaí san R.A. ar feadh an choda den trí bliana atá fágtha. Tabharfar “dearáí Pobail neamhchláraithe leanúnacha” orthu.

Athnuachan Trád mharc R.A. Inchurtha agus Dearáí Athchláraithe R.A.

Meastar go seolfaidh UKIPO fógraí um athnuachan amach chuig úinéirí na dtrád mharcanna agus na ndearáí faoi seach. Moltar d’úinéirí na gclárúcháin seo aird a leith a thabhairt má tá an dáta athnuachana go luath tar éis lá Brexit, d’fhonn a chinntiú go n-athnuaitear a gclárúcháin R.A.. Ba chóir d’úinéirí a bheith ar an airdeall i gcónaí i dtaobh focaíochtaí athnuachana a dhéanamh gan dlisteanacht agus bunús iarratais athnuachana ar bith a scrúdú. Tá sé fíor-dhócha go ndéanfaidh lucht calaoise iarracht ar an deis seo a thapú chun teacht aniar aduaidh ar úinéirí cirt nach bhfuil ag súil lena leithéid agus litreacha athnuachana calaoiseacha a eisiúint.

Saincheisteanna eile a bhaineann le Trád mharc agus Dearadh

Ní mór d’úinéirí a bheith ar an eolas faoi cheadúnais, comhaontuithe cómhaireachtála, urghairí agus imeachtaí sárúithe a d’fhéadfadh an R.A. a ghlacadh san áireamh. Níor mhór athbhreithniú a dhéanamh ar cheadúnais agus ar chomhaontuithe cómhaireachtála más rud é nach bhfuil an R.A. luaithe go sonrach ach más é “an AE” ceann de na críocha atá ar an liosta, go háirithe más margadh tábhachtach é an R.A..

Trácht Ghinearálta ar Threochtaí agus ar Ghníomhaíochtaí

Dá mba rud é nach mór d'úinéirí a gcuid cearta a fhorfheidhmiú tríd an dlí tar éis Brexit bheadh orthu dhá imeacht a thionscnamh (ceann amháin os comhair Cúirt an R.A. agus an ceann eile os comhair Cúirt an AE) agus ní bheadh aon dul as maidir le costais arda dlíthíochta. Lena chois sin ní fios cé acu an mbeadh nó nach mbeadh gá le himeachtaí nua os comhair cúirteanna an R.A. i gcás urghairí uile-Eorpacha atá rinneadh cheana féin. Ní rachaidh sé seo i bhfeidhm ar dhlí coiteann an R.A. atá ann cheana féin agus beidh cearta trádhaire faoin tort “passing off” infheidhmithe i gcónaí. B'fhéidir gur chóir do ghnóthais Éireannacha nach ndéanann trádáil ach amháin in Éirinn agus sa R.A. agus a dhéanadh iarratas amháin chuig an EUIPO go dtí seo chun a mbranda(i) a chosaint athmhachnamh a dhéanamh ar a straitéis chomhdúcháin mar d'fhéadfadh sé bheith níos éifeachtaí ó thaobh costais de dhá iarratas ar leith chuig an oifig seo agus chuig UKIPO a dhéanamh.

Paitinní

Ós rud é go bhfuil agus go bhfanfaidh an R.A. rannpháirteach sa Chonradh um Chomhar Paitinní agus sa Chomhdháil Paitinní Eorpacha nach bhfuil ceann ar bith díobh ag brath ar bhallaíocht AE chun a bheith i bhfeidhm, ní tharlóidh aon athrú suntasach i ndáil le paitinní. Mar sin féin, tá roinnt neamhchinnteachtaí ó thaobh dlí de ann maidir le rannpháirtíocht leanúnach na R.A. sa Phaitinn Aonadach agus i gCúirt Aontaithe na bPaitinní mar thoradh ar neamhchinnteacht faoin dáta Brexit iarbhír. Chun Cúirt Aontaithe na bPaitinní a bhunú caithfidh an Fhrainc, an Ghearmáin agus an R.A. Comhaontú Cúirt na bPaitinní a dhaingniú. Tá an Comhaontú seo daingnithe ag an bhFrainc agus ag an R.A. cheana féin ach tá moill ar dhaingniú ón nGearmáin ó táthar ag fanacht le cinneadh ó Chúirt Bhunreatha na Gearmáine faoi “Ghearán Bunreatha”.

Deimhniúcháin Cosanta Fhorlíontacha

Bíodh is go gcuirtear isteach orthu seo agus go ndeonaítear ceann ar cheann ag an leibhéal náisiúnta tá Deimhniúcháin Cosanta Fhorlíontacha faoi réir dlí AE, rud nach mbeidh i bhfeidhm san R.A. a thuilleadh agus dá bhrí sin cuirfidh Brexit isteach orthu. Meastar áfach, gur féidir teacht ar chomhaontú d'fhonn a chinntiú go dtabharfar aitheantas san R.A. do Dheimhniúcháin Cosanta Fhorlíontacha a deonaíodh cheana féin i gcomhair a bhfuil fágtha dá dtéarma. Cé nach bhfuil sé cinnte go hiomlán cé acu ar mhian nó nár mhian le rialtas na R.A. cosaint 'nua' a thairiscint tar éis Brexit, agus más mian, cé acu, an mbeadh nó nach mbeadh na téarmaí cosúil leis an gcóras reatha AE. Fiú amháin má chuireann an R.A. tar éis Brexit ceart coibhéiseach le ceart an Dheimhniúcháin Chosanta Fhorlíontaigh Eorpach i bhfeidhm sa R.A. d'fhéadfadh nach leanfaidh as go léirmhíntear dlí Deimhniúcháin Chosanta Fhorlíontaigh na R.A. de réir rialúcháin de chuid Chúirt Bhreithiúnais an Aontais Eorpaigh ar Rialacháin Deimhniúcháin Cosanta Fhorlíontacha. Tá plé fada déanta ar bhailíocht agus raon cosanta na nDeimhniúcháin Cosanta Fhorlíontach os comhair na Cúirte Breithiúnais le blianta beaga anuas ach d'fhéadfadh cúirteanna na R.A. reachtaíocht 'nua' um Dheimhniúcháin Cosanta Fhorlíontacha a thabhairt i treo eile ar fad, rud as a leanann níos mó neamhchinnteachta d'úinéirí cearta Deimhniúcháin Chosanta Fhorlíontaigh. De bheis air seo tá athbhreithniú á dhéanamh ar dhlí Deimhniúcháin Chosanta Fhorlíontaigh ag leibhéal AE agus de bharr roinnt athruithe a d'fhéadfaí a dhéanamh ar an dá thaobh d'fhéadfadh go mbeidh dlí Deimhniúcháin Chosanta Fhorlíontaigh na R.A. agus an AE imeacht óna chéile, rud a mbeidh timpeallacht dhlíthiúil chasta i réimse a mheastar a bheith casta cheana féin a bheith mar thoradh air.

Cóipcheart Trasteorann

Tá corpas dlí AE ar chóipcheart agus cearta a bhaineann leis ann atá níos fairsinge ná forálacha na gconarthaí idirnáisiúnta éagsúla ar chóipcheart; áirítear orthu roinnt sásraí cóipchirt trasteorann. Sásraí iad a bhaineann go sonrach leis an AE agus tugann siad cosaintí agus tairbhí frithpháirteacha idir ballstáit AE. Áirítear orthu:

- Cearta bunachar sonraí sui generis faoin Treoir um Bhunachar Sonraí (Treoir 96/9/CE).
- Inaistritheacht seirbhís inneachair ar líne faoin Rialachán um Inaistritheacht, (Rialachán (AE) 2017/1128).
- An príonsabal Tíre Tionscnaimh maidir le glanadh cóipchirt i gcraoltóireacht satailíte faoin Treoir Satailíte agus Cábla (Treoir ón gComhairle 93/83/CEE).
- Eisceacht cóipchirt maidir le hoibreacha dílleachta (oibreacha gan úinéirí doiciméadaithe) faoin Treoir um Oibreacha Dílleachta (Treoir 2012/28/AE).
- Comhbhainistiú ar chomhlachtaí ceadúnú cóipchirt faoin Treoir maidir le Comhbhainistiú ar Chóipcheart, (Treoir 2014/26/AE).
- Aistriú trasteorann cóipeanna i bhformáid inrochtana d'oibreacha cóipchirt faoi Threoir Marrakesh, (Treoir (AE) 2017/1564).

Ba chóir d'aonáin Éireannacha a bhaineann úsáid as na sásraí trasteorann seo de chuid AE nach mbaineann siad ach le tíortha an AE nó an LEE. Tar éis Breatimeacht, féadfaidh an AE agus an LEE caitheamh leis an Ríocht Aontaithe mar thríú tír. Más é sin an cás, d'fhéadfadh deireadh a chur le gné chómhalartach na meicníochtaí cóipchirt sin maidir leis an Ríocht Aontaithe.

Misean agus Cuspóirí Oifig na bPaitinní

Is é misean lárnach Oifig na bPaitinní:

"Córas éifeachtach agus éifeachtach um chosaint maoinne intleachtúla a sholáthar a spreagann forbairt theicneolaíoch agus a chuireann fiontair chun cinn"

Tá sé seo le baint amach trí chosaint cearta maoinne intleachtúla i réimsí na bpaitinní, na dtrádmharcanna agus na ndearaí, scaipeadh réamhghníomhach eolais agus faisnéise ábhartha i gcomhar le gach ceann de na gníomhaíochtaí seo. Leanfaidh Oifig na bPaitinní le páirt a ghlacadh i réimeas rialála nua-aimseartha agus sofhreagrach a bhaint amach, a thacaíonn le nuálaíocht agus le fiontraíocht araon agus a chothaíonn timpeallacht éifeachtach ghnó in Éirinn. Déanann an tráchttaireacht seo a leanas agus an tuarascáil staidrimh a ghabhann leis cur síos ar ghníomhaíochtaí na hOifige i gcomhthéacs seachadadh na sé phríomhchuspóir atá leagtha amach sa Ráiteas Straitéise 2017-2019. Feictear na sé chuspóir seo mar chuid lárnach d'fhonn misean na hOifige a chomhlíonadh agus a éifeachtúlacht oibríochtúil a chothabháil. Tá an Ráiteas Straitéise ar fáil ar shuíomh gréasáin na hOifige (www.patentsoffice.ie)

Cuspóir 1

Seirbhís den scoth a sholáthar do chustaiméirí

Tá cur síos ar ghealltanas na hOifige ar sheirbhís custaiméirí den scoth sa "Plean Gníomhaíochta um Sheirbhís do Chustaiméirí 2017-2019" ina leagtar amach 42 sprioc seirbhíse do chustaiméirí. Leagtar síos teorainneacha ama chomh maith agus is féidir chun tascanna éagsúla do chustaiméirí a chur i gcrích. Leagtar amach go mionsonraithe iad sa chuid ar "Spriocanna Feidhmíochta" den tuarascáil. Tá an Plean Gníomhaíochta um Sheirbhís do Chustaiméirí ar fáil ar shuíomh gréasáin na hOifige (www.patentsoffice.ie). Le linn 2018 bhí a cuid seirbhísí á gcur ar fáil ag an Oifig i gcónaí. Baineadh formhór na spriocanna seirbhíse do chustaiméirí amach ag leibhéal sásúil.

