



OIFIG NA BPAÍTINNÍ

IRISH PATENTS OFFICE

# 2017 ANNUAL REPORT

# Foreword



In accordance with the provisions of Section 103 of the Patents Act, 1992, I have the honour to submit my Annual Report to the Minister for Business Enterprise and Innovation for the year ended 31 December 2017.

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

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

The Patents Office is the statutory office with responsibility for the grant and registration of intellectual property rights in Ireland, specifically patent, trade mark and industrial design rights. Through the provision of services associated with these rights, the Patents Office aims to assist people, business, industry and enterprises to realise the full economic potential of their intellectual property.

The Office is an independent statutory office under the aegis of the Department of Business, Enterprise and Innovation and its activities support a number of the Department's strategic goals which include fostering an entrepreneurial culture, creating an innovative enterprise base and maintaining a regulatory environment which is one of the more progressive and supportive environments for enterprise.

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

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

During 2017 staff in the Office continued to progress several key projects involving the reintroduction of substantive examination of patent applications from May 2017, the introduction of patents and SPC e-filing, reconfiguring our systems and procedures to take account of technical and legislative changes including those arising from the EU Trade Marks Directive as well as the redevelopment of the Office's website. I would like to acknowledge the considerable work effort and contribution of the staff of the Office during 2017 and their commitment to continued improvement of services. My report provides more information on how the Office discharged its various statutory functions and ancillary activities and is supported by a range of business statistics.

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

**CONTROLLER, PATENTS OFFICE**

# General Commentary on Trends and Activities

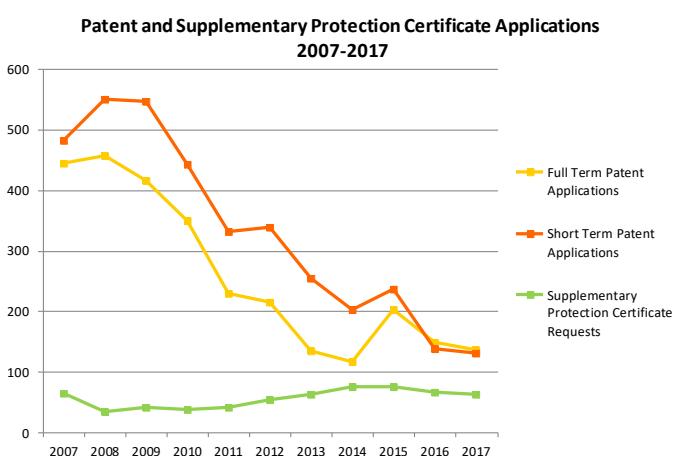
## Trends

The Irish economy continued to grow in 2017, mainly due to very strong domestic activity and a better than expected growth in GDP. The manufacturing sector in particular grew strongly, expanding by 5.1% and the information and communications sector expanded by 5.8%. While Ireland remains one of the fastest growing economies in Europe, risks to the economic outlook are very strongly linked to the outcome of the Brexit negotiations between the UK and the EU. In September 2017, the EU Commission published a position paper on Intellectual Property Rights which contained the main principles of the EU in relation to the treatment of some IP rights in a post Brexit EU. The withdrawal of the UK from the EU will create a degree of uncertainty for both UK and EU stakeholders in terms of the protection of their Intellectual property rights. The main purpose of the paper was to give some degree of certainty to rights holders with regards to their IPRs as part of the Brexit negotiations. This paper specifically mentions rights having “unitary character in the Union”, such as the EU Trade Mark and Design right, as well as geographical indications, and applications for these rights and SPCs and database rights. It also recognises the uncertainty around the future of existing “EU” IP rights in the UK for rights holders in both the UK and the remaining EU27. Further information is contained in the section entitled *“Brexit and its possible impact on Intellectual Property Rights”*.

## Patents and SPCs

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

The World Intellectual Property Organisation (WIPO) in their 2017 publication of World Intellectual Property Indicators, in terms of IPR filing activity worldwide by country, ranked Ireland 28th for patent filings, 53rd for trade marks and 52nd for designs.



