

Oifig na bPaitinní



The Patents Office

**Seventy Fifth Annual Report
of the
Controller of Patents,
Designs and Trade Marks
2002**

BAILE ÁTHA CLIATH:
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,
nó tríd an bpost ó
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,
4-5 BÓTHAR FHEARCHAIR, BAILE ÁTHA CLIATH 2.
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INTRODUCTION

INTRODUCTION

I have the honour to submit to the Oireachtas, in accordance with the provisions of Section 103 of the Patents Act, 1992, a Report for the year ended 31 December 2002.

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

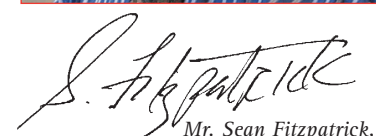
I also have extensive statutory functions under the Copyright and Related Rights Act, 2000 (this replaced the Copyright Act, 1963) which came into operation on 1 January 2001. This Act considerably extended my statutory functions in the copyright domain. In addition to the dispute resolution functions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

In addition, I make available information about Industrial and Intellectual Property.

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

Throughout the remainder of this Report, unless the context otherwise requires, a reference to the 1963 Act means a reference to the Trade Marks Act, 1963; a reference to the 1964 Act means a reference to the Patents Act, 1964; a reference to the 1992 Act means a reference to the Patents Act, 1992 and a reference to the 1996 Act means a reference to the Trade Marks Act, 1996.




Mr. Sean Fitzpatrick,
Controller of Patents, Designs
and Trademarks

The Patents Office,
Government Buildings,
Hebron Road,
Kilkenny.



Section One:

General.

GENERAL

Society today is often called "the knowledge society". Intellectual property rights allow that knowledge to be protected and exploited in the interests of economic development. They are fundamental to creation of a knowledge-based economy and are a key element in promoting competitiveness and economic growth. During the course of 2002 my Office sought to provide business, industry and individual entrepreneurs with an effective system of protection for their intellectual property rights. Over the last few years we have been engaged in a programme of modernisation which has been aimed at enabling the traditional tasks of the office in the granting of rights in the fields of inventions, trade marks and designs and the dissemination of relevant knowledge in conjunction with each of these activities, to be carried out in a much more efficient and effective manner.

During 2002, my staff were also engaged in making operational several further significant additions to the Office's computer systems. A new euro-compliant fees accounting and receipting module came into operation in January 2002. Improvements were made to elements of the process for granting patents and registering trade marks as well as the renewal of both these rights. In addition, the first phase of a new industrial designs module was introduced to facilitate acceptance of new design applications filed under the Industrial Designs Act 2001. We also sought to use the power of the internet to disseminate information and raise awareness of intellectual property. A re-design of the Office's website together with several e-commerce initiatives involving the provision of online access to the Official Journal and the patent and trade mark databases and registers has made user friendly access to information on intellectual property rights in Ireland and abroad readily available to our customers and the public at large.

The Patents Office was established under Section 5 of the Industrial & Commercial Property Act, 1927 and therefore the year 2002 saw the Office celebrating its 75th anniversary. On 19 November 2002 the Office was honoured to receive a visit from Mr Michael Ahern, TD, and Minister of State with responsibility for Trade and Commerce to mark the Office's anniversary. I should like to echo the Minister's appreciation of the hard work, effort and dedication of the staff of the Office both past and present, which has contributed to the creation of a modern and efficient intellectual property office.



Mr. Michael Ahern, T.D., Minister of State
with responsibility for Trade and
Commerce with Sean Fitzpatrick,
Controller, Patents Office.
Picture: Michael Brophy

The central mission of the Patents Office continues to be:

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

Objectives

The Office's Strategy Statement for the period 2001 to 2003 sets out the following four objectives, which are seen as central to the mission of the Office.

Objective (1)

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

Objective (2)

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

Objective (3)

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

Objective (4)

Consolidation and development of business skills including business planning and individual performance management and development which will enhance organisational effectiveness.

Achieving these objectives continued to be to the fore in the work of the Office during 2002. They tie in with the wider national objectives of supporting and encouraging enterprise and innovation and the fostering of an effective business environment in Ireland.

Receipts and Expenses

The receipts and expenses for the year amounted to €9.21 million and €4.47 million respectively. Particulars are given in Appendix B.

Fees received in connection with patents amounted to over €4.2 million, trade marks accounted for over €2.76 million and design fees amounted to €98,000.

Office - Staff and Structure

The number of staff serving as at 31 December 2002 was 77.



Staff at the Patents Office in Kilkenny.
Picture: Michael Brophy

Some additional staff to perform the new duties which I have to discharge upon ratification of the Protocol to the Madrid Agreement on the International registration of trade marks were assigned to me (*information about the Protocol is given on page 11*). Although this is a permanent new area of work, I understand that the additional staff agreed to by the Department of Finance were sanctioned on a supernumerary basis, the position to be reviewed in a few years time. I expect any review will have regard to the permanent nature of the work involved and to the special deadlines that attach to the performance of certain of the duties involved.

As mentioned in my previous Reports I have informed the Department of Enterprise, Trade & Employment that the functions allocated to me under the Copyright and Related Rights Act, 2000 require special staff for their discharge and I gave an estimate of the kind and number of staff required. To date, no staff have been assigned by the Department for the performance of this work.

A breakdown of the staff serving at the end of the year is given in Appendix A.

Information

Whilst the Office library continues to maintain a paper document collection comprising Irish, European (EP), International (PCT) and British published applications, it continued to place a greater emphasis on expanding its collection of patent information in electronic format. The Patents Office Information Centres now provide access to an extensive collection of several thousand CD-ROMs and DVDs containing several of the ESPACE series of disks produced by the European Patent Office (EPO) comprising bibliographic data and searchable abstracts of EP, PCT and GB patents. In addition the Office maintains collections of published patents from the United States Patent Office (USAPat) and the Japanese Patent Office (PAJ) as well as the GlobalPat first page series. These collections can be accessed by visitors to the Dublin and Kilkenny Information centres.

The Office also provides a document delivery service to patent and trade mark agents and to members of the public

Details of Irish patent applications and granted patents and pending and registered marks are available for inspection via the computerised patents and trade marks search facility on the Office's PTOLEMY computer system either at the Office's information centres or on-line at www.patentsoffice.ie.

In addition, it is possible to licence from the Controller the part of the trade mark database consisting of all trade marks (excluding device representations).

Internet

In last year's report I signalled that an update of the Office's web site was in preparation and would be launched in 2002. I am happy to report that a complete revamp of the website featuring a new design and lay out and additional functionality was completed and the redeveloped web site was officially launched in April. The additional functionalities include improved search facilities, a student zone and an online version of the Office's Official Journal. The online Journal was officially launched by the Minister of State with responsibility for Trade and Commerce, Mr Michael Ahern, TD in November during his official visit to my Office to mark the occasion of it's 75th anniversary.

Exhibitions/Seminars



Mr. Michael Ahern, T.D., Minister of State with responsibility for Trade and Commerce at the keyboard to launch the Patents Office, the new Office's new Online Journal. The Online Journal, which was developed in conjunction with a team of consultants from Propylon Limited, offers wider access to an electronic library of Official Journals via the Internet. Looking on are, from left, Michael Lydon, Patent Examiner, Dermot Doyle, E-Commerce Unit, Tim Cleary, Assistant Principal, Gerard Barrett, Assistant Principal and Sean Fitzpatrick, Controller, Patents Office.

Picture: Michael Brophy

Patents Office staff continued to promote awareness of industrial property protection and information during 2002 through attendance at a number of exhibitions and seminars. Once again the Office attended the "Young Scientist & Technology Exhibition" in the RDS in January and sponsored a prize in that competition. The Patents Office special award was won by Andrew Marshall, Conor Jackson and Ciaran Leonard of the Abbey Grammar School, Newry, Co Down for their project entitled "Sense a Spill" - a sensor device which assists in preventing a cup from spilling over. This was a great achievement for the school as it is the second year running that the school has won this award.