Geallann Oifig na bPaitinní athbhreithniú leanúnach a dhéanamh ar a cuid nósanna imeachta riaracháin d'fhonn uasleibhéal éifeachtachta a bhaint amach. Ó 2015 tairgeann an Oifig ríomh-chomhdú le haghaidh iarratas ar thrádmharcanna agus dearaí. Faoi dheireadh 2018 comhdaíodh 92% d'iarratais ar thrádmharc ar líne trí shuíomh gréasáin na hOifige agus comhdaíodh 92% d'iarratais ar dhearadh ar líne. Ní dhéantar comhaid pháipéir a thuilleadh le haghaidh iarratais ar thrádmharc agus ar dhearadh. Faightear go leictreonach iad agus tá próiseas ar bun le haghaidh cuardaigh agus scrúdaithe nach n-úsáidtear aon pháipéar ann ar an gcuid is mó de, rud atá ar aon dul le barrchleachtas idirnáisiúnta. Forbraíodh feidhmiúlacht chun ríomh-chomhdú paitinní agus Deimhniúcháin Chosanta Fhorlíoantaigh a chumasú agus seolfar go luath in 2019 e. Mar chuid de "soft go live" ghlac an Oifig leis an chéad iarratas paitinne ríomh-chomhdaithe i mí na Nollag 2018. Mar seo chinntigh an Oifig gur chomhlíon sí riachtanas an Rialtais go mbeadh gach nós imeachta ceadúnaithe agus údaraithe don earnáil ghnó ar fáil ar líne roimh dheireadh 2018. Faoi mar atá an scéal le trádmharcanna agus dearaí ní dhéanfar comhaid pháipéir a thuilleadh le haghaidh iarratais ar bith ar phaitinní a ríomh-chomhdaítear leis an Oifig. Le linn 2018 d'fhorbair an Oifig 'Uirlis Teimpléid le haghaidh Sonrú Paitinne'. Teimpléad idirghníomhach é seo a chabhróidh le hiarrthóirí aonair faoi ghannionadaíocht sonrúcháin paitinne lán-fhormáidithe, lán-nochtaithe a ullmhú i gceart. Cuireann an uirlis teoracha soiléire i scríbhinn mar aon le sampla mionsonraithe ar fáil d'úsáideoirí ar ar chóir a chur isteach i ngach cuid den sonrúcháin paitinne. Cuireann sé ar chumas an úsáideora a chuid eolais a iontráil ar scáileán chun an sonrúcháin a chur le chéile de réir mar a ghabhann siad ar aghaidh. Nuair a bhíonn an t-úsáideoir sásta leis an eolas atá curtha ar fáil acu cruthóidh an córas pdf lán-fhormáidithe mar aon le leaganacha word den sonrúcháin paitinne comhlánaithe Is féidir leis an úsáideoir é a shábháil agus a chomhdú ar a chaoithiúlacht. I ndiaidh tástáil slándála cuirfear an uirlis ar fáil i dteannta an mhodúil chun paitinní agus Deimhniúcháin Chosanta Fhorlíoantaigh a chomhdú ar líne.

Chomh maith le rochtain ar líne saor in aisce ar a cláir, bunachair sonraí, agus Iris Oifigiúil, cuireann an Oifig rochtain ar líne ar fáil d'uirlisí éagsúla cuardaigh atá saoráideach do chustaiméirí ar nós TMView, DesignView, Espacenet agus an Clár Paitinne Cónaidhme. Lena chois sin d'athdhear an Oifig a suíomh gréasáin in 2018 agus rinne uasghrádú air. Dá bharr sin tá sé níos solúbtha ó thaobh seirbhísí ar líne de, íocaíochtaí ar líne san áireamh. Lena chois sin cuireann sé réimse eolais ar Mhain Intleachtúil ar fáil do chustaiméirí na hOifige ar shlí shoiléir éasca.

Cuspóir 2

Próiseáil éifeachtach gnó a chinntiú mar thoradh ar fheabhsuithe bonneagair TFC

Le linn 2018, lean an fhoireann ag scagadh na bpróiseas oibre agus na réiteach teicneolaíochta a thacaíonn lena dtáirgí agus seirbhísí lárnacha chun seachadadh seirbhíse níos éifeachtaí a sholáthar. Tá sé mar aidhm ag clár r-sheirbhísí na hOifige feabhas a chur ar sheachadadh seirbhíse agus próiseáil níos éifeachtaí trí chomhdú leictreonach, próiseáil comhaid leictreonach agus cumarsáid leictreonach a chomhcheangal ar bhealach a éascóidh próiseasáil gan pháipéar den chuid is mó a thabhairt isteach sa Oifig. Go dtí go raibh ríomh-chódú tugtha isteach le haghaidh iarratais paitinne agus Deimhniúcháin Chosanta Fhorlíontaigh choinnigh an Oifig áis drop box. Áis shábháilte is ea í gur féidir Aturnaetha Maoine Intleachtúla iarratais chriptithe ar phaitinní, ar thrádmharcanna agus ar dhearaí a chur isteach go leictreonach. In 2018, bhain 26 chuideachta leas as an áis drop box. Cuirfear deireadh leis an áis drop box in 2019 nuair a bheidh an ríomh-chomhdú do phaitinní agus Deimhniúcháin Chosanta Fhorlíontaigh ag obair go hiomlán.

Feidhmíonn córas íocaíochta ar líne san Oifig a éascaíonn íocaíocht na dTrádmharcanna agus Deartha náisiúnta ar líne chomh maith le gach táillí deontais agus athnuachana do Phaitinní. Íoctar beagnach 100% de tháillí reachtúla na hOifige go leictreonach anois. I gcás custaiméirí nach féidir leo leas a bhaint as an áis íocaíochta ar líne, úsáideann an Oifig críochfort cárta creidmheasa (CCT) freisin chun íocaíocht na dtáillí a éascú ar an teileafón.

Le linn na bliana lean an Oifig ag baint tairbhe as an gcúnamh ó Chiste Comhoibrithe Oifig Maoine Intleachtúla an Aontais Eorpaigh (EUIPO) a thugann cúnamh d'Oifigí Náisiúnta an AE le hoiliúint agus le huirlisí bunaithe ar an ngréasán a fhorbairt agus a chur chun feidhme chun tacú le saolré na dtrádmharcanna agus dearaí. Glacann an Oifig páirt freisin i ngníomhaíochtaí éagsúla comhoibrithe agus oiliúna mar rannpháirtí i Líonra na bPaitinní Eorpacha a fhaigheann tacaíocht ó Oifig na bPaitinní Eorpacha (EPO). Mar chuid den "Tionscnamh cáilíochta ag an bhfoinse" thosaigh an Oifig ag obair leis an EPO chun caighdeán na sonraí paitinne a tharchuirtear chuig an EPO a fheabhsú. Ar a chuid féin, tá an Oifig ag leanúint le tionscadal chun líon na ndoiciméad náisiúnta paitinne a chuirtear i gcartlann leictreonach a mhéadú. Cuireadh tús leis an tionscadal seo in 2013 agus lean sé ar aghaidh i rith 2018 agus é mar aidhm aige na doiciméid ar fad a bhí ar fáil maidir le hiarratas ar phaitinn a chur ar fáil ó na 1960 í go luath sna 2000í, agus iad a chur ar fáil don phobal le féachaint orthu ar an láithreán gréasáin. Meastar go bhfuil thart ar 58,000 doiciméad le scanadh. Leanadh leis an tionscadal in 2018 le níos mó ná 41,000 doiciméad scanta go dtí seo. Mar bheart costais coigiltis agus chun rochtain leanúnach a fháil ar na doiciméid, bheartaigh an Oifig gan an obair seo a sheachfhoinsiú agus tá sí ag baint úsáide as a hacmhainní agus a foireann inmheánach féin.

Maidir le héifeachtaí teicneolaíochta a fheabhsú, uasghrádaíodh an córas riaracháin PTOLEMY go V4 le linn 2018. Bhí an obair a an gcóras ríomh-chomhdúcháin paitinne agus Deimhniúcháin Chosanta Fhorlíontaigh nua críochnaithe nach mór leis an Oifig mar chuid de 'soft go live'. Ghlac sí leis an gcéad iarratas ríomh-chomhaithe ar phaitinn i mí na Nollag 2018. Cuireadh tuilleadh feabhais ar an gcóras ríomh-chomhdúcháin do thrádmharcanna agus ar an gcóras riaracháin PTOLEMY go déanach in 2018 chun gur féidir glacadh le hiarratais trádmhairc neamhthraidisiúnta ó lár mhí Eanáir 2019. Tagann an t-athrú seo mar thoradh ar thras-suí Treorach (AE) 2015/2436 chuig dlí na hÉireann agus seasann sé seo don chéad leasú mór ar dhlí trádmhairc in Éirinn le 20 bliain anuas.

Cuspóir 3

Leanúint ar aghaidh ag cur le cruthú creat éifeachtach dlíthiúil IP in Éirinn agus le beartas IP

Tá rialáil na gceart maoine intleachtúla in Éirinn ina cuid riachtanach den chreat fhoriomlán 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 tiomantas 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 cúnaimh 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 ar chuir sí tuairimí in iúl ina leith le linn na bliana 2018:

- **I.R. Uimh. 561 de 2018 Rialacháin an Aontais Eorpaigh (Trádmharcanna), 2018** Leis na Rialacháin seo, arna ndéanamh de bhun Acht na gComhphobal Eorpach, 1972, leasaítear agus síntear forálacha áirithe de chuid Acht na dTrádmharcanna, 1996 chun éifeacht reachtúil sa Stát a thabhairt do Threoir (AE) 2015/2436 ó Pharlaimint na hEorpa agus ón gComhairle an 16 Nollaig 2015 lena leasaítear Treoir 2008/95/EC a bhaineann le trádmharcanna agus d'fhorálacha áirithe de chuid Rialachán (AE) 2017/1001 ón gComhairle an 14 Meitheamh 2017 ar Thrádmharc an Aontais Eorpaigh.
- **I.R. Uimh. 562 de 2018 Rialacha na dTrádmharcanna (Leasú), 2018** Is é an príomhrud a dhéantar leis an Ionstraim Reachtúil seo ná nósanna imeachta a leagtar síos i dTreoir (AE) 2015/2436 ó Pharlaimint na hEorpa agus ón gComhairle an 16 Nollaig 2015 a thrasú agus, ar an gcaoi sin, leasaítear agus síntear forálacha áirithe de chuid reachtaíocht thánaisteach trádmharcanna na hÉireann, is é sin Rialacha na dTrádmharcanna, 1996.
- **I.R. Uimh. 563 de 2018 Na Rialacháin um Acht na dTrádmharcanna, 1996 (Trádmharc Comhphobail) (Leasú), 2018** Leis na Rialacháin seo leasaítear forálacha teicniúla áirithe sna Rialacháin um Thrádmharc Comhphobail, 2000 (I.R. 229/2000) (“Rialacháin CTM”).
- **I.R. Uimh. 564 de 2018 Na Rialacha um Paitinní, Trádmharcanna agus Dearaí (Táillí) (Leasú), 2018** Trádmharcanna agus Dearaí (Táillí), 2001 (I.R. Uimh. 482 de 2001) lena n-áirítear táille nua €125 Leis an Ionstraim Reachtúil seo tugtar isteach leasuithe ar na Rialacha um Paitinní, a tugadh isteach agus a ghearrtar ar clárúchán trádmhairc a roinnt.

Cuspóir 4

Feasacht agus tuiscint ar IP a chur chun cinn i measc ghnó, gnóthais agus mic léinn na hÉireann

Is é ceann de phríomhchuspóirí Oifig na bPaitinní cuidiú le gnóthaí, nuálaithe agus fiontraithe tuiscint a fháil ar an gcaoi a bhféadfadh IP cabhrú leo luach a chruthú óna gcuid smaointe agus a bheith in ann rochtain a fháil ar fhaisnéis faoi IPRs (Cearta Maoine Intleachtúla) a chuirfidh ar a gcumas iad a úsáid, a mhaoin intleachtúil a bhainistiú agus a fhorfheidhmiú ar a chumas is iomláine. Tá clár feasachta IP na hOifige dírithe go sainiúil ar chabhrú le fiontrair bheaga agus micrifhiontrair chomh maith le fiontraithe agus nuálaithe aonair. Lean an oifig ar aghaidh leis an gclár for-rochtana chun feasacht ar mhaoin intleachtúil a mhéadú i measc an phobail i gcoitinne agus díriodh go háirithe ar an earnáil gnó nua-thionscanta agus ar mhicléinn. Le linn 2018 ghlac an Oifig páirt i 53 imeacht ag a labhair sí faoi chúrsaí Maoine Intleachtúla. Ar na himeachtaí áiríodh cúrsaí ar “Chuir tús le do ghnó féin” a bhí á reáchtáil ag na hOifigí Fiontrair Áitiúla chomh maith le labhairt i gcoláistí tríú leibhéal tríd an gclár “Teorainneacha Nua”. Thug an Oifig faoi ghníomhaíochtaí múscaillt feasachta ar Mhaoin Intleachtúil ag taispeántais éagsúla um chomhairliú gnó agus fiontrair ar fud na tíre, mullach uile-Éireann na bhfiontar beaga agus meánacha, Comórtas Náisiúnta Treabhadóireachta agus Seó na Tulaí Móire, Co. Uíbh Fhailí san áireamh. Lena chois sin reáchtáil an Oifig 54 chlinic faoi Maoin Intleachtúil in 2018. Ionntu tugtar deis don bpobal, d’aireagóirí, fiontraithe agus lucht gnó plé duine le duine a dhéanamh le foireann Oifig na bPaitinní faoi ghnóthaí a bhaineann le hiarratais Maoine Intleachtúla atá i gceist acu a dhéanamh nó atá curtha isteach acu chuig an Oifig cheana féin. Fuarthas go raibh an cur chuige seo an-chabhrach le treoir bhunúsach a sholáthar maidir le nósanna imeachta agus foirmeacha a theastaíonn chun cearta IP a chlárú, na próisis a bhaineann le cosaint IP a fháil in Éirinn nó thar lear. Cuirtear cúnaimh chun straitéis chuardaigh féin a thógáil do phaitinní, trádmarcanna agus dearáí agus rochtain a fháil ar bhunachair sonraí paitinne, trádmarc agus dearadh ar líne.