- National full term Patent filings received during 2017 decreased by 7% on the 2016 total (from 149 to 137) while the number of short term patent applications filed also decreased by 5% on 2016 (from 138 to 131).
- Applications for Supplementary Protection Certificates (SPCs) decreased slightly in 2017 from 66 in 2016 to 63 in 2017.

# General Commentary on Trends and Activities

## Irish resident foreign patent filings at selected patent authorities

	2012	2013	2014	2015	2016	2017
PCT <sup>1</sup>	391	432	438	457	441	477
EPO <sup>2</sup>	609	566	622	614	682	593
UK	336	361	352	330	298	n/a
USA <sup>3</sup>	947	1,039	1,068	1,245	1,408	n/a

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

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

<sup>1</sup> PCT applications (international phase) filed by Irish residents .

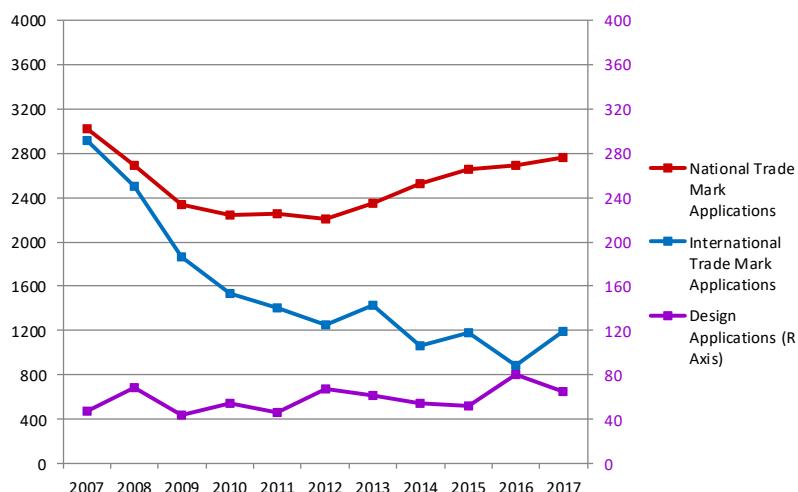
<sup>2</sup> Analysis based on European patent applications filed with EPO (Direct European applications and International (PCT) applications entering European phase

<sup>3</sup> US filings refer to utility patents also known as patents for inventions.

## Trade Marks and Designs

The number of national trade mark applications received increased by 2% during 2017. This continues the upward trend over the past 4 years with applications now running 20% above the levels experienced between 2010 and 2012. This can be attributed to a number of factors including an overall increase in business activity in Ireland arising from the continuing economic recovery. The figures in respect of International Registrations (IR's) increased significantly in 2017 from 891 in 2016 to 1,195 in 2017, an increase of 34% over the previous years figure. This is reflective of the clearance of a large backlog of new applications received by WIPO as opposed to any other factors. The figure is expected to stabilise in 2018.

**Trade Mark and Design Applications 2007-2017**



- The total number of national trade mark applications received in 2017 showed a 3% increase over the 2016 figure (from 2,694 to 2,765). There has been a steady increase since 2012 which can be attributable to the continuing growth and development of the economy and a return to market confidence.
- International applications for marks seeking protection in Ireland increased significantly by 34% by comparison to 2016 (from 891 to 1,195).
- Applications for the registration of industrial designs decreased from 80 in 2016 to 65 in 2017.

# General Commentary on Trends and Activities

## European Union Trade Marks (EUTMs)

The European Union Trade Mark (previously termed a Community Trade Mark) came into effect on 1st April 1996 and gives the proprietor a single registration, which is valid in all 28 EU countries. Filings of European Union Trade Mark (EUTM) applications by Irish resident applicants in 2017 decreased slightly from 1,156 applications in 2016 to 1,143 applications in 2017.