Amongst the other events at which the Office participated were the "My Business Entrepreneur Exhibition" organised by Galway Chamber of Commerce & Galway Enterprise Boards, the "Inventor Seminar" organised by the Inventors Association of Ireland, the "Dublin City of the Entrepreneur" and the "National Ploughing Championships". Throughout the year staff from the Office provided advice to the public in response to queries on the various aspects of intellectual property. In addition, patent examination staff gave a lecture to post graduates and academics in Trinity College, Dublin on the patent grant system.

The interest shown and enquires received at these events continue to indicate a demand for information on all aspects of intellectual property.

Service Standards

A review of the Office's customer service standards took place during 2001. This review had regard to new procedures introduced on the implementation of the Office's new PTOLEMY computer system. Arising from the review, the Office prepared a new Customer Services Action Plan for the period 2002 to 2005. The plan, which was published in 2002 and is available on the Office's web site (www.patentsoffice.ie) is aimed at further improvement of performance and

service. The new plan and the standards which have been set out take account of the generally accepted principles of quality customer service and in addition, as was the case with the previous plan, sets out specific standards and targets which the Office sees as essential to providing a quality service.

During 2002 we continued to monitor our performance against established customer service standards. In the patents area, performance in certain of the key functional areas (notification of formal defects within 15 working days of receipt of application and grant of patent certificate within 10 days of payment of grant fee) was between 75% and 100% of the target in the latter end of the year. In the trade marks area, the discharge of the comparable functions reached 100% of target towards year end. In the case of designs, performance varied considerably due to the changeover at mid-year from the regime of the 1927 Act to the Act of 2001 and the necessity to plan a new automation system for designs: this will lead to a smoother running of the administration of designs during 2003.

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

Training & Development

During 2002 we continued to strive to ensure that all staff have the skills required to undertake their job to the highest standard. A development plan for training was drafted to meet the training needs that staff had identified under the Performance Management Development System (PMDS) through their development plans. All staff completed role profile forms and development plans were completed in tandem with similar activity taking place throughout Government Departments.

In 2002 staff in my Office undertook a total of 200 training days. Training courses were organised and delivered in areas such as effective writing, customer service, presentation skills, management development, IT and health and safety. Effective induction training in my Office was delivered to all new staff within 3 months of arrival. A presentation was given on the implementation of the 2001 Copyright Act. A strong emphasis was placed on providing comprehensive in-house training to all staff on the operation of the Office's Ptolemy administration system.

The Training Officer liaised closely with the Departmental training and Development Unit in organising training that could not be delivered in Kilkenny. Staff of my Office also attended personal development training, communication training and clear and critical thinking programmes. Training and Development Unit also provided a one day training course in the Performance Management Development System (PMDS) for all new entrants to the Patents Office.

My Office will continue to provide relevant training in 2003 aimed at developing and improving the skills and competencies of all staff through the ongoing implementation of PMDS.

Users Council

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

"To consider and report to the Minister on the administration of industrial

property protection by the Patents Office and to advise on appropriate changes and innovations in the operation of the Office.”

The Council comprises the Controller and representatives of the Association of Patent and Trade Mark Agents, Enterprise Ireland, IBEC and University College, Dublin, and is chaired by a senior official from the Department of Enterprise, Trade and Employment.

The Council met on three occasions in 2002. The addition of a representative of the Licensing Executives’ Society to the Council was approved by the Tanaiste during 2002. The duration of the term of appointment of members (other than the Controller, President of the Association of Patent and Trade Mark Attorneys and the Departmental representative) was limited during the year to a three year term with effect from 1 January, 2003.

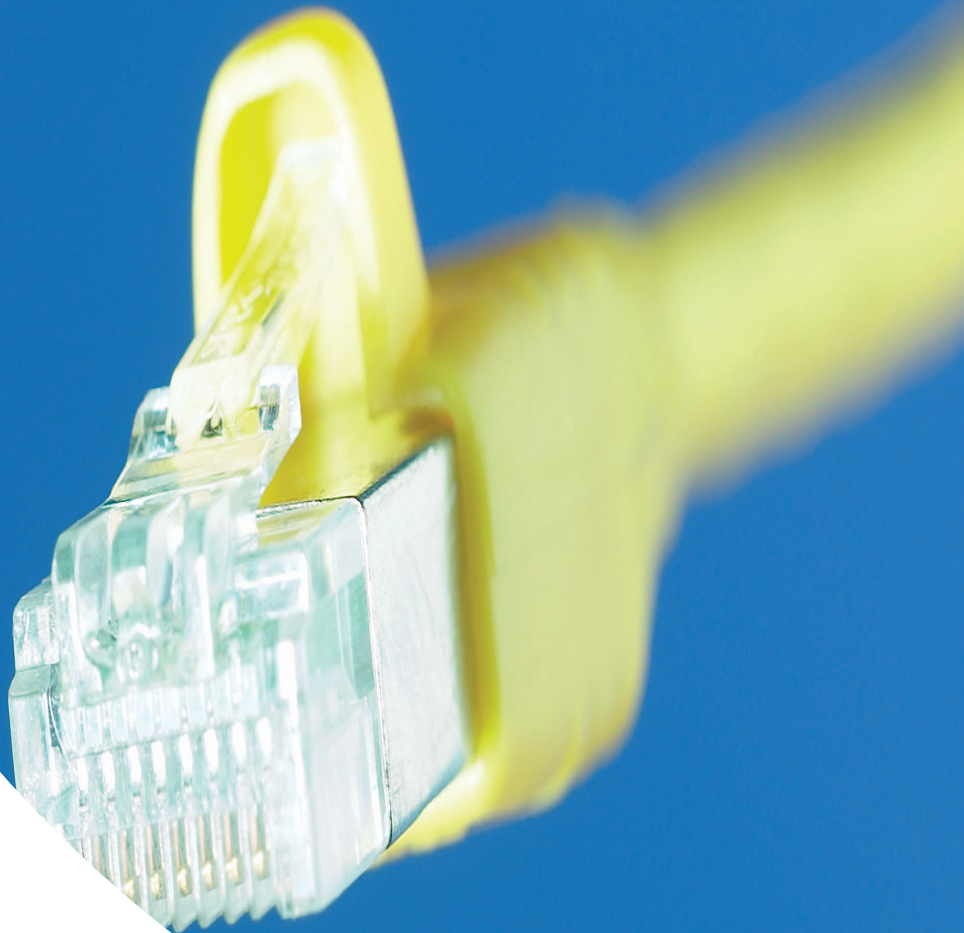
Intellectual Property (Miscellaneous Provisions) Act, 1998

In my 1998 Annual Report I referred to the enactment of the Intellectual Property (Miscellaneous Provisions) Act, 1998 (which became law on 7th July, 1998) and the changes brought about by Sections 4 and 5 of that Act relating to the office of Controller. The provisions of these sections were introduced and enacted while Judicial Review proceedings which I had initiated earlier in 1998 were still pending and no reference to the existence of these proceedings was contained in the relevant Dail and Seanad debates dealing with the passage of the provisions of Sections 4 and 5. At the end of 2002, the Judicial Review proceedings before the High Court were still pending.

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

Section Two:

Patents



PATENTS

As at 31 December 2002, there were a total of 2,376 pending applications on hand. Of these, 1,382 applications were awaiting the submission of evidence of novelty. While the number of applications on hand has been reduced steadily over the years, the Office has taken steps to further reduce the number by seeking to identify applications with which applicants may no longer wish to proceed.

