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The Patents Office

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Oifig na bPaitinní

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**Seventy Eighth Annual Report of the Controller of Patents, Designs and Trade Marks** **An tOchtú Tuarascáil is Seachtó de chuid an Cheannasaí Paitinní, Dearthaí agus Trádmharcanna**

**2005**

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## **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 2005.

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; a reference to the 1996 Act means a reference to the Trade Marks Act, 1996; and a reference to the 2001 Act means a reference to the Industrial Designs Act, 2001.

**Sean Fitzpatrick**

**Controller**

Dated 19 May 2006

## **RÉAMHRÁ**

Is onóir dom, de réir fhorálacha alt 103 d'Acht na bPaitinní, 1992, Tuarascáil a chur faoi bhráid an Oireachtais don bhliain dar críoch 31 Nollaig 2005.

Tá na feidhmeanna reachtúla agamsa leagtha amach in Acht na bPaitinní, 1992; in Acht na dTrádmharcanna, 1996; san Acht um Dhearthaí Tionscail, 2001; sna Rialacha agus sna Rialacháin Reachtúla a rinneadh faoi na hAchtanna sin; agus i Rialacháin na gComhphobal Eorpach (Deimhniú Cosanta Forlíontach). Fúmsa atá sé, i mo cháil reachtúil, cinntí faoi na hAchtanna, na Rialacha agus na Rialacháin sin a dhéanamh, faoi réir cearta áirithe achomhairc chun na hArd-Chúirte.

Tá feidhmeanna leathana agam freisin faoin Acht Cóipchirt agus Ceart Gaolmhar, 2000 (chuaigh sé sin in áit an Achta Cóipchirt, 1963) a tháinig i ngníomh an 1 Eanáir 2001. Chuir an tAcht sin go mór le mo chuid feidhmeanna reachtúla i gcúrsaí cóipchirt. I dteannta feidhmeanna faoi Acht 1963 chun díospóidí a réiteach, ní mór dom anois plé le scéimeanna ceadúnúcháin agus scéimeanna ceadúnúcháin beartaithe a chuirtear faoi mo bhráid i ndáil le réimsí éagsúla atá faoi réir cóipchirt agus ceart eile; le nithe a bhaineann le téarmaí ceadúnas a chuirtear faoi mo bhráid; le hiarratais ar cheadúnais i gcás go bhfuil oibrítheoirí scéimeanna tar éis diúltú ceadúnais a thabhairt; le cásanna áirithe ina bhfuil ceadúnais ag dul in éag; agus le clárú comhlachtaí ceadúnúcháin.

Ina theannta sin, cuirim faisnéis ar fáil i ndáil le Maoin Tionscail agus Intleachtúil.

Tá an fhreagracht ar an Aonad Maoine Intleachtúla sa Roinn Fiontar, Trádála agus Fostaíochta as an bpolasaí i leith maoine intleachtúla agus as reachtaíocht a ullmhú sa réimse sin. Cuireann an Oifig comhairle ar fáil sna cúrsaí sin don Roinn, ar a n-áirítear tuairimí ar an tionchar a bheadh ar obair na hOifige ag athruithe beartaithe.

Le linn an chuid eile den Tuarascáil seo, mura n-éilíonn an comhthéacs a mhálairt, ciallaíonn tagairt d'Acht 1963 tagairt d'Acht na dTrádmharcanna, 1963; tagairt d'Acht 1964 tagairt d'Acht na bPaitinní, 1964; tagairt d'Acht 1992 tagairt d'Acht na bPaitinní, 1992, tagairt d'Acht 1996 tagairt d'Acht na dTrádmharcanna, 1996; agus tagairt d'Acht 2001 tagairt don Acht um Dhearthaí Tionscail, 2001.

**Seán Mac Giolla Phádraig**

**An Ceannasaí**

Dáta 19 Bealtaine 2006

## GENERAL

Intellectual property rights are being increasingly acknowledged as important assets, enabling companies to enhance their competitiveness and thereby promoting economic growth. The administration of these rights is fundamental for optimising innovation. Consequently, during 2005 my Office sought to provide Irish business, industry and individual entrepreneurs with an efficient system of protection for their intellectual property rights.

### Mission & Objectives

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”.*

The Office’s Strategy Statement for the period 2004 to 2007 sets out the following four objectives, the achievement of which is seen as central to fulfilling the mission of the Office. They also tie in with the wider national objectives of supporting and encouraging enterprise and innovation and the fostering of an effective business environment in Ireland.

#### Objective (1)

**Continue to grant patents and register trade marks and designs based on efficient administrative procedures and standards of service which reflects best international practice and meets the needs of customers.**

#### Objective (2)

**Seek to incorporate new technology in order to improve systems and procedures and service to customers and which will also have regard to the demands of the information society and e-business.**

#### Objective (3)

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

#### Objective (4)

**Recognise staff as a key asset of the office and utilise business planning and individual performance management and development in order to improve business performance and processes and enhance organisational effectiveness.**

The information in this Report reflects the extent to which achieving these objectives continued to be to the fore in the work of the Office during 2005. I would like to formally acknowledge the commitment of the staff of the Patents Office to meeting these objectives, the customer service targets and the key tasks set out in the Office’s Business Plan.

## GINEARÁLTA

Aithnítear níos mó ná riamh gur sócmhainní tábhachtacha iad cearta intleachtúla, lena gcuimseáitear do chuideachtaí cur lena n-iomaíochas agus, dá bharr sin, lena gcuirtear a bhfás eacnamaíoch chun cinn. Tá riarachán na gcearta sin bunúsach ó thaobh an nuáil a uasmhéadú. Dá thoradh sin, le linn 2005 thriail m’Oifige córas éifeachtach a sholáthar do lucht gnó, lucht tionscail agus d’fhiontraithe aonair in Éirinn chun a gcearta maoiníntleachtúla a chosaint.

### Bunchuspóir agus Cuspóirí Eile

Is é bunchuspóir lárnach Oifige na bPaitinní i gcónaí ná:

*“Córas éifeachtach agus éifeachtúil cosanta maidir le maoin thionsclaíoch a sholáthar lena spreagar dul chun cinn teicneolaíoch agus lena gcuirfean an fhiontraíocht chun cinn trí chur chun feidhme na reachtaíochta cuí ag an Oifig.”*

I Ráiteas Straitéise na hOifige don tréimhse 2004 go 2007, leagtar amach na ceithre chuspóir seo a leanas, agus tá baint amach na gcuspóirí sin ríthábhachtach maidir le bunchuspóir na hOifige a chur i gcrích. Ina theannta sin, nascann siad leis na cuspóirí náisiúnta is leithne ná sin maidir le tacaíocht agus spreagadh a thabhairt don fhiontraíocht agus don nuáil agus timpeallacht éifeachtach gnó a chothú in Éirinn.

#### Cuspóir (1)

**Leanúint ar aghaidh ag bronnadh paitinní agus ag clárú trádmharcanna agus dearthaí bunaithe ar nósanna imeachta agus caighdeáin seirbhíse éifeachtacha ar léiriú iad ar an gcleachtas idirnáisiúnta is fearr agus a fhreastalaíonn ar riachtanais ár gcustaiméirí.**

#### Cuspóir (2)

**Díriú ar an nuatheicneolaíocht a bhunú chun feabhas a chur ar chórais agus nósanna imeachta agus ar an tseirbhís do chustaiméirí, agus aird a thabhairt ar éilimh na sochaí faisnéise agus an ríomhghnó.**

#### Cuspóir (3)

**Aon reachtaíocht nua IP lena gcruthaítear feidhmeanna nua don Cheannasaí a chur chun feidhme.**

#### Cuspóir (4)

**An fhoireann a aithint mar acmhainn ríthábhachtach de chuid na hOifige agus leas a bhaint as pleanáil gnó agus as bainistiú agus forbairt feidhmíochta aonair d’fhonn feabhas a chur ar an bhfeidhmíocht ghnó agus ar phróisis ghnó agus cur le héifeachtúlacht na heagraíochta.**

Is léiriú í an fhaisnéis sa Tuarascáil seo ar an méid a raibh baint amach na gcuspóirí sin chun tosaigh i gcónaí in obair na hOifige le linn 2005. Ba mhaith liom aitheantas foirmeálta a thabhairt do thiomantas fhoireann Oifige na bPaitinní maidir leis na cuspóirí sin, na spriocanna seirbhíse do chustaiméirí agus na tascanna ríthábhachtacha atá leagtha amach i bPlean Gnó na hOifige a bhaint amach.

## **Receipts and Expenses**

The receipts and expenses for the year amounted to €9.002 million and €3.810 million respectively. Further particulars are given in Appendix B.

## **Office - Staff and Structure**

The number of staff serving as at 31 December 2005 was 69. A breakdown of the staff serving at the end of the year is given in Appendix A. The number of staff availing of the teleworking scheme was four. This scheme permits staff to carry out their duties from home for part of the week and to be present in the office on the other days.

No special staff have been assigned to me in respect of the discharge of copyright functions.

## **IP Information - Website**

The Office maintains an extensive collection of patent information in electronic format with Irish, European US and Japanese patent documents available on CD ROM and DVD for searching by the public in both the Dublin and Kilkenny Information centres.

The Office has successfully realised one of its strategic objectives of incorporating and utilizing technology in order to facilitate e-business activities and the dissemination of intellectual property information via its website. During 2005 the website was redesigned to ensure it is user friendly, intuitive, with an improved visual appearance that facilitates easy navigation and searching. All pages comply with all priority 1, 2, 3 guidelines of the World Wide Web Consortium (W3C) Web Content Accessibility Guidelines. An Irish language version of the site is currently being developed.

The website facilitates the perusal of Irish patent, trade mark and design registers on-line and free of charge. In addition, a computerised search facility facilitates the inspection of details of Irish published patent applications and granted patents and pending and registered trade marks. The Office's website also permits free access to the esp@cenet database and search engine which hosts the largest volume of patent documentation available on the Internet. On-line access to the Office's Official Journal is also provided free of charge, is searchable and allows for flexible viewing of trade marks in colour.

As I mentioned in my report last year the website was further advanced by the addition of the online renewal system which facilitates the payment of patent, trade mark and design renewal fees by credit and debit cards. This facility has been very successful and transactions totalling €4.3 million were processed on line in 2005.

Web traffic analysis shows that the general public as well as Intellectual Property professionals make extensive use of the search facilities and information available on our website. The online search systems are particularly popular. There were on average in excess of 405,000 hits to the web site per month. 63% of the visitors to the web site were international visitors.

## **Fáltais agus Caiteachais**

Ba iad na fáltais agus na caiteachais don bhliain ná €9.002 milliún agus €3.810 milliún faoi seach. Tugtar sonraí breise i bhFoscábhinn B.

## **An Oifig – Foireann agus Structúr**

Ba é an líon foirne a bhí ag fónamh amháil ar 31 Nollaig 2005 ná 69. Tugtar cur síos ar an bhfoireann a bhí ag fónamh i ndeireadh na bliana i bhFoscábhinn A. Ba é an líon foirne a bhí ag baint leas as an scéim teiloibre ná ceathrar. Leis an scéim sin, ceadaítear do chomhaltaí foirne a gcuid dualgas a chomhlíonadh sa bhaile i rith chuid den tseachtain agus a bheith i láthair san oifig laethanta eile.

Níor sannadh aon fhoireann speisialta chugam i ndáil le feidhmeanna cóipchirt a chomhall.

## **Faisnéis faoi Mhaoin Intleachtúil (MI) – Suíomh Idirlín**

Tá bailiúchán forleathan d'fhaisnéis faoi phaitinní i leagan amach leictreonach ag an Oifig agus tá doiciméid paitinne de chuid na hÉireann, na hEorpa, na Stát Aontaithe agus na Seapáine ar fáil ar CD ROM agus ar DVD chun gur féidir leis an bpobal iad a chuardach sna hionaid faisnéise i mBaile Átha Cliath agus i gCill Chainnigh.

Tá ceann dá cuspóirí straitéiseacha bainte amach go rathúil ag an Oifig agus sin é an cuspóir a bhaineann leis an teicneolaíocht a ionchorpú agus a úsáid chun gníomhaíochtaí ríomhrialtais agus craobhscaoileadh faisnéise maoinne intleachtúla trínár suíomh idirlín a chumasú. Le linn 2005, deineadh an suíomh idirlín a athdhearadh chun a chinntiú gurb éasca é a úsáid, go bhfuil sé iomasach, agus go bhfuil cuma fheabhsaithe air sa tslí is gur fúasta seoladh air agus cuardach a dhéanamh ann. Tá na leathanaigh go léir de réir na dtreoirilínte tosaíochta 1, 2, 3 uile i dTreoirilínte na Comhchuideachta Domhanda (W3C) i ndáil le Rochtain ar Ábhar Líonra. Tá leagan Gaeilge den suíomh á fhorbairt faoi láthair.

Leis an suíomh idirlín, éascaítear an t-íniúchadh ar-líne ar chláir paitinní, trádmharcanna agus dearthaí na hÉireann ar-líne agus saor in aisce. Ina theannta sin, le háis cuardaigh ríomhairithe, éascaítear an t-íniúchadh ar na mionsonraí sna hiarratais paitinne fhoilsithe agus sna paitinní atá deonaithe agus sna trádmharcanna atá ar feitheamh agus cláraithe in Éirinn. Le suíomh idirlín na hOifige, ceadaítear rochtain saor in aisce ar bhunachar agus inneall cuardaigh esp@cenet ar a bhfuil an líon is mó de dhoiciméid paitinne atá ar fáil ar an Idirlíon. Cuirtear rochtain ar-líne ar Iris Oifigiúil na hOifige ar fáil saor in aisce freisin. Tá an Iris inchuardaithe agus is féidir radharc solúbtha daite a fháil ar thrádmharcanna ansin.

Mar a luaigh mé i mo thuarascáil anuraidh, cuireadh an suíomh idirlín ar aghaidh tuilleadh nuair a cuireadh an córas athnuachana ar-líne leis, córas lena n-éascaítear táillí athnuachana paitinne, trádmhairc agus deartha a íoc trí chártaí creidmheasa agus cártaí dochair. Tá éirithe go han-mhaith leis an áis sin agus deineadh idirbhearta ar fiú €4.3 milliún san iomlán iad ar-líne sa bhliain 2005.

Taispeánann anailís ar an trácht Líonra go mbaineann an pobal i gcoitinne agus gairmiúlaigh Maoine Intleachtúla araon úsáid fhorleathan as na háiseanna cuardaigh agus as an bhfaisnéis atá ar fáil ar an suíomh idirlín againn. Baintear úsáid an-mhór as na córais cuardaigh ar-líne. Bhí os cionn 405,000 aimsiú, ar an meán, ar an suíomh idirlín gach mí. Ba chuartheoirí idirnáisiúnta iad 63% de na cuairteoirí ar an suíomh idirlín.

## Exhibitions/Seminars

As has been the case in previous years, the Patents Office was an exhibitor at the annual ESAT BT Young Scientist & Technology Exhibition. With over 35,000 visitors each year this exhibition affords the Office a unique opportunity to raise awareness of intellectual property amongst second level students, teachers and parents. The Office again sponsored a special award in the competition which was won by Claire Conaghan, Áine Mulcahy and Seán Liston students of Desmond College, Newcastlewest, Limerick, for their project -“Intelligent cats’ eyes”.

Amongst the other events at which the Office sought to promote awareness of intellectual property, particularly for SME’s, was the “My Business Entrepreneur Exhibition” organised by Galway Chamber of Commerce & Galway Enterprise Boards and presentations at courses organised by the Carlow and Donegal County Enterprise Boards. In addition staff attended two major agri-business events; the “National Ploughing Championships” and the “Tullamore Show”. A representative from the Office also attended the annual meeting and conference of the International Trade Mark Association in San Diego, U.S.A.

Throughout the year staff from the Office provided advice to the public in response to queries on the various aspects of intellectual property and talks were given to officials from the Department of Health and Children and to post graduate students and research staff at the University of Limerick.

In September, the Office hosted a task force of the World Intellectual Property Organisation (WIPO) IPC Revision Working Group. Ahead of the 2006 reform of the IPC (International Patent Classification), the group spent a week considering training examples for illustrating the use of the IPC in classifying patent documents. Delegates attended from Britain, France, Germany, Ireland, Japan, Romania, Sweden and the United States of America, as well as from the European Patent Office and WIPO.

## Service Standards

The Office’s Customer Services Action Plan for the period 2002 to 2005 is aimed at securing high standards of performance which the Office sees as essential to providing a quality service.

The standards, which have been set out in the plan take account of the generally accepted principles of quality customer service in the public service and set out the quality of service, which our customers can expect. The level of performance against specific customer service targets achieved during 2005 (details of which are shown at Appendix I) was excellent overall; in many cases the performance was 100%.

## Taispeántais/Seimineáir

Mar a deineadh blianta eile, bhí taispeántas ag Oifig na bPaitinní ag an ócáid bhliantúil, Taispeántas Eolaí Óig agus Teicneolaíochta ESAT BT. Tugann os cionn 35,000 duine cuairt ar an ócáid sin gach bliain agus is deis ar leith é an Taispeántas don Oifig cur leis an bhfeasacht ar mhaoin intleachtúil i measc mac léinn, múinteoirí agus tuismitheoirí dara leibhéal. Dhein an Oifig urraíocht arís ar ghradam speisialta sa chomórtas. Mic léinn as Scoil Dheasmhumhan, An Caisleán Nua Thiar, Luimneach – Claire Conaghan, Áine Mulcahy agus Seán Liston – a bhuaigh é lena dtionscadal “Súile Cait Intleachtacha”.

Ar na himeachtaí eile ag ar thriail an Oifig an fheasacht ar mhaoin intleachtúil a chur chun cinn, go háirithe le haghaidh Fiontar Beag agus Meánmhéide, bhí “Taispeántas Fiontraí Mo Ghnó”, a d’eagraigh Seomra Tráchtála na Gaillimhe agus Boird Fiontar na Gaillimhe, agus cuir i láthair ag cúrsaí a d’eagraigh Boird Fiontar Cheatharlach agus Dhún na nGall. Ina theannta sin, bhí comhaltaí foirne i láthair ar dhá ócáid mhóra talmhghnó – Na Comórtais Treabhdóireachta Náisiúnta agus Seó na Tuláí Móire. Bhí ionadaí de chuid na hOifige i láthair ag cruinniú agus comhdháil bhliantúil Chumann Idirnáisiúnta na dTrádmharcanna i San Diego, S.A.M.

I rith na bliana, thug foireann de chuid na hOifige comhairle don phobal mar fhreagra ar fhiosrúcháin faoi ghnéithe éagsúla a bhaineann le maoin intleachtúil agus tugadh cainteanna d’oifigigh de chuid na Roinne Sláinte agus Leanaí agus do mhic léinn iarchéime agus d’fhoireann taighde in Ollscoil Luimnigh.

Mí Mheán Fómhair, réachtáil an Oifig tascfhórsa de Ghasra Oibre Saothair Athbheithnithe na hEagraíochta Domhanda um Maoin Intleachtúil (EDMI). Roimh athchóiriú 2006 ar AIP (Aicmiú Idirnáisiúnta Paitinní), chaith an gasra seachtain ag breithniú samplaí oiliúna chun úsáid AIP a léiriú ó thaobh doiciméid paitinne a aicmiú. Bhí toscairí i láthair ón mBreatain, ón bhFrainc, ón nGearmáin, ó Éirinn, ón tSeapáin, ón Rómáin, ón tSualainn agus ó Stáit Aontaithe Mheiriceá, agus ó Oifig Paitinní na hEorpa agus EDMÍ.