EUIPO Trade Mark applications and registrations by Irish resident persons<sup>1</sup>

	2014	2015	2016	2017
EUTM applications	1,027	1,074	1,156	1,143
EUTM registrations	1,004	966	1,019	1,034

Source: EUIPO Statistical travel pack by country

<sup>1</sup> Some historical figures may vary from year to year due to ongoing updating of EUIPO statistical databases.

## International Trade Marks

The Madrid Protocol is an international system of trade mark registration, which is administered by the International Bureau of the World Intellectual Property Organisation (WIPO). The Madrid system offers a trade mark owner the possibility to obtain trade mark protection in several countries by filing a single application. The Madrid system also requires that an international application must be based on a national or EU trade mark application or registration (referred to as the basic application or registration) filed through the Irish Patents Office or the EUIPO which is known as the "Office of Origin". An international mark is equivalent to an application or a registration of the same mark effected directly in each of the countries designated by the applicant. The Madrid system offers a smart business solution for any company seeking to protect and manage its marks in international markets (usually outside the EU) and the extent to which it is used by Irish resident companies can provide a useful indicator of their intent to break into foreign markets and to create new markets for existing and new product ranges. The International Bureau of WIPO recorded 165 international registrations for holders of marks domiciled in Ireland in 2017. These registrations include 1,717 designations of other Madrid members in which the holders sought to extend protection for their marks. Next a total of 258 additional Madrid members were subsequently designated in already existing international registrations from Ireland, in order to extend their original geographic scope of protection to additional Madrid member countries or jurisdictions.

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

	2014	2015	2016	2017
Number of International Registrations	181	158	175	165
Designations	1,297	1,337	1,601	1,717
Subsequent Designations	169	360	339	258

Source: WIPO Madrid Yearly Review for 2014—2017.

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

# General Commentary on Trends and Activities

## BREXIT AND ITS POSSIBLE IMPACT ON INTELLECTUAL PROPERTY RIGHTS

The United Kingdom's (UK) departure from the European Union (EU) on 29 March 2019, will mean that a number of intellectual property rights deriving from EU Regulations will no longer apply to the UK. Registered trade marks and registered designs are the most harmonised forms of IP rights in the EU, which means they will be the most affected by Brexit. Irrespective of whether there is an agreed transitional period, from that date existing EU registered trade marks and designs will no longer cover or have protection in the UK.

However, it is anticipated that transitional arrangements will be put in place to automatically convert EU Trade Marks (EUTM's) and Registered Community Designs (RCD's) into corresponding UK national rights whilst retaining priority. Should this come to pass, it will mean that the converted rights will retain all relevant dates and fall due to be renewed as both EU rights and UK rights on the same day. However, come renewal date, rights holders will most likely have to pay renewal fees to both the EUIPO and the UKIPO, resulting in increased renewal fee costs, unless the EUIPO reduces its fees to reflect the reduced geographical coverage of EUTM's and RCD's.

All applications (EUTM or RCD) received by the EUIPO on or after 29<sup>th</sup> March 2019 will only cover the remaining EU27 Member States. Applicants whose applications (EUTM or RCD) are pending at the EUIPO on 29<sup>th</sup> March 2019 should anticipate that if their application proceeds to registration that it will not have any protection in the UK. Therefore, in order to acquire protection for their rights in the UK post-Brexit it will be necessary to file for a separate UK trade mark or design.

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

There is a danger that an EUTM, that has only been used solely or primarily in the UK, could be vulnerable to revocation. The EUTM Regulation provides that a EUTM can be revoked where there has been no genuine use of the mark in the EU for a continuous five-year period and there are no proper reasons for non-use. Following Brexit, use in the UK may not count. Similarly, it is unclear whether European Trade Marks that are converted into UK rights, but are not currently in use in the UK, will be able to continue to rely on previous use elsewhere in the EU.

Existing common law in the UK will be unaffected and trade mark rights under the tort of passing-off will remain enforceable. However, post-Brexit the protections afforded to designs under the Unregistered Community Design provisions are unlikely to apply in the UK, but may be covered under UK domestic unregistered design rights.