Applications and Grants

The number of applications for patents received was 982, 187 less than in 2001. Following Ireland's ratification of the European Patent Convention in 1992, there was a drop in the annual volume of patent applications being filed at the Office. The number of applications being received appears to have stabilised at around 25% of the pre - 1992 level. Applications claiming priority under the Paris Convention totalled 278.

Analyses by country of the applications received and patents granted are given in Appendix C and Appendix D, respectively. The number of applications received from applicants in the State was 914 compared with 1,019 in 2001.

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

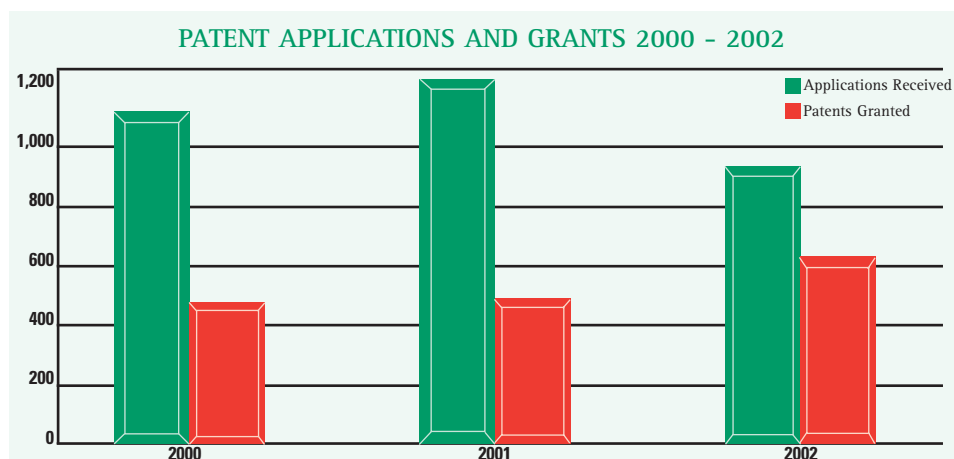
Year	Applications Received	Patents Granted
2000	1,079	456
2001	1,169	551
2002	982	617

Assignments and other miscellaneous matters

Applications approved under Section 85 of the 1992 Act for registration of assignments, etc. of patent applications, patents and supplementary protection certificates affected a total of 506 patents and patent applications.

The Office acts as a receiving office for European patent applications and for international applications filed under the Patent Co-Operation Treaty (PCT), which was ratified by Ireland during 1992. The number of international applications received at the Office, as a receiving office under the PCT, was 175. Following completion of the receiving office functions under the PCT, these applications are transmitted to the World Intellectual Property Organisation. The number of European applications filed for onward transmission to the European Patent Office was 119, 57 of which were filed by applicants whose places of residence or principal places of business were outside the State.

In 2002, the number of granted European patents designating Ireland was 13,573, a 71% increase over the 2001 figure of 7,922 patents. These patents were entered in the National Register of Patents. They have the same legal status in Ireland as if they had been granted by my Office.



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

Year	Filings
1993	35,762
1994	40,705
1995	44,161
1996	52,755
1997	41,875
1998	61,584
1999	65,708
2000	76,806
2001	103,659
2002	96,779

The number of applications received in the year 2002 includes 521 applications for short-term patents under Part II of the 1992 Act, which came into force on 1 August 1992. The year 2002 figure for patents granted includes 461 short-term patents.

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

Revocation of Patents

There were two applications to the Controller for revocation of patents pending at the end of 2002. The revocation proceedings in these cases had not been concluded by the end of the year.

Patents in force

The number of patents in force on the 31 December 2002 was 32,575. The number of patent renewal fees paid was 25,523 of which particulars are given in Appendix F, together with figures from the previous nine reports. Patents that lapsed due to the non-payment of renewal fees numbered 4,602 and 299 expired through effluxion of time.

Restoration of Lapsed Patents

At the end of 2001, nine applications for restoration of lapsed patents were pending. Fourteen applications for restoration were received during 2002. A total of twelve patents were restored and two applications were refused, leaving a total of nine applications for restoration pending at the end of 2002.

Requests for Supplementary Protection Certificates

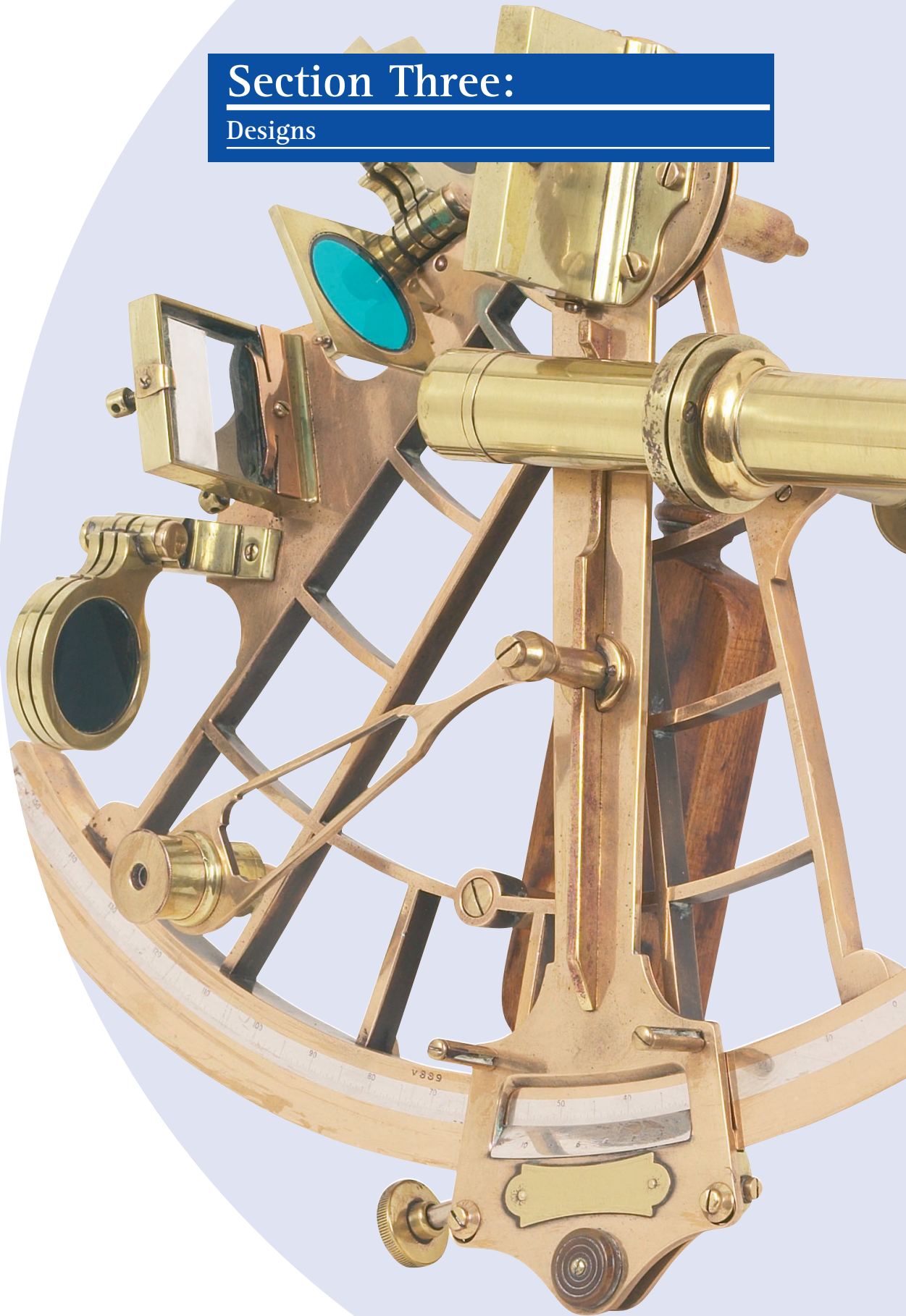
A total of 35 requests for Supplementary Protection Certificates were received during the year under the European Communities (Supplementary Protection Certificates) Regulations, 1992 (medicinal) and 1996 (plant protection products). During the year, 11 certificates were granted (medicinal and plant protection). At the end of the year there were 124 requests pending.