## Caighdeáin Seirbhíse

Tá Plean Gníomhaíochta Seirbhíse Custaiméara na hOifige don tréimhse 2002 go 2005 dírithe ar ardchaighdeáin feidhmíochta a bhaint amach is dóigh leis an Oifig a bheith riachtanach chun seirbhís cháilíochta a sholáthar.

Cuirtear san áireamh sna caighdeáin seo, atá leagtha amach sa phlean, prionsabail na seirbhíse cháilíochta do chustaiméirí sa tseirbhís phoiblí, prionsabail a bhfuil glacadh leo go forleathan, agus leagtar amach an cháilíocht seirbhíse ar féidir dár gcustaiméirí a bheith ag súil léi. Bhí an leibhéal feidhmíochta, de réir spriocanna seirbhíse custaiméara sonracha, a baineadh amach le linn 2005 (a dtaispeántar mionsonraí fúthu i bhFoscáil I) sármhaithe san iomlán; i gcásanna go leor, bhí an fheidhmíocht ar 100%.

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. In addition we have a revised customer feedback page on our website to allow our customers to give comments and suggestions on the website, its contents and the service they have received. It is intended that a new Customer Services Action Plan will be drawn up in 2006.

### **Training and Development**

During 2005 staff development continued with the aim of ensuring that all staff obtained training in the skills and competencies required to undertake their job to the highest standard. In accordance with the Performance Management Development System (PMDS) operated in the Office, a development plan for training was drafted which took into account the various training needs which staff had identified in their personal development plans.

In 2005, staff in my Office undertook a total of 113 training days. Training courses were organised and delivered in areas such as, effective writing, report writing, managing people, clear and critical thinking and language training. My staff liaised closely with the Training and Development Unit of the Department of Enterprise, Trade and Employment in organising training that could not be delivered in Kilkenny.

Staff also attended training courses on the use of the EPOQUE patent search system at the European Patent Office.

### **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, University College Dublin and the Licensing Executives' Society. The Council is chaired by a senior official from the Department of Enterprise, Trade and Employment. 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) is limited to a three year term with effect from 1 January, 2003.

The Council met on three occasions in 2005.

Leanfaidh an Oifig ar aghaidh, trí na comhlachtaí cuí agus trí Chomhairle Úsáidirí, ag dul i gcomhairle le húsáidirí/custaiméirí i dtaobh chomhall fheidhmeanna na hOifige ó thaobh a bhfuil siad ag súil leis mar thoradh. Ina theannta sin, tá leathanach athbhreithnithe aisecolais custaiméara againn ar ár suíomh idirlín chun a chur ar chumas ár gcustaiméirí tuairimí agus moltaí a chur in iúl faoin suíomh idirlín, faoina bhfuil ann agus faoin tseirbhís atá faighte acu. Tá sé i gceist go ndéanfar Plean Gníomhaíochta Custaiméara nua a dhréachtú sa bhliain 2006.

### **Oiliúint agus Forbairt**

Le linn 2005, leanadh le forbairt na foirne agus an aidhm againn a chinntiú go bhfuair an fhoireann go léir oiliúint sna scileanna agus sna cumais atá ag teastáil chun a gcuid oibre a dhéanamh ar an gcaighdeán is airde. De réir an Chórais Bainistíochta Forbartha Feidhmíochta (CBFF) a oibrítear san Oifig, deineadh plean forbartha don oiliúint a dhréachtú lenar cuireadh san áireamh na riachtanais éagsúla oiliúna a d'aithin an fhoireann ina gcuid pleananna forbartha pearsanta.

Sa bhliain 2005, ghlac an fhoireann san Oifig páirt i 113 de laethanta oiliúna. Eagraíodh agus soláthraíodh cúrsaí oiliúna sa scríbhneoireacht éifeachtach, i scríbhneoireacht tuarascálacha, i mbainistiú daoine, sa mhachnamh soiléir criticiúil agus i dteangacha. Rinne an fhoireann tadhall dlúth le hAonad Oiliúna agus Forbartha na Roinne Fiontar, Trádála agus Fostaíochta chun oiliúint a eagrú nach bhféadfaí a sheachadadh i gCill Chainnigh.

D'fhreastail an fhoireann freisin ar chúrsaí maidir le húsáid córas cuardaigh paitinní EPOQUE in Oifig Paitinne na hEorpa.

### **Comhairle na nÚsáidirí**

Bealtaine 1997, chinn an tAire Fiontar, Trádála agus Fostaíochta Comhairle Úsáidirí Oifig na bPaitinní a bhunú. Ba iad na téarmaí tagartha a tugadh don Chomhairle ná na cinn seo a leanas:

*"Breithniú a dhéanamh agus tuairisciú don Aire ar riaradh na cosanta maoinne tionsclaíche ag Oifig na bPaitinní agus comhairle a thabhairt faoi athruithe agus nuálacha cuí in oibriú na hOifige."*

Is é an Ceannasaí agus ionadaithe Chumann na nGníomhairí Paitinne agus Trádmharcanna, Fhiontraíocht Éireann, IBEC, Choláiste na hOllscoile, Baile Átha Cliath agus Chumann na bhFeidhmeannach Ceadúnúcháin atá ar an gComhairle. Oifigeach sinsearach de chuid na Roinne Fiontar, Trádála agus Fostaíochta a dhéanann cathaoirleacht uirthi. Tá ré cheapacháin na gcomhaltaí (seachas an Ceannasaí, Uachtarán Chumann na nGníomhairí Paitinne agus Trádmharcanna agus ionadaí na Roinne) teoranta do théarma trí bliana le héifeacht ón 1 Eanáir, 2003.

Bhí trí chruinniú ag an gComhairle sa bhliain 2005.

### **Intellectual Property (Miscellaneous Provisions) Act, 1998**

In my 1998 and subsequent Annual Reports 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 Dáil and Seanad debates dealing with the passage of the provisions of Sections 4 and 5. At the end of 2005, the proceedings before the High Court, which were pending at the end of 2004, were still pending.

### **Enactments and Statutory Instruments**

There were no enactments or statutory instruments made during the year relating to intellectual property.

### **An tAcht Maoine Intleachtúla (Forálacha Ilghnéitheach), 1998**

Sa Tuarascáil Bhliantúil agam don bhliain 1998 agus i dTuarascálacha Bliantúla ina dhiaidh sin, rinne mé tagairt d'achtú an Achta Maoine Intleachtúla (Forálacha Ilghnéitheacha), 1998 (a ndearnadh dlí de an 7 Iúil, 1998) agus do na hathruithe a deineadh le hailt 4 agus 5 den Acht sin, a bhaineann le hoifig an Cheannasaí. Tugadh forálacha na n-alt sin isteach agus achtaíodh iad le linn d'imeachtaí Athbheithnithe Bhreithiúnaigh a thionscain mise níos luaithe sa bhliain 1998 a bheith fós ar feitheamh agus ní raibh aon tagairt do na himeachtaí sin sna díospóireachtaí Dála agus Seanad a bhain le rith fhorálacha ailt 4 agus 5. I ndeireadh 2005, bhí na himeachtaí Athbheithnithe Bhreithiúnaigh os comhair na hArd-Chúirte a bhí ar feitheamh i ndeireadh 2004 fós ar feitheamh.

### **Achtacháin agus Ionstraimí Reachtúla**

Níor deineadh aon achtachán ná ionstraim reachtúil i ndáil le maoin intleachtúil i rith na bliana.

## PATENTS

As at 31 December 2005, there were a total of 2130 pending applications on hand. Of these, 944 applications were awaiting the submission of evidence of novelty.

### Applications and Grants

The number of applications for patents received was 864, an increase of 19 on the corresponding 2004 figure. Following Ireland's ratification of the European Patent Convention in 1992, there was a substantial drop in the annual volume of patent applications being filed at the Office. In general, while the number of applications received was approximately 25% of the pre - 1992 level, the number of applications received in 2005 was the second lowest since 1992.

Applications claiming priority under the Paris Convention totalled 236.

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 789 compared with 788 in 2004.

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		
	Full Term 20 Year	Short Term 10 Year	Total	Full Term 20 Year	Short Term 10 Year	Total
2003	440	499	<b>939</b>	360	221	<b>581</b>
2004	385	460	<b>845</b>	326	170	<b>496</b>
2005	406	458	<b>864</b>	226	123	<b>349</b>

The downward trend in the number of patents granted since 2003 is as a result of the gradual reduction over recent years in the backlog of patent applications (particularly chemical applications), which has resulted in smaller volumes of applications coming through for final examination and decision.

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.

## PAITINNÍ

Amhail ar 31 Nollaig 2005, bhí 2,130 iarratas ar feitheamh san iomlán. Dìobh sin, bhí 944 iarratas ag feitheamh ar fhianaise maidir le húrnuacht.

### Iarratais agus Deontais

Ba é an líon iarratas ar phaitinní a fuarthas ná 864, méadú de 19 ar fhigiúr comhfhreagrach 2004. Tar éis d'Éirinn Coinbhinsiún Paitinní na hEorpa a dhaingniú sa bhliain 1992, tháinig titim shuntasach ar líon bliantúil na n-iarratas ar phaitinní a comhdaíodh leis an Oifig. I gcoitinne, cé go raibh an líon iarratas a fuarthas timpeall ar 25% den leibhéal réamh-1992, tá an líon iarratas a fuarthas sa bhliain 2005 ar an dara líon is ísle ó bhí an bhliain 1992 ann.

Bhí 236 iarratas san iomlán ann a d'éiligh tosaíocht faoi Choinbhinsiún Pháras.

Tugtar anailís de réir tíre ar na hiarratais a fuarthas agus ar na paitinní a deonaíodh i bhFoscúbhinní C agus D, faoi seach. Ba é 789 líon na n-iarratas a fuarthas ó iarratasóirí sa Stát, i gcomparáid le 788 sa bhliain 2004.

Taispeántar figiúir sa Tábla a leanas faoi líon na n-iarratas a fuair agus líon na n-iarratas a dheonaigh Oifig na bPaitinní le trí bliana anuas:

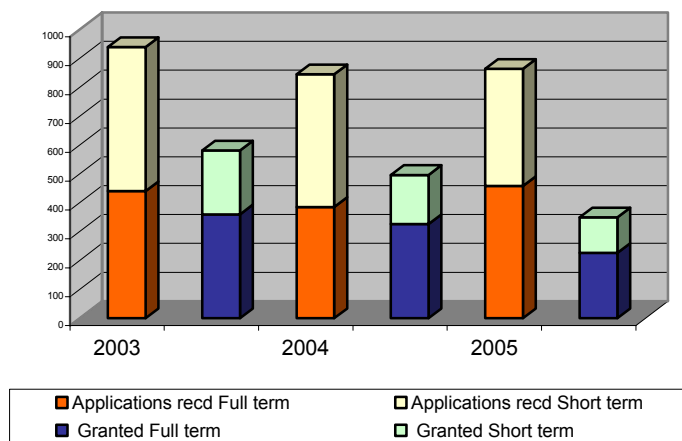
Bliain	Iarratais A Fuarthas			Paitinní A Deonaíodh		
	Téarma Iomlán 20 Bliain	Théarma Gearr 10 Bliain	Iomlán	Téarma Iomlán 20 Bliain	Théarma Gearr 10 Bliain	Iomlán
2003	440	499	<b>939</b>	360	221	<b>581</b>
2004	385	460	<b>845</b>	326	170	<b>496</b>
2005	406	458	<b>864</b>	226	123	<b>349</b>

Eascraíonn an claonadh síos ar líon na bPaitinní a deonaíodh ón mbliain 2003 i leith as laghdú de réir a chéile ar riaráiste na n-iarratas paitinne le blianta beaga anuas (iarratais cheimice, go háirithe), rud a fhágann go bhfuil líon níos lú iarratas ag teacht ar aghaidh le haghaidh an scrúdaithe agus an chinnidh deiridh.

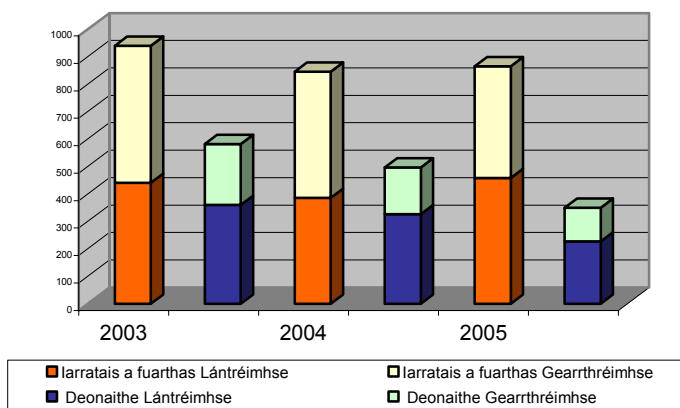
Tugtar anailís i bhFoscúbhinn E ar na paitinní a deonaíodh arna n-aicmiú de réir na bhfo-ranna den Aicmiú Idirnáisiúnta Paitinní.



Patent Applications and Grants 2003 - 2005



Iarratais agus Deonuithe Paitinne 2003 - 2005



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

Níl iarratais Eorpacha lenar ainmníodh (a tháinig chun cinn i dtosach sa bhliain 1992) san áireamh sa chairt thuas agus is iad na figiúir chuí dóibh sin:

Year	Filings
1992	11,755
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
2003	104,529
2004	111,537
2005	117,096

Bliain	Comhduithe
1992	11,755
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
2003	104,529
2004	111,537
2005	117,096

In 2005, the number of granted European patents designating Ireland was 26,866. 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.

Sa bhliain 2005, ba é líon na bpaitinní Eorpacha a deonaíodh lenar ainmníodh Éire ná 26,866. Taifeadh na paitinní sin sa Clár Náisiúnta Paitinní. Tá an stádas dlíthiúil céanna acu in Éirinn agus a bheadh dá mba í m'Oifige a dheonaigh iad.

#### 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 343 patents and patent applications.

#### Sannaithe agus nithe ilghnéitheacha eile

Maidir le hiarratais a ceadaíodh faoi alt 85 d'Acht 1992 le haghaidh clárú sannaithe srl ar iarratais ar phaitinn, paitinní agus deimhnithe cosanta forlíontacha, bhaineadar sin le 343 paitinn agus iarratas ar phaitinn san iomlán.

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 147. 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 37, of which 17 were filed by applicants whose places of residence or principal places of business were outside the State.

Feidhmíonn an Oifig mar oifig glactha d'iarratais paitinní Eorpacha agus d'iarratais idirnáisiúnta a chomhdaítear faoin gConradh um Chomhoibriú Paitinne (CCP), a dhaingnigh Éire sa bhliain 1992. Ba é líon na n-iarratas a fuarthas san Oifig, mar oifig glactha faoi CCP na 147. Tar éis chríochnú fheidhmeanna na hoifige glactha faoi CCP, déantar na hiarratais sin a aistriú chuig Cumann Maoine Intleachtúla an Domhain. Ba é 37 líon na n-iarratas Eorpach a comhdaíodh lena n-aistriú ar aghaidh chuig Oifig Paitinní na hEorpa, agus is iarratasóirí ar lasmuigh den Stát a bhí a n-áit chónaithe nó a bpríomh-áit ghnó a chomhdaigh 17 díobh sin.

## **Revocation of Patents**

Of the two applications for revocation pending at the end of 2004, one was withdrawn during the year. Two applications for revocation were received during 2005, leaving a total of three applications pending at the end of the year.

## **Surrender of Patents**

Offers to surrender patents may be made under Section 39 of the Patents Act 1992. One short-term patent was surrendered in 2005.

## **Patents in force**

The number of patents in force on the 31 December 2005 was 58,887. The number of patents in respect of which renewal fees were paid was 36,543 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 16,383 and 374 expired through effluxion of time.

## **Restoration of Lapsed Patents**

At the end of 2004, twelve applications for restoration of lapsed patents were pending. Twenty-one applications for restoration were received during 2005. A total of ten patents were restored, four applications for restoration were withdrawn, leaving nineteen applications for restoration pending at the end of 2005.

## **Requests for Supplementary Protection Certificates**

A total of 34 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, 33 certificates were granted (medicinal and plant protection). Three requests were rejected and one request was withdrawn. At the end of the year there were 69 requests pending. Two *ex-parte* hearings in respect of requests for Supplementary Protection Certificates were taken in 2005.

## **Register of Patent Agents**

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

## **Paitinní a Chúlghairm**

Den dá iarratas ar chúlghairm a bhí ar feitheamh, deireadh 2004, tarraingíodh siar ceann amháin i rith na bliana. Fuarthas dhá iarratas ar chúlghairm le linn 2005, rud a d'fhág trí iarratas san iomlán ar feitheamh i ndeireadh na bliana.

## **Paitinní a Ghéilleadh**

Is féidir tairiscintí chun paitinní a ghéilleadh a dhéanamh faoi alt 39 d'Acht na bPaitinní, 1992. Géilleadh aon phaitinn ghearrthréimhseach amháin sa bhliain 2005.

## **Paitinní i bhFeidhm**

Ba é líon na bpaitinní a bhí i bhfeidhm, an 31 Nollaig 2005, ná 58,887. Ba é an líon paitinní ar íocadh táillí athnuachana ina leith ná 36,543 agus tugtar sonraí ina leith sin i bhFoscibhinn F, maille le figiúir as na naoi dtuarascáil roimhe seo. Ba é líon na bpaitinní a thit i léig toisc nár íocadh na táillí athnuachana ná 16,383 agus thit 374 i léig le himeacht aimsire.

## **Paitinní Tite i Léig a Aisiriú**

I ndeireadh 2004, bhí dhá iarratas déag ar aisiriú paitinní a bhí tite i léig ar feitheamh. Fuarthas aon iarratas ar fhichid ar aisiriú le linn 2005. Rinneadh deich bpaitinn san iomlán a aisiriú agus baineadh siar ceithre iarratas ar aisiriú, rud a d'fhág naoi n-iarratas déag ar aisiriú ar feitheamh i ndeireadh 2005.

## **Iarrataí ar Dheimhniú Cosanta Forlíontacha**

Fuarthas 34 iarraidh ar Dheimhniú Cosanta Forlíontacha le linn na bliana faoi Rialacháin na gComhphobal Eorpach (Deimhniú Cosanta Forlíontacha), 1992 (leigheasach) agus 1996 (táirgí cosanta planda). Le linn na bliana, deonaíodh 33 dheimhniú (leigheasach agus cosaint planda). Díúltaíodh do thrí cinn d'iarrataí agus baineadh siar aon iarraidh amháin. I ndeireadh na bliana, bhí 67 n-iarratas ar feitheamh. Tionscnaíodh dhá éisteacht *ex-parte* i ndáil le hiarrataí ar Dheimhniú Cosanta Forlíontacha sa bhliain 2005.

## **Clár na nGníomhairí Paitinne**

I ndeireadh na bliana, bhí cúig is daichead de phearsana aonair agus cúig chomhpháirtíocht cláraithe i gClár na nGníomhairí Paitinne.