As the UK is a party to the Patent Co-operation Treaty and the European Patent Convention, neither of which rely on EU membership for effect, there will not be any significant changes in respect of patents. On the other hand, the coming into effect of the Unitary Patent and the Unified Patent Court (UPC) could be delayed as the UK is a compulsory member for the UPC to take effect. Although they are applied for and granted individually at national level, Supplementary Protection Certificates (SPCs) for medicinal and plant protection products are governed by EU law, which will no longer apply in the UK, and therefore they will be impacted by Brexit. However, it is anticipated that agreement can be reached to ensure that granted SPCs will be recognised in the UK for the remainder of their duration. Though it is less certain whether the UK government would wish to offer 'new' SPC protection disputes post-Brexit, and if so, whether the terms would be similar to the current EU system. Furthermore, it seems very likely that the pharmaceutical industry in the UK will lobby the government to provide a very similar regime for 'new' SPC protection post-Brexit – with the UK Supreme Court replacing the CJEU as the final arbiter in disputes.

# Patents Office Mission and Objectives

The central mission of the Patents Office is:

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

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

A new Statement of Strategy for the period 2017-2019 was completed in December 2016 and sets out the objectives which the Office will be working towards over the next 3 years. The following commentary and accompanying statistical report considers the activities of the Office in the context of delivering on the six main objectives set out in the Strategy Statement 2017-2019. These six objectives are seen as central to fulfilling the mission of the Office and maintaining its operational efficiency.

## Objective 1

### Provide excellent customer service

The Office continued to deliver its services with increasing efficiency and effectiveness in 2017, with the majority of customer service targets being met to a very satisfactory level.

During 2017, the Office drew up a new customer service plan for the period 2017-2019 which ensured that customer service targets were appropriate to the introduction and development of e-services, new functions and available staff resources. Our commitment to quality customer service is outlined in our Customer Service Action Plan which sets out 42 customer service targets which establish optimum time limits for carrying out various customer tasks. These are detailed in the "Performance Targets" section of the report. The Customer Service Action Plan is available on the Office's website.

The Office is committed to continuously reviewing its administrative procedures with a view to achieving maximum efficiency. Delivery of the e-communications programme is paramount as is the delivery of online e-filing for IP rights. The Patents Office currently has an e-filing system for trade mark and design applications. A key benefit for users of the system is the assurance they have that any terms that they choose from the approved harmonised classification list contained in TM Class will be accepted by the Office. This has helped to streamline the application process and provide a degree of additional predictability for users. It also assists the examination process, leading to quicker decisions on applications for protection. By the end of 2017, 90% of all trade mark applications were filed online via the Office's website. Paper files are no longer created for trade mark and design applications which are received electronically and a largely paperless process is in place for search and examination which is in line with best international practice.

Preliminary work began during 2016 on the development of an e-filing system for Patent and SPC applications and continued throughout 2017. A application template tool was also developed which will assist unrepresented applicants in navigating the patent filing process. Patent & SPC e-filing will be introduced during 2018, thus ensuring the Office is compliant with the Government's requirement that all licensing and authorisation procedures for business are available online before the end of 2018.

In addition to online free-of-charge access to its registers, databases, and Official Journal, the Office also provides online access to various customer friendly search tools such as TMView, DesignView, Espacenet and the Federated Patent Register.

## **Objective 2**

### **Ensure effective business processing resulting from ICT infrastructure improvements**

During 2017, staff continued to refine the work processes and technology solutions that underpin its core products and services to provide more efficient service delivery.

The Office's e-services programme aims at improving service delivery and more efficient processing by combining electronic filing, electronic file processing and electronic communications in a way that will ultimately facilitate the introduction of largely paperless processing in the Office. Already the Office has gone some way to achieving this as the vast majority of Office correspondence is now issued by email and customers are encouraged to correspond by e-mail with the Office, where possible. The Office introduced e-filing of trade mark applications in 2014, design e-filing in 2015 and is currently developing e-filing for patents and SPCs with a go-live date in 2018. In 2011 the Office introduced an electronic drop box to facilitate the submission of encrypted patent, trade mark and design applications electronically and securely. The drop box is used by IP attorneys and at the end of 2017, 24 firms had access to the facility. The drop box facility will be discontinued when patent and SPC e-filing becomes operational.