Register of Patent Agents

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

Section Three:

Designs



DESIGNS

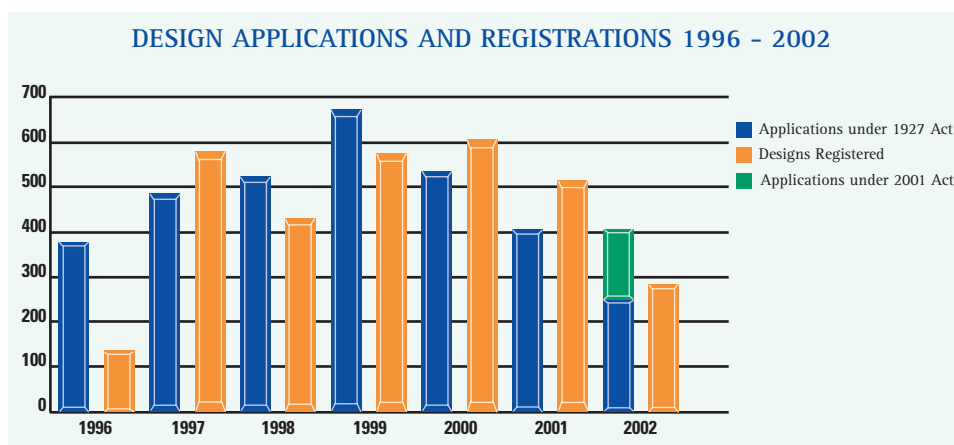
There were 251 applications for the registration of designs under the Industrial and Commercial Property (Protection) Act, 1927 received in the period January to June 2002. In the second half of the year, there were 163 applications received under the Industrial Designs Act 2001 which replaced the 1927 Act and which came into operation on 1 July 2002. The 163 applications were in respect of a total of 282 designs as some 32 of the applications received under the 2001 Act related to multiple applications.

There were 83 applications requesting that an application for registration made under the Industrial and Commercial Property (Protection) Act, 1927 be determined in accordance with the Industrial Designs Act 2001. Two of these applications were not regarded as valid applications.

An analysis by country of origin of the applications received is given in Appendix C. Applications filed by residents in the State totalled 70 compared to 123 in 2001.

The number of designs registered under the 1927 Act during the year was 275. Particulars of registration by country of origin of proprietor are given in Appendix D. The period of protection was extended for a second period of five years in 220 cases and a third period of five years in 120 cases. 140 registrations lapsed. The total number of designs in force at the end of the year was 3,953.

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



Industrial Designs Act 2001

In my Report for 2001, I referred to the Industrial Design Act, 2001, which was passed in November, 2001 and which introduced a new legislative regime governing the registration of industrial designs. As I indicated in the 2001 Report, Regulations had to be made prescribing the specific procedures and requirements for the implementation of the Act, including the forms to be used, etc. The Industrial Designs Regulations, 2002 were duly made and the Act and Regulations came into effect on 1 July, 2002.

A total of 83 requests for conversion of applications that had been filed but not finally determined under the old Act were submitted by the Applicants. (Conversion, which is provided for in the transitional provisions of the 2001 Act, allows an application that is pending under the old Act to be considered for registration under the new Act, subject to certain requirements). Two of these requests were not considered valid.

During 2002 work commenced on the development of a new module of the Office's automated administration system, Ptolemy, to facilitate the receipt,

examination, registration and publication of these applications and to coordinate their processing with that of patent and trade mark applications. It is hoped to have the system up and running in the first quarter of 2003, at which time the applications on hand will be speedily processed to registration.

Community Design Regulation

The Regulation on the Community Design (Council Regulation (EC) No. 6/2002 of 12 December 2001) was adopted by the Council of the European Union in December 2001. The Regulation, which came into force in March, 2002, provides a system for protection of designs across the European Community through both unregistered and registered rights. An unregistered design right will accrue automatically to the proprietor of a new design who puts a product incorporating the design on the market within the Community. The right will exist for a period of three years from the date of disclosure of the design within the Community and will entitle the holder to prevent others from copying the design in their products.

The registered Community Design will be analogous to a registered Community Trade Mark in that it will have a unitary character throughout the Community and the registration process will be administered by the Office for Harmonisation in the Internal Market (OHIM) in Alicante, Spain. Registration will be for a period of 5 years initially and may be renewed for up to a maximum of 25 years. A Community Design registration will entitle the proprietor to prevent third parties both from copying the registered design in their products and from marketing products which, though not direct copies, do not produce a different overall impression from that created by the products of the proprietor, i.e. those incorporating the registered design. The registered Community Design system is scheduled to come into effect in 2003 by which time the detailed Implementing Regulations necessary to operate the system of registration are expected to be finalised. One of the implications of these developments for this Office will be the fact that we will serve as an "office of origin" for Community Design applications in the same way that applicants for Community Trade Marks may file their applications to the OHIM through the Office.



Section Four:

Trade Marks



TRADE MARKS

National Applications and Registrations

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

Year ended	National Applications		Registered
	Received	Advertised	
2000	4,781	4,742	7,264
2001	3,760	3,785	3,206
2002	2,604	4,774	4,514



International Registrations designating Ireland

The number of international trade mark registrations designating Ireland received during the year, together with the number of these marks advertised in the Journal and protected, are given in the table below

Year ended	International Registrations		Protected
	Received	Advertised	
2001	105	None	None
2002	3,078	1,649	864



Commentary

The 2604 national trade mark applications received in 2002 includes 952 applications in respect of services.

During the year under review, the Office examined over 7,200 new applications. This represents a significant increase in output on examinations and results from a concerted drive to reduce the backlog of applications awaiting examination. The total number of applications (for both national and international trade marks) received during 2002 amounted to 5,682 and was significantly higher than the corresponding figure for 2001 (3,865). This increase is attributable to the fact that 2002 was the first full year for which international trade mark registrations designating Ireland were received in the Office. The number of national filings dropped significantly in 2002 (by 1,156 on the previous year); this may be attributable to some extent to the availability of the international registration system but it is also consistent with a fall off in applications for registration of trade marks in other jurisdictions consequent upon a general slow-down in economic activity internationally.

Thanks to the results achieved in 2002, the backlog of applications awaiting examination has now been effectively eliminated and the time between the filing of an application and its examination is of the order of 4-5 weeks. This is one way of measuring customer service and the performance of the Office in this regard compares favourably with other jurisdictions that also perform a thorough pre-registration examination of applications filed.

Analyses by country of the applications received and trade marks registered are given in Appendix C and Appendix D, respectively. Applications filed by persons resident in the State totalled 826 compared with 918 in 2001. Details of the international classification of goods and services into which the trade marks registered in 2002 fall are shown in Appendix G. The number of registrations of trade marks renewed was 5,113. The number removed from the Register for non-payment of renewal fees was 3,348. On 31st December 2002, the number of registered trade marks in force was 90,731.