Tá cuid shuntasach d'iarrachtaí ardaithe feasachta na hOifige dírithe ar dhaltáí dara leibhéal trí rannpháirtíocht le Taispeántas Eolaí Óg agus Teicneolaíochta BT agus na Dámhachtainí Bliantúla Fiontraíochta do Mhic Léinn. Lean an Oifig ar aghaidh lena hurraíocht ar dhámhachtainí bronnta ar an dalta a léiríonn a thionscadal an úsáid is fearr as an teicneolaíocht ar bhealaí nua nó feabhsaithe, éifeachtúlachtaí feabhsaithe agus nuálaíochtaí úra. Ba é Liam O'Mara ó Choláiste Castleroy, Luimneach buaiteoir duais Oifig na bPaitinní in 2018 lena thionscadal dar teideal “*Hel-Mate: a concussion monitoring device*”.



Student Enterprise Awards



Is Dámhachtainí Fiontrair Mac Léinn atá á reáchtáil ag an mBord Fiontar Áitiúil an comórtas fiontar is mó do dhaltáí dara leibhéal in Éirinn le 16,000 rannpháirtí.

Bhí an Craobhchomórtas Náisiúnta ar siúl ar an 7 Aibreán. Ba iad seo a leanas buaiteoirí na ngradam Maoine Intleachtúla: Gradam Sóisearach: “*Complete Caman*”, Presentation Secondary School, Oileán Chiarraí, Co. Chiarraí (sa phictiúr ar chlé); Gradam Idirmheánach: “*Comfy Hands Healthcare*”, Our Lady’s Secondary School, Béal an Mhuirthead, Co. Mhaigh Eo; Gradam Sinsearach: “*Back to Basics*”, St. Mary’s Secondary School, Béal an Átha, Co. Mhaigh Eo. Is éard atá sa chomórtas bealach den scoth don Oifig dul i dteagmháil le daltaí le feasacht ar IP a chur chun cinn nuair a bhíonn smaointe gnó á fhorbairt agus fiontar rathúil á bhunú acu. Cuimsíonn leabhar oibre an SEA caibidil a bhaineann go sonrach le Maoin Intleachtúil, ag cur le feasacht ar IP i measc daltaí dara leibhéal. Leanfaidh Oifig na bPaitinní lena rannpháirtíocht le Dámhachtainí Fiontrair Mac Léinn sa toadhcháil.

Cuspóir 5

Feabhas a chur ar éifeachtacht eagrúcháin trí fheabhas a chur ar scileanna foirne, sásamh poist agus roinnt eolais

Ón 31 Nollaig 2018 bhí 47 post údaraithe ag an Oifig. Mar sin féin, nuair a chuirtear sosanna gairme, comhroinnt oibre agus socruithe oibre a thacaíonn leis an teaghlach, d'oibrigh an Oifig le leibhéal comhionann foirne de 43.58 fostaí lánaimseartha l rith 2018. Tá laghdú suntasach tagtha ar líon na mball foirne atá ag obair san Oifig ó dhíláraigh an Oifig go Cill Chainnigh den chéad uair i 1998. Tháinig laghdú suntasach ar líon na mball foirne atá ag obair san Oifig ó díláraíodh an Oifig chuig Cill Chainnigh in 1998. Tá laghdú suntasach ar an líon foirne tagtha de bharr uathoibriú na nósanna imeachta agus feabhsuithe nuálacha ar phróiseáil gnó inmheánach, ó 76 sa bhliain 1998 go 43.58 post (coibhéiseach lánaimseartha) amhail 31 Nollaig 2018. D'fhéach an Oifig le freastal ar éilimh seirbhíse poiblí ardleibhéil le laghdú ar an bhfoireann agus níos lú acmhainní agus gan siléig a dhéanamh in éifeachtacht oibriúcháin, trí nósanna imeachta níos fearr níos éifeachtaí a chur i bhfeidhm agus trí teicneolaíocht a úsáid. Tá an Oifig tiomanta do chinntiú go ndéantar measúnú rialta ar gach feidhmíocht foirne agus go ndéanfar athbhreithnithe foirne a chríochnú go tráthúil. Nascann an Córas Forbartha Bainistíochta Feidhmíochta (PMDs) le plean gnó bliantúil na hOifige agus tugann sé deis do gach ball foirne spriocanna aonair a leagan síos, tús a chur le hathruithe a dhéanamh agus leanúint de bheith ag feabhsú cleachtais oibre chun seirbhís éifeachtach ardchaighdeáin a sheachadadh. De réir an chórais PMDS, dréachtaíodh Plean Forbartha Oilíúna a thóg san áireamh na riachtanais is oilíúna éagsúla a d'aithin an fhoireann ina bpleananna forbartha pearsanta do 2018. Lasmuigh den oiliúint leanúnach ar an láthair, cuireadh oiliúint ar fáil i réimsí amhail an geilleagar, córais airgeadais, agus scileanna cumarsáide. Le linn a fheidhmeanna reachtúla a chomhlíonadh, baineann an Oifig i gcónaí leis na oibleagáidí san Alt 42 den 2014 Acht fá Choimisiún na hÉireann um Chearta an Duine agus Comhionannas, chun :

- idirdhealú a dhíbirt;
- comhionannas i ndeiseanna a bhfoirne agus na ndaoine a gcuireann siad seirbhísí ar fail dóibh agus sa chaoi a gcaitear leo a chur chun cinn; agus
- cearta daonna a bhfoirne agus na ndaoine a gcuireann siad seirbhísí ar fáil dóibh a chosaint.

Lean an fhoireann lena ról lárnach maidir le tomhaltas fuinnimh a laghdú laistigh den Oifig i gcomhréir leis an gClár Earnála Poiblí atá i bPlean Gníomhaíochta Éifeachtúlachta Fuinnimh an Rialtais. Tá sé mar sprioc ag an bplean tomhaltas fuinnimh alaghdú, feasacht foirne ar éifeachtúlacht fuinnimh a mhéadú agus monatóireacht a dhéanamh ar heidhmíocht trealamh téimh / aerchóirithe. Mar thoradh ar na bearta coigilt fuinnimh atá curtha bhfeidhm ag an bhfoireann, tá coigiltis suntasacha tomhaltas fuinnimh le bliain anuas (i gcomparáid le 2008, an bhliain thagarmharcála) agus sábháil iarmhartach i gcostais fuinnimh. Laghdaigh tomhaltas fuinnimh san fhoirgneamh de 30 % abhuí lenár rannpháirtíocht san fheachtas “Optimizing Power@Work” in 2008.

Cuspóir 6

Oibrigh agus comhoibrigh le comhpháirtithe an AE, idirnáisiúnta agus le hoifigí náisiúnta eile le cinntiú go mbeidh córais Eorpacha agus Idirlín IP inrochtana do ghnó agus d'fhiontar na hÉireann

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 tír ar Bhord Bainistíochta 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. Le linn 2018 toghadh an Rialaitheoir, an tUas. Gerard Barrett mar Leaschathaoirleach ar Choiste Buiséid & Airgeadais na hOifige Paitinní Eorpaí agus lena chois sin toghadh é mar bhall Bord Comhairle Riaracháin na hEagraíochta Eorpaí um Phaitinní. Toghadh an tUas. Dermot Doyle, Ceann Trádmharcanna, mar Leaschathaoirleach Bord Bainistíochta Oifig Maoine Intleachtúla an Aontais Eorpaigh 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 sainoilíúint 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 nósanna imeachta 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 idirnáisiúnta bealaí nósanna imeachta riaracháin agus rialacha cur chun feidhme a chinneadh le haghaidh cosaint aonadach paitinne.

Gradam 2018 um Barrfheabhas agus Nuáil Seirbhíse

Tíolacadh Gradam 2018 um Barrfheabhas agus Nuáil Seirbhíse ag searmanas i Halla Naomh Pádraig, Caisleán Bhaile Átha Cliath, ar an 22 Samhain 2018. Reáchtáiltear an Searmanas Gradaim gach bliain chun aitheantas poiblí a thabhairt do bharrfheabhas agus nuáil thar na Státseirbhíse agus bunaíodh iad faoin bPlean um Nuáil na Státseirbhíse. Ar an iomlán bhí 30 togra ar an ngearrliosta ó réimsí ar fud na Státseirbhíse. Bhí 11 bhuaiteoir ann ag an oíche. Bhí Oifig na bPaitinní ar an ngearrliosta faoin gcatagóir Sármaidheas Digiteach as ucht a hiarratais faoi sheirbhísí agus uirlisí ríomh-ghnó. D'fhreastail na foirne a bhí ar an ngearrliosta ó réimsí ar fud na Státseirbhíse ar an searmanas gradaim, mar aon leo siúd a bhí rannpháirteach sa phróiseas gradaim, státseirbhísigh shinsearacha lena n-áirítear an tArdrúnaí, an Dr. Orlaigh Quinn, agus an tAire Airgeadais agus Caiteachais Phoiblí agus Athchóirithe, Paschal Donohoe T.D. Tá tionscadal Oifig na bPaitinní um sheirbhísí agus uirlisí ríomh-ghnó dírithe ar phríomhsheirbhísí a sholáthar chuig gnó ar shlí dhigiteach agus ar líne. Agus í ag úsáid teicneolaíochta foinse oscailte d'fhorbair an Oifig sraith ríomh-sheirbhísí saor in aisce atá éasca le n-úsáid, idir chuardach trádmhairc agus dearaidh ar líne agus ríomh-chomhdú agus uirlisí íocaíochta. Trí feabhas a chur ar réitigh dhigiteacha d'éirigh leis an Oifig gearradh siar ar an líon foirne agus tá próiseáil nach bhfuil an oiread sin saothair ag gabháil léi agus ardleibhéil sástacht custaiméara bainte amach aici.



Baill d'fhoireann tionscadail Oifig na bPaitinní: John Nolan, Mary Flynn, Gerard Barrett, John Tuffy agus Avril Hetherington.

An t-Irisleabhar Oifigiúil

An t-Irisleabhar Oifigiúil

Foilsítear an t-irisleabhar gach coicís ar an suíomh Gréasáin. Is i ngach eagrán den irisleabhar a bhíonn innéacs inchoardaithe agus faisnéis 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 faisnéis faoi nithe amhail fógraí oifigiúla, sonraí faoi mhodhanna íocaíochta táillí reachtúla agus uaireanta oscailte Oifig na bPaitinní. Cuireadh saoráid idirghníomhach leis an irisleabhar. 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 Chlár a rochtain laistigh den irisleabhar anois trí chliceáil ar hipearnasc laistigh den irisleabhar.

Suíomh Gréasáin Oifig na bPaitinní

The screenshot shows the homepage of the Irish Patents Office. At the top, there is a navigation bar with links for 'Gaeilge', 'News & Events', and 'About Us'. Below this is a secondary menu with 'Understanding IP', 'Types of IP', 'IP Search Tools', 'Commercialise Your IP', 'Manage IP', and 'Law & Practice'. The main heading is 'Turning ideas into assets', followed by a sub-heading: 'The Patents Office is the official Irish government body responsible for intellectual property (IP) rights including patents, designs, trade marks and copyright.' Below this are four columns, each with an icon and a brief description: 'Patents' (lightbulb icon), 'Trade Marks' (registered trademark icon), 'Designs' (design icon), and 'Copyright' (copyright symbol icon). At the bottom, there are three colored boxes: a teal box asking 'What type of IP is right for you?', a red box asking 'Is your idea, invention or brand available?', and a blue box for 'Online Services' with 'APPLY ONLINE' and 'PAY ONLINE' buttons.

Soláthraíonn an suíomh gréasáin (www.patentsoffice.ie) réamhrá ginearálta do mhaoín intleachtúil agus eolas sonrach ar conas do smaointe a chosaint agus tá rannán ann ar MI do ghnó. Ar sheirbhísí ar líne áirítear: íocaíochtaí táillí ar líne, ríomh-chomhdú iarratas ar thrádmharcanna agus dearaí, féachaint ar chláir agus bunachar sonraí trádmharcanna agus dearaí agus iad a chuardach; cláir eagraíochtaí a cheadúnaíonn cóipcheart agus cláir gníomhairí paitinní agus trádmharcanna. Áirítear ar an ábhar atá foilsithe ar an ngréasán tuarascálacha bliantúla ó bhlianta roimhe seo, réimse de leabhráin fhaisnéise MI, ráiteas reatha straitéise na hOifige agus plean gníomhaíochta seirbhíse do chustaiméirí agus gach reachtaíocht phríomha agus thánaisteach a rialaíonn feidhmeanna Oifig na bPaitinní.