## DESIGNS

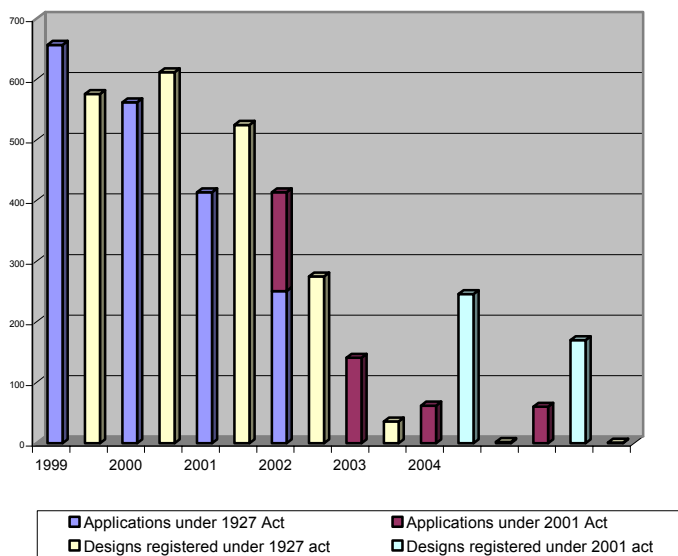
There were 60 applications for registration of designs filed in 2005. The 60 applications were in respect of a total of 134 designs as some 18 of the applications received related to more than one design.

An analysis by country of origin of the applications received is given in Appendix C. Applications filed by residents in the State totalled 43 compared to 34 in 2004.

The number of designs registered during the year under the 2001 Act was 170; in addition 1 design was registered under the 1927 Act. 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 201 cases and a third period of five years in 132 cases of designs registered under the 1927 Act. 86 registrations lapsed. The number of designs in force at the end of the year was 2,487 registered under the 1927 Act and 848 registered under the 2001 Act.

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

**Design Applications and Registrations 1999 - 2005**



### Community Designs

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 exists 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

## DEARTHAÍ

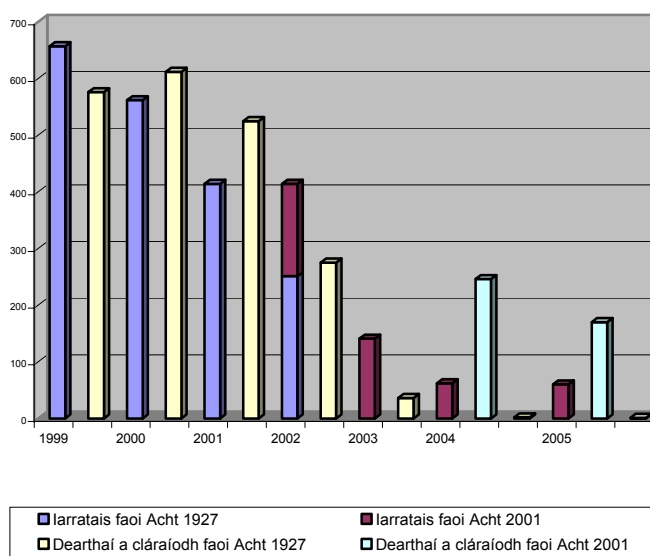
Comhdaíodh 60 iarratas ar chlárú dearthaí sa bhliain 2005. Bhain na 60 iarratas le 134 de dhearthaí san iomlán toisc gur bhain ocht gcinn déag de na hiarratais le níos mó ná dearadh amháin.

Tugtar anailís i bhFoscábhinn C, de réir tíre bunaidh, ar na hiarratais a fuarthas. Ba é 43 líon na n-iarratas a chomhdaigh iarratasóirí sa Stát, i gcomparáid le 34 sa bhliain 2004.

Ba é líon na ndearthaí a cláraíodh i rith na bliana faoi Acht 2001 ná 170. Ina theannta sin, cláraíodh aon dearadh amháin faoi Acht 1927. Tugtar sonraí i bhFoscábhinn D ar an gclárú de réir tír bhunaidh an dílseánaigh. Cuireadh leis an tréimhse cosanta do dhara téarma cúig bliana i 201 chás agus do thríú téarma cúig bliana i 132 chás maidir le dearthaí a cláraíodh faoi Acht 1927. Thit 86 chlárú i léig. Ba é líon na ndearthaí a bhí i bhfeidhm i ndeireadh na bliana agus a cláraíodh faoi Acht 1927 ná 2,487 agus ba é 848 líon na ndearaí san earnáil sin a cláraíodh faoi Acht 2001.

Taispeántar i bhFoscábhinn H líon na ndearthaí a bhí cláraithe de réir Aicmiú Idirnáisiúnta na nDearthaí

**Iarratais Dearthaí agus Clárúcháin 1999 - 2005**



### Dearthaí Comhphobail

Ghlac Comhairle an Aontais Eorpaigh an Rialachán um Dhearadh Comhphobail (Rialachán Uimh. 6/2002 an 12 Nollaig 2001 ón gComhairle (CE)) Nollaig 2001. Leis an Rialachán, a tháinig i bhfeidhm Márta 2002, soláthraítear córas chun dearthaí a chosaint ar fud an Chomhphobail Eorpaigh trí chearta neamhchláraithe agus trí chearta cláraithe araon. Sa ghnáthchúrsa, rachaidh ceart deartha neamhchláraithe chuig dílseánach deartha nua a chuireann táirge ina bhfuil an dearadh ar an margadh sa Chomhphobal. Is ceart go ceann trí bliana é ó dháta nochtá an deartha laistigh den Chomhphobal agus tabharfaidh sé teideal don sealbhóir bac a chur le daoine eile an dearadh a chóipeáil ina dtáirgí siúd.

design in their products.

The registered Community Design is analogous to a registered Community Trade Mark in that it has a unitary character throughout the Community and the registration process is administered by the Office for Harmonisation in the Internal Market (OHIM) in Alicante, Spain. Registration is for a period of 5 years initially and may be renewed for up to a maximum of 25 years. Following adoption of Commission Regulation (EC) No 2245/2002 of 21 October 2002 implementing Council Regulation (EC) No 6/2002, the Registered Community Design System came into effect on 1 April 2003.

In the same way as applicants for a Community Trade Mark may file their applications to the OHIM through my Office, applicants for a Registered Community Design may also file their applications to the OHIM through the Office. During 2005, a total of 15 Community Design Applications were filed through the Office and forwarded to O.H.I.M, Alicante, Spain. The Office receives a €25 handling fee in respect of each application.

Is geall le Trádmharc Comhphobail é an Dearadh Comhphobail cláraithe sa mhéid is go mbaineann tréith den saghas céanna leis ar fud an Chomhphobail agus gurb é Oifig an Chomhchuibhithe sa Mhargadh Inmheánach (OCMI) in Alicante sa Spáinn a riarann é. Is do thréimhse cúig bliana a bhíonn an clárú i dtosach báire agus is féidir é a athnuachan go ceann tréimhse suas le cúig bliana is fiche. Tar éis ghlacadh Rialachán Uimh. 2245/2002 an 21 Deireadh Fómhair 2002 ón gCoimisiún (CE) lena gcuirtear Rialachán Uimh. 6/2002 ón gComhairle (CE) i ngníomh, tháinig an Córas Deartha Chláraithe Comhphobail i bhfeidhm an 1 Aibreán 2003.

Sa tslí chéanna agus is féidir le hiarratasóirí ar Thrádmharc Comhphobail a n-iarratais chuig OCMI a chomhdú tríd an Oifig agamsa, is féidir le hiarratasóirí ar Dhearadh Cláraithe Comhphobail a n-iarratais chuig OCMI a chomhdú trí an Oifig agamsa. Le linn 2005, deineadh 15 Iarratas Deartha Comhphobail a chomhdú tríd an Oifig agus a chur ar aghaidh chuig OCMI, Alicante, An Spáinn. Faigheann an Oifig táille láimhseála €25 i ndáil le gach iarratas.

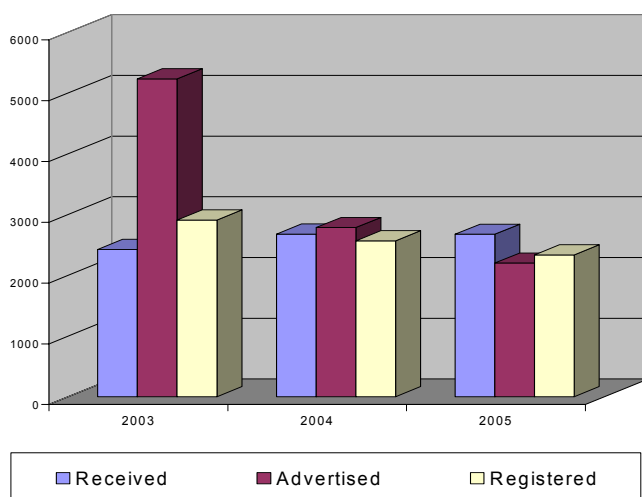
## TRADE MARKS

### 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		
	Received	Advertised	Registered
2003	2,427	5,233	2,911
2004	2,681	2,788	2,568
2005	2,677	2,202	2,338

National Trade Marks 2003 - 2005



Analysis 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 1,506 compared with 1,389 in 2004. The 2,677 national trade mark applications received in 2005 include 1666 applications in respect of services. Details of the international classification of goods and services into which the trade marks registered in 2005 fall are shown in Appendix G. The number of registrations of trade marks renewed was 1,958. The number removed from the Register for non-payment of renewal fees was 1763. The number of trade marks restored by order of the Controller was 2. The number of trade marks surrendered was 30. On 31st December 2005, the number of national registered trade marks in force was 88,674 and the number of International Marks in force was 11,730 resulting in a grand total of 100,404 marks in force.

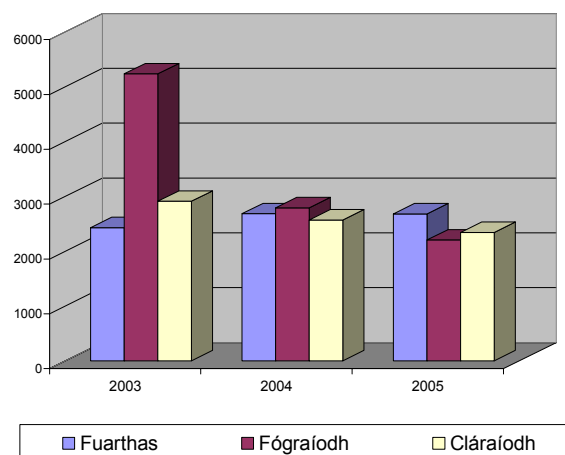
## TRÁDMHARCANNA

### Iarratais agus Clárúcháin Náisiúnta

Tugtar sa Tábla thíos líon na n-iarratas náisiúnta ar chláru trádmharcanna a fuarthas i rith na bliana faoi Acht na dTrádmharcanna 1996, maille le líon na marcanna a fógraíodh san Iris agus a cláraíodh, agus tugtar figiúirí comparáideacha don dá bhliain roimhe sin.

An bhliain dar críoch	Iarratais Náisiúnta		
	Fuarthas	Fógraíodh	Cláraíodh
2003	2,427	5,233	2,911
2004	2,681	2,788	2,568
2005	2,677	2,202	2,338

Trádmharcanna Náisiúnta 2003 - 2005



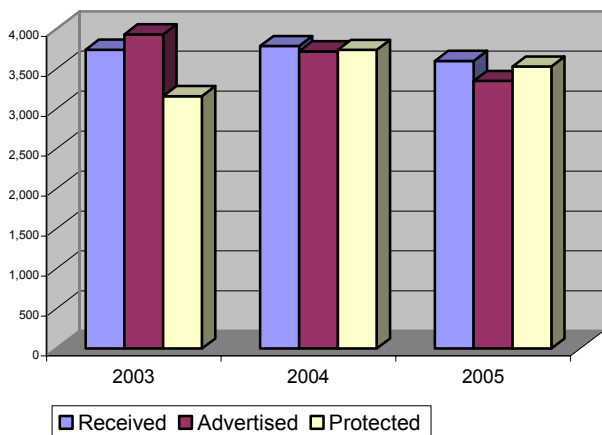
Tugtar i bhFoscúbhinn C agus i bhFoscúbhinn D, faoi seach, anailís de réir tíre bunaidh ar na hiarratais a fuarthas agus ar na trádmharcanna a cláraíodh. Ba é 1,506 líon na n-iarratas a chomhdaigh daoine a chónaíonn sa Stát i gcomparáid le 1,389 sa bhliain 2004. De na 2,677 iarratas náisiúnta ar thrádmharcanna a fuarthas sa bhliain 2005, baineann 1,666 iarratas le seirbhísí. Taispeántar mionsonraí i bhFoscúbhinn G ar aicmiú idirnáisiúnta na n-earraí agus na seirbhísí lena mbaineann na trádmharcanna a cláraíodh sa bhliain 2005. Ba é 1,958 líon na gclárúcháin trádmharcanna a deineadh athnuachan. Ba é 1,763 an líon a baineadh den Chlár as gan na táillí athnuachana a íoc. Ba é líon na dtrádmharcanna a aisiríodh ar ordú ón gCeannasaí ná 2. Ba é líon na dtrádmharcanna a géilleadh ná 30. An 31 Nollaig 2005, ba é 88,674 líon na dtrádmharcanna náisiúnta cláraithe a bhí i bhfeidhm agus ba é 11,730 líon na Marcanna Idirnáisiúnta a bhí i bhfeidhm, rud a d'fhág mór-iomlán 100,406 marc i bhfeidhm.

### 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, together with comparative figures for the previous 2 years:

Year ended	International Registrations		
	Received	Advertised	Protected
2003	3,739	3,931	3,157
2004	3,784	3,718	3,736
2005	3,599	3,348	3,528

INTERNATIONAL TRADEMARKS 2003 - 2005



During 2005, a total of 35 international trade mark applications in which Ireland was the Office of origin were filed through the Office and transmitted to the International Bureau of WIPO.

### 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. The provisions governing *inter-parties* proceedings (opposition, revocation, invalidation) also require that the parties must be heard before the matter is decided. By their nature, cases that require hearings are the more complex and difficult cases dealt with by the Office.

In 2005, hearings were taken in 27 *ex-parte* and 14 *inter-partes* cases leaving 21 *ex-parte* and 46 *inter-partes* cases awaiting hearing at the end of the year.

### Appeals

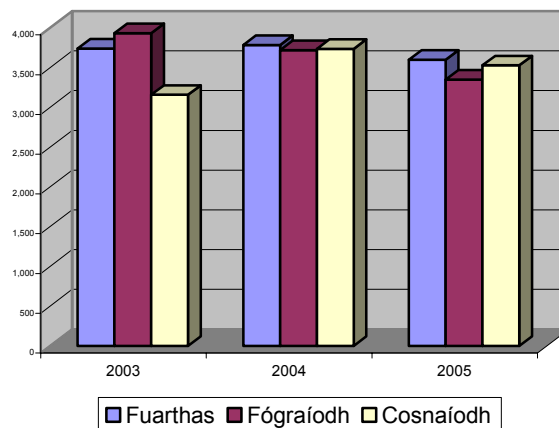
Section 79 of the Trade Marks Act, 1996 provides for appeals to the High Court against decisions of the Controller. Of the two notices of Appeal that were pending at the end of 2004, one was not proceeded with by the Appellant and the other was still pending at the end of 2005. Four further notices of Appeal were filed during 2005 and these were also still pending at the end of the year.

### Clárúcháin Idirnáisiúnta lena nAinmnítear Éire

Tugtar sa tábla thíos líon na gelárúcháin trádmharcanna idirnáisiúnta lena n-ainmnítear Éire a fuarthas anuraidh, maille le líon na marcanna sin a fógraíodh san Iris agus atá cosanta, i dteannta na bhfigiúirí comparáideacha don dá bhliain roimhe sin:

An bhliain dar críoch	Clárúcháin Idirnáisiúnta		
	Fuarthas	Fógraíodh	Cosnaíodh
2003	3,739	3,931	3,157
2004	3,784	3,718	3,736
2005	3,599	3,348	3,528

TRÁDMHARCANNA IDIRNÁISIÚNTA 2003 - 2005



Le linn 2005, comhdaíodh tríd an Oifig 35 thrádmharc idirnáisiúnta san iomlán a raibh Éire mar Oifig bhunaidh acu agus tarchuireadh iad chuig Biúró Idirnáisiúnta EDMI.

### Éisteachtaí i gCásanna Trádmharcanna

Foráiltear le halt 71 d'Acht na dTrádmharcanna, 1996, nach bhfeidhmeoidh an Ceannasaí aon chumhacht roghnach chun dochair d'iarratasóir, nó do dhílseánach, ar thrádmharc ná d'aon duine eile gan an deis a thabhairt don duine sin i dtosach báire éisteacht a fháil faoi ní. Ina theannta sin, is gá de réir na bhforálacha lena rialáitear imeachtaí *inter-parte* (freasúra, cúlghairm, neamhbhailíocht) éisteacht a thabhairt do na páirtithe sula gcinneadh an ní. Dá dheasca sin, is casta agus is deacra cásanna a mbíonn éisteachtaí ag teastáil iontu ná na cásanna eile a bpléann an Oifig leo.

Sa bhliain 2005, éisteadh 27 gcás *ex-parte* agus 14 chás *inter-parte*, rud a d'fhág 21 chás *ex-parte* agus 46 chás *inter-parte* ag feitheamh ar éisteacht faoi dheireadh na bliana.

### Achomhairc

Le halt 79 d'Acht na dTrádmharcanna, 1996, foráiltear d'achomhairc chun na hArd-Chúirte in aghaidh chinntí an Cheannasaí. Níor imigh an tAchomharcóir ar aghaidh le ceann amháin den dá fhógra a bhí ar feitheamh i ndeireadh 2004 agus bhí an ceann eile fós ar feitheamh i ndeireadh 2005. Comhdaíodh ceithre fhógra Achomhairc eile le linn 2005 agus bhíodar sin fós ar feitheamh i ndeireadh na bliana.

### **Other High Court Proceedings**

In my Report for 2004, I mentioned two further High Court cases in which I was not directly involved as a Defendant but which concerned matters entered in the Register of Trade Marks. I have not been informed of any significant developments in either case since my last Report.

### **Oppositions to Registration**

There were 302 notices of opposition pending at the end of 2004. During the year 170 further 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 259 notices of opposition pending at the end of 2005.

### **Assignments and Transmissions**

During the year 559 persons were entered in the Register as proprietors of trade marks consequent on assignments or transmissions. The number of trade marks affected was 1,848.

### **Other Matters affecting the Register of Trade Marks**

There were 4 applications under Section 40 of the 1963 Act for rectification of the Register pending at the end of 2004, 3 of which were decided during 2005 leaving 1 application pending at the end of 2005.

There were 18 applications under Section 51 of the 1996 Act for revocation of registration pending at the end of 2004. In 2005 a further 14 applications were received. During the year 15 cases were decided leaving 17 applications pending at the end of 2005.

There were 8 applications under Section 52 of the 1996 Act for declarations of invalidity of registration pending at the end of 2004. In 2005 a further 9 applications were received. During the year 6 cases were decided leaving 11 applications pending at the end of 2005.