Hearings in Trade Mark cases

Section 71 of the Trade Marks Act, 1996 provides that the Controller shall not exercise any discretionary power adversely to an applicant for, or proprietor of, a trade mark or to any other person without first affording that person an opportunity of being heard on the matter. I noted in my Report for 2001 that a backlog of cases awaiting hearing had developed owing mainly to the departure from the office of the designated Trade Mark Hearing Officer. During 2002 some progress was made on addressing this backlog: arrangements for appointments of hearings were made in respect of some 30 of the approximately 50 inter-partes cases awaiting hearing. Owing largely to the inability of the parties to arrange for legal representation at the proposed hearings, it was only possible to proceed with 6 cases in 2002. With regard to ex-parte hearings, 38 of them were taken during the year and the need for a hearing was waived in a number of cases on further consideration of the arguments presented by the Applicants.

Appeals

One notice of Appeal to the High Court was filed during 2002. The four notices of appeal to the High Court and one notice of appeal to the Supreme Court that were pending at the end of 2001 were still pending at the end of 2002. Therefore, there

were five notices of Appeal to the High Court and one notice of Appeal to the Supreme Court pending at the end of 2002.

Oppositions to Registration

There were 354 notifications of opposition pending at the end of 2001. During the course of 2002 a further 190 notifications were received. Taking into account cases decided during the year, withdrawals of oppositions and withdrawals of certain applications for registration following receipt of notice of opposition, there were 378 notifications of opposition pending at the end of 2002

Assignments and Transmissions

During the year 774 persons were entered in the Register as proprietors of trade marks consequent on assignments or transmissions. The number of trade marks affected was 2,845.

Matters affecting the Register of Trade Marks



Monica McMunn with Minister Michael Ahern, T.D., Sean Fitzpatrick, Controller of Patents, Designs and Trademarks with Dr. Michael Lydon and Gerard Barrett in the background.

There were 6 applications under Section 34 of the 1963 Act for the removal of registered marks pending at the end of 2001. No further applications were received in 2002. During the year, 1 case was decided leaving 5 applications pending at the end of 2002.

There were 8 applications under Section 40 of the 1963 Act for rectification of the Register pending at the end of 2001. No further applications were received in 2002. During the year 2 cases were decided leaving 6 applications pending at the end of 2002.

There were 24 applications under Section 51 of the 1996 Act for revocation of registration pending at the end of 2001. In 2002 a further 20 applications were received. During the year 14 cases were decided leaving 30 applications pending at the end of 2002.

There were 2 applications for declarations of invalidity of registration pending at the end of 2001, both of which remained pending at the end of 2002. No further applications were received in 2002.

Community Trade Mark Applications

During 2002, a total of 44 Community Trade Mark (C.T.M.) applications were filed through the Office and forwarded to the Office for Harmonisation in the Internal Market (O.H.I.M), Alicante, Spain. The Office receives a €25 handling fee in respect of each application.

Conversion of Community Trade Mark Applications

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

admissibility before the Office before being processed in the same way as national applications. 64 conversion applications were received in 2002, all of which were deemed admissible.

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

The Protocol relating to the Madrid Agreement concerning the International Registration of Marks is an international agreement under the aegis of the World Intellectual Property Organisation (WIPO), which allows a trade mark proprietor to make a single application to WIPO for registration of his or her mark in any or all of the countries that are party to the Protocol. As I stated in my 2001 Report, Ireland ratified the Madrid Protocol on 19 July, 2001 and the State could be designated in international applications since 19 October, 2001. 2002 was, therefore, the first full year of this country's participation in the international trade mark registration system.

During the year 3,078 international registrations designating Ireland were notified to the Office. These are examined for registrability (or "protection", as it is referred to in the Protocol) in the same way as national applications made directly to the Office under the 1996 Act. This is a growing body of work and the number of international registrations designating Ireland now exceeds the number of national applications filed directly with the Office.

Licences/Registered Users

During the year, 80 applications under Section 29 of the 1996 Act were dealt with, leaving 65 applications pending at the end of the year.

Of the applications under the 1963 Act to register registered users of marks, which were pending on 1 July 1996, 27 such applications were pending at the end of 2002.

Register of Trade Mark Agents

At the end of the year under review, there were 135 individuals and 6 partnerships entered on the Register.

The background of the page is a circular graphic. The left half of the circle is a dark green chalkboard with white cursive letters 'f', 'h', 'h', and 'h' written on it. The right half of the circle is a blurred image of a wooden pencil with a pink eraser, resting on a blue and green surface.

Section Five:

Copyright

COPYRIGHT

Disputes Referred under Section 31 of the Copyright Act, 1963

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

Following lengthy legal proceedings before the High Court and Supreme Court, which I outlined in previous reports, I was able to appoint an arbitrator, who was agreed upon by the copyright licensing body and the legal representative of the establishments involved in the references. The arbitrator was appointed on 15 July, 1996 and his award was originally expected before the end of June 1998. During June 2002 the arbitrator delivered his award in respect of two cases. Following this the two establishments in question initiated High Court proceedings by way of appeal against the arbitration awards. I was named as a co-defendant in these proceedings. On the 7 November 2002 the matter came before the Master of the High Court who made an order adjourning generally the Plaintiffs' actions against me. At the end of 2002 both sets of proceedings were still pending. The arbitrator did not deliver any further arbitration awards during 2002.

Disputes Referred under Section 31 of the Copyright & Related Act, 2000

The Copyright and Related Rights Act, 2000, which modernises Irish Copyright Law commenced on 1 January 2001 with the exceptions of Sections 98, 198, 199 and 247.

This new Act considerably extended my statutory functions in the copyright domain. As I mentioned in previous reports, I sought the assignment of additional staff – essentially someone with accounting expertise and someone with a legal background – to assist me in the discharge of my functions. However, no additional staff have yet been assigned for this purpose. I had received 16 references of disputes under Section 38(4) by the end of 2002, 15 of which were still pending at the end of the year. I decided to refer 14 of these disputes, which involved discos/nightclubs, to arbitration and invited the parties to propose the names of persons to me who might be appointed as arbitrator: that matter had not concluded by the end of the year. I also received 1 reference of a licensing scheme pursuant to section 152 and this reference was still pending at the end of 2002.

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

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

The making of the Copyright and Related Rights (Register of Copyright Licensing Bodies) Regulations, 2002 (S.I. No. 463 of 2002) on the 20 September 2002 enabled me to effect the registration of 4 licensing bodies in the register of Copyright Licensing Bodies during 2002. I also have one application, received in 2001, for registration in the Register of Licensing Bodies for Performers' Property Rights. However, due to the fact that the statutory instrument regulating the registration procedure in respect of this matter has not yet been made by the Minister, I have been unable to date, to decide upon the application received.



Section Six:

International Matters

INTERNATIONAL MATTERS

Council Regulation (EC) No. 6/2002 on the Community Design

The Implementing and Fees Regulations associated with Council Regulation (EC) No. 6/2002 were negotiated and adopted during 2002. Protection for unregistered Community Designs came into effect on 6 March 2002 and, in 2003 proprietors will, under the Regulation, be able to register their designs in respect of all EU States at the Community Trade Mark and Designs Office (OHIM).

Proposal for a Directive of the European Parliament and of the Council on the patentability of computer-implemented inventions

Computer programs “as such” are generally excluded from patentability in those EU Member States whose patent laws are based on the European Patent Convention. Also, case law and practice differs between Member States in this area, thus tending to bring about negative effects on the proper functioning of the internal market.

In November, 2002, the Competitiveness Council agreed a common approach on a Directive aimed at rectifying the position and making the conditions of patentability more transparent. It is expected that the European Parliament will consider the proposal early in 2003.

Proposal for a Council regulation on the Community Patent

Negotiations among EU Member States continued on a proposal aimed at creating a new unitary patent system covering the whole territory of the Community through the introduction of a Community Patent. Ireland's position was to strongly support the creation of a Community Patent, but only if the new system could, while co-existing with the current national and European systems, provide strong patent protection at a reasonable cost. Deliberations centred on both the general principles and the jurisdictional arrangements to be applied. It was not possible to conclude negotiations in 2002 and work will continue in 2003.