Lean láithreán gréasáin na hOifige mar phríomhuirlis chun eolas a chur ar fáil don phobal ar IP chomh maith le bealach éifeachtach chun raon seirbhísí cuardaigh idirghníomhacha agus íocaíochta táille a sholáthar. Bhí líon na gcuariteanna ar an láithreán gréasáin ag meán 25,000 aghaidh na míosa nó 301,500 in aghaidh na bliana in 2018. Mar a tharla sna blianta roimhe seo, leanann an tóir is mó ar na leathanaigh cuardaigh idir ghníomhacha ar líne le breis is 237,800 cuairt in 2018.

Uasghrádú ar an Suíomh Gréasáin

Cuireadh suíomh gréasáin Oifig na bPaitinní ar bun ar dtús in 1997 i gcomhar le Oifig Eorpach na bPaitinní agus bhí sí á hóstáil ar fhreastalaí na hOifige Eorpaí an uair úd. Bhog an Oifig a suíomh gréasáin féin chuig a freastalaí féin a bhí bunaithe go háitiúil sa bhliain 1999. Rinneadh leagan amach agus dearadh nua sa bhliain 2005. Ó 2005 ar aghaidh fíodh níos mó gnéithe idirghníomhacha atá dírithe ar sheirbhís custaiméara sa suíomh agus rinneadh uirlis thábhachtach den suíomh maidir le seirbhísí Maoine Intleachtú

Bhí gá leis an suíomh a uasghrádú agus athdhearadh a dhéanamh air d'fhonn coinneáil bord ar bord le forbairtí reatha ar shuíomh ghréasáin i ndáil le hinúsáideacht agus cur i láthair ó thaobh físe de, agus d'fhonn a chinntiú go bhféadfaí é a fheiceáil mar is ceart i leaganacha nua brabhsáilthe. Lena chois sin bhí gá le huasghrádú d'fhonn tairseach oiriúnach a chur ar fáil chun soláthar éifeachtach ríomh-sheirbhísí na hOifige chuig an earnáil ghnó a éascú. Bhí gá, ina thaobh seo, éileamh an Taoisigh/an Rialtais a chomhlíonadh go mbeadh ríomh-sholáthar gach seirbhís rialtais ar nós ceadúnaithe, údaraithe, deimhnithe, iarratais ar cheadúnas agus glacadh le híocaíochtaí a bhaineann le húsáideoirí nó, go mbeidís siúd ar fáil faoin mbliain 2018.

Seoladh an suíomh gréasáin nua in 2018 agus tairgeann sé siúd dearadh suíomh níos freagrúla mar aon le hinneachar nuashonraithe, níos mó solúbthacht ó thaobh seirbhísí ar líne de agus cuireann sé níos mó eolais ar fáil do chustaiméirí na hOifige ar shlí shoiléir atá éasca le húsáid ag an úsáideoir.

Comhoibriú Idirnáisiúnta



Glacann an Oifig páirt i ngníomhaíochtaí comhair lena macasamhlacha i dtíortha eile, leis an Oifig um Chomhchuíbhíú sa Mhargadh Inmheánach (OCMI) agus le hOifig Paitinní na hEorpa ar roinnt tionscadal arb é is aidhm dóibh comhchuíbhíú a chur chun cinn ar fud oifigí náisiúnta MI agus cúrsaí a éascú d'úsáideoirí na gcóras paitinne, trádhmhairc agus dearaidh.

Clár Comhair EUIPO

Nascann Clár Comhoibrithe EUIPO, arna seoladh in 2011, EUIPO le hOifigí Náisiúnta agus le Cumainn Úsáideoirí chun talamh coitianta a bhaint amach i réimsí ina bhfuil cleachtais dhifriúla ag oifigí IP. Comhlánaíonn sé an obair atá á déanamh chun uirlisí cumarsáide TF a chruthú faoin gCiste Comhoibrithe. Glacann foireann na hOifige páirt sna Grúpaí Oibre a bunaíodh le haghaidh gach tionscadal cóineasaithe. Is iad seo a leanas na príomhbhuntaistí d'úsáideoirí a eascraíonn as na Cláir Chóineasú éagsúla:

Is iad seo a leanas na príomhbhuntaistí d'úsáideoirí a eascraíonn as na Cláir Chóineasú éagsúla:

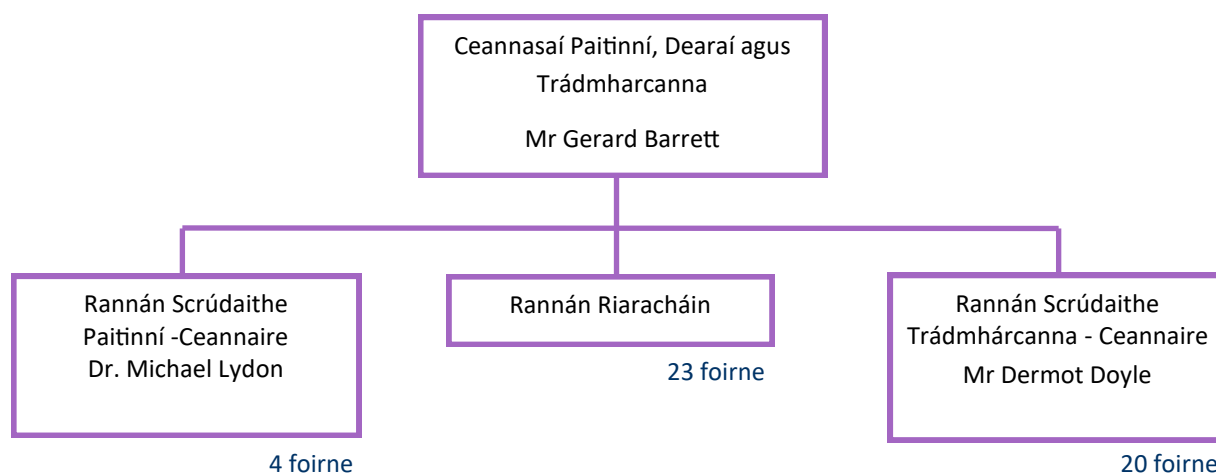
- Soiléire agus trédhearcacht: Coinníonn tionscnaimh roinnte cumarsáide na páirtithe leasmhara ar an eolas faoi dul chun cinn ar bhealach tráthúil, le heolas comhaontaithe.
- Caighdeán agus inúsáidteacht: rochtain éifeachtach agus éifeachtach ar chosaint a thairgeann córais chláraithe ag leibhéal náisiúnta agus an AE araon.
- Deimhneacht dhlíthiúil: cinnteacht mhéadaithe dhlíthiúil a bhuí le níos mó comhsheasmhachta i gcinntí a rinneadh ag leibhéal náisiúnta agus an AE.
- Coigiltis ama agus costais: laghdúithe féideartha ar am próiseála iarratais agus coigilteas costais le haghaidh oifigí IP agus iarrthóirí araon.

Fuair an Oifig tacaíocht ó EUIPO freisin chun a chuid uirlisí príomhthionscnaimh TM view agus Design view a choinneáil. Ina theannta sin, faoi chomhaontú déthaobhach le EUIPO, bhain an Oifig leas as cúnamh i leith costas imeachtaí ardaithe feasachta, tráth a scaipeadh eols maidir leis an Trádhmairc Pobail agus na Córais Deartha Pobail. Rinneadh tuilleadh forbartha le linn 2018 ar shraith nua na dTograí Comhair a seoladh de réir cuspóirí Plean Straitéisigh Oifig Maoine Intleachtúla an Aontais Eorpaigh 2020 agus mar seo tógadh ar ar baineadh amach faoin bPlean Straitéiseach 2011-2015. Tá ionadaíocht ar an Oifig i nGrúpa Oibre um Anailís ar Choinbhéirseacht de chuid Oifig Maoine Intleachtúla an Aontais Eorpaigh agus d'oibrigh sí as lámh a chéile go rathúil le hOifig Maoine Intleachtúla an Aontais Eorpaigh ar ghnéithe teicniúla chun tras-suí na Treorach Trádhmaircanna chun tabhairt isteach cineálacha trádhmairc nua a éascú i mí Eanáir 2019. Lena chois sin chabhraigh an Oifig, trína hionadaí, an tUas. John P. Nolan, i gComhcheardlann Theicniúil ar Uirlisí Maoine Intleachtúla a réachtáladh i gcomhar le hOifig Réigiúnach na hAfraice um Mhain Intleachtúil i mí Iúil 2018. D'fhreastail ionadaithe ó dhá thír is fiche na hAfraice ar an imeacht seo.

Comhoibriú EUIPO

Tá clár comhoibrithe déthaobhaigh ag an Oifig leis an EPO. Éascaíonn an Clár comhoibriú den chuid is mó idir Oifig na bPaitinní agus an EPO i réimsí ar nós oiliúint speisialaithe, sealbhú sonraí bunaithe ar cháilíocht ag foinse agus imeachtaí Líonra na bPaitinní Eorpacha atá dírithe ar Chóras na bPaitinní Eorpacha a neartú.

Eagrú Struchtúr agus Pearsanra

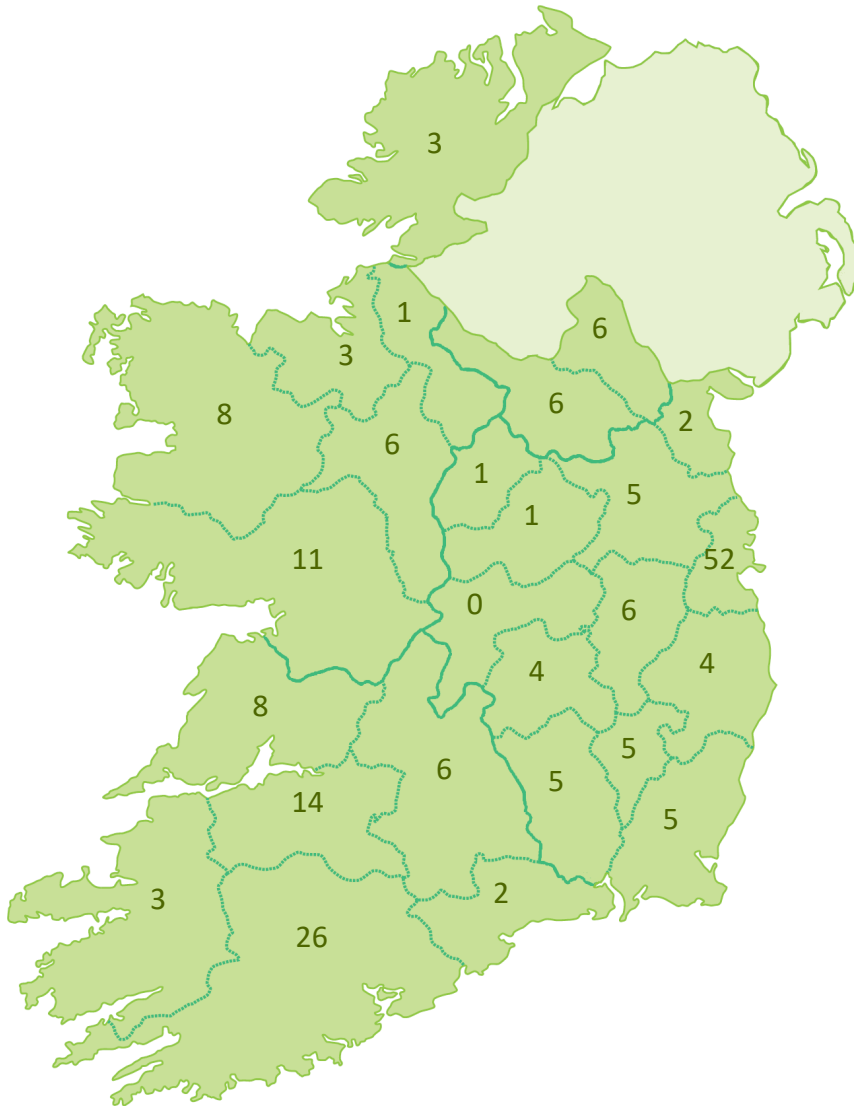


Foireann ar Seirbhís

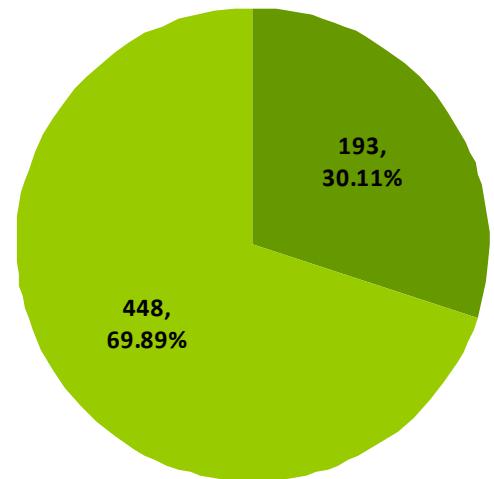
Foireann	Líon na bpost
Ceannasaí	1
Scrúdaitheoir Sinsearach Paitinne	1
Príomhoifigeach Cúnta	1
Scrúdaitheoir Paitinne	4
Ardoifigeach Feidhmiúcháin	3
Oifigeach Riaracháin	1
Oifigeach Feidhmiúcháin	19
Oifigeach Cléireachais	16
Oifigeach Seirbhísí	1
Iomlán	47

Áirítear leis na 47 bhall foirne 2 Ardoifigeach Feidhmiúcháin, 1 Oifigeach Riaracháin, 6 Oifigeach Feidhmiúcháin agus 4 Oifigeach Cléireachais a bhain leas as scéim comhroinnte oibre, rud lena gceadaítear patrúin 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 43.58 post líon na bpost coibhéise lánaimseartha san Oifig an 31 Nollaig 2018. Cuireann an Roinn Gnó, Fiontar agus Nuálaíochta seirbhísí teicneolaíocht faisnéise ar fáil don Oifig. Tá ceathrar ball foirne ann d'Aonad Teicneolaíocht Faisnéise na Roinne atá suite san Oifig.