### **Community Trade Mark Applications**

During 2005, a total of 31 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 are processed in the same way as national applications. 41 conversion applications were received in 2005.

### **Imeachtaí Eile Ard-Chúirte**

I mo Thuarascáil do 2004, luaigh mé go raibh dhá chás eile Ard-Chúirte ann, nach rabhas féin bainteach leo go díreach mar Chosantóir ach a bhain le nithe a bhí ar taifead i gClár na dTrádmharcanna. Níor cuireadh in iúl dom gur tharla aon chor suntasach i gceachtar den da chás sin ó eisíodh mo Thuarascáil deiridh.

### **Freasúra Clárúcháin**

Bhí 302 fhógra freasúra ar feitheamh i ndeireadh 2004. Le linn na bliana, fuarthas 170 fógra eile. Ag cur san áireamh cásanna a cinneadh i rith na bliana, aistarraingt freasúra agus aistarraingt iarratas áirithe ar chlárú tar éis fógra freasúra a fháil, bhí 259 bhfógra freasúra fós ar feitheamh i ndeireadh 2005.

### **Sannaithe agus Tarchuir**

Le linn na bliana, taifeadh 559 duine sa Chlár mar dhílseánaigh trádmharcanna de dhroim sannaithe nó tarchuir. Ba é 1,848 líon na dtrádmharcanna a bhí i gceist.

### **Nithe Eile a Fhearann ar Chlárú Trádmharcanna**

Bhí ceithre iarratas ar feitheamh i ndeireadh 2004 faoi alt 40 d'Acht 1963 chun an Clár a cheartú, agus cinneadh trí cinn díobh sin le linn 2005, rud a d'fhág aon iarratas amháin ar feitheamh i ndeireadh 2005.

Bhí 18 n-iarratas ar feitheamh i ndeireadh 2004 faoi alt 51 d'Acht 1996 le haghaidh cúlghairm clárúcháin. Sa bhliain 2005, fuarthas 14 iarratas eile. I rith na bliana, cinneadh 15 chás, rud a d'fhág 17 n-iarratas ar feitheamh i ndeireadh 2005.

Bhí ocht n-iarratas ar feitheamh i ndeireadh 2005 faoi alt 52 d'Acht 1996 le haghaidh dearbhú neamhbhailíoicta clárúcháin. Fuarthas naoi n-iarratas eile sa bhliain 2005. I rith na bliana, cinneadh sé chás, rud a d'fhág 11 iarratas ar feitheamh i ndeireadh 2005.

### **Iarratais ar Thrádmharcanna Comhphobail**

Le linn 2005, comhdaíodh 31 Trádmharc Comhphobail tríd an Oifig agus cuireadh ar aghaidh iad chuig Oifig an Chomhchuibhithe sa Mhargadh Inmheánach (OCMI) in Alicante na Spáinne. Faigheann an Oifig táille láimhseála €25 i ndáil le gach iarratas.

### **Comhshó Iarratas Trádmharcanna Comhphobail**

Leis na Rialacháin um Acht na dTrádmharcanna, 1996 (Trádmharcanna Comhphobail), 2000 (I.R. Uimh. 229 de 2000), cuirtear bonn reachtach ar fáil chun iarratais ar Thrádmharcanna Comhphobail Eorpaigh a chomhshó ina n-iarratais náisiúnta in imthosca áirithe. Is é an toradh is suntasaí ar chomhshó ná go gcoimeádann an t-iarratas Comhphobail an dáta bunaidh comhdaithe ar mhaithe len é a scrúdú agus a chlárú mar mharc náisiúnta. Ní mór don Oifig iarratais den sórt sin a phróiseáil sa tslí chéanna is a dhéantar iarratais náisiúnta a phróiseáil. Fuarthas 41 iarratas ar chomhshó sa bhliain 2005.

### **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. Ireland ratified the Madrid Protocol on 19 July, 2001 and the State could be designated in international applications since 19 October, 2001.

During the year 3,599 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 continues to exceed the number of national applications filed directly with the Office.

### **Licences/Registered Users**

During the year, 11 applications under Section 29 of the 1996 Act were dealt with, leaving 19 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, 4 such applications were pending at the end of 2005.

### **Register of Trade Mark Agents**

At the end of the year under review, there were 156 individuals and 6 partnerships entered on the Register.

### **Prótacal a bhaineann le Comhaontú Mhaidrid maidir le Clárú Idirnáisiúnta Marcanna**

Is comhaontú idirnáisiúnta faoi choimirce na hEagraíochta Domhanda um Maoin Intleachtúil (EDMI) é an Prótacal a bhaineann le Comhaontú Mhaidrid maidir le Clárú Idirnáisiúnta Marcanna agus, leis sin, cuirtear ar chumas dílseánaigh trádmhairc iarratas aonair a dhéanamh chuig EDMÍ chun go gclárófar a thrádmharc nó a trádmharc in aon cheann de na tíortha ar páirtí don Phrótacal iad nó iontu go léir. Dhaingnigh Éire Prótacal Mhaidrid an 19 Iúil 2001 agus is féidir an Stát a ainmniú in iarratais idirnáisiúnta ó bhí an 19 Deireadh Fómhair 2001 ann.

I rith na bliana, cuireadh 3,579 gclárúchán idirnáisiúnta lenar ainmníodh Éire in iúl don Oifig. Déantar iad sin a scrúdú le haghaidh inchlárúitheachta (nó “cosaint”, mar a ghairtear de sa Phrótacal) sa tslí chéanna is a dhéantar iarratais náisiúnta a dhéantar go díreach leis an Oifig faoi Acht 1996 a scrúdú. Corpas oibre is ea é sin atá ag fás i gcónaí, agus is mó i gcónaí líon na n-iarratas idirnáisiúnta lena n-ainmnítear Éire ná líon na n-iarratas náisiúnta a chomhdaítear go díreach leis an Oifig.

### **Ceadúnais/Úsáidí Cláraithe**

I rith na bliana, pléadh le 11 iarratas faoi alt 29 d’Acht 1996, rud a d’fhág 19 n-iarratas ar feitheamh i ndeireadh na bliana.

As na hiarratais faoi Acht 1963 chun úsáidí cláraithe marcanna a chlárú a bhí ar feitheamh an 1 Iúil 1996, bhí 4 cinn de na hiarratais sin ar feitheamh i ndeireadh 2005.

### **Gníomhairí Trádmharcanna a Chlárú**

I ndeireadh na bliana atá faoi athbhreithniú, bhí 156 dhuine aonair agus 6 chomhpháirtíocht ar taifead sa Chlár.



## 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 in June 2002 he 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. Ms Justice Laffoy's decision dated 12 May 2004, was to vitiate the arbitrators award in these two cases and to subsequently issue an Order varying the arbitrator's award and establishing a new tariff formulated having regard to the perspectives in her judgement. The arbitrator did not deliver any further arbitration awards during 2005.

### Disputes Referred under Section 38 of the Copyright & Related Rights Act, 2000

Under this section, if a person intending to play sound recordings in public and the relevant licensing body fail to reach agreement as to fair payment, the terms of the proposed agreement shall be referred to me for determination of the amount and terms of payment. Between the commencement of the Copyright and Related Rights Act 2000 and the end of 2005, I received 110 references of disputes under Section 38(4). The licensing body has informed me that 63 of the venues which had made references to me settled their dispute with it during the course of the year consequent on the introduction of the new tariff in respect of the public playing of sound recordings, arising from Ms Justice Laffoy's judgement as referred to above. A further 24 references were either determined, withdrawn or deemed invalid. Of the 23 references still pending at the end of 2005, I have requested the parties to review the issues with a view to resolution in 2 cases and I decided to refer 21 disputes to arbitration and invited the parties to propose the names of persons to me who might be appointed as arbitrator; these matters had not concluded by the end of the year.

## CÓIPCHEART

### Díospóidí a dTagraítear dóibh faoi Alt 31 den Acht Cópchirt, 1963

Faoin alt sin, cuireadh faoi mo bhráidse le haghaidh cinnidh díospóidí idir daoine a úsáideann taifeadtaí fuaime go poiblí agus úinéir an chóipchirt atá ar marhain sna taifeadtaí, maidir leis an íocaíocht chothrom is iníoctha leis an úinéir cóipchirt. Sa tréimhse Meán Fómhair 1989 go Nollaig 1995, chuir forais a úsáideann taifeadtaí fuaime 62 chás faoi mo bhráid.

Tar éis imeachtaí fada dlíthiúla faoi bhráid na hArd-Chúirte agus na Cúirte Uachtaraí, atá leagtha amach agam i dtuarascálacha roimhe seo, bhí ar mo chumas eadránaí a cheapadh, a ndearna an comhlacht ceadúnúcháin cóipchirt agus ionadaí dlíthiúil na bhforas a bhí páirteach sna tarchuir a chomhaontú. Ceapadh an t-eadránaí an 15 Iúil 1996 agus thug sé a chinneadh i ndáil le dhá chás, Meitheamh 2002. Ina dhiaidh sin, thionscain an dá fhoras a bhí i gceist imeachtaí Ard-Chúirte ar mhodh achomhairc in aghaidh an dá chinneadh eadrána. Ba é cinneadh an Bhreithimh Laffoy, dár dáta 12 Bealtaine 2004, neamhbhailíocht a dhéanamh ar chinneadh an eadránaí sa dá chás sin agus Ordú a eisiúint ina dhiaidh sin lenar deineadh cinneadh an idirghabhálaí a athrú agus lenar bunaíodh taraif nua, a foirmlíodh ag féachaint do na léargais ina breithiúnas. Níor thug an t-eadránaí aon chinneadh idirghabhála eile le linn 2005.

### Díospóidí a Cuireadh faoi mo Bhráid faoi Alt 38 den Acht Cópchirt agus Ceart Gaolmhar, 2000

Faoin alt seo, má theipeann ar dhuine, a bhfuil sé i gceist aige nó aici taifeadtaí fuaime a sheinnt go poiblí, agus an t-údarás ceadúnúcháin iomchuí teacht ar chomhaontú i ndáil le hiocaíocht chóir, déanfar téarmaí an chomhaontaithe bheartaithe a chur faoi mo bhráidse chun méid agus téarmaí na hiocaíochta a chinneadh. Idir tosach feidhme an Achta Cópchirt agus Ceart Gaolmhar, 2000, agus deireadh na bliana 2005, cuireadh 110 de chásanna faoi mo bhráid faoi alt 38(4). Tá curtha in iúl dom ag an gcomhlacht ceadúnúcháin gur dhein 63 de na hionaid a chuir a gcás faoi mo bhráid a n-aighneas leo a réiteach i rith na bliana de bhun an taraif nua a thabhairt isteach i leith seinnt taifeadtaí fuaime go poiblí, ag eascairt as breithiúnas an Bhreithimh Laffoy dár tagraíodh thuas. Maidir le 24 chás eile a cuireadh faoi mo bhráid, deineadh iad a chinneadh, a aistarraingt nó a mheas neamhbhailí. De na 23 chás a bhí ar feitheamh i ndeireadh na bliana 2005, tá iarrtha agam ar na páirtithe na saincheisteanna a athbhreithniú d'fhonn teacht ar réiteach in dhá chás, agus ghlacas cinneadh 21 díospóid ar chur chun eadrána. Tá iarrtha agam ar na páirtithe ainmneacha daoine a chur chun cinn a d'fhéadfaí a cheapadh mar eadránaí; ní raibh na nithe sin tagtha chun críche faoi dheireadh na bliana.

### **Disputes Referred under Section 152 of the Copyright & Related Rights Act, 2000**

Under this section, a dispute concerning a licensing scheme operated by licensing bodies in relation to the copyright in works of more than one copyright owner may be referred to the Controller for determination. One reference under Section 152 was received during 2005 and was pending at the end of the year.

### **Disputes Referred under Section 159 of the Copyright & Related Rights Act, 2000**

Under this section, a person who has an expiring licence to undertake acts restricted by copyright, may apply to me on the ground that it is unreasonable in the circumstances that the licence should cease to be in force. During the year, I received one reference under Section 159 and the matter was pending at the end of the year.

### **Registers**

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

I have to date, registered 8 bodies in the Register of Copyright Licensing Bodies.

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 deal with the application received.

### **Díospóidí a Cuireadh faoi mo Bhráid faoi Alt 152 den Acht Cóipchirt agus Ceart Gaolmhar, 2000**

Faoin alt sin, is féidir díospóid a bhaineann le scéim ceadúnúcháin a oibríonn comhlachtaí ceadúnúcháin i ndáil le cóipcheart i saothair de chuid níos mó ná úinéir amháin cóipchirt a chur faoi bhráid an Cheannasaí lena cinneadh. Cuireadh cás amháin faoi mo bhráid faoi alt 152 le linn 2005 agus bhí an cás sin ar feitheamh i ndeireadh na bliana.

### **Díospóidí a Cuireadh faoi mo Bhráid faoi Alt 159 den Acht Cóipchirt agus Ceart Gaolmhar, 2000**

Faoin alt sin, féadfaidh duine, ag a bhfuil ceadúnas chun gníomhartha a dhéanamh a bhfuil srian cóipchirt leo, ar ceadúnas é atá ag dul in éag, iarratas a dhéanamh liomsa ar an bhforas go mbeadh sé míréasúnach sna himthosca go scoirfeadh an ceadúnas de bheith i bhfeidhm. Le linn na bliana, cuireadh cás amháin faoi mo bhráid faoi alt 159 agus bhí an ní ar feitheamh i ndeireadh na bliana.

### **Cláir**

Ina theannta sin, tá foráil san Acht go ndéanfainne na Cláir seo a leanas a bhunú agus a chothabháil:

- Clár na gComhlachtaí Ceadúnúcháin Cóipchirt
- Clár na gComhlachtaí Ceadúnúcháin um Chearta Maoine Taibheoirí
- Clár na gComhlachtaí Ceadúnúcháin um Chearta Bunachair

Go dtí seo, tá 8 gcomhlacht cláraithe agam i gClár na gComhlachtaí Ceadúnúcháin Cóipchirt.

Ina theannta sin, tá iarratas amháin agam, a fuair sa bhliain 2001, le haghaidh clárú i gClár na gComhlachtaí Ceadúnúcháin um Chearta Maoine Taibheoirí. Ní raibh ar mo chumas go n-uige seo, áfach, plé leis an iarratas sin toisc nach bhfuil an ionstraim reachtúil lena rialófar an nós imeachta clárúcháin déanta ag an Aire go fóill.

## **INTERNATIONAL MATTERS**

### **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 under EU Member States’ patent laws and under the European Patent Convention, which governs patent applications made to the European Patent Office (EPO). However, the application of the legal provisions in the various jurisdictions and by the EPO is divergent. There are differences, in particular, between the case law of the Boards of Appeal of the European Patent Office and the courts of Member States. Thus, a computer-implemented invention may be protected in one Member State but not in another, which has direct and negative effects on the proper functioning of the internal market.

On 18 May 2004, the Competitiveness Council reached political agreement on a common position. The final text further clarified the conditions under which a computer implemented invention might be patented. The Council formally adopted the common position on 7 March 2005 and the dossier went back to the European Parliament for a second reading, the next stage in the co-decision process.

On 6 July the European Parliament voted to reject the Council Common Position. This means the legislation will not proceed. The European Commission has indicated that it is not seeking to bring forward a new proposal in this area.

### **Proposal for a Council Regulation on the Community Patent**

In March 2003, the Competitiveness Council agreed a common political approach on a proposal aimed at creating a new unitary patent system covering the whole territory of the Community. The agreement sets out the parameters to apply to the contentious elements of translations and costs, the role of the national patent offices, distribution of fees for community patents and the jurisdictional system.

Subsequent Competitiveness Councils failed to reach the unanimous political agreement required on the draft Community Patent Regulation due to issues around translations, and in particular the legal effect of translations where these are inaccurate. (The claims of the patent specification are required to be translated into all Community languages under the Common Political Approach).

In June 2004 the European Council concluded that "a period of reflection should be used to see how to move forward, taking account of the support by all Member States for the principle of a Community Patent." There was no further progress in 2005.

## **NITHE IDIRNÁISIÚNTA**

### **Togra le haghaidh Treorach ó Pharlaimint na hEorpa agus ón gComhairle ar inphaitinneacht aireagán ríomhfheidhmithe**

I gcoitinne, ní bhíonn cláracha ríomhaire san áireamh san inphaitinneacht faoi dhlíthe paitinne Bhallstáit AE ná faoi Choinbhinsiún Paitinní na hEorpa, lena rialaítear iarratais ar phaitinní a dhéantar le hOifig Paitinní na hEorpa (OPE). Ní mar a chéile, áfach, feidhm na bhforálacha dlíthiúla sna dlínsí éagsúla agus feidhm na bhforálacha dlíthiúla ag OPE. Tá difríochtaí ann go háirithe idir cásdlí Bhoird Achomhairc Oifig Paitinní na hEorpa agus cásdlí chúirteanna na mBallstát. Is féidir, mar sin, aireagán ríomhfheidhmithe a chosaint i mBallstát amháin ach gan é sin a dhéanamh i mBallstát eile, rud a mbíonn tionchar díreach agus diúltach aige ar fheidhmiú ceart an mhargaidh inmheánaigh.

18 Bealtaine 2004, tháinig an Chomhairle Iomaíochais ar chomhaontú polaitiúil ar chomhsheasamh. Sa téacs críochnaitheach, tugadh tuilleadh soiléiriú ar na coinníollacha faoina ndéanfaí aireagán ríomhfheidhmithe a phaitinniú. Ghlac an Chomhairle an comhsheasamh go foirmeálta an 7 Márta 2005 agus d’imigh an comhad ar ais chuig Parlaimint na hEorpa le haghaidh an dara léamh, an chéad chéim eile sa phróiseas comhchinnteoireachta.

An 6 Iúil, vótáil parlaimint na hEorpa chun diúltú do Chomhsheasamh na Comhairle. Is ionann sin agus a rá nach rachaidh an reachtaíocht ar aghaidh. Tá sé curtha in iúl ag an gCoimisiún Eorpach nach bhfuil sé i gceist aige togra nua a thabhairt ar aghaidh sa réimse seo.

### **Togra le haghaidh Rialacháin ón gComhairle ar an bPaitinn Chomhphobail**

Márta 2003, d’aontaigh an Chomhairle Iomaíochais cur chuige polaitiúil comónta i ndáil le togra a bhí dírithe ar chóras nua aonadach paitinní a chruthú a chlúdódh críoch uile an Chomhphobail. Sa chomhaontú, leagtar amach na teorainneacha a bheidh i bhfeidhm maidir le gnéithe conspóideacha – aistriúcháin agus costais, ról na n-oifigí náisiúnta paitinne, dáileadh táillí le haghaidh paitinní Comhphobail agus an córas dlínseach.

Níor éirigh le Comhairlí Iomaíochais ina dhiaidh sin teacht ar an gcomhaontú polaitíochta d’aon ghuth a bhí ag teastáil ar an dréacht Rialachán um Paitinn Chomhphobail de dheasca saincheisteanna a bhain le haistriúcháin, go háirithe tionchar dlíthiúil aistriúcháin i gcás nach bhfuil siad cruinn. (Is gá éilimh na sonraíochta paitinne a aistriú go gach teanga Chomhphobail faoin gCur Chuige Polaitiúil Comónta ).