World Intellectual Property Organisation (WIPO)

A number of amendments to the Regulations under the Patent Co-operation Treaty (PCT) were adopted by the Assembly of the PCT Union during its session held in Autumn 2002, as part of the meetings of the Assemblies of the Member States of the World Intellectual Property Organisation. The proposals for amendments were the subject of detailed discussion both in the Working Group and the Committee on Reform of the PCT.

The measures under the revised Regulations include an enhanced international search and examination system and a new system of designating countries in which patents are sought. The main feature of the enhanced system is that the International Searching Authority will issue under PCT Chapter I, a preliminary and non-binding written opinion on patentability similar in context to a current written opinion under Chapter II. The Committee also agreed on proposals for further work to reform the PCT system.

The WIPO Standing Committee on the Law of Patents held two sessions in 2002 to consider the provisions of a draft Substantive Patent Law Treaty. While agreement in principle was achieved on a number of provisions there was no general

consensus on issues such as the grace period, the scope of patentable subject matter and possible exclusions from patentability.

The Intergovernmental Committee on Intellectual Property Rights and Genetic Resources, Traditional Knowledge and Folklore, established by the WIPO, met in June and December 2002. It reviewed a draft study on disclosure requirements in patent applications related to genetic resources and traditional knowledge and discussed the elements of a possible *sui generis* system for protection of traditional knowledge. The establishment of a new on-line electronic database of intellectual property clauses of contractual agreements regulating access to and benefit sharing in genetic resources and the development of a toolkit for managing the IP implications of documentation of traditional knowledge and biological resources were also approved.



Section Seven:

Information Technology

INFORMATION TECHNOLOGY

Responsibility for the provision of IT services at the Office, and the funding of the expenditure involved, rests with the Department of Enterprise, Trade and Employment.

During 2002 a major upgrade of the Office's IT Architecture was completed. The servers running the Office's Administration System (Ptolemy) and forty PC's were replaced by state-of-the-market models. The operating systems for all servers and PC's were migrated to Windows 2000 and the database management system was upgraded to SQL Server 2000.



An Taoiseach Bertie Ahern, T.D. presenting The Public Sector Times Best E-Government Website Award to members of the Patents Office.

The on-going development of enhancements to the Ptolemy system continued throughout the year. In January, in line with the introduction of the Euro, a new financial and accounting system was introduced. This system provides the Office with the ability to record, manage, check and report on all financial activities carried out in association with its statutory obligations.

The Office identified a number of processes that were suitable for automation including the automation of Patent and Trade Mark renewals, Trade Mark registration, Patents granting and the production of the Official Journal. These automated processes were developed and introduced in September 2002 and have achieved significant benefits for the Office.

Phase I of a new Ptolemy system for the administration of Industrial Designs, filed under the 2001 Designs Act, was implemented in August. This phase provided the Office with the functionality required in order to receive an application. Phase II will go live in March 2003 and will allow the Office to progress applications to registration.

In November 2002 the Patents Office was amongst a select few chosen to receive a merit award at The Public Sector Times Best E-Government Website Awards Ceremony. The award was presented to the Office by An Taoiseach, Mr Bertie Ahern, T.D.

The website's nomination followed a re-launch of the site in April. The site redevelopment was conducted after extensive consultations and suggestions by everyone in the Office as well as its external users. The result was a complete revamp of the website featuring a new design and layout and additional functionality such as search facilities, student zone and an online version of the Office's Official Journal. The merit award reflects upon the many contributors to this project, and further demonstrates the Office's commitment to delivering quality online services.

In last year's report I signaled that it was hoped that on-line access to the Official Journal and Patents & Trade Mark databases and registers will be available by the end of 2002. I am happy to report that these facilities are now available. Web traffic analysis shows that the general public as well as Intellectual Property professionals use these facilities extensively. The online search systems are particularly popular with thousands of hits per day.

These developments and planned initiatives will ensure that the Office continues to provide it's customers and the general public with the most up-to-date and efficient facilities and services expected from a modern Intellectual Property Office.

A handwritten signature in black ink, appearing to read 'S. Fitzpatrick'.

*Mr. Sean Fitzpatrick,
Controller of Patents, Designs
and Trademarks
31st May, 2003*

Section Eight:

Appendices



APPENDIX A

STAFF SERVING AT 31 DECEMBER 2002

Number	Staff
1	Controller
2	Assistant Principal
1	Senior Patent Examiner
8	Higher Executive Officer
3	Patent Examiner
22	Executive Officer
5.5	Staff Officer
33.5	Clerical Officer
1	Service Officer
77	

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

In addition, a further 4 staff members of the Department (1 Assistant Principal, 2 HEO's and 1 EO) are working in the Office in connection with the delivery of several e.commerce projects

ADMINISTRATION DIVISION 1 Assistant Principal		
Finance & Customer Services	Grants & Registration	Maintenance
1 HEO	1 HEO	1 HEO
2 EO	1EO	2 EO
3 SO	2 SO	0.5 SO
13 CO	10 CO	5.5 CO
1 Service Officer		

TRAINING
1 EO

APPENDIX A *(continued)*

PATENT EXAMINATION DIVISION
1 Senior Examiner
3 Examiners

TRADE MARK EXAMINATION DIVISION
1 Assistant Principal
5 HEO
16 EO
5 CO

I.T. UNIT (Department Staff working in the Office)
1 HEO Systems Analyst
1 EO
2 CO

E.Commerce Unit (Department Staff working in the Office)
1 Assistant Principal
2 HEO
1 EO

APPENDIX B

RECEIPTS AND EXPENSES - YEAR ENDED 31 DECEMBER 2002

RECEIPTS	
	€000
Patent Fees (Notes 1 and 2)	4,208
Trade Mark Fees	2,764
International Trade Mark Registration fees received from WIPO (Note 3)	1,035
Fees received for the searching of Community Trade Marks (Note 4)	1,128
Design Fees	98
Other Fees	57
Less Refunds made in respect of Patent and Trade Mark fees paid in error	(75)
Net receipts accruing to the Exchequer	9,215
EXPENSES	
	€000
Salaries	2,382
Employers PRSI	107
Printing, Binding, etc.	45
Telephones	43
Postal Services	15
Subscriptions to Industrial Property Unions	308
Expenses of Representation at International Meetings and Travelling Expenses	72
Law Reporting and Legal Costs	38
Maintenance of Buildings, Rents, Rates, Heating, Furniture, etc.	83
Office Machinery, Computer Equipment, Stationary, etc.	1,383
Total	4,476

APPENDIX B *(continued)*

Note 1

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

	€000
Patent fees	5,591
Less Proportion of patent renewal fees transferred to the European Patent Office, Munich.	1,383
Net patent fees which accrue to the Exchequer	4,208

Note 2

The Patents Office acts as a receiving Office for patent applications made under the Patent Co-operation Treaty and as such receives fees for onward transmission to both the European Patent Office and the World Intellectual Property Organisation. These fees do not accrue to the Irish exchequer and are therefore not shown as receipts. Details of the fees transferred to the EPO and WIPO during 2002 are as follows:

	€000
PCT Basic and Designation Fees (Transferred to WIPO, Geneva)	182
PCT Search Fees (Transferred to EPO, Munich)	156
Total	338