Staidreamh Gnó - Paitinní



Iarratais Náisiúnta ar Phaitinní on tír den chéad iarratasóir



■ Iarratasóirí IE
■ Iarratasóirí Eachtrannacha

Iarratais Náisiúnta ar Phaitinní faoi contae i 2018

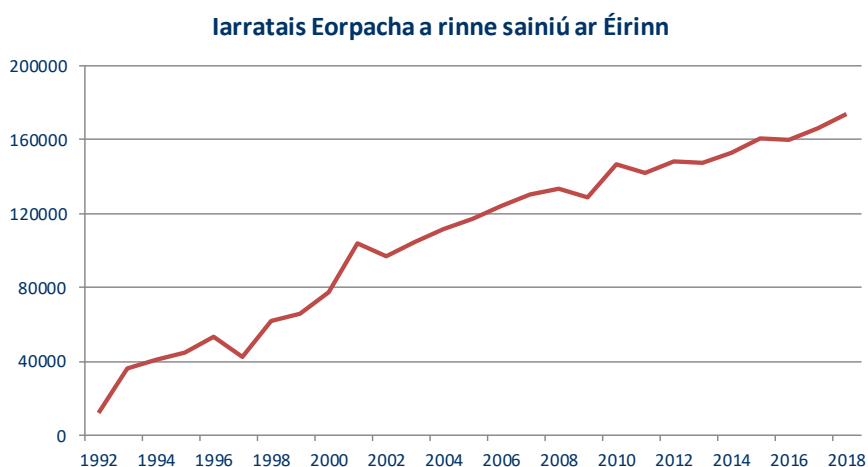
IARRATAIS FAIGHTE			BLIAIN	PAITINNÍ DEONTA		
Ar Théarma Iomlán	Ar Ghearr-théarma	IOMLÁN		Ar Théarma Iomlán	Ar Ghearr-théarma	IOMLÁN
149	138	287	2016	64	100	164
137	131	268	2017	60	27	87
108	533	641	2018	52	35	87

Ar an 31 Nollaig 2018, bhí 1,549 arratas san iomlán ar feitheamh idir lámha. Díobh seo, bhí 177 iarratas ag fanacht go gcuirfí isteach fianaise ar nuagacht. Fuarthas 194 iarratas ó iarratasóirí sa Stát i 2018 i gcomparáid le 183 i 2017.

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	2017	165,629
2000	76,806	2009	128,378	2018	174,317

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



Paitinní a deonadh i 2018 a raibh feidhm leo sa Stát

2018	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	87	55	63%
Deonta ag an OPE	123,833	522	0.42%
Iomlán Deonta	123,920	577	0.46%

Paitinní

	2016	2017	2018
Paitinní agus iarratais ar phaitinní ina n-ábhar sannta	887	794	914
Paitinní cúlghairthe	0	0	0
Paitinní tugtha suas	2	1	1
Paitinní tite ar lár	61,306	77,528	94,503
Paitinní curtha ar ais	10	6	12
Paitinní athnuaite	44,729	47,837	51,463
Paitinní éagtha	1,198	1,240	1,258
Paitinní i bhfeidhm*	147,125	169,453	197,468
Éisteachtaí	1	0	1
Iarratais PCT a fuarthas le cur chuig EDMI	23	15	16
Iarratais ar Phaitinní Eorpacha a fuarthas le cur chuig OPE	4	2	0

* Áirítear leis na figiúirí do phaitinní atá i bhfeidhm freisin Dheimhnithe Cosanta Forlíontacha atá i bhfeidhm.

Iarratais ar Dheimhnithe Cosanta Forlíontacha

Fuarthas 46 iarratas san iomlán ar Dheimhnithe Cosanta Forlíontacha i rith na bliana faoi Rialachán na gComhphobal Eorpacha (Deimhnithe Cosanta Forlíontacha), 1992 (míochaineach) agus 1996 (táirgí cosanta plandaí). I rith na bliana, deonadh 46 deimhniú (cosaint míochaineach agus plandaí), diúltaíodh do 3 iarratas agus tarraingíodh siar 8 iarratas. Ag deireadh na bliana bhí 164 iarratas ar feitheamh.

Clár na nGníomhairí Paitinne

Ag deireadh na bliana 2018, bhí 87 duine aonair agus 8 comhpháirtíochtaí iontráilte i gClár na nGníomhairí Paitinne.

AICMIÚ AR NA PAITINNÍ A DHEONAIGH AN OIFIG SA BHLIAIN DAR CHRÍOCH 31 NOLLAIG 2018 DAR LEIS AN AICMIÚ IDIRNÁISIÚNTA PAITINNE (AIP)

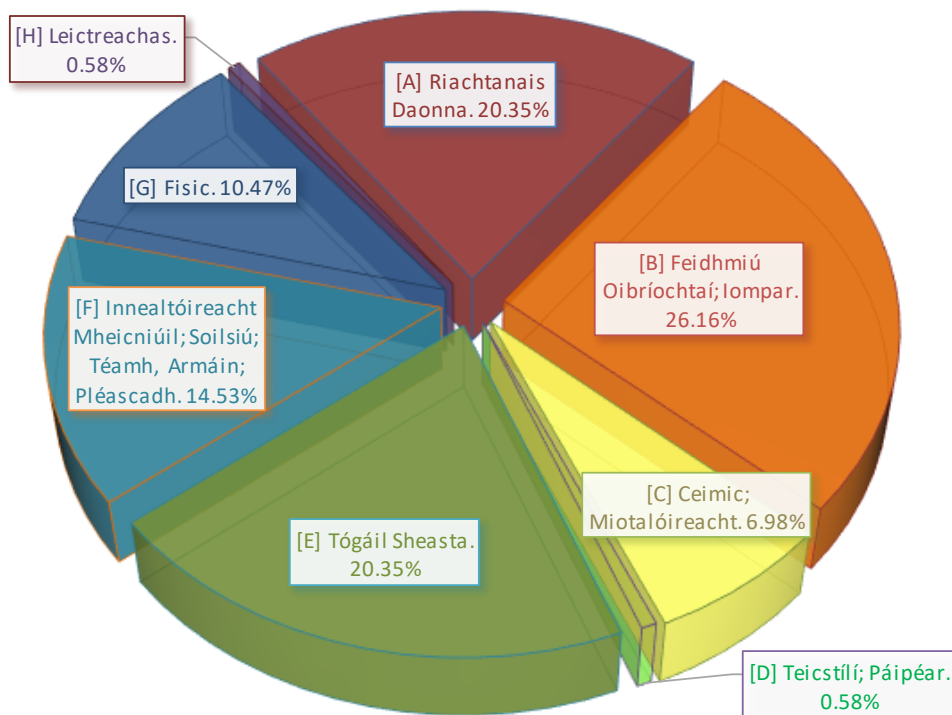
Nóta ar Aicmiú Paitinne

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. Tugtar cód aicmithe ar gach ní airgtheach i bpaitinn. Is féidir dhá aireagán nó níos mó a bheith i bpaitinn chomh fada is atá leorghaol eatarthu; mar shampla, comheascán nua ceimice agus a úsáid mar mhíochaine nó mar luibhicíd, nó léasar nua agus a úsáid i máinliacht súl nó léamh sonraí. Dá réir sin, is féidir go dteastódh líon áirithe siombal aicmiúcháin lena n-ábhar ar fad a chlúdach. Déanann an tábla agus an graf atá leis seo comhordú ar líon iomlán na n-aicmí a leithdháileadh do phaitinní i 2018. Seasann gach rangú ar leith do ní airgtheach a nochtar i bpaitinn, agus dá bhrí sin is ionann seo cuid mhaith agus cuntas scóir ar airgtheacht. Tá na haicmí curtha i ngrúpaí de réir rannóga AIP.

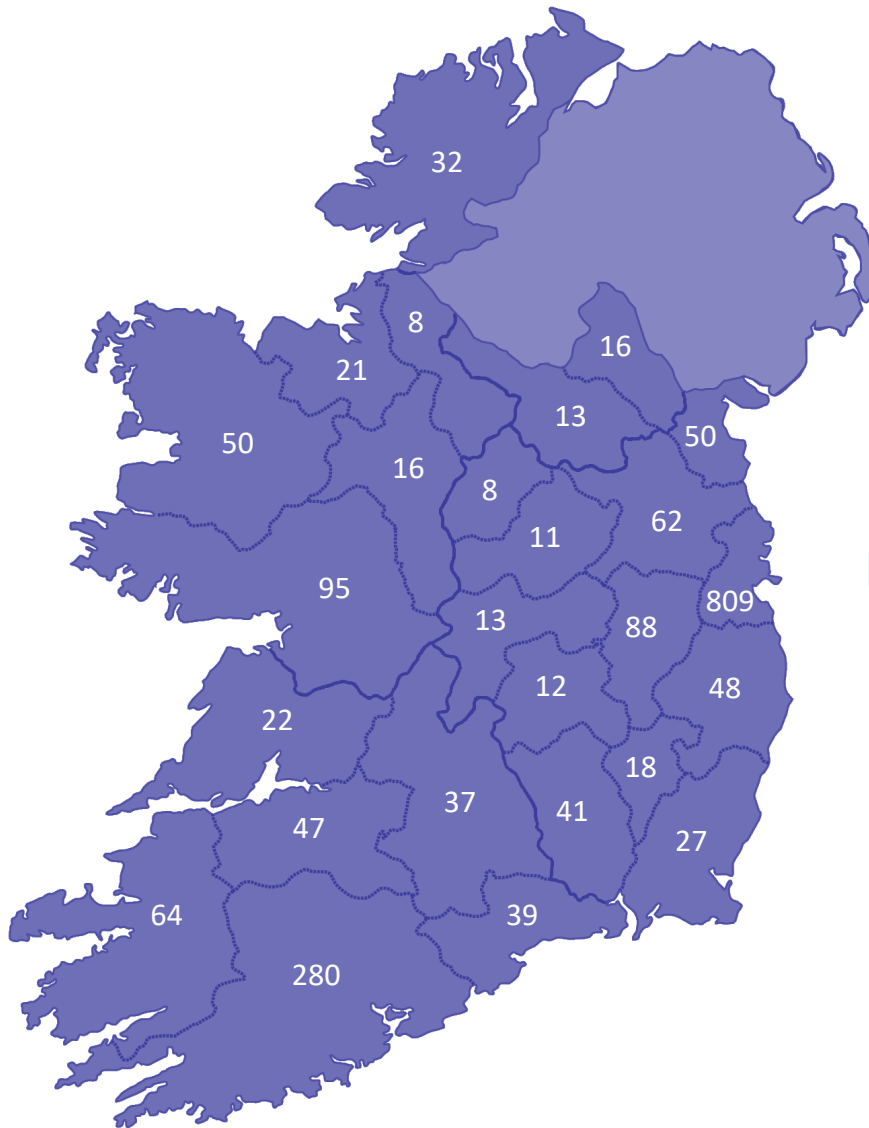
AICMIÚ	An líon deonuithe san Aicmiú *
A. RIACHTANAIS DAONNA m.sh. Ábhair bia, Sláinte, Nithe Pearsanta.	35
B. FEIDHMIÚ OIBRÍOCHTAÍ; IOMPAR: m.sh. Teicneolaíocht múnlaíthe, priontála, feithicle.	45
C. CEIMIC; MIOTALÓIREACHT	12
D. TEICSTÍLÍ; PÁIPÉAR	1
E. TÓGÁIL SHEASTA: m.sh. Foirgníocht, druileáil, mianadóireacht.	35
F. INNEALTÓIREACHT MHEICNIÚIL; SOILSIÚ; TÉAMH, ARMÁIN; PLÉASCADH	25
G. FISIC: m.sh. Optaic, ríomhaireacht, fisic núicléach.	18
H. LEICTREACHAS: m.sh. Ciorcaid leictreonacha, giniúint agus dáileadh leictreachais.	1

* 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.