Meitheamh 2004, tháitil Comhairle na hEorpa gur chóir tréimhse machnaimh a úsáid féachaint conas a d’fhéadfaí bogadh ar aghaidh, ag cur san áireamh tacaíocht na mBallstát go léir do phrionsabal na Paitinne Comhphobail. Níor deineadh aon dul chun ina dhiaidh sin sa bhliain 2005.

**Proposal for a Regulation of the European Parliament and of the Council on compulsory licensing of patents relating to the manufacture of pharmaceutical products for export to countries with public health problems.**

The proposal seeks to implement at EU level the WTO General Council Decision of 30 August 2003, which provides for the manufacture and export of patented pharmaceutical products to countries in need without the authorisation of the patent holder. The Decision waives countries' obligation under a provision in the TRIPS Agreement, which effectively limited the ability of countries to import pharmaceuticals from countries where they are patented. The proposed Regulation would provide a legal basis for Member States to grant compulsory licences under patents to manufacturers of generic pharmaceuticals to produce patented medicines for export to developing countries which have not sufficient capacity to produce them.

Informal discussions between the representatives of the Council and the European Parliament led to a set of compromise amendments to the Commission's draft regulation. On 1 December 2005, the Parliament adopted at first reading the compromise text of the regulation. The text will go to the Council for formal adoption in early 2006.

The draft regulation prohibits re-importation into the EU of medicines produced under the compulsory licence system and provides for customs authorities to take action against goods being re-imported. It also deals with the amount of remuneration to be paid by the licence holder. Poor countries which are not members of the WTO may also take part in the scheme.

**Proposal for a directive of the European Parliament and of the Council on Criminal Measures aimed at ensuring the Enforcement of Intellectual Property Rights and, Proposal for a Council Framework Decision to strengthen the Criminal Law Framework to combat Intellectual Property offences**

In July 2005 the Commission submitted proposals entitled as above. The proposed measures as submitted would apply to all types of infringements of intellectual property rights. Under the proposal for a directive, all intentional infringements of intellectual property rights carried out on a commercial scale, and attempting, aiding or abetting and inciting such infringements would be treated as criminal offences. The draft Council decision aims to achieve a level of harmonization throughout the EU in terms of prescribing the types and levels of criminal sanctions, which should attach to this type of criminal activity. Preliminary discussion on these measures has commenced in Council at technical Working Group level.

**Togra le haghaidh Rialacháin ó Pharlaimint na hEorpa agus ón gComhairle maidir le ceadúnú éigeantach ar phaitinní a bhaineann le táirgí cógaisíochta a mhonarú lena n-onnmhairiú chuig tíortha a bhfuil fadhbanna sláinte poiblí iontu**

Tá sé i gceist leis an togra seo Cinneadh Ard-Chomhairle Eagraíocht Trádála an Domhain an 30 Lúnasa 2003 a chur chun feidhme ar leibhéal AE. Is cinneadh é sin lena bhforáiltear do mhonarú táirgí cógaisíochta atá faoi phaitinn agus a n-onnmhairiú chuig tíortha atá i ngátar gan údarú shealbhóir na paitinne. Leis an gCinneadh seo, déantar tarscaoileadh ar oibleagáid tíortha faoi fhoráil de chuid Chomhaontú TRIPS arb é ba thoradh air ná cumas tíortha táirgí cógaisíochta a allmhairiú ó thíortha ina bhfuil siad faoi phaitinn a theorannú. Leis an Rialachán beartaithe dhéanfaí bonn dlíthiúil a sholáthar do Bhallstáit chun ceadúnais éigeantacha faoi phaitinní a dheonú do mhonaróirí táirgí cógaisíochta cineálacha chun cógais faoi phaitinn a tháirgeadh lena n-onnmhairiú chuig tíortha forbraíocha nach bhfuil dóthain cumais iontu féin chun iad a tháirgeadh.

Deineadh roinnt leasuithe comhréitigh ar dhréacht-rialachán an Choimisiúin de thoradh pléití neamhfhoirmeálta idir ionadaithe na Comhairle agus Pharlaimint na hEorpa. An 1 Nollaig 2005, ghlac an Pharlaimint le téacs comhréitigh an rialacháin ar an gcéad léamh. Rachaidh an téacs faoi bhráid na Comhairle lena ghlacadh go foirmeálta go luath sa bhliain 2006.

Leis an dréacht-rialachán, cuirtear cosc le cógais a tháirgeadh faoin gcóras ceadúnais éigeantaigh a ath-allmhairiú isteach san Aontas Eorpach agus foráiltear go ngníomhóidh údarais chustam in aghaidh earraí a bheidh á n-ath-allmhairiú. Ina theannta sin, pléitear le méid an luach saothair a íocfaidh an sealbhóir ceadúnais. Féadfaidh tíortha bochta nach bhfuil ina mball de WTO páirt a ghlacadh sa scéim freisin.

**Togra le haghaidh Treorach ó Pharlaimint na hEorpa agus ón gComhairle maidir le Bearta i dtaobh Coireachta a bhfuil sé mar aidhm leo Forfheidhmiú Ceart Maoine Intleachtúla a chinntiú agus Togra le haghaidh Creat-Chinnidh ón gComhairle chun an Creat Dlí Choiriúil a dhaingniú chun Cionta Maoine Intleachtúla a chomhrac**

Iúil 2005, d'eisigh an Coimisiún tograí dar teideal an méid sin thuas. Bheadh feidhm ag na bearta molta, mar a eisíodh, maidir le gach saghas sárú ar chearta maoine intleachtúla. Faoin togra le haghaidh treorach, phléifí mar chionta coiriúla le gach sárú d'aon ghnó ar chearta maoine intleachtúla a dhéanfaí ar scála tráchtála agus le hiarracht ar shárúithe den saghas sin agus le cabhair agus cúnamh a thabhairt chun sárúithe den saghas sin a thabhairt i gcrích. Tá sé de chuspóir leis an dréachtchinneadh ón gComhairle leibhéal comhchuibhithe a bhaint amach ar fud AE ó thaobh na gcineálacha agus an leibhéal smachtbhannaí coiriúla is cóir a bheith i bhfeidhm as an saghas sin gníomhaíochta coiriúla. Tá an réamhphlé ar na bearta sin tosaithe sa Chomhairle ag leibhéal an Ghasra Oibre teicniúil.

In proposing these measures, the Commission intends that they will complement the measures provided for in the Civil Enforcement Directive 2004/48/EC adopted in April 2004. The Civil Enforcement directive provides a level of harmonization at EU level for the enforcement of Intellectual Property by establishing a set of relief measures, which must be available in all Member States. This directive did not however provide for criminal sanctions. The Civil Enforcement directive is due to be transposed into law in all Member States by 29 April 2006.

#### **Directive of the European Parliament and of the Council amending Directive 98/71/EC**

This Directive, which was proposed by the Commission in September 2004, concerns design protection of spare parts for cars. It aims to remove the option provided for in the original designs Directive adopted in 1998 (98/71) by introducing a “repairs clause” so that visible parts can be freely reproduced by independent parts manufacturers and marketed throughout the EU for repair purposes to restore the original appearance of the product. In so doing, the Commission wish to complete the Internal Market in this sector and thereby open up the after-sales market in spare parts for repair purposes. Discussion on the draft Directive in Council has been limited and has met with stiff resistance especially amongst Member States having large automotive manufacturing industries. The European Parliament is not expected to give an opinion on the proposal before summer 2006.

#### **Proposals by the European Commission to accede to the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs Adopted in Geneva 2 July 1999.**

In late December 2005, the European Commission presented two proposals designed to link the Community Design Registration system which affords protection to designs in the EU with the international system of design registration under the auspices of the World Intellectual Property Organisation (WIPO). The proposals would allow companies, on the basis of a single application, to obtain protection of a design not only throughout the EU under the Community Design, but also in the countries which are members of the Hague Agreement concerning the international registration of industrial designs. The first proposal relates to the accession of the European Community (EC) to the latest Act of Hague – the Geneva Act. The second proposal contains the necessary provisions to give effect to that accession, in particular through an amendment of Council Regulation No 6/2002 on Community Designs. The proposals are due to be discussed in Council in 2006. These proposals parallel a similar process engaged in by the Commission in 2004 to bring about accession of the European Community to the Madrid Protocol on the international registration of trade marks.

Agus na bearta sin á moladh aige, tá sé i gceist ag an gCoimisiún go rachaidh siad i dteannta na mbeart dá bhforáiltear sa Treoir um Fhorfheidhmiú 2004/48/CE a glacadh in Aibreán 2004. Foráiltear leis an Treoir um Fhorfheidhmiú Sibhialta do leibhéal comhchuibhithe ag leibhéal AE ar mhaithe le forfheidhmiú Maoine Intleachtúla trí scata beart faoisimh a bhunú nach mór a bheith ar fáil i ngach Ballstát. Níor foráladh leis an Treoir sin, áfach, do smachtbhannaí coiriúla. Tá sé i gceist treoir an Fhorfheidhmithe Sibhialta a thraschur sa dlí i ngach Ballstát faoin 29 Aibreán 2006.

#### **Treoir ó Pharlaimint na hEorpa agus ón gComhairle lena leasaítear Treoir 98/71/CE**

Baineann an Treoir seo, a mhol an Coimisiún mí Mheán Fómhair 2004, le cosaint dearthaí páirteanna spártha le haghaidh gluaisteán. Tá sí dírithe ar deireadh a chur leis an rogha dár foráladh sa Treoir bhunaidh dearthaí a glacadh sa bhliain 1998 (98/71) trí “clásal deisiúcháin” a thabhairt isteach chun go bhféadfaidh monaróirí neamhspleácha páirteanna sofheicthe a atáirgeadh gan srian agus iad a chur ar an margadh ar fud an Aontais Eorpaigh chun críocha deisiúcháin chun an chuma bhunaidh a bhí ar an earra a thabhairt ar ais. Á dhéanamh sin dóibh, is mian leis an gCoimisiún an Margadh Innmheánach a thabhairt chun críche san earnáil seo agus an margadh iardhíolacháin i bpáirteanna spártha a oscailt chun críocha deisiúcháin. Bhí an plé ar an dréachtTreoir sa Chomhairle teoranta agus cuireadh go láidir ina choinne, go háirithe i measc Ballstát ag a bhfuil tionscail mhóra monaraithe gluaisteach. Ní mheastar go dtabharfaidh Parlaimint na hEorpa tuairim ar an togra roimh shamhradh 2006.

#### **Tograí ag an gCoimisiún Eorpach chun aontú d’Ionstraim na Ginéive de Chomhaontú na Háige maidir le Clárú idirnáisiúnta Dearthaí Tionsclaíocha arna glacadh sa Ghinéiv an 2 Iúil 1999.**

Deireadh mhí na Nollag 2005, d’eisigh an Coimisiún Eorpach dhá thogra a bhí ceaptha nasc a dhéanamh idir an córas Clárúcháin Deartha Comhphobail, lena dtugtar cosaint do dhearthaí san Aontas Eorpach, agus an córas idirnáisiúnta um chlárú dearthaí faoi choimirce na hEagraíochta Domhanda um Maoin Intleachtúil (EDMI). Leis na tograí sin, chuirfí ar chumas cuideachtaí, ar bhonn aon iarratais amháin, cosaint a fháil do dheardh ní amháin ar fud AE faoin Dearadh Comhphobail ach ina theannta sin sna tíortha atá ina mball de Chomhaontú na Háige maidir le clárú idirnáisiúnta dearthaí tionsclaíocha. Baineann an chéad togra le haontachas an Chomhphobail Eorpaigh (CE) leis an Ionstraim is déanaí de chuid na Háige – Ionstraim na Ginéive. Tá sa dara togra na forálacha atá riachtanach chun éifeacht a thabhairt don aontachas sin, go háirithe trí leasú ar Rialachán Uimh. 6/2002 ón gComhairle maidir le Dearthaí Comhphobail. Táthar chun na tograí a phlé sa Chomhairle sa bhliain 2006. Tá comhriar idir na tograí sin agus próiseas a raibh an Coimisiún ag gabháil do sa bhliain 2004 chun aontachas an Chomhphobail Eorpaigh do Phrótacal Mhaidrid maidir le clárú idirnáisiúnta trádmharcanna a bhaint amach.

## **Amending Regulations adopted under the Community Trade Mark Regulation (40/1994)**

The changes agreed to the basic Community Trade Mark Regulation (40/94) which were introduced in Council Regulation (EC) 422/2004 necessitated corresponding changes to the underlying Regulations (EC) 2868/95 (the Implementing Regulation) and (EC) 2869/95 (the Fees Regulation). In May 2005, a Commission led Working Group adopted amendments to the Implementing and Fees Regulations which were published in the Official Journal of the European Communities on 5 July 2005 respectively as Regulation (EC) 1041/2005 and Regulation (EC) 1042/2005. Notable changes introduced in Regulation 1041/2005 include modification of the format and content of national search reports to take effect from March 2008. In relation to the Fees Regulation, the search fee charged by OHIM which will apply after March 2008 was set at €12 in respect of each national office participating in the search of national trade mark registers.

Separately, the Commission proposed a reduction in the level of fees charged for obtaining and maintaining Community Trade Marks. Reductions were agreed in respect of all the main components of fee revenue to the OHIM including entry fees (application fees & registration fees) and renewal fees – and a discount was also agreed in respect of applications filed electronically. The revised fees were published in the Official Journal of the European Communities on 15 October 2005 and came into effect on 22 October 2005.

## **Transposition of EU directives:**

It is proposed to transpose three EU directives in the context of the Intellectual Property (Miscellaneous Provisions) Bill 2006. Government approval for the commencement of drafting of the Bill was obtained in July, 2005 and it is expected that the Bill will be published during the first half of 2006. The directives to be transposed are:

### **(i) Artists' Resale Right**

Provision for transposition of the EC Directive on Artists' Resale Right into Irish law which would create an Artists' Resale Right payments system for artists whose original works are resold through the art trade.

### **(ii) Public Lending Right**

Introduction of a Public Lending Right payments system for authors whose works are lent by Irish public libraries. The EU Commission has notified Ireland that the original transposition of this directive was incorrect in that it exempted all public libraries from the rental and lending right. This is being corrected in this Bill.

### **(iii) Enforcement Directive**

The Bill will make provision for transposition of the EC Directive on Civil Enforcement of Intellectual Property Rights which is due to be transposed by 29 April 2006.

## **Rialacháin Leasaitheacha arna nglacadh faoi Rialachán Trádmharcanna an Chomhphobail (40/1994)**

De bharr na n-athruithe a aontaíodh ar Rialachán bunúsach Trádmharcanna an Chomhphobail (40/1994) a tugadh isteach i Rialachán 422/2004 ón gComhairle (CE) b'éigean athruithe comhfhreagracha a dhéanamh ar bhunRialachán (CE) 2868/95 (an Rialachán Feidhmithe) agus Rialachán (CE) 2869/95 (an Rialachán Táillí). Bealtaine 2005, ghlac Gasra Oibre faoi threoir an Choimisiúin leasuithe ar na Rialacháin Feidhmithe agus Táillí a foilsíodh in Iris Oifigiúil na gComhphobal Eorpach an 5 Iúil 2005 mar Rialachán (CE) 1041/2005 agus Rialachán (EC) 1042/2005 faoi seach. Ar na hathruithe suntasacha a deineadh ar Rialachán 1041/2005 bhí modhnú ar leagan amach agus ar inneachar tuarascálacha cuardaigh náisiúnta a mbeidh éifeacht leo amhail ó Mhárta 2008. I ndáil leis an Rialachán Táillí, socraíodh an táille cuardaigh a ghearrfaidh OCMI agus a mbeidh feidhm leis tar éis Márta 2008 ar €12 i ndáil le gach oifig náisiúnta a ghlacann páirt sa chuardach ar chláir náisiúnta trádmharcanna.

Thairis sin, mhol an Coimisiún go laghdófaí na táillí a ghearrtar as Trádmharcanna Comhphobail a fháil agus a choimeád. Aontaíodh laghduithe i ndáil leis na príomhghnéithe go léir den ioncam as táillí d'OCMI, ar a n-áirítear táillí iontrála (táillí iarratais agus táillí clárúcháin) agus táillí athnuachana – agus aontaíodh lascaine freisin i ndáil le hiarratais a chomhdaítear go leictreonach. Foilsíodh na táillí athbhreithnithe in Iris Oifigiúil na gComhphobal Eorpach an 15 Deireadh Fómhair 2005 agus tháingadar i bhfeidhm an 22 Deireadh Fómhair 2005.

## **Traschur Treoracha AE:**

Tá sé beartaithe trí threoir de chuid AE a thraschur i gcomhthéacs an Bhille um Maoin Intleachtúil (Forálacha Ilghnéitheacha) 2006. Fuarthas cead an Rialtais chun tosú ar dhréachtú an Bhille, Iúil 2005, agus táthar ag súil go bhfoilseofar é sa chéad leath de 2006. Is iad na treoracha atá le traschur ná:

### **(i) Ceart Athdhiola Ealaíontóra**

Foráil do thraschur Threoir CE um Cheart Athdhiola Ealaíontóra i ndlí na hÉireann lena gcruthófaí córas íocaíochtaí um Cheart Athdhiola Ealaíontóra d'ealaíontóirí a ndéantar a saothair bhunaidh a athdhiol trí thrádáil na healaíne.

### **(ii) Ceart Iasachta Poiblí**

Córas íocaíochta um Cheart Iasachta Poiblí a thabhairt isteach le haghaidh údar a ndéanann leabharlanna poiblí na hÉireann a saothair a thabhairt ar iasacht. Tá sé curtha in iúl d'Éirinn ag an gCoimisiún Eorpach nach raibh an chéad traschur a deineadh air sin i gceart sa mhéid is gur tugadh díolúine ann do na leabharlanna poiblí go léir ón gceart cíosa agus iasachta. Tá sé seo á cheartú sa Bhille.

### **(iii) An Treoir Forfheidhmithe**

Déanfar foráil sa Bhille do thraschur Threoir CE um Fhorfheidhmiú Sibhialta Ceart Maoine Intleachtúla atá le traschur faoin 29 Aibreán 2006.

## INFORMATION TECHNOLOGY

The Department of Enterprise, Trade and Employment provides the IT infrastructure and the support and maintenance of the Office's IT administration systems and provides the funding for the expenditure involved.

During 2005 a number of upgrades were carried out on the office's IT Architecture. The server containing the database of Patent, Trade Mark and Design information was replaced and the operating system migrated to Windows 2003. Over 60 desktop PCs were replaced with new models running Windows XP.

There have been on going enhancements to the Office's Ptolemy administration system throughout the year, the most significant of which was the upgrading of the Patent's Classification module. This module has been redeveloped in order to cater for the use of IPC8 – which is the international standard for Patent Classification under the Strasbourg Agreement .

2005 also saw the launch of a new look Patents Office Website. The new site was developed in order to provide a more user friendly and efficient access point for all clients.

## TEICNEOLAÍOCHT FAISNÉISE

Soláthraíonn an Roinn Fiontar, Trádála agus Fostaíochta an bonneagar teicneolaíochta faisnéise (TF) agus an tacaíocht agus an chothabháil ar chórais riaracháin TF na hOifige agus cuireann an maoiniú ar fáil le haghaidh an chaiteachais atá i gceist.