Note 3

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

Note 4

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

APPENDIX C

APPLICATIONS ACCORDING TO COUNTRY OF ORIGIN OF APPLICANT

COUNTRY	PATENTS		TRADE MARKS		DESIGNS <i>(Includes Applications received under the Industrial and Commercial Property (Protection) Act 1927, and the Industrial Designs Act 2001)</i>			
	No. of Applications	% of total No.	No. of Applications	% of total No.	1927 Act	% of of total	2001 Act	% of Total
REP. OF IRELAND	914	93	1167	44.81	40	15.94	30	18.40
ARGENTINA			6	0.23				
AUSTRALIA			8	0.30	1	0.40		
AUSTRIA					3	1.20		
BARBADOS	3	0.35	3	0.12				
BELGIUM			15	0.58	6	2.39		
BERMUDA			1	0.04				
BRAZIL			3	0.12	1	0.40	2	1.23
BRITISH VIRGIN ISLANDS			2	0.08				
CANADA	2	0.20	4	0.15				
CHILE			8	0.30				
CHINA			3	0.12				
CROATIA			1	0.04				
CYPRUS	1	0.10						
DENMARK	1	0.10	3	0.12	1	0.40		
FINLAND			3	0.12	34	13.55	2	1.23
FRANCE	1	0.10	50	1.9	22	8.76	9	5.52
GERMANY	3	0.35	138	5.3	4	1.59	21	12.88
GIBRALTAR	2	0.20						
HONG KONG			1	0.04				
INDIA			1	0.04				
ISRAEL			1	0.04				
ITALY	1	0.10	13	0.50	7	2.79	4	2.45
JAPAN					2	0.80		
KOREA (Republic)					1	0.40		
MALAYSIA			1	0.04				
MALTA	1	0.10						
MAURITIUS			2	0.08				
MEXICO			1	0.04				
MOROCCO			1	0.04				

APPENDIX C (Continued)

APPLICATIONS ACCORDING TO COUNTRY OF ORIGIN OF APPLICANT

COUNTRY	PATENTS		TRADE MARKS		DESIGNS <i>(Includes Applications received under the Industrial and Commercial Property (Protection) Act 1927, and the Industrial Designs Act 2001)</i>			
	No. of Applications	% of total No.	No. of Applications	% of total No.	1927 Act	% of total	2001 Act	% of Total
NETHERLANDS			40	1.5	15	5.98	4	2.45
NEW ZEALAND	1	0.10	3	0.12				
NORWAY	1	0.10	2	0.08	3	1.20	1	0.61
PANAMA			1	0.04				
PAKISTAN			1	0.04				
POLAND	1	0.10	4	0.15				
PORTUGAL					1	0.40		
SINGAPORE	1	0.10	2	0.08				
SOUTH AFRICA			7	0.27				
SPAIN	4	0.45	15	0.58	20	7.97		
SWEDEN			9	0.35	2	0.80	2	1.23
SWITZERLAND	1	0.10	92	3.5	3	1.20	10	6.13
TAIWAN			2	0.08				
THAILAND	1	0.10	1	0.04				
UNITED KINGDOM	29	3	519	19.9	35	13.94	51	31.29
USA	11	1.12	414	15.9	50	19.92	27	16.56
TOTAL	982	100	2604	100	251	100	163	100

APPENDIX D

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

COUNTRY	PATENTS		TRADE MARKS		DESIGNS <i>(All designs registered in 2002 were registered under Industrial and Commercial Property (Protection) Act 1927)</i>	
	No. Granted	Percentage of total No.	No. Registered	Percentage of total No.	No. Registered	Percentage of total No.
REP. OF IRELAND	352	57.05	826	18.30	45	16.42
ANTILLES (Netherlands)			2	0.044		
ARGENTINA			6	0.133		
AUSTRALIA			18	0.40		
AUSTRIA	1	0.16	31	0.69	2	0.78
BAHAMAS	1	0.16	1	0.022		
BARBADOS	1	0.16	1	0.022		
BELGIUM	1	0.16	52	1.15	7	2.55
BERMUDA	1	0.16	2	0.044		
BRAZIL			1	0.022	5	1.82
CANADA	5	0.81	19	0.42		
CAYMAN ISLS.			3	0.066		
CHILE			17	0.38		
CHINA			6	0.133		
CROATIA			2	0.044		
CYPRUS			1	0.022		
CZECH REP.			5	0.11		
DENMARK	16	2.59	19	0.42	3	1.1
DOMINICAN REP.			1	0.022		
FINLAND	1	0.16	6	0.133	18	6.57
FRANCE	17	2.75	411	9.10	21	7.66
GERMANY	21	3.40	638	14.13	8	2.9
GIBRALTAR	3	0.49				
GREECE			1	0.022		
HONG KONG			2	0.044		
HUNGARY	1	0.16	2	0.044		
INDIA			2	0.044		
INDONESIA			1	0.022		
ISRAEL	1	0.16			2	0.78

APPENDIX D (Continued)

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

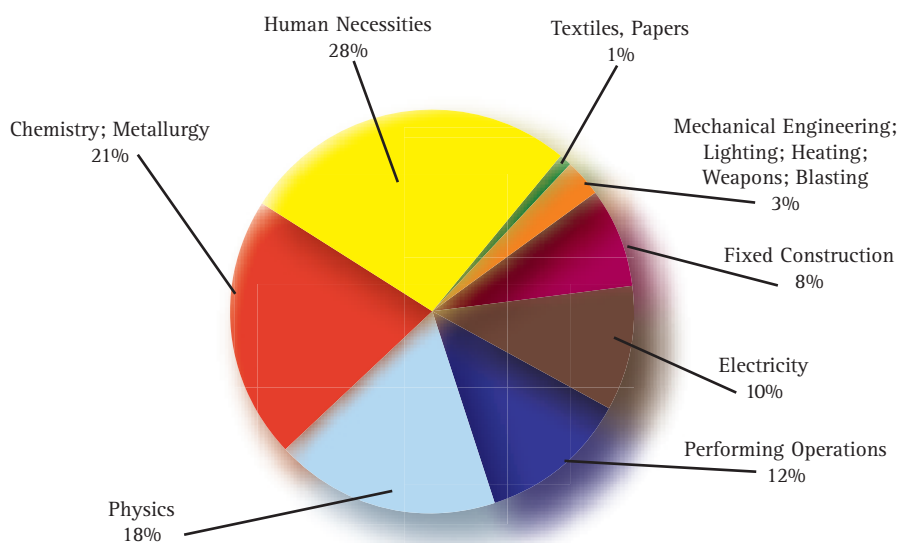
COUNTRY	PATENTS		TRADE MARKS		DESIGNS <i>(All designs registered in 2002 were registered under Industrial and Commercial Property (Protection) Act 1927)</i>	
	Percentage Granted	No. of total No.	Percentage Registered	No. of total No.	Percentage Registered	of total No.
ITALY	8	1.30	88	1.95	10	3.65
MALAYSIA			2	0.044		
MALTA			2	0.044		
MEXICO			1	0.022		
MONACO			6	0.133		
NETHERLANDS	4	0.65	154	3.41	13	4.7
NEW ZEALAND	1	0.16	6	0.133		
NORWAY	3	0.49	22	0.49	3	1.1
POLAND			3	0.07		
PORTUGAL			9	0.20	1	0.36
PURTO RICO			5	0.11		
ROMANIA			1	0.022		
RUSSIAN FEDERATION			6	0.133		
SINGAPORE			6	0.133	3	1.1
SLOVENIA			5	0.11		
SOUTH AFRICA			5	0.11		
SPAIN	2	0.32	40	0.88	25	9.1
SWEDEN	9	1.45	39	0.86	1	0.36
SWITZERLAND	13	2.10	337	7.46	4	1.46
TAIWAN			1	0.022		
THAILAND			2	0.044		
TURK & CAICOS ISLANDS			1	0.022		
TURKEY			1	0.022		
UNITED KINGDOM	36	5.83	664	14.71	49	17.85
USA	109	17.66	893	19.78	50	18.25
VIRGIN ISLANDS			5	0.11		
VIETNAM			1	0.022		
TOTAL:	617	100	4514	100	275	100