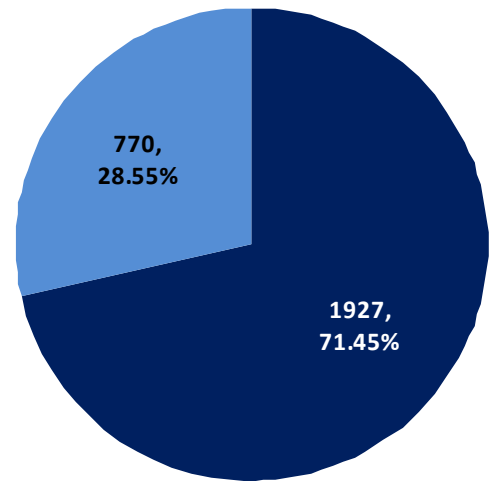
AICMITHE DE RÉIR CHOIDANNA IPC DO PHAITINNÍ DEONAITHE IN 2018



Staidreamh Gnó - Trád Mharcanna



Iarratais Náisiúnta
Trádmharcanna on tír den chéad
iarratasóir



■ Iarratasóirí IE
■ Iarratasóirí Eachtrannacha

Iarratais Náisiúnta ar Thrádmharcanna faoi contae í 2018

Iarratais Náisiúnta					Clárúcháin Idirnáisiúnta ina sainíodh Éire			
Iarratais a Fuarthas	Fógraithe	Curtha ina gCoinne	Dearaí cláraith8	Bliain	Iarratais a Fuarthas	Fógraithe	Curtha ina gCoinne	Cosanta
2,694	2,246	91	1,894	2016	891	865	7	888
2,765	1,779	50	1,896	2017	1,195	849	9	862
2,697	2,111	61	1,713	2018	1,159	870	5	844

Trádmharcanna

	2016	2017	2018
Líon na dtrádmharc ina n-ábhar sannta	1,769	1,484	966
Líon na gceadúnas ar thrádmhairc taifeadta sa chlár	121	10	21
Clárúcháin Trádmharc asbhainte de dheasca neamhíocaíocht na dtáillí athnuachana	2,112	4,616	4,165
Clárúcháin trádmharc tugtha suas	25	10	10
Clárúcháin trádmharc tugtha ar ais	5	10	15
Clárúcháin trádmharc athnuaithe	5,537	5,472	5,517
Trádmhairc Náisiúnta cúlghairthe go hiomlán nó i bpáirt	7	4	4
Trádmhairc Idirnáisiúnta cúlghairthe go hiomlán nó i bpáirt	0	0	0
Trádmhairc Náisiúnta fógraithe neamhbhailí	1	1	1
Trádmhairc Idirnáisiúnta fógraithe neamhbhailí	0	0	0
Trádmhairc náisiúnta cláraithe i bhfeidhm	60,944	58,207	55,727
Trádmhairc Idirnáisiúnta i bhfeidhm	20,946	20,600	20,221
Iomlán na dTrádmharc i bhfeidhm	81,890	78,807	75,948

Éisteachtaí agus Ilnithe

	2016	2017	2018
Éisteachtaí (<i>ex-parte</i>)	4	3	10
Éisteachtaí (<i>inter-partes</i>)	6	4	8
Eisteachtaí (<i>inter-partes ar mhodh aighneacht i scríbhínn</i>) *	4	9	11
Iarratais le hiarratais Trádmhairc na bPobal Eorpacha a aistriú go hiarratais náisiúnta	37	24	16
Iarratais idirnáisiúnta trádmhairc ina raibh Éire ina hOifig Tionscnaimh comhadaithe atá curtha chuig EDMI	62	65	74

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

Clár na nGníomhairí Trádmhairc

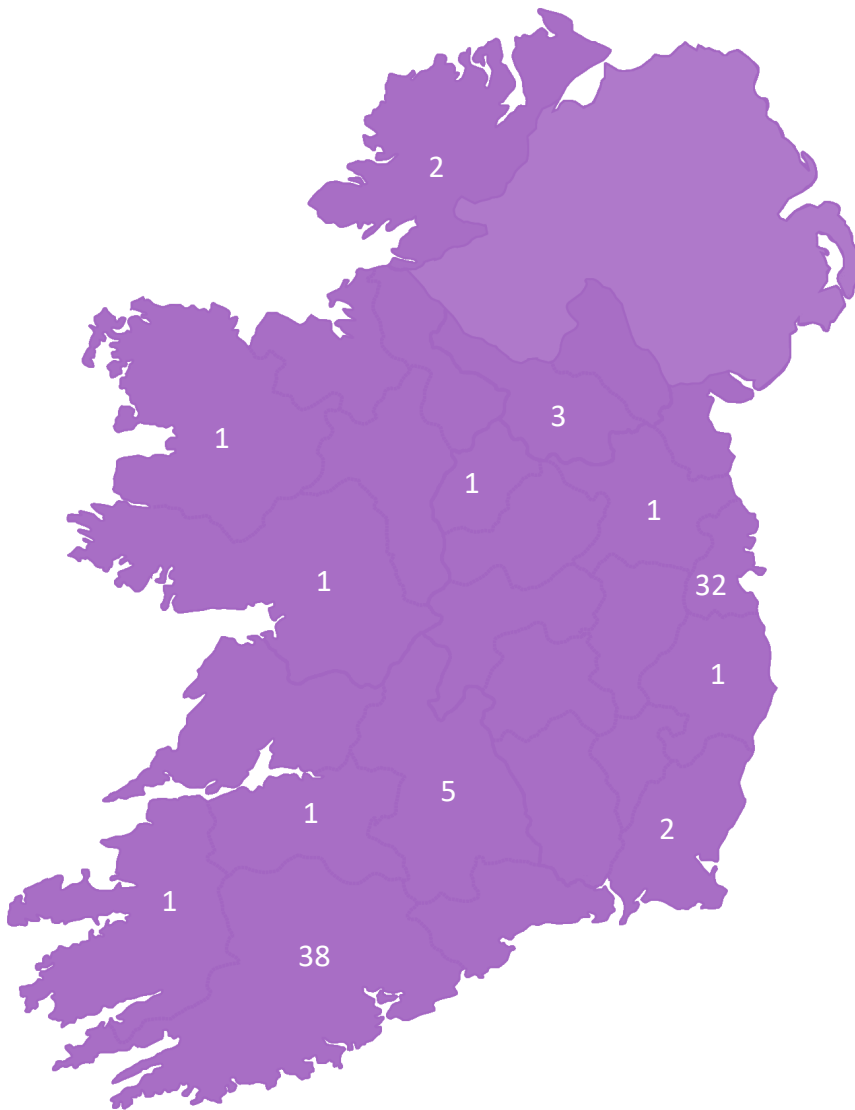
Ag deireadh na bliana 2018, bhí 241 duine aonair agus 7 comhpháirtíocht iontráilte ar an gClár.

**AICMIÚ IDIRNÁISIÚNTA AR EARRAÍ AGUS AR SHEIRBHÍSÍ INA GCUIRTEAR NA
MARCANNA A CLÁRAÍODH IN 2018**

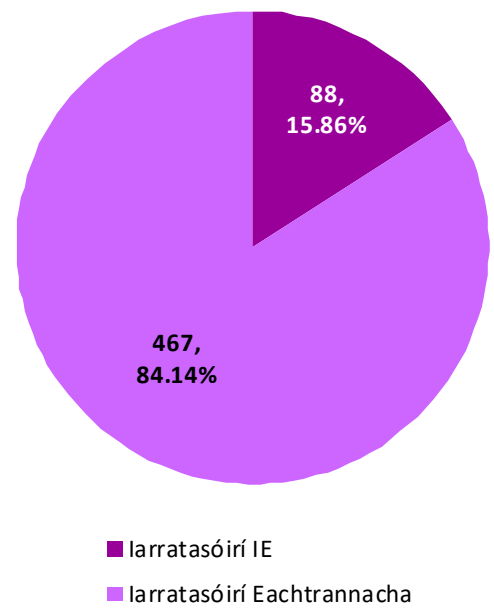
Rinne conradh iltaobhach ar a ghairtear “Comhaontú Nice Maidir le hAicmiú Idirnáisiúnta Earraí agus Seirbhísí chun Críocha Clárú Marcanna”. Tá Aicmiúchán Nice comhdhéanta de 45 ceannteideal aicmiúcháin a dhéanann cur síos an-leathan ar nádúr na n-earraí nó na seirbhísí atá i ngach ceann de na 34 aicme earraí agus na 11 aicme seirbhísí inar féidir trádmharcanna a chur. Riarann An Eagraíocht Domhanda um Maoin Intleachtúil (EDMI) an t-aicmiúchán agus tá an t-eagrán reatha (11th) i bhfeidhm ó Eanáir 1, 2018.

Aicme	Aicmiúchán Earraí	Líon na marc san aicme	Aicme	Aicmiúchán Earraí	Líon na marc san aicme
1	Táirgí Ceimiceacha, srl.	53	24	Fíocháin (gréasáin), srl.	25
2	Péinteanna, srl.	22	25	Éadaí, ag áireamh Buataisí, Bróga agus Slipéir	117
3	Ullmhóidí Tuartha, srl.	72	26	Lása agus Bróidnéireacht, srl.	8
4	Oláí Tionsclaíochta, srl.	26	27	Cairpéid, srl.	13
5	Substaintí Cógaisíochta, srl.	148	28	Cluichí, srl.	65
6	Miotail Choitianta agus a gcóimhiotail Neamhoibrithe agus Páirt Oibrithe	28	29	Feoil, Iasc, Éineoil agus Géim, srl.	144
7	Meaisíní agus Inneal Úirlisí, srl.	30	30	Caifé, Tae, Cócó, Siúcra, Rís, srl.	198
8	Uirlisí agus Ionstraimí Láimhe, Sceanra, srl.	17	31	Táirgí Talmhaíochta, srl.	59
9	Fearas agus Ionstraimí Eolaíochta, srl.	222	32	Beoir, srl.	60
10	Uirlisí Máinliachta, srl.	28	33	Fíonta, Biotáille agus Licéir	88
11	Fearas Soilsithe	57	34	Tobac, srl.	18
12	Feithiclí; Fearas Gluaiseachta ar Thalamh, san Aer agus ar Uisce	41	35	Fógraíocht, Bainistiú Gnó, srl.	281
13	Airm Thine, Lón Lámhaigh agus Diúracáin; Substaintí Pléascacha; Spréachairí	3	36	Árachas, Gnóthaí Airgeadais, srl.	137
14	Miotail luachmhara agus a gCóimhiotail, srl.	34	37	Tógáil Foirgníochta, Deisiúchán, I Seirbhísí suiteála.	77
15	Uirlisí Ceoil (seachas meaisíní cainte agus fearas raidió)	8	38	Teileachumarsáidí	44
16	Páipéar, srl.	148	39	Iompar, Pacáistiú agus Stóráil Earraí, srl.	94
17	Guma Peirc, Cúitiúc, srl.	20	40	Cóiriú Ábhar	35
18	Leathar, srl.	48	41	Oideachas, Siamsaíocht, srl.	301
19	Ábhair Thógála, srl.	39	42	Seirbhísí eolaíochta agus teicneolaíochta	160
20	Troscán, Srl.	32	43	Soláthar bia agus dí	166
21	Acraí Beaga Tí, srl.	52	44	Seirbhísí míochaine, srl.	102
22	Rópaí, srl.	1	45	Seirbhísí pearsanta agus sóisialta	67
23	Snáitheanna	3			

Staidreamh Gnó - Dearaí



Iarratais Náisiúnta Dearaí on tír den chéad iarratasóir



■ Iarratasóirí IE

■ Iarratasóirí Eachtrannacha

Iarratais Náisiúnta ar Dhearaí faoi contaie í 2018

	2016	2017	2018
Líon na ndearaí iarrtha*	181	155	555
Dearaí cláraithe	116	96	588
Dearaí tite ar lár	90	96	236
Dearaí athnuaite	30	76	63
Dearaí i bhfeidhm	1,134	1,140	1,630

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

DEARAÍ A CLÁRAÍODH FAOI ACHT DEARADH TIONSCLAÍOCH, 2001 I GCAITHEAMH NA BLIANA DAR CHRÍOCH 31 NOLLAIG 2018

Bhunaigh conradh iltaobhach dá ngairtear “Comhaontú Locarnó ag bunú Aicmiúcháin Idirnáisiúnta do Dhearáí Tionsclaíocha” córas aicmiúcháin do dhearáí tionsclaíocha. Tá Aicmiú Locarnó comhdhéanta de liosta de 32 cineál earraí inar féidir dearáí tionsclaíocha a ionchorprú. Riarann An Eagraíocht Domhanda um Maoin Intleachtúil (EDMI) an t-aicmiúchán agus tá an t-eagrán reatha (12ú) i bhfeidhm ó Eanáir 1, 2018.