Le linn 2005 deindeadh roinnt uasghráduithe ar Ailtireacht TF na hOifige. Fuarthas friothálaí nua in ionad an chinn ina raibh bunachar na faisnéise faoi Phaitinní, Trádmharcanna agus Dearaí agus athraíodh an córas oibríochta go dtí Windows 2003. Cuireadh ríomhairí deisce nua a ritheann Windows XP in ionad breis agus 60 ríomhaire deisce a bhí in úsáid san Oifig.

Deindeadh formhaisiú go leanúnach i rith na bliana ar chóras riaracháin Ptolemy na hOifige, agus ba é an ghné ba shuntasá de sin ná an t-uasghrádú a deindeadh ar mhodúl Aicmithe na bPaitinní. Tá athfhorbairt déanta ar an modúl sin chun freastal ar úsáid IPC8 – an caighdeán idirnáisiúnta d'Aicmiú Paitinní faoi Chomhaontú Strasbourg.

Le linn 2005, freisin, seoladh leagan a bhfuil cuma nua air de Shuíomh Idirlinn Oifig na bPaitinní. Forbraíodh an suíomh nua d'fhonn pointe rochtana a sholáthar do na cliaint go léir ar fusa agus ar éifeachtaí é a úsáid.

## APPENDIX A

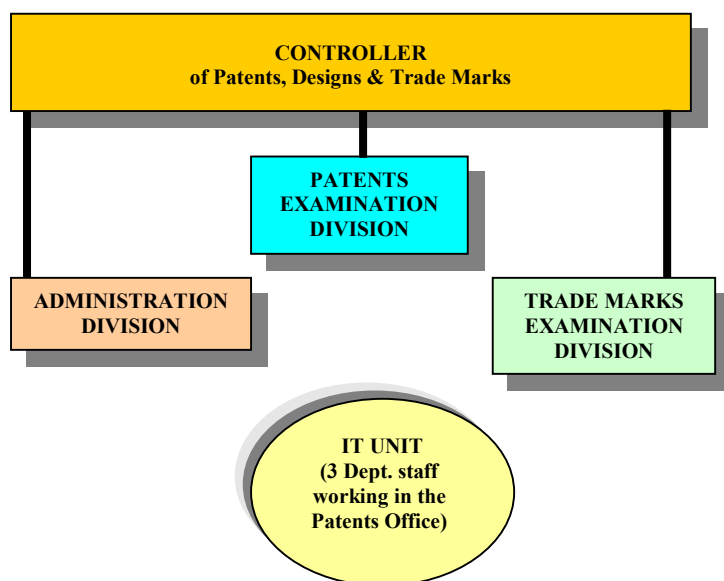
### STAFF SERVING AT 31 DECEMBER 2005

Approved Posts	Number Serving	Staff
1	1	Controller
2	2	Assistant Principal
1	1	Senior Patent Examiner
8	8	Higher Executive Officer
4	3	Patent Examiner
20	21	Executive Officer
4	2	Staff Officer
36	30	Clerical Officer
1	1	Services Officer
<b>77</b>	<b>69*</b>	

\* Includes 2 Higher Executive Officers, 6 Executive Officers and 5 Clerical Officers on work-sharing arrangements.

In addition there are 3 staff members of the Department of Enterprise, Trade and Employment (1HEO, 1 EO and 1 CO) working in the Office providing information technology services.

### OFFICE STRUCTURE



## FOSCRÍBHINN A

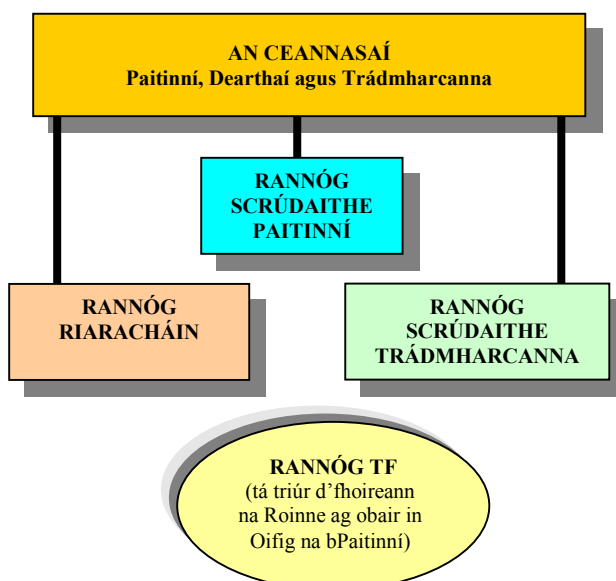
### FOIREANN I mBUN SEIRBHÍSE AN 31 NOLLAIG 2005

Poist Cheadaithe	An Líon i mbun Seirbhíse	Foireann
1	1	Ceannasaí
2	2	Leasphríomhoifigeach
1	1	Scrúdaitheoir Sinsearach Paitinní
8	8	Ardoifigeach Feidhmiúcháin
4	3	Scrúdaitheoir Paitinní
20	21	Oifigeach Feidhmiúcháin
4	2	Oifigeach Foirne
36	30	Oifigeach Cléireachais
1	1	Oifigeach Seirbhísí
<b>77</b>	<b>69*</b>	

\* Áirítear 2 Ardoifigeach Feidhmiúcháin, 6 Oifigeach Feidhmiúcháin agus 5 Oifigeach Cléireachais atá ar shocrúithe postroinnte.

Ina theannta sin, tá 3 bhall foirne den Roinn Fiontar, Trádála agus Fostaíochta (1 AF, 1 OF agus 1 OC) ag obair san Oifig agus iad ag soláthar seirbhísí teicneolaíochta faisnéise.

### STRUCHTÚR NA hOIFIGE





## APPENDIX B

### RECEIPTS AND EXPENSES - YEAR ENDED 31 DECEMBER 2005

Receipts	€ 000
Patent fees (Notes 1 and 2)	5,066
Trade Mark fees	1,432
International Trade Mark Registration – fees received from WIPO (Note 3)	1,178
Fees received for the searching of Community Trade Marks (Note 4)	1,341
Design fees	71
Other fees	58
Less refunds made in respect of Patents and Trade Mark fees paid in error	83
Less transaction fees arising in respect of online credit card payments	61
<b>Net receipts accruing to the exchequer</b>	<b>9,002</b>

Expenses	€ 000
Salaries	3,026
Travel & Subsistence	59
Miscellaneous and Incidental Expenses	69
Postal and Telecommunications Services	67
Office Machinery and other Office Supplies.	155
Office Premises Expenses	117
Information Resources, Books, Periodicals etc.	22
Subscriptions to Industrial Property Unions	295
<b>Total</b>	<b>3,810</b>

## FOSCRÍBHINN B

### FÁLTAIS AGUS CAITEACHAIS – BLIAIN DAR CRÍOCH 31 NOLLAIG 2005

Fáltais	€ 000
Táillí Paitinne (Nótaí 1 agus 2)	5,066
Táillí Trádmharcanna	1,432
Clárú Trádmharcanna Idirnáisiúnta – táillí a fuarthas ó EDMI (Nóta 3)	1,178
Táillí a fuarthas as cuardach a dhéanamh ar Thrádmharcanna Comhphobail (Nóta 4)	1,341
Táillí Deartha	71
Táillí Eile	58
Lúide aisíocáíochtaí a rinneadh i ndáil le Paitinní agus Trádmharcanna a íocadh de dhearmad	83
Lúide táillí idirbhirt a eascraíonn as íocáíochtaí cárta creidmheasa ar-líne	61
<b>Glanfháltais a thabhaíonn don Stáitchiste</b>	<b>9,002</b>

Caiteachais	€ 000
Tuarastail	3,026
Taisteal agus Cothabháil	59
Caiteachais Ilghnéitheacha agus Teagmhasacha	69
Seirbhísí Poist agus Teileachumarsáide	67
Meaisíní Oifige agus Soláthairtí Oifige eile	155
Caiteachais ar Áitreabh na hOifige	117
Acmhainní Faisnéise, Leabhair, Tréimhseacháin, srl.	22
Síntiúis le Cumainn Maoine Tionsclaíche	295
<b>An tIomlán</b>	<b>3,810</b>

## 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	7,889
Less Proportion of patent renewal fees transferred to the European Patent Office, Munich.	2,823
Net Patent fees which accrue to the Exchequer	5,066

### Note 2

The Patents Office acts as a receiving Office for patent applications made under the Patent Co-operation Treaty and as such receives fees for onward transmission to both the European Patent Office and the World Intellectual Property Organisations. These fees do not accrue to the Irish exchequer and are therefore not included in the figure for net receipts. Details of the fees transferred to the EPO and WIPO during 2005 are as follows:

	€000
PCT Basic and Designation Fees transferred to WIPO, Geneva	148
PCT Search fees transferred to EPO, Munich	220
<b>Total</b>	<b>368</b>

### 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.

## FOSCRÍBHINN B (ar leanúint)

### Nóta 1

De réir Choinbhinsiún Paitinní na hEorpa, ar páirtí ann Éire, tá ceangal ar Oifig na bPaitinní 50% de na táillí athnuachana go léir atá faighte i ndáil le Paitinní Eorpacha a ndearnadh bailíocht orthu in Éirinn agus atá taifeadta i gclár náisiúnta na bPaitinní a íoc le hOifig Paitinní na hEorpa.

	€000
Táillí Paitinne	7,889
Lúide comhréir táillí athnuachana paitinne a aistríodh go dtí Oifig Paitinní na hEorpa, München, An Ghearmáin.	2,823
Glantáillí Paitinne a fhabhraíonn don Stáitchiste	5,066

### Nóta 2

Feidhmíonn Oifig na bPaitinní mar oifig glactha le haghaidh iarratas paitinne a dhéantar faoin gConradh um Chomhoibriú Paitinní (CCP) agus, mar sin faigheann an Oifig táillí as iarratais a chur ar aghaidh go dtí Oifig Paitinní na hEorpa agus an Eagraíocht Dhomhanda um Maoin Intleachtúil. Ní fhabhraíonn na táillí sin do stáitchiste na hÉireann agus, mar sin, níl siad san áireamh san fhigiúr do ghlanfháltais. Seo a leanas mionsonraí ar na táillí a aistríodh chuig OPE agus EDMI le linn 2005:

	€000
Buntáillí CCP agus Táillí Ainmiúcháin a aistríodh chuig EDMI, An Ghinéiv	148
Táillí Cuardaigh CCP a aistríodh chuig OPE, München, An Ghearmáin	220
<b>Iomlán</b>	<b>368</b>

### Nóta 3

Mar thoradh ar dhaingniú na hÉireann ar an bPrótacal a bhaineann le Comhaontú Mhaidrid maidir le Clárú Idirnáisiúnta Marcanna (Prótacal Mhaidrid) an 19 Iúil 2001, faigheann an Oifig táillí i ndáil le hiarratais Trádmhairc Idirnáisiúnta lena lorgaítear cosaint in Éirinn ón Eagraíocht Dhomhanda um Maoin Intleachtúil (EDMI).

### Nóta 4

Faoi Airteagal 39(3) de Rialachán Uimh. 40/94, Nollaig 1993, ón gComhairle maidir leis an Trádmharc Comhphobail, féadfaidh an Oifig cuardach a dhéanamh ar iarratais TC agus an toradh a chur in iúl d'EDMI. Íocann EDMI táille cuardaigh le hOifig na bPaitinní as an tseirbhís seo.

## APPENDIX C

## FOSCRÍBHINN C

### APPLICATIONS ACCORDING TO COUNTRY OF ORIGIN OF APPLICANT

### IARRATAIS DE RÉIR THÍR BHUNAIDH AN IARRATASÓRA

COUNTRY	PATENTS		TRADE MARKS		DESIGNS	
	No. of Applications	% of total No.	No. of Applications	% of total No.	No. of Applications	% of total No.
REP. OF IRELAND	789	91.32	1506	56.26	43	71.67
ARGENTINA			3	0.11		
AUSTRALIA			15	0.56		
BELGIUM	1	0.12	8	0.30		
BERMUDA			1	0.04		
BRAZIL			1	0.04		
CAYMAN ISLANDS			3	0.11		
CANADA			9	0.34		
CHILE			5	0.19		
CHINA			10	0.37		
CROATIA			1	0.04		
ECUADOR			2	0.07		
FRANCE	2	0.23	30	1.12	1	1.67
FINLAND			3	0.11		
GERMANY	1	0.12	60	2.24	4	6.67
HONG KONG			3	0.11		
ISRAEL	1	0.12				
IRAN			1	0.04		
ITALY			10	0.37		
JAPAN	2	0.23	12	0.45	1	1.67
JORDAN			1	0.04		
KOREA			12	0.45		
LEBANON			7	0.26		
LIECHTENSTEIN			1	0.04		
LUXEMBOURG			3	0.11		
MALTA			1	0.04		
MAURITIUS			8	0.30		
NETHERLANDS	2	0.23	8	0.30		
NEW ZEALAND			5	0.19		
NORWAY	2	0.23	1	0.04		
PHILIPPINES			1	0.04		
POLAND			1	0.04		
PORTUGAL			3	0.11		
RUSSIA			3	0.11		
SAUDI ARABIA			1	0.04		
SINGAPORE			2	0.07		
SOUTH AFRICA			4	0.15		
SPAIN	4	0.46	6	0.22	1	1.67
SWEDEN			5	0.19		
SWITZERLAND			79	2.95		
TURKEY			3	0.11		
UNITED KINGDOM	33	3.82	439	16.4	7	11.67
USA	27	3.13	400	14.94	3	5
<b>TOTAL</b>	<b>864</b>	<b>100%</b>	<b>2677</b>	<b>100%</b>	<b>60</b>	<b>100%</b>

TÍR	PAITINNÍ		TRÁDMHARCANNA		DEARTHAÍ	
	An Líon Iarratas	% den Líon Iomlán	An Líon Iarratas	% den Líon Iomlán	An Líon Iarratas	% den Líon Iomlán
POBLACHT NA hÉIREANN	789	91.32	1506	56.26	43	71.67
AN AIRGINTÍN			3	0.11		
AN ASTRÁIL			15	0.56		
AN BHEILG	1	0.12	8	0.3		
BEIRMIÚDA			1	0.04		
AN BHRASAÍL			1	0.04		
OILEÁIN CAYMAN			3	0.11		
CEANADA			9	0.34		
AN tSILE			5	0.19		
AN tSÍN			10	0.37		
AN CHRÓIT			1	0.04		
EACUADÓR			2	0.07		
AN FHRAINIC	2	0.23	30	1.12	1	1.67
AN FHIONLAINN			3	0.11		
AN GHEARMÁIN	1	0.12	60	2.24	4	6.67
HONG CONG			3	0.11		
IOSRAEL	1	0.12				
AN IARÁIN			1	0.04		
AN IODÁIL			10	0.37		
AN tSEAPÁIN	2	0.23	12	0.45	1	1.67
AN IORDÁIN			1	0.04		
AN CHÓIRÉ			12	0.45		
LEBANON			7	0.26		
AN LICHTINSTÉIN			1	0.04		
LUCSAMBURG			3	0.11		
MÁLTA			1	0.04		
OILEÁN MHUIRÍS			8	0.30		
AN ÍSILTÍR	2	0.23	8	0.30		
AN NUA-SHÉALAINN			5	0.19		
AN IORUA	2	0.23	1	0.04		
NA hOILEÁIN PHILIPÍNEACHA			1	0.04		
AN PHOLAINN			1	0.04		
AN PHORTAINGÉIL			3	0.11		
AN RÚIS			3	0.11		
AN ARAIB SHÁDACH			1	0.04		
SINGEAPÓR			2	0.07		
AN AFRAIC THEAS			4	0.15		
AN SPÁINN	4	0.46	6	0.22	1	1.67
AN tSUALAINN			5	0.19		
AN EILVÉIS			79	2.95		
AN TUIRC			3	0.11		
AN RÍOCHT AONTAITHE	33	3.82	439	16.4	7	11.67
STÁIT AONTAITHE MHEIRICEÁ	27	3.13	400	14.94	3	5
<b>ÍOMLÁN</b>	<b>864</b>	<b>100%</b>	<b>2677</b>	<b>100%</b>	<b>60</b>	<b>100%</b>

## APPENDIX D

## FOSCRÍBHINN D

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

### PAITINNÍ A DEONAÍODH AGUS DEARHTAÍ AGUS TRÁDMHARCANNA A CLÁRAÍODH DE RÉIR THÍR BHUNAIDH AN PHAITINNÍ NÓ AN ÚINEARA

COUNTRY	PATENTS		TRADE MARKS		DESIGNS			
	No. Granted	% of Total No.	No. Registered	% of Total No.	No. Registered	% of Total No.	No. Registered	% of Total No.
					Under 1927 Act		Under 2001 Act	
REP. OF IRELAND	243	69.63	1027	43.93	1	100	54	31.76
ANTIQUEA & BARBUDA			2	0.09				
ARGENTINA			1	0.04				
AUSTRALIA			11	0.47				
AUSTRIA			2	0.09			60	35.29
BAHAMAS			1	0.04				
BELGIUM			5	0.21				
BERMUDA			4	0.17				
BRAZIL			2	0.09				
CANADA	5	1.43	11	0.47			21	12.35
CAYMAN ISLANDS			10	0.43				
CHILE			13	0.56				
CHINA			7	0.30				
CYPRUS			3	0.13				
CZECH REPUBLIC			1	0.04				
DENMARK			5	0.21			5	2.94
EGYPT			1	0.04				
FRANCE	5	1.43	32	1.37			2	1.18
GERMANY	7	2.01	99	4.23			3	1.76
HONG KONG	1	0.29	4	0.17				
INDIA	1	0.29						
IRAN			1	0.04				
ISRAEL			1	0.04				
ITALY	2	0.57	19	0.81			3	1.76
JAPAN	5	1.43	23	0.98			1	0.59
KOREA			13	0.56				
LIECHTENSTEIN			1	0.04				
LUXEMBOURG			4	0.17				
MAURITIUS			4	0.17				
NETHERLANDS	2	0.57	18	0.77				
NEW ZEALAND			4	0.17				
NORWAY	2	0.57	1	0.04				
PHILIPPINES			1	0.04				
POLAND			1	0.04				
PORTUGAL			2	0.09				
PUERTO RICO			1	0.04				
RUSSIA			2	0.09				
SINGAPORE	1	0.29	3	0.13				
SOUTH AFRICA			2	0.09				
SPAIN			4	0.17			2	1.18
SWEDEN			5	0.21				
SWITZERLAND	5	1.43	57	2.44				
TAIWAN			1	0.04				
THAILAND			1	0.04				
TURKEY			1	0.04				
UNITED KINGDOM	23	6.59	411	17.58			16	9.41
USA	47	13.47	514	21.98			3	1.76
VIRGIN ISLANDS			2	0.09				
<b>TOTAL:</b>	<b>349</b>	<b>100%</b>	<b>2338</b>	<b>100%</b>	<b>1</b>	<b>100%</b>	<b>170</b>	<b>100%</b>