APPENDIX E

CLASSIFICATION OF PATENTS GRANTED BY THE OFFICE IN YEAR ENDED 31 DECEMBER 2002 ACCORDING TO THE INTERNATIONAL CLASSIFICATION

CLASSIFICATION	No of grants in Classification *
A. HUMAN NECESSITIES	233
B. PERFORMING OPERATIONS	99
C. CHEMISTRY; METALLURGY	172
D. TEXTILES; PAPER	5
E. FIXED CONSTRUCTIONS	64
F. MECHANICAL ENGINEERING; LIGHTING; HEATING; WEAPONS; BLASTING	28
G. PHYSICS	149
H. ELECTRICITY	84

** 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*



APPENDIX F

RENEWAL FEES PAID TO KEEP PATENTS IN FORCE FOR YEARS 1993 TO 2002

Year for which paid	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
3rd year*	1,241	1,924	3,463	1,803	1,520	293	232	751	814	504
4th year*	1,238	1,882	3,424	2,142	2,019	848	486	962	1,044	941
5th year	1,296	1,874	3,097	2,026	2,955	1,924	1,218	1,906	2,142	1,540
6th year	1,296	1,831	2,635	1,606	2,253	2,644	1,840	2,972	3,338	2,414
7th year	1,303	1,698	1,817	1,560	1,550	1,726	1,847	3,454	4,144	3,181
8th year	1,384	1,188	1,362	1,280	1,446	1,140	637	3,488	4,546	3,414
9th year	1,254	756	1,032	1,143	1,216	1,171	639	1,951	3,780	3,453
10th year*****885	641	879	880	1,052	994	667	1,105	2,204	3,307	
11th year	756	565	742	769	814	915	563	1,078	1,336	1,606
12th year	643	490	666	678	696	725	550	910	1,199	891
13th year	520	420	579	602	627	623	408	821	1,040	916
14th year	447	321	503	504	555	550	357	647	862	730
15th year	370	288	370	439	466	495	275	531	683	675
16th year	295	239	312	319	413	411	271	473	599	539
17th year*	248	169	281	281	300	362	239	413	553	444
18th year**	93	165	221	246	247	270	198	348	452	386
19th year***	—	55	185	183	220	217	151	290	441	319
20th year****	—	—	64	158	164	185	114	207	248	263
Total	13,269	14,506	21,632	16,619	18,513	15,493	10,746	22,307	29,425	25,523

* Patent renewal fees not payable in respect of 3rd, 4th and 17th years prior to 1 August 1992.

** Patent renewal fees not payable in respect of 18th year prior to 1 August 1993.

*** Patent renewal fees not payable in respect of 19th year prior to 1 August 1994.

**** Patent renewal fees not payable in respect of 20th year prior to 1 August 1995

***** Includes 283 accumulated renewal Fees paid in 2002.

APPENDIX G

INTERNATIONAL CLASSIFICATION OF GOODS AND SERVICES INTO WHICH MARKS REGISTERED IN 2002 FALL

Class	Classification of Goods	No of marks in classification
01	Chemical Products, etc.	178
02	Paints, etc.	90
03	Bleaching Preparations, etc.	448
04	Industrial Oils, etc.	77
05	Pharmaceutical Substances, etc.	943
06	Unwrought and Partly Wrought Common Metals and their Alloys	126
07	Machines and Machine Tools, etc.	117
08	Hand Tools and Instruments, Cutlery, etc.	47
09	Scientific Apparatus and Instruments, etc.	695
10	Surgical Instruments, etc.	219
11	Installations for Lighting, etc.	130
12	Vehicles; Apparatus for Locomotion by Land, Air or Water	277
13	Firearms, Ammunition and Projectiles; Explosive Substances; Fireworks	11
14	Precious Metals and their Alloys, etc.	127
15	Musical Instruments (other than talking machines and wireless apparatus)	2
16	Paper, etc.	492
17	Gutta Percha, India Rubber, etc.	69
18	Leather, etc.	123
19	Building Materials, etc.	83
20	Furniture, etc.	104
21	Small Domestic Utensils, etc.	106
22	Ropes, etc.	20
23	Yarns, Threads	12
24	Tissues (piece goods), etc.	76
25	Clothing, including Boots, Shoes and Slippers	334
26	Lace and Embroidery, etc.	15
27	Carpets, etc.	34
28	Games, etc.	152
29	Meat, Fish, Poultry and Game, etc.	260
30	Coffee, Tea, Cocoa, Sugar, Rice, etc.	352
31	Agricultural Products, etc.	65
32	Beer, etc.	131
33	Wines, Spirits and Liqueurs	125
34	Tobacco, etc.	61
35	Advertising, Business Management, etc.	475
36	Insurance, Financial Affairs, etc.	347
37	Building Construction, Repair, Installation Services	218
38	Telecommunications	309
39	Transport, Packaging and Storage of Goods, etc.	157
40	Treatment of Materials	59
41	Education, Entertainment, etc.	371
42	Scientific and technological services	607
43	Providing food and drink	3
44	Medical services, etc.	4
45	Personal and social services	1

APPENDIX H

DESIGNS REGISTERED DURING THE YEAR ENDED 31 DECEMBER, 2002 LISTED ACCORDING TO THE INTERNATIONAL CLASSIFICATION

Class	Classification	Designs Registered
01	Foodstuffs	7
02	Articles of Clothing and Haberdashery	27
03	Travel Goods, Cases, Parasols and Personal Belongings, not elsewhere specified	5
04	Brushware	5
05	Textile Piecegood Articles, Artificial and Natural Sheet Material	6
06	Furnishings	1
07	Household Goods, not elsewhere specified	10
08	Tools and Hardware	37
09	Packages and Containers for the Transport or Handling of Goods	11
10	Clocks and Watches and other Measuring Instruments, Checking and Signalling Instruments	34
11	Articles of Adornment	1
12	Means of Transport or Hoisting	5
13	Equipment for Production, Distribution or Transformation of Electricity	30
14	Recording, Communication or Information Retrieval Equipment	5
15	Machines, not elsewhere specified	15
16	Photographic, Cinematographic and Optical Apparatus	0
17	Musical Instruments	0
18	Printing and Office Machinery	0
19	Stationery and Office Equipment, Artists' and Teaching Materials	0
20	Sales and Advertising Equipment, Signs	5
21	Games, Toys, Tents and Sports Goods	11
22	Arms, Pyrotechnic Articles, Articles for Hunting, Fishing and Pest Killing	15
23	Fluid Distribution Equipment, Sanitary, Heating, Ventilation and Air-Conditioning Equipment, Solid Fuel	23
24	Medical and Laboratory Equipment	10
25	Building Units and Construction Elements	9
26	Lighting Apparatus	2
27	Tobacco and Smokers' Supplies	1
28	Pharmaceutical Products and Cosmetic Products, Toilet Articles and Apparatus	0
29	Devices and Equipment Against Fire Hazards, for Accident Prevention and for Rescue	0
30	Articles for the Care and Handling of Animals	0
31	Machines and Appliances for Preparing Food or Drink, not elsewhere specified	0
99	Miscellaneous	0
TOTAL		275

APPENDIX I

ENACTMENTS AND STATUTORY INSTRUMENTS MADE DURING THE YEAR.

Enactments

None

Statutory Instruments

S.I. No. 275 of 2002
Industrial Designs Act 2001 (Commencement) Order 2002

S.I. No. 280 of 2002
Industrial Designs Regulations 2002

S.I. No. 463 of 2002
Copyright and Related Rights (Register of Copyright Licensing Bodies) Regulations 2002

S.I. No. 514 of 2002
Copyright and Related Rights (Certification of Licensing Scheme for Reprographic Copying by Educational Establishments) (The Irish Copyright Licensing Agency Limited) Order 2002



The Patents Office, Kilkenny

NOTES

NOTES