Rang	Aicmiúchán	Dearáí Cláraithe
1	Ábhair Bia	0
2	Baill éadaigh agus Mionéadaí	444
3	Earraí Taistil, Cásanna, Parasóil agus Earraí Pearsanta, nach bhfuil sonraithe in áit eile	17
4	Earraí scuaibe	6
5	Earraí Gréasáin Teicstíle, Leatháin Shaorga agus Nádúrtha	0
6	Feistis	7
7	Earraí Tí, nach bhfuil sonraithe in áit eile	6
8	Uirlisí agus Crua-earraí	1
9	Pacáistí agus Gabhdáin d’Iompar nó do Láimhseáil Earraí	27
10	Cloig, Uaireadóirí agus Ionstraimí eile Tomhais, Ionstraimí Seiceála agus Comharthaíochta	1
11	Earraí Maisiúcháin	42
12	Modhanna Iompair nó Árdaithe	0
13	Trealamh do Tháirgeadh, Dáileadh nó Tarchur Leictreachais	0
14	Trealamh chun Taifeadadh, Cumarsáide nó Aisghabháil Faisnéise	0
15	Meaisíní, nach bhfuil sonraithe in áit eile	0
16	Gaireas Fótagrafaíochta, Cineamatagrafaíochta agus Optaice	3
17	Uirlisí Ceoil	0
18	Meaisíní Priontála agus Oifige	0
19	Stáiseanáireacht agus Trealamh Oifige, Ábhair Ealaíontóirí agus Múinteoireachta	3
20	Trealamh Díolacháin agus Fógraíochta, Comharthaí	1
21	Cluichí, Bréagáin, Pubail agus Earraí Spóirt	7
22	Airm, Earraí Piortheicniúla, Earraí chun Fiaigh, Iascaireachta agus Marú Lotnaidí	0
23	Trealamh Dáilithe Leachta, Trealamh Sláintíochta, Téimh, Aerála agus Aerchóirithe, Breosla Soladach	0
24	Trealamh Míochaine agus Saotharlainne	1
25	Aonaid Foirgníochta agus Eilimintí Tógála	0
26	Fearas Soilsithe	11
27	Tobac agus Soláthairtí do Lucht Caite Tobac	0
28	Táirgí Cógaisíochta agus Cosmáide, Earraí agus Fearas Maisiúcháin	2
29	Gléasanna agus Trealamh in aghaidh Guaise Tine, Cosc ar Thionóisc agus chun Tarrthála	1
30	Earraí um Chúram agus Láimhseáil Ainmhithe	0
31	Meaisíní agus Fearas Ullmhúchán Bia agus Dí, nach bhfuil sonraithe in áit eile	0
32	Siombalacha Grafacha agus Comharthaí, Patrúin Dreacha, Ornadaíocht	9
	IOMLÁN	588

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

Comhbhainistíocht Ceart

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

- a chinntiú go ngníomhaíonn eagraíochtaí comhbhainistíochta le leas a n-úinéirí ceart trí íoschaighdeán rialachais agus trédhearcachta a fhorfheidhmiú maidir le gach eagraíocht comhbhainistíochta Eorpac
- 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. Foráiltear leis na Rialacháin freisin nach mór do na heagraíochtaí comhbhainistíochta 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 feidhm ag na ceanglais chomhlíonta sna Rialacháin maidir le Comhbhainistíocht Ceart maidir le 7 cinn de na 13 chomhlacht ceadúnúcháin chóipchirt chláráithe atá ag feidhmiú sa Stát.

Tagairtí don Cheannasaí faoin Acht Cópchirt agus Ceart Gaolmhar, 2000

Díospóidí idir daoine atá ag seinm taifeadtaí fuaimne 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. Díospóidí idir daoine nó eagraíochtaí a dteastaíonn ceadúnas 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 151 agus 152 den Acht. In 2018 chinn an Rialaitheoir tagairt amháin faoi Alt 38. Níl aon díospóidí amuigh faoi láthair.

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.

Sa bhliain 2018 cláraíodh dhá chomhlacht déag i gClár na gComhlachtaí Ceadúnú Cópchirt, cláraíodh comhlacht amháin i gClár na gComhlachtaí um Chearta Maoine Lucht Taispeána agus ní ndearnadh aon iontráil i gClár na gComhlachtaí um Chearta Bunachair Sonraí. Is féidir féachaint ar na Cláir ag <https://www.patentsoffice.ie/en/types-of-ip/copyright1/copyright-licensing-bodies/register-of-copyright-licensing-bodies/>.

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 bhailiúcháin atá i seilbh Eagraíochtaí Tairbhíocha amhail leabharlanna, músaeim, cartlanna, institiúidí oidhreachta scannáin agus fuaimne, agus eagraíochtaí craoltóireachta seirbhíse poiblí. Leagtar amach i dTreoir an AE (Treoir 2012/28/AE) rialacha comhchoiteanna maidir le húsáid saothair dílleachtaí ag eagraíochtaí cultúrtha chun na hoibreacha sin a dhigitiú chun críocha neamhthráchtála gan cóipcheart a shárú. Tar éis cuardach díograiseach a chríochnú chun úinéireacht nó nádúr díleachta na noibre a bhunú, ní mór d'eagraíocht ar bith ar mian leo obair díleachta a chlárú sa Bhunachair Sonraí na Saothar Dílleachtach a chur ar líne chuig an EUIPO ar dtús a bheith cláráithe mar "Eagraíocht Tairbhíocht". Cláraíodh sé eagraíocht Éireannacha mar Eagraíochta Tairbhíocha le linn na bliain 2018.

An Bosca Forbatha Eolais

Bunaíonn an tAcht um **Bosca Forbartha Eolais (Dearbhí Aireagán) 2017, (Uimh. 6 de 2017)** (an tAcht KDB) scéim deimhniúcháin le fiontair bheaga agus mheánmhéide, a bhfuil aireagáin i bhfoirm maoine intleachtúla (IP) atá coibhéiseach le aireagán paitinnithe a chumasú chun cáiliú don KDB agus leas a bhaint as an ráta laghdaithe cánach corparáide. Is FBManna incháilithe iad siúd a bhfuil ioncam acu ag teacht ó mhaoin intleachtúil de níos lú ná €7.5m agus le láimhdeachas domhanda níos lú ná €50m nuair a eascraíonn an brabús ó T&F.

Forálann an tAcht go ndéanfaidh an Ceannasaí Paitinní, Dearthaí agus Trádmharcanna maoirseacht agus feidhmiú ar an scéim dheimhniúcháin seo. Ní féidir deimhniú KDB a eisiúint ach amháin sa chás gur aireagán úr, neamhsoiléir agus úsáideach é an t-aireagán. Ní hionann iarratas ar Dheimhniú KDB agus iarratas ar fhaoiseamh cánach agus ní bhronann deimhniú KDB aon chearta maoine intleachtúla ar shealbhóir deimhnithe.

Tuarascáil KDB

Éilíonn Alt 18 (Tuarascáil KDB) ar an gCeannasaí faisnéis staitistiúil maidir le líon na n-iarratas a fuarthas, a aistaraingíodh, a diúltaíodh, líon na ndeimhniú eisithe agus eolas maidir le líon na n-iarratas a ndearnadh athbhreithniú orthu agus toradh gach athbhreithniú a chur sa tuarascáil don Aire de réir Alt 103 (1) d'Acht na bPaitinní 1992. Ní nochtfaidh an tuarascáil aon sonraí ar aireagán faoi ábhar iarratais. Ní bhfuair an Ceannasaí aon iarratas bailí ar fhorbairt eolais in 2018.

Ag teacht i 2019

Ríomh-chomhdú TM - mionathrú a éascóidh comhdú trádmharcanna neamhthraidisiúnta

Tá am ag na Ballstáit go dtí an 14 Eanáir 2019 forálacha na Treorach (AE) 2015/2436 a thras-suí. Bíodh is go mbeidh gá le roinnt athruithe ar Acht agus Rialacha na dTrádmharcanna beidh mionathrú i gceist ar roinnt nósanna imeachta agus próiseas san Oifig, leis. Tá leasú déantar ar fheidhmiúlacht ríomh-chomhdaithe Trádmharcanna d'fhonn freastal ar chomhdú trádmharcanna neamhthraidisiúnta cosúil le fuaim, gluaisne, ilmheáin agus holagraim. Tá córais ag an Oifig cheana féin chun a chinntiú go gcomhlíonfaidh sí gach rud faoin spriocdháta seo in 2019.

Uasghrádú ar Iris na hOifige

Tá sé i gceist ag an Oifig a hIris Oifigiúil a uasghrádú in 2019 chun an fhormáid a nuachóiriú, freastal ar chomhshnaidhmeadh trádmharcanna neamhthraidisiúnta i ndlí Trádmharcanna na hÉireann agus úsáid an tsuímh a dhéanamh níos éasca don úsáideoir.

Athrú ar ainm Oifig na bPaitinní

Tá an “An Bille um Chóipcheart agus Forálacha Eile maidir le Maoin Intleachtúil, 2018” os comhair an Oireachtais faoi láthair chun ainm Oifig na bPaitinní a athrú go “Oifig um Mhaoin Intleachtúil na hÉireann.” Bhíothas ag súil go ndéanfaí an reachtaíocht seo a achtú in 2018 ach beidh éifeacht leis na hathruithe reachtaíochta seo chun ainm na hOifige a athrú go hoifigiúil uair éigin in 2019.

Reachtaíocht

Reachtaíocht 2018

Tá freagracht uileghabhálach ag Aonad Maoine Intleachtúla na Roinne Fiontar, Gnó agus Nuálaíochta maidir le beartas agus ullmhú reachtaíochta a bhaineann le maoin intleachtúil. De réir Ailt 103(1)(b) d'Acht na bPaitinní 1992 cuireann an Rialaitheoir sonraí den reachtaíocht ar fad a rinneadh in 2018 don riarachán a bhfuil an Rialaitheoir freagrach aisti san áireamh.

- **RIALACHÁIN AN AONTAIS EORPAIGH (TRÁDMHARCANNA), 2018 (I.R. UIMH. 561 DE 2018).** Leis na Rialacháin seo, arna ndéanamh de bhun Acht na gComhphobal Eorpach, 1972, leasaítear agus síntear forálacha áirithe de chuid Acht na dTrádmharcanna, 1996 chun éifeacht reachtúil sa Stát a thabhairt do Threoir (AE) 2015/2436 ó Pharlaimint na hEorpa agus ón gComhairle an 16 Nollaig 2015 lena leasaítear Treoir 2008/95/CE a bhaineann le trádmharcanna agus d'fhorálacha áirithe de chuid Rialachán (AE) 2017/1001 ón gComhairle an 14 Meitheamh 2017 ar Thrádmharc an Aontais Eorpaigh.
- **RIALACHA NA dTRÁDMHARCANNA (LEASÚ) 2018 (I.R. UIMH. 562 DE 2018).** Is é an príomhrud a dhéantar leis an Ionstraim Reachtúil seo ná nósanna imeachta a leagtar síos i dTreoir (AE) 2015/2436 ó Pharlaimint na hEorpa agus ón gComhairle an 16 Nollaig 2015 a thrasú agus, ar an gcaoi sin, leasaítear agus síntear forálacha áirithe de chuid reachtaíocht thánaisteach trádmharcanna na hÉireann, is é sin Rialacha na dTrádmharcanna, 1996.
- **RIALACHÁIN ACHT NA dTRÁDMHARCANNA 1996 (TRÁDMHARC POBAIL) (LEASÚ) 2018 (I.R. UIMH. 563 DE 2018).** Leis na Rialacháin seo leasaítear forálacha teicniúla áirithe sna Rialacháin Trádmharcanna Pobail 2000 (I.R. 229/2000) (“Rialacháin CTM”). Rinneadh na leasuithe chun éifeacht a thabhairt d'athruithe teicniúla i bhforálacha áirithe agus d'athruithe i dtéarmaíocht a eascraíonn as Rialachán (AE) Uimh. 2017/1001 ó Pharlaimint na hEorpa ar an Trádmharc Eorpach.
- **RIALACHA UM PAITINNÍ, TRÁDMHARCANNA AGUS DEARAÍ (TÁILLÍ) (LEASÚ) 2018 (I.R. UIMH. 564 DE 2018)** Leis an Ionstraim Reachtúil seo tugtar isteach leasuithe ar na Rialacha um Paitinní, Trádmharcanna agus Dearaí (Táillí), 2001 (I.R. Uimh. 482 de 2001) lena n-áirítear táille nua €125 a tugadh isteach agus a ghearrtar ar clárúchán trádmhairc a roinnt (a éilítear de réir Airteagail 41 den Treoir).