TÍR	PAITINNÍ		TRÁD MHARCANNA		DEARHTAÍ			
	An Líon a Deonaíodh	% den Líon Iomlán	An Líon a Cláraíodh	% den Líon Iomlán	An Líon a Cláraíodh	% den Líon Iomlán	An Líon a Cláraíodh	% den Líon Iomlán
					Faoi Acht 1927		Faoi Acht 2001	
POBLACHT NA hÉIREANN	243	69.63	1027	43.93	1	100	54	31.76
ANTIQUEA & BARBUDA			2	0.09				
AN AIRGINTÍN			1	0.04				
AN ASTRÁIL			11	0.47				
AN OSTAIR			2	0.09			60	35.29
NA BAHÁMAÍ			1	0.04				
AN BHEILG			5	0.21				
BEIRMIÚDA			4	0.17				
AN BHRASAÍL			2	0.09				
CEANADA	5	1.43	11	0.47			21	12.35
OILEÁIN CAYMAN			10	0.43				
AN tSÍLE			13	0.56				
AN tSÍN			7	0.30				
AN CHIPIR			3	0.13				
POBLACHT NA SEICE			1	0.04				
AN DANMHAIRG			5	0.21			5	2.94
AN ÉIGIPT			1	0.04				
AN FHRAINIC	5	1.43	32	1.37			2	1.18
AN GHEARMÁIN	7	2.01	99	4.23			3	1.76
HONG CONG	1	0.29	4	0.17				
AN INDIA	1	0.29						
AN IARÁIN			1	0.04				
IOSRAEL			1	0.04				
AN IODÁIL	2	0.57	19	0.81			3	1.76
AN tSEAPÁIN	5	1.43	23	0.98			1	0.59
AN CHÓIRÉ			13	0.56				
AN LICHTINSTÉIN			1	0.04				
LUCSAMBURG			4	0.17				
OILEÁN MHUIRÍS			4	0.17				
AN ÍSLTÍR	2	0.57	18	0.77				
AN NUA-SHÉALAINN			4	0.17				
AN IORUA	2	0.57	1	0.04				
NA hHOILEÁIN PHILIPINEACHA			1	0.04				
AN PHOLAINN			1	0.04				
AN PHORTAINGÉIL			2	0.09				
PUERTO RICO			1	0.04				
AN RÚIS			2	0.09				
SINGEAPÓR	1	0.29	3	0.13				
AN AFRAIC THEAS			2	0.09				
AN SPÁINN			4	0.17			2	1.18
AN tSUALAINN			5	0.21				
AN EILVÉIS	5	1.43	57	2.44				
TAIWAN			1	0.04				
AN TÉALAINN			1	0.04				
AN TUIRC			1	0.04				
AN RÍOCHT AONTAITHE	23	6.59	411	17.58			16	9.41
STÁIT AONTAITHE MHEIRICEÁ	47	13.47	514	21.98			3	1.76
OILEAIN NA MAIGHDEAN			2	0.09				
<b>AN tIOMLÁN:</b>	<b>349</b>	<b>100%</b>	<b>2338</b>	<b>100%</b>	<b>1</b>	<b>100%</b>	<b>170</b>	<b>100%</b>

## COMMENTARY ON THE PATENTS STATISTICS IN APPENDICES C & D

Appendix C indicates that applications for patents from applicants within the State accounted for 91.32% of the total applications for patents received during the year. As regards patents granted during the year, Appendix D indicates that grants to applicants within the State accounted for 69.63% of the total grants. These figures, taken in isolation, might tend to suggest that the level of innovative activity within the State is comparatively high. While the figures show precisely the outcome for 2005 in relation to applications received and patents granted, they should not be taken in isolation. To put them into the appropriate context it is necessary to recall that Ireland is a contracting party to the European Patent Convention and, under that Convention, applications are made annually directly to the European Patent Office designating Ireland and patents are granted annually by the European Patent Office with effect in Ireland (the same effect as if they had been granted by my Office). Accordingly, when account is taken of the Patents granted by the European Patent Office effective in the State in 2005, the following picture emerges:

### Patents granted in 2005 having effect in the State

	Number	Number of patents granted to Applicants from within the State	% of patents granted to Applicants from within the State
Granted by Office	349	243	69.63%
Granted by EPO	26,866	94	0.35%
<b>Total Grants</b>	<b>27,215</b>	<b>337</b>	<b>1.24%</b>

## RÁITEAS AR NA STAITISTICÍ PAITINNÍ I bhFOSCRÍBHINNÍ C AGUS D

Léirítear i bhFoscscríbhinn C gurbh ionann iarratais ar phaitinní ó iarratasóirí laistigh den Stát agus 91.32% de na hiarratais iomlána ar phaitinní a fuarthas le linn na bliana. Maidir le paitinní a deonaíodh le linn na bliana, léirítear i bhFoscscríbhinn D gurbh ionann deonuithe d'iarratasóirí laistigh den Stát agus 69.63% de na deonuithe iomlána. B'fhéidir go dtabharfadh na figiúirí seo le fios, astu féin, go bhfuil an leibhéal gníomhaíochta nuálaí sa Stát ard i gcomparáid le háiteanna eile. Cé go léiríonn na figiúirí an toradh cruinn don bhliain 2005 i ndáil le hiarratais a fuarthas agus paitinní a deonaíodh, níor chóir féachaint orthu ina n-aonar. Chun iad a chur sa chomhthéacs cuí, is gá a thabhairt chun cuimhne gur páirtí conarthach le Coinbhinsiún Paitinní na hEorpa í Éire agus, faoin gCoinbhinsiún sin, déantar iarratais go bliantúil go díreach le hOifig Paitinní na hEorpa lena n-ainmnítear Éire agus déanann Oifig Paitinní na hEorpa paitinní a dheonú go bliantúil agus éifeacht leo in Éirinn (an éifeacht chéanna is a bheadh leo dá mba í m'Oifigse a bhí tar éis iad a dheonú). Dá réir sin, nuair a chuirtear i gcountas na Paitinní a dheonaigh Oifig Paitinní na hEorpa agus a raibh éifeacht leo sa Stát sa bhliain 2005, tagann an pictiúr seo a leanas chun cinn:

### Paitinní a deonaíodh sa bhliain 2005 agus a bhfuil éifeacht leo sa Stát

	Líon	An líon paitinní a deonaíodh d'Iarratasóirí laistigh den Stát	An % paitinní a deonaíodh d'Iarratasóirí laistigh den Stát
An líon a dheonaigh an Oifig	349	243	69.63%
An líon a dheonaigh OPE	26,866	94	0.35%
<b>Iomlán na nDeonuithe</b>	<b>27,215</b>	<b>337</b>	<b>1.24%</b>

## APPENDIX E

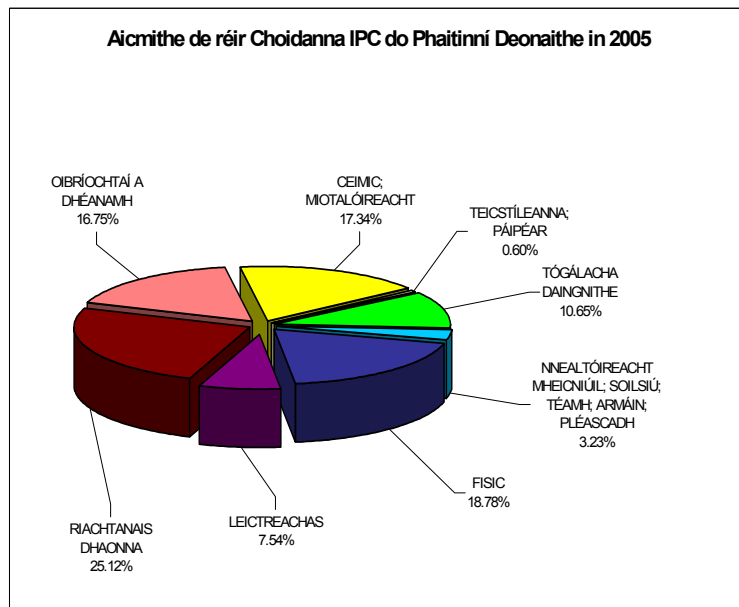
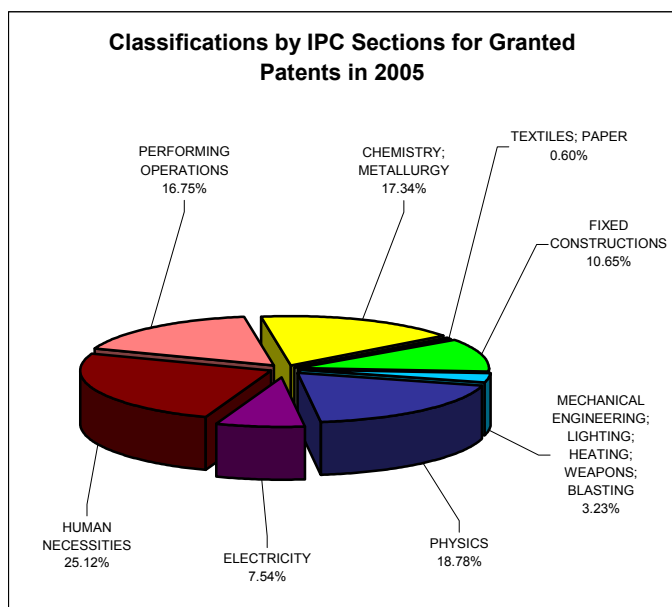
### CLASSIFICATION OF PATENTS GRANTED BY THE OFFICE IN YEAR ENDED 31 DECEMBER 2005 ACCORDING TO THE INTERNATIONAL CLASSIFICATION

CLASSIFICATION	No of grants in Classification *
A. HUMAN NECESSITIES	210
B. PERFORMING OPERATIONS	140
C. CHEMISTRY; METALLURGY	145
D. TEXTILES; PAPER	5
E. FIXED CONSTRUCTIONS	89
F. MECHANICAL ENGINEERING; LIGHTING; HEATING; WEAPONS; BLASTING	27
G. PHYSICS	157
H. ELECTRICITY	63

## FOSCRÍBHINN E

### AICMIÚ PAITINNÍ A DHEONAIGH AN OIFIG I RITH NA BLIANA DAR CRÍOCH 31 NOLLAIG 2005 DE RÉIR AN AICMITHE IDIRNÁISIÚNTA

AICMIÚ	An líon deonuithe san Aicmiú *
A. RIACHTANAIS DHAONNA	210
B. OIBRÍOCHTAÍ A DHÉANAMH	140
C. CEIMIC; MIOTALÓIREACHT	145
D. TEICSTÍLEANNA; PÁIPÉAR	5
E. TÓGÁLACHA DAINGNITHE	89
F. INNEALTÓIREACHT MHEICNIÚIL; SOILSIÚ; TÉAMH; ARMÁIN; PLÉASCADH	27
G. FISIC	157
H. LEICTREACHAS	63



## APPENDIX F

## FOSCRÍBHINN F

### NUMBER OF RENEWAL FEES PAID TO KEEP PATENTS IN FORCE FOR YEARS 1996 TO 2005

### AN LÍON TÁILLÍ ATHNUACHANA A ÍOCADH CHUN PAITINNÍ A CHOIMEÁD I bhFEIDHM DO NA BLIANTA 1996 GO 2005

Year for which paid	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
3rd year	1803	1520	293	232	751	814	504	472	602	494
4th year	2142	2019	848	486	962	1044	941	1221	1173	1265
5th year	2026	2955	1924	1218	1906	2142	1540	2298	2792	2409
6th year	1606	2253	2644	1840	2972	3338	2414	2704	3547	4103
7th year	1560	1550	1726	1847	3454	4144	3181	3300	3580	4241
8th year	1280	1446	1140	637	3488	4546	3414	3580	3718	3958
9th year	1143	1216	1171	639	1951	3780	3453	3427	3713	3820
10th year	880	1052	994	667	1105	2204	3307	3486	3410	3598
11th year	769	814	915	563	1078	1336	1606	2731	3082	3109
12th year	678	696	725	550	910	1199	891	1492	2586	2825
13th year	602	627	623	408	821	1040	916	844	1436	2349
14th year	504	555	550	357	647	862	730	808	794	1266
15th year	439	466	495	275	531	683	675	627	751	722
16th year	319	413	411	271	473	599	539	588	578	694
17th year	281	300	362	239	413	553	444	470	516	522
18th year	246	247	270	198	348	452	386	401	419	476
19th year	183	220	217	151	290	441	319	341	347	384
20th year	158	164	185	114	207	248	263	274	292	308
Total	16619	18513	15493	10746	22307	29425	25523	29064	33336	36543

An bhliain ar íocadh ina leith	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
3ú bliain	1803	1520	293	232	751	814	504	472	602	494
4ú bliain	2142	2019	848	486	962	1044	941	1221	1173	1265
5ú bliain	2026	2955	1924	1218	1906	2142	1540	2298	2792	2409
6ú bliain	1606	2253	2644	1840	2972	3338	2414	2704	3547	4103
7ú bliain	1560	1550	1726	1847	3454	4144	3181	3300	3580	4241
8ú bliain	1280	1446	1140	637	3488	4546	3414	3580	3718	3958
9ú bliain	1143	1216	1171	639	1951	3780	3453	3427	3713	3820
10ú bliain	880	1052	994	667	1105	2204	3307	3486	3410	3598
11ú bliain	769	814	915	563	1078	1336	1606	2731	3082	3109
12ú bliain	678	696	725	550	910	1199	891	1492	2586	2825
13ú bliain	602	627	623	408	821	1040	916	844	1436	2349
14ú bliain	504	555	550	357	647	862	730	808	794	1266
15ú bliain	439	466	495	275	531	683	675	627	751	722
16ú bliain	319	413	411	271	473	599	539	588	578	694
17ú bliain	281	300	362	239	413	553	444	470	516	522
18ú bliain	246	247	270	198	348	452	386	401	419	476
19ú bliain	183	220	217	151	290	441	319	341	347	384
20ú bliain	158	164	185	114	207	248	263	274	292	308
Iomlán	16619	18513	15493	10746	22307	29425	25523	29064	33336	36543

## APPENDIX G

### INTERNATIONAL CLASSIFICATION OF GOODS AND SERVICES INTO WHICH MARKS REGISTERED IN 2005 FALL

Class	Classification of Goods	No of marks in classification
1	Chemical Products, etc.	41
2	Paints, etc.	37
3	Bleaching Preparations, etc.	222
4	Industrial Oils, etc.	19
5	Pharmaceutical Substances, etc.	387
6	Unwrought and Partly Wrought Common Metals and their Alloys	43
7	Machines and Machine Tools, etc.	39
8	Hand Tools and Instruments, Cutlery, etc.	34
9	Scientific Apparatus and Instruments, etc.	246
10	Surgical Instruments, etc.	108
11	Installations for Lighting, etc.	66
12	Vehicles; Apparatus for Locomotion by Land, Air or Water	48
13	Firearms, Ammunition and Projectiles; Explosive Substances; Fireworks	0
14	Precious Metals and their Alloys, etc.	58
15	Musical Instruments (other than talking machines and wireless apparatus)	8
16	Paper, etc.	266
17	Gutta Percha, India Rubber, etc.	26
18	Leather, etc.	89
19	Building Materials, etc.	27
20	Furniture, etc.	60
21	Small Domestic Utensils, etc.	95
22	Ropes, etc.	8
23	Yarns, Threads	0
24	Tissues (piece goods), etc.	62
25	Clothing, including Boots, Shoes and Slippers	247
26	Lace and Embroidery, etc.	13
27	Carpets, etc.	10
28	Games, etc.	104
29	Meat, Fish, Poultry and Game, etc.	231
30	Coffee, Tea, Cocoa, Sugar, Rice, etc.	292
31	Agricultural Products, etc.	50
32	Beer, etc.	152
33	Wines, Spirits and Liqueurs	84
34	Tobacco, etc.	14
35	Advertising, Business Management, etc.	219
36	Insurance, Financial Affairs, etc.	144
37	Building Construction, Repair, Installation Services.	60
38	Telecommunications	96
39	Transport, Packaging and Storage of Goods, etc.	62
40	Treatment of Materials	29
41	Education, Entertainment, etc.	252
42	Scientific and technological services	115
43	Providing food and drink	123
44	Medical services, etc	78
45	Personal and social services	15

## FOSCRÍBHINN G

### AICMIÚ IDIRNÁISIÚNTA EARRAÍ AGUS SEIRBHÍSÍ INA bhFUIL NA MARCANNÁ A CLÁRAÍODH SA BHLIAIN 2005

Aicme	Aicmiú Earraí	An líon marcanna san aicmiú
01	Táirgí Ceimiciúla, srl.	41
02	Péinteanna, srl.	37
03	Ullmhúcháin Tuair, srl.	222
04	Oláí Tionsclaíocha, srl.	19
05	Substaintí Cógaisíochta, srl.	387
06	Miotail Choiteanna Neamhoibrithe agus Páirtoibrithe agus a gcuid Cóimhiotail	43
07	Meaisíní agus Uirlisí Meaisín, srl.	39
08	Uirlisí Láimhe agus Deiseanna, Sceanna, srl.	34
09	Fearas agus Uirlisí Eolaíochta, srl.	246
10	Uirlisí Máinliachta, srl.	108
11	Suiteálacha le haghaidh Soilsiú, srl.	66
12	Feithiclí; Gaireas Gluaiseachta de Thalamh, d'Aer nó d'Uisce	48
13	Airm Tine, Armlón agus Teilgeáin; Substaintí Pléascacha; Tine Ealaíne	0
14	Miotail Lómhara agus a gcuid Cóimhiotail, srl.	58
15	Uirlisí Ceoil (seachas meaisíní cainte agus gaireas raidió)	8
16	Páipéar, srl.	266
17	Gutta Percha, Rubar Indiach, srl.	26
18	Leathar, srl.	89
19	Ábhair Foirgníochta, srl.	27
20	Troscán, srl.	60
21	Uirlisí Beaga Tí, srl.	95
22	Rópai, srl.	8
23	Abhras, Snáithe	0
24	Fíochán (gréasáin), srl.	62
25	Éadaí, ar a n-áirítear Buataisí, Bróga agus Bróigíní	247
26	Lása agus Bróidnéireacht, srl.	13
27	Brait Urláir, srl.	10
28	Cluichí, srl.	104
29	Feoil, Iasc, Éanlaith Chlóis agus Géim, srl.	231
30	Caifé, Tae, Cócó, Siúcra, Rís, srl.	292
31	Earraí Talmhaíochta, srl.	50
32	Beoir, srl.	152
33	Fíon, Biotáille agus Licéir	84
34	Tobac, srl.	14
35	Fógraíocht, Bainistíocht Gnó, srl.	219
36	Árachas, Gnóthaí Airgid, srl.	144
37	Tógáil Foirgneamh, Deisiúchán, Seirbhísí Suiteála	60
38	Teileachumarsáid	96
39	Iompar, Pacáistiú agus Stóráil Earraí, srl.	62
40	Cóireáil Ábhar	29
41	Oideachas, Siamsa, srl.	252
42	Seirbhísí Eolaíochta agus Teicneolaíochta	115
43	Bia agus Deoch a Sholáthar	123
44	Seirbhísí Liachta, srl	78
45	Seirbhísí Pearsanta agus Sóisialta	15



## APPENDIX H

### DESIGNS REGISTERED UNDER THE INDUSTRIAL DESIGNS ACT, 2001 DURING THE YEAR ENDED 31 DECEMBER 2005 LISTED ACCORDING TO THE INTERNATIONAL CLASSIFICATION

Class	Classification	Designs Registered
1	Foodstuffs	
2	Articles of Clothing and Haberdashery	1
3	Travel Goods, Cases, Parasols and Personal Belongings, not elsewhere specified	
4	Brushware	4
5	Textile Piecegood Articles, Artificial and Natural Sheet Material	
6	Furnishings	4
7	Household Goods, not elsewhere specified	9
8	Tools and Hardware	2
9	Packages and Containers for the Transport or Handling of Goods	10
10	Clocks and Watches and other Measuring Instruments, Checking and Signalling Instruments	
11	Articles of Adornment	16
12	Means of Transport or Hoisting	
13	Equipment for Production, Distribution or Transformation of Electricity	
14	Recording, Communication or Information Retrieval Equipment	29
15	Machines, not elsewhere specified	
16	Photographic, Cinematographic and Optical Apparatus	
17	Musical Instruments	
18	Printing and Office Machinery	
19	Stationery and Office Equipment, Artists' and Teaching Materials	2
20	Sales and Advertising Equipment, Signs	
21	Games, Toys, Tents and Sports Goods	6
22	Arms, Pyrotechnic Articles, Articles for Hunting, Fishing and Pest Killing	
23	Fluid Distribution Equipment, Sanitary, Heating, Ventilation and Air-Conditioning Equipment, Solid Fuel	10
24	Medical and Laboratory Equipment	
25	Building Units and Construction Elements	76
26	Lighting Apparatus	
27	Tobacco and Smokers' Supplies	
28	Pharmaceutical Products and Cosmetic Products, Toilet Articles and Apparatus	1
29	Devices and Equipment Against Fire Hazards, for Accident Prevention and for Rescue	1
30	Articles for the Care and Handling of Animals	1
31	Machines and Appliances for Preparing Food or Drink, not elsewhere specified	
99	Miscellaneous	
	<b>TOTAL</b>	<b>172*</b>

\*A Design maybe registered in more than one class, therefore the total number of classes exceeds the 170 Designs actually registered.