Tá leaganacha neamhoifigiúla comhdhlúite d'Acht na dTrádmharcanna 1996 (mar a leasaíodh) agus de na Rialacha um Thrádmharcanna 1996 (mar a leasaíodh) ina bhfuil na leasuithe thuas san áireamh ar fáil ar shuíomh gréasáin na hOifige sa chuid “Dlí agus Cleachtas”.

Faisnéis Airgeadais

B'ionann glanfháiltais ar fad a fabhraíodh don Stáitchiste in 2018 agus €9.82m, méadú de €0.49m nó 5% ar fhiigiúr 2017 de €9.33m. Tagann an cion is mó d'ioncam táille na hOifige ó tháillí athnuachana ar Phaitinní Eorpacha. Léirigh an t-ioncam comhcheangailte ó tháillí paitinne agus trádmharc (lena n-áirítear táillí trádmharcanna id-irnáisiúnta) de €9.94m méadú de €0.50m, nó 5% ar fhiigiúr 2017.

B'ionann glanchostais na hOifige do 2018 agus €3.29m rud a léirigh méadú de €0.02m ar fhiigiúr comhfhreagrach 2017 de €3.27m. Is léir ó cheann de na figiúirí is suntasaí gur tháinig laghdú 43% ar tháillí poist agus teileachumarsáide in 2018 i gcomparáid le 2017 (ó €166,000 go €95,000). Tharla sé seo go díreach mar thoradh ar straitéis ríomh-chumarsáide na hOifige trína seoltar an oiread comhfhreagrais agus is féidir (de réir na rialacha) go leictreonach.

Faisnéis Airgeadais

FÁLTAIS AGUS CAITEACHAS 2018 (Níl cuntais iniúchta fós ag an Ard-Reachtaire Cuntas agus Ciste)

FÁLTAIS	€000
Táillí Paitinne (Nótaí 1 & 2)	6,859
Táillí Trádmhairc	2,211
Clárúchán ar Thrádmhairc Idirnáisiúnta – táillí a fuarthas ó EDMÍ (Nóta 3)	869
Táillí Dearaidh	24
Táillí eile	98
Lúide aisíochtaí i leith táillí a íocadh i ndearmad	98
Lúide táillí idirbhearta i leith íocaíochtaí ar-líne le cártaí creidmheasa	145
Fáltais ghlan fabhraithe don Státchiste	9,818

COSTAIS	€000
Tuarastail	2,013
Taisteal & Cothabháil	56
Ilnithe & Focostais	97
Seirbhísí Poist agus Teileachumarsáide	95
Meaisíní Oifige agus Soláthairtí eile Oifige	555
Costais Áitreabh Oifige	88
Foinsí eolais, leabhair, tréimhseacháin, srl.	2
Síntiúis do Chumainn Mhaoine Tionsclaíocha	390
Iomlán	3,296

Nóta 1:

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

	€000
Táillí Paitinne	13,248
Lúide an cion de na táillí athnuachan paitinne a aistríodh go hOifig na bPaitinní Eorpacha	6,389
Táillí Paitinne glan fabhraithe don Státchiste	6,859

Nóta 2:

Feidhmíonn Oifig na bPaitinní mar Oifig fháltas d'iarraibí ar phaitinní a dhéantar faoin Chonradh Comhair Paitinní agus sa cháilíocht sin faigheann sí táillí le tarchur chuig Oifig Paitinní na hEorpa agus chuig An Eagraíocht Domhanda um Maoin Intleachtúil araon. Ní fhabhraíonn na táillí do Státchiste na hÉireann agus dá bhrí sin níl siad san áireamh sa bhfigiúr ar an bhfáltas glan. Seo a leanas mionsonraí ar na táillí a aistríodh chuig an OPE agus an EDMÍ i rith 2018.

	€000
Táillí Bunaigh agus Sainithe CCP tarchurtha chuig EDMÍ, an Ghinéiv.	21
Táillí cuardaigh CCP tarchurtha chuig OPE Munich.	27
Iomlán	48

Nóta 3:

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

Spriocanna Feidhmiúcháin 2018

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.

Paitinní					
1.	Admhálacha foirmeálta a eisiúint d'iarratais comhdaithe i gceart laistigh de 5 lá oibre.	70%	7.	Iarratais Eorpacha agus PCT a chur ar aghaidh chuig EPO / WIPO laistigh de 5 lá oibre ón dáta a fhaightear iad.	100%
2.	Cóipeanna deimhnithe de dhoiciméid paitinne a eisiúint laistigh de 4 lá oibre tar éis an t-iarratas a fháil.	100%	8.	Iarratas ar dheonú na bpaitinní gearrthéarmacha a fhaomhadh laistigh de thréimhse 6 mhí ó chomhdú iarratais chuí, iomlán.	53%
3.	Deimhniú athnuachana paitinne a eisiúint laistigh de 3 lá oibre tar éis táille athnuachana a fháil.	100%	9.	Tar éis na doiciméid agus na freagraí go léir atá riachtanach d'agóidí a bhaineann le hiarratais ar phaitinn a fháil, chun cinneadh a dhéanamh maidir le paitinní a dheonú nó a dhiúltú laistigh de dhá mhí.	89%
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.	Fógra faoi lochtanna foirmiúla a eisiúint laistigh de 15 lá oibre ó chomhdú.	100%
5.	Dearbhú a eisiúint go ndearnadh leasuithe a iarradh ar chlár na bpaitinní i leith ainmneacha agus seoladh na ndílseánaigh agus na seoltaí le haghaidh seirbhíse a thaifeadadh laistigh de 5 lá oibre tar éis iarratas críochnaithe i gceart a fháil.	100%	11.	Fógra a eisiúint ar lochtanna substainteacha laistigh de 2 mhí ó chomhdú.	100%
6.	Paitinní a cheadú laistigh de 3 lá oibre tar éis táille deontais a fháil.	100%	12.	90% de na hiarratais neamh-rannachago léit ar phaitinn a aicmiú le foilsíú laistigh de 18 mí tar éis an dáta comhdaithe tosaíochta.	86%

Deimhnithe Cosanta Forlíontacha

1.	Admhálacha comhdaithe foirmeálta a eisiúint d'iarratais SPC a comhdaíodh i gceart laistigh de 5 lá oibre.	99%	3.	Scrúdú a dhéanamh ar gach iarratas ar Dheimhnithe Forlíontacha Cosanta ag 12 mí deiridh roimh dháta éagtha na paitinne bunúsáí.	89%
2.	Fógra maidir le lochtanna foirmiúla a eisiúint laistigh de 10 lá oibre ón dáta comhdaithe.	100%			

Dearaí

1.	Admhálacha foirmeálta comhdaithe a eisiúint laistigh de 5 lá oibre ar iarratais ar dhearaí atá comhlánaithe i gceart.	89%	3.	Deimhnithe dearaidh a eisiúint laistigh de 5 lá oibre tar éis an t-iarratas a bheith cláraithe.	100%
2.	Admhálacha foirmeálta comhdaithe a eisiúint laistigh de 2 lá oibre ar iarratais ar dhearaí atá comhlánaithe ar líne i gceart.	76%	4.	Deimhnithe athnuachana a eisiúint laistigh de 1 lá oibre tar éis táille athnuachana a fháil.	100%

Spriocanna Feidhmiúcháin 2018

Trád Mharcanna

1.	Admhálacha comhdaithe foirmeálta a eisiúint d'iarratais chearta ar thrádmharc (páipéar bunaithe) laistigh de 5 lá oibre.	73%	12.	Cinntí a eisiúint maidir le rialacháin a rialáinn úsáid trádmharcanna comhchoiteanna laistigh de 2 mhí tar éis rialacháin inghlactha a chomhdú.	N/A
2.	Iarratas a eisiúint ar tháillí clárúcháin a íoc laistigh de 7 lá oibre ó dheireadh na tréimhse chun freasúra a chomhdú sa chás nach bhfuarthas aon fhreasúra.	100%	13.	90% de chinntí ar éisteachtaí a eisiúint laistigh de 1 mhí ón éisteacht.	89%
3.	Sa chás go ndéantar freasúra a chinneadh i bhfabhar an iarratasóra, eisítear iarratas ar tháillí clárúcháin laistigh de 7 lá oibre ó eisiúint tarraingthe siar an fhreasúra.	100%	14.	80% de ráitis scríofa a eisiúint ar fhorais chinntí in éisteachtaí laistigh de 2 mhí tar éis an t-iarratas sin a dhéana.	50%
4.	Trádmharcanna a chlárú laistigh de 3 lá oibre tar éis táille clárúcháin a fháil.	98%	15.	Cóipeanna de fhógraí freasúra agus iarratais ar chúlghairm nó dearbhú easláine a eisiúint do pháirtithe ábhartha laistigh de 2 seachtaine ón dáta a fhaightear iad.	100%
5.	Iarratais a chur ar aghaidh chuig clárúcháin Thrádmharcanna Idirnáisiúnta laistigh de 3 lá oibre tar éis iarratas a comhdaíodh i gceart a fháil.	100%	16.	Freagair a thabhairt ar 95% de chomhfhreagras scríofa ar iarratais aonair (freasúra, cúlghairm, easláine) laistigh de 2 seachtaine.	100%
6.	Admhálacha comhdaithe foirmeálta le haghaidh iarratas ar thrádmharcanna, comhdaithe i gceart ar líne, a eisiúint an chéad lá eile gnó.	100%	17.	Freagair a thabhairt ar iarratais aonair ar shíneadh ama roimh sula dtéann an spriocdháta ábhartha in éag sa chás nach ndéantar na hiarratais céanna níos déanaí ná coicís roimh an éagtha sin.	100%
7.	Cuardach tosaigh a dhéanamh maidir le hiarratais nua laistigh de sheachtain ón dáta a fhaightear é.	65%	18.	Glac le hiarratais ar thrádmharcanna laistigh de thréimhse 2 mhí ó chomhdú iarratais chomhlánaithe i gceart agus sa chás nach bhfuil aon agóidí luaithe ag an Oifig.	0%
8.	Seiceáil foirmeáltachtaí a chur i gcrích ar gach iarratas comhdaithe ar líne laistigh de sheachtain ón dáta a fhaightear é.	100%	19.	Deimhniú athnuachana trádmharc a eisiúint laistigh de 1 lá oibre ón íocaíocht a fháil.	100%
9.	Na céad litreacha faomhaidh/agóide a eisiúint laistigh de 8 seachtaine ó iarratais nua a fháil sa Rannán.	16%	20.	Cóipeanna agus sleachtaí deimhnithe agus ó Chlár na dTrádmharcanna a eisiúint laistigh de 4 lá oibre ón iarratas.	100%
10.	Réamhthuarascálacha cuardaigh a eisiúint laistigh de sheachtain ón iarratas.	100%	21.	Iarratais ar dháileadh trádmharcanna le haghaidh cláraithe a phróiseáil laistigh de 7 lá oibre tar éis iarratas comhlánaithe ina iomlán a chur isteach.	100%
11.	Freagair a thabhairt ar 95% de chomhfhreagras i scríbhinn ar iarratais aonair laistigh de choicís.	100%	22.	Dearbhú a eisiúint go ndearnadh taifead do leasuithe a n-iarradh orthu ar Chlár na Trádmharcanna i leith ainmneacha agus seoladh na ndílseánaigh agus na seoltaí le haghaidh seirbhíse laistigh de 5 lá oibre tar éis iarratas críochnaithe i gceart a fháil.	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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Déan teagmháil linn

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9:30-5pm Dé Luain-Dé hAoine