## FOSCRÍBHINN H

### DEARHTAÍ A CLÁRAÍODH FAOI ACHT NA nDEARHTAÍ TIONSCAIL, 2001, LE LINN NA BLIANA DAR CRÍOCH 31 NOLLAIG 2005 ARNA LIOSTÚ DE RÉIR AN AICMITHE IDIRNÁISIÚNTA

Aicme	Aicmiú	Dearthaí a Cláraíodh
01	Earraí Bia	
02	Baill Éadaí agus Mionéadach	1
03	Earraí Taistil, Cásanna, Parasóil agus Giurléidí Pearsanta, nach sonraítear aon áit eile	
04	Scuaba	4
05	Earraí Teicstíle Mírhaibrice, Bratábhar Saorga agus Nádúrtha	
06	Iarmhais	4
07	Earraí Tí, nach sonraítear aon áit eile	9
08	Uirlisí agus Crua-Earraí	2
09	Pacáistí agus Coimeádáin chun Earraí a Iompar nó a Láimhseáil	10
10	Cloig agus Uaireadóirí agus Uirlisí eile Tomhais, Uirlisí Seiceála agus Comharthaíochta	
11	Earraí Maisiúcháin	16
12	Córacha Iompair nó Ardaithe	
13	Trealamh chun Leictreachas a Tháirgeadh, a Dháileadh nó a Aistriú	
14	Trealamh Taifeadán, Cumarsáide nó Aisghabháil Faisnéise	29
15	Meaisíní, nach sonraítear aon áit eile	
16	Fearas Grianghrafach, Cineamatagrafach agus Súl	
17	Uirlisí Ceoil	
18	Meaisíní Oifige	
19	Stáiseanáireacht agus Trealamh Oifige, Ábhair d'Ealaíontóirí agus Ábhair Teagaisc	2
20	Trealamh agus Comharthaí Díolacháin agus Fógraíochta	
21	Cluichí, Bréagáin, Pubaill agus Earraí Spóirt	6
22	Airm, Earraí Piriteicniúla, Earraí Sealgaireachta, Iascaireacht agus Marú Lotnaidí	
23	Trealamh Dáilte Leachta, Trealamh Sláintíochta, Téimh, Aerúcháin agus Aerchóiriúcháin, Breosla Soladach	10
24	Trealamh Liachta agus Saotharlainne	
25	Aonaid Tógála agus Míreanna Foirgníochta	76
26	Fearas le haghaidh Soilsíú	
27	Tobac agus Soláthairtí do Lucht Caite Tobac ina Dheatach	
28	Táirgí Cógaisíochta agus Táirgí Cosmaideacha, Earraí agus Fearas Leithris	1
29	Sásraí agus Trealamh in aghaidh Contúirt Dóiteáin, chun Timpistí a Chosc agus le haghaidh Tarrthála	1
30	Earraí chun Aire a thabhairt d'Ainmhithe agus iad a Láimhseáil	1
31	Meaisíní agus Gairis chun Bia nó Deoch a Réiteach, nach sonraítear aon áit eile	
99	Ighnéitheach	
	<b>AN tIOMLÁN</b>	<b>172*</b>

\*Is féidir Dearadh a chlárú i líon is mó ná aicme amháin, mar sin is mó an líon iomlán aicmí ná an 170 Dearadh a cláraíodh iarbhír

## APPENDIX I

## FOSCRÍBHINN I

### PERFORMANCE TARGETS 2005

### SPRIOCANNA FEIDHMÍOCHTA 2005

Area of Activity	Level of Achievement				An Réimse Gníomhaíochta	An Leibhéal a Baineadh Amach			
	Jan – Mar	Apr – June	July – Sept	Oct – Dec		Paitinní	Ean – Már	Air – Mmh	Iúil – MF
<b>Patents</b>									
<i>Issue formal filing receipts for correctly filed applications within 7 working days</i>	98%	98%	91%	95%	<i>Admhálacha foirmeálta comhdaithe a eisiúint laistigh de 7 lá oibre ar iarratais a comhdaiodh i gceart.</i>	98%	98%	91%	95%
<i>Issue certified copies of patent documents within 5 working days of receipt of request</i>	100%	100%	100%	100%	<i>Cóipeanna deimhniú de dhoiciméid paitinne a eisiúint laistigh de 5 lá oibre tar éis iarraidh a fháil</i>	100%	100%	100%	100%
<i>Issue confirmation of payment of patent renewal fees within 7 working days of receipt.</i>	99%	98%	99%	98%	<i>Dearbhú ar íoc táillí athnuachana paitinne a eisiúint laistigh de 7 lá oibre.</i>	99%	98%	99%	98%
<i>Process applications for registration of assignments within 10 working days of submission of a properly fully completed application.</i>	100%	98%	100%	100%	<i>Iarratais ar chlárú sannaithe a phróiseáil laistigh de 10 lá oibre tar éis iarratas atá comhlánaithe go hiomlán agus i gceart a bheith tagtha isteach.</i>	100%	98%	100%	100%
<i>Issue confirmation that applications for amendments to the patents register in respect of names and address of applicants, proprietors and patent agents and address for service have been recorded within 7 working days of receipt of a properly completed application.</i>	100%	94%	93%	91%	<i>Dearbhú a eisiúint go bhfuil iarratais ar leasuithe ar chlár na bpaitinní maidir le hainmneacha agus seoltaí iarratasóirí, úinéirí agus gníomhairí paitinne agus seoladh na seirbhíse taifeada laistigh de 7 lá oibre tar éis iarratas atá comhlánaithe i gceart a fháil.</i>	100%	94%	93%	91%
<i>Grant patents within 10 working days of receipt of grant fee</i>	99%	99%	100%	100%	<i>Paitinní a dheonú laistigh de 10 lá oibre tar éis an táille deonaithe a fháil.</i>	99%	99%	100%	100%
<i>Issue patent certificate and specification within 10 working days of publication.</i>	100%	100%	100%	100%	<i>imhniú paitinne agus sonraíocht a eisiúint laistigh de 10 lá oibre tar éis foilsithe.</i>	100%	100%	100%	100%
<i>Transmit European and PCT applications and relevant statistical data to EPO/WIPO within 5 working days of receipt</i>	100%	100%	100%	100%	<i>Iarratais Eorpacha agus CCP agus na sonraí staidrimh cuí a chur ar aghaidh chuig OPE/EDMI laistigh de 5 lá oibre tar éis iad a fháil</i>	100%	100%	100%	100%
<i>To approve the grant of short term patents within a period of 6 to 9 months from filing of a proper, complete application.</i>	80%	80%	75%	71%	<i>Deonú paitinní gearrthréimhseacha a cheadú laistigh de thréimhse 6 mhí go 9 mí tar éis d'iarratas cuí iomlán a bheith comhdaithe</i>	80%	80%	75%	71%
<i>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.</i>	92%	67%	65%	91%	<i>Tar éis gach doiciméad riachtanach agus freagraí ar agóidí oifigiúla a fháil a bhaineann le hiarratais ar phaitinní, cinneadh a ghlacadh maidir le paitinn a dheonú nó a dhiúltú laistigh de dhá mhí.</i>	92%	67%	65%	91%
<i>To ensure that notification of formal defects is issued within 15 working days of filing.</i>	98%	99%	98%	88%	<i>A chinntiú go n-eisítear fógra i dtaobh fabhtai foirmeálta laistigh de 15 lá oibre tar éis comhdaithe.</i>	98%	99%	98%	88%
<i>Issue confirmation that applications for amendments to the patent register (pending applications) have been recorded within 10 working days of receipt of properly completed application.</i>	100%	100%	100%	100%	<i>Dearbhú a eisiúint go bhfuil taifeadadh déanta ar iarratais ar leasuithe ar chlár na bpaitinní (iarratais ar feitheamh) laistigh de 10 lá oibre tar éis iarratas atá comhlánaithe i gceart a fháil.</i>	100%	100%	100%	100%
<b>Supplementary Protection Certificates</b>					<b>Deimhniú Cosanta Forlíontacha</b>				
<i>Issue notification of formal defects within 15 working days of filing date</i>	100%	100%	100%	100%	<i>Fógra i dtaobh fabhtai foirmeálta a eisiúint laistigh de 15 lá oibre tar éis an dáta comhdaithe</i>	100%	100%	100%	100%

## APPENDIX I (Continued)

### PERFORMANCE TARGETS 2005

Area of Activity	Level of Achievement			
	Jan – Mar	Apr – June	July – Sept	Oct – Dec
<b>Trade Marks</b>				
Issue formal filing receipts for correctly filed trade mark applications within 7 working days.	99%	91%	100%	93%
Issue reminder for trade mark renewal not later than 4 weeks before the expiration of the registration of the trade mark or any Renewal thereof.	100%	100%	100%	100%
To process assignment applications within 10 working days of receipt of fully completed application	100%	89%	98%	100%
Issue certified copies and extracts from the Trade Marks Register within 5 working days of application.	100%	100%	100%	100%
Issue a request for payment of registration fees within 10 working days of the expiration of the period for filing of opposition where no opposition is received	100%	100%	100%	100%
Where opposition is filed and the proceedings are determined in favour of the applicant, the request for registration fee will be issued within 10 working days of the expiration of the time allowed for appeal	100%	100%	100%	100%
Issue of renewal certificate within 7 working days of receipt of payment.	99%	100%	99%	99%
To issue confirmation that applications for amendments to the Trade Marks register in respect of names and addresses of proprietors and trade mark agents and address for service have been recorded within 7 working days of receipt of a properly completed application	100%	92%	93%	100%
Respond to 95% of correspondence on individual applications in examination within 6 weeks.	95%	95%	95%	95%
To issue initial objections/ acceptance letter within 12 weeks of receipt of new application in the Section.	100%	100%	100%	100%
To issue written grounds of decisions in hearings within 3 months of the hearing.	100%	90%	100%	100%
To issue preliminary search reports within 3 weeks of receipt of request.	100%	100%	100%	100%
To issue copy notice of opposition, application for revocation, application for invalidity within 2 weeks of receipt.	100%	100%	100%	100%

## FOSCRÍBHINN I (ar leanúint)

### SPRIOCANNA FEIDHMÍOCHTA 2005

An Réimse Gníomhaíochta	An Leibhéal a Baineadh Amach			
	Ean – Már	Aib – Mmh	Iúil – MF	DF – Noll
<b>Trádmharcanna</b>				
Admhálacha foirmeálta a eisiúint ar iarratais ar thrádmharcanna atá comhlánaithe i gceart laistigh de 7 lá oibre.	99%	91%	100%	93%
Cur i gcuimhne a eisiúint maidir le hathnuachan trádmharcanna tráth nach déanaí ná 4 seachtaine roimh dhul in éag chlárú an trádmhairc nó aon athnuachana air.	100%	100%	100%	100%
Iarratais ar shannadh a phróiseáil laistigh de 10 lá oibre tar éis iarratas atá comhlánaithe go hiomlán a fháil.	100%	89%	98%	100%
Cóipeanna deimhnithe agus sleachta as Clár na dTrádmharcanna a eisiúint laistigh de 5 lá oibre tar éis an iarratais.	100%	100%	100%	100%
Iarraidh ar íocaíocht táillí clárúcháin a eisiúint laistigh de 10 lá oibre tar éis dhul in éag na tréimhse chun freasúra a chomhdú i gcás nach bhfuil aon fhreasúra faighte.	100%	100%	100%	100%
I gcás go gcomhdaítear freasúra agus go gcinntear na himeachtaí i bhfabhar an iarratasóra, eiseofar an iarraidh ar tháille clárúcháin laistigh de 10 lá oibre tar éis dhul in éag an ama atá ceadaithe le haghaidh an achomhairc.	100%	100%	100%	100%
Deimhniú athnuachana a eisiúint laistigh de 7 lá oibre tar éis an íocaíochta a fháil.	99%	100%	99%	99%
Dearbhú a eisiúint go bhfuil taifeadadh déanta ar iarratais ar leasuithe ar Chlár na dTrádmharcanna i ndáil le hainmneacha agus seoltaí úinéirí agus gníomhairí trádmharcanna agus seoladh na seirbhíse laistigh de 7 lá oibre tar éis iarratas atá comhlánaithe i gceart a fháil.	100%	92%	93%	100%
Freagra a thabhairt ar 95% den chomhfhreagras ar iarratais aonair atá faoi scrúdú laistigh de 6 seachtaine.	95%	95%	95%	95%
Litir tosaigh agóidí/glactha a eisiúint laistigh de 12 sheachtain tar éis iarratas nua a fháil sa Rannóg.	100%	100%	100%	100%
Cúinsí scríofa a eisiúint faoi chinntí in éisteachtaí laistigh de 3 mhí tar éis na héisteachta.	100%	90%	100%	100%
Tuarascálacha tosaigh cuardaigh a eisiúint laistigh de 3 seachtaine tar éis an t-iarratas a fháil.	100%	100%	100%	100%
Cóip den fhógra freasúra, den iarratas ar chúlghairm, den iarratas ar neamhbhailíocht a eisiúint laistigh de 2 sheachtain tar éis iad a fháil.	100%	100%	100%	100%

## APPENDIX I (Continued)

### PERFORMANCE TARGETS 2005

Area of Activity	Level of Achievement			
	Jan – Mar	Apr – June	July – Sept	Oct – Dec
<b>Trade Marks</b>				
To respond to 95% of correspondence on individual applications (Opposition, revocation, invalidity) within 5 weeks.	100%	100%	100%	100%
To respond to individual requests for extension of time prior to the current deadline, where those requests are made not later than 2 weeks before expiry of current deadline.	100%	100%	100%	100%
Issue registration certificates within 10 working days of receipt of registration fee.	98%	99%	99%	99%
Issue an overdue reminder for any unpaid registration fee within 7 working days after the 2 month time period permitted for payment has elapsed	100%	100%	100%	100%
Transmit CTM application received in the office with 5 working days of receipt to OHIM	100%	100%	100%	100%
Area of Activity	Level of Achievement			
<b>Designs</b>	Jan – Mar	Apr - June	July – Sept	Oct – Dec
Issue formal filing receipts for correctly filed design applications within 7 working days.	100%	100%	88%	98%
Issue initial objections letter/acceptance letter within 12 weeks of receipt of application.	100%	100%	100%	100%
Respond to 95% of correspondence on individual applications in examination within 5 weeks.	100%	100%	100%	100%
Issue Design registration certificates within 14 working days of the application being accepted by examination division.	100%	100%	100%	100%
Area of Activity	Level of Achievement			
<b>General</b>	Jan – Mar	Apr - June	July – Sept	Oct – Dec
Issue cash receipts for all fees received within 2 working days	99%	99%	100%	98%

## FOSCRÍBHINN I (ar leanúint)

### SPRIOCANNA FEIDHMÍOCHTA 2005

An Réimse Gníomhaíochta	An Leibhéal a Baineadh Amach			
	Ean – Már	Aib – Mmh	Iúil – MF	DF – Noll
<b>Trádmharcanna</b>				
Freagra a thabhairt ar 95% den chomhfhreagras ar iarratais aonair (freasúra, cúlghairm, neamhbhailíocht) laistigh de 5 seachtaine.	100%	100%	100%	100%
Freagra a thabhairt ar iarrataí aonair ar shíneadh ama roimh an sprioc ama reatha, i gcás go ndéantar na hiarrataí sin tráth nach déanaí ná 2 sheachtain roimh dhul in éag na sprice ama reatha.	100%	100%	100%	100%
Deimhnithe clárúcháin a eisiúint laistigh de 10 lá oibre tar éis an táille clárúcháin a fháil.	98%	99%	99%	99%
Cur i gcuimhne thar téarma a eisiúint ar aon chlárú neamhíochta laistigh de 7 lá oibre tar éis don tréimhse 2 mhí atá ceadaithe le haghaidh íocaíochta a bheith imithe in éag.	100%	100%	100%	100%
Iarratais TE a fuarthas san Oifig a chur ar aghaidh chuig EDMI laistigh de 5 lá oibre.	100%	100%	100%	100%
An Réimse Gníomhaíochta	An Leibhéal a Baineadh Amach			
<b>Dearthaí</b>	Ean – Már	Aib - Mmh	Iúil – MF	DF – Noll
Admhálacha foirmeálta comhdaithe a eisiúint laistigh de 7 lá oibre ar iarratais ar dhearthaí atá comhlánaithe i gceart.	100%	100%	88%	98%
Litir tosaigh agóidí / litir glactha a eisiúint laistigh de 12 sheachtain tar éis an t-iarratas a fháil.	100%	100%	100%	100%
Freagra a thabhairt ar 95% den chomhfhreagras ar iarratais aonair faoi scrúdú laistigh de 5 seachtaine.	100%	100%	100%	100%
Deimhnithe clárúcháin dearthaí a eisiúint laistigh de 14 lá oibre tar éis don rannóg scrúdaithe an t-iarratas a ghlacadh.	100%	100%	100%	100%
An Réimse Gníomhaíochta	An Leibhéal a Baineadh Amach			
<b>Ginearálta</b>	Ean – Már	Aib – Mmh	Iúil – MF	DF – Noll
Admhálacha airgid a eisiúint laistigh de 2 lá oibre ar gach táille a fuarthas.	99%	99%	100%	98%