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

During the year the Office continued to benefit from the assistance of the European Union Intellectual Property Office (EUIPO) Co-operation Fund which provides assistance to EU National Offices with training and the development and implementation of web-based tools to support the trade marks and designs life-cycle.

The Office also engages in various co-operation and training activities as a participant in the European Patent Network which is supported by the European Patent Office (EPO). As part of the "Quality at source initiative" the Office has begun working with the EPO to improve the quality of patent data transmitted to the EPO. For its own part, the Office is continuing with a project to expand the amount of national patent documents which are electronically archived. This project commenced in 2013 and continued throughout 2017 and has the aim to scan all available patent application specification documents from the 1960s to the early 2000s, and to make them available to the public to view on the website. It is estimated that there are approximately 58,000 documents to be scanned. The project continued in 2017 with over 38,000 documents scanned to date. As a cost saving measure and to allow continued access to the documents, the Office decided not to outsource this work and is using its own internal staff resources and equipment.

In relation to improving technological efficiencies, five substantive enhancements and upgrades to aspects of the PTOLEMY administration system were developed during the year, all of which were aimed at improving operational efficiency and ensuring the Office's core business systems remain current.

## Objective 3

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

The regulation of intellectual property rights in Ireland is a vital part of the overall legislative framework that promotes, protects and encourages innovation. It is consistent with best international practice, reflecting the country's commitment to EU Intellectual Property Law and to other international treaties and conventions, such as the European Patent Convention and the various Treaties and Agreements of the World Intellectual Property Organisation. The Intellectual Property Unit (IPU) of the Department of Business, Enterprise and Innovation has responsibility for intellectual property policy and preparation of legislation in this field. The Patents Office furnishes advice and assistance on these matters, in particular on the impact of proposed legal or regulatory changes on the work of the Office. Matters on which the Office provided input and observations during 2017 were:

- **The Knowledge Development Box (Certification of Inventions) Act 2017 (No 6 of 2017)** came into operation in May 2017. The Knowledge Development Box (KDB) was introduced in the Finance Act 2015 to provide a reduced corporation tax rate of 6.25% for income generated from exploiting certain intellectual property assets resulting from research and development. However, a KDB Certificate is required for small companies which have assets in the form of intellectual property (IP) equivalent to a patentable invention which have not been patented or otherwise made public. The Controller of Patents, Designs and Trade Marks is empowered to provide the necessary certification if the submitted invention is novel, non-obvious and useful. The Controller will issue a KDB certificate if he is satisfied that all requirements of Part 2 of the KDB Act are met. On receipt of a certificate, a company will be in a position to make a claim for tax relief to Revenue.
- **The Patents (Amendment) Rules 2017 (S.I. No 206 of 2017)** arose from an amendment to the Patents Act 1992 included in the KDB Act which re-introduced substantive examination of Irish patent applications. The rules set out the procedural changes to support substantive examination including the submission of a search report and written opinion as to patentability of an invention. Third party observations to the Controller in relation to the patentability of applications are also provided for.
- The drafting of Regulations and Rules to transpose Directive (EU) 2015/2436 of the European Parliament and of the Council of 16 December 2015 amending Directive 2008/95/EC relating to trade marks.

## Objective 4

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

One of the main objectives of the Patents Office is to assist businesses, innovators and entrepreneurs to understand how IP can help them create value from their ideas and to be able to access information on IPRs (Intellectual Property Rights) which will enable them to use, manage and enforce their intellectual property to its fullest potential. The Office has specifically directed its IP awareness programme towards assisting small and micro-enterprises and individual entrepreneurs and innovators. The Office continued with its outreach programme of increasing awareness of intellectual property amongst the general public and directed particularly at the small business start-up sector and students. During 2017, the Office participated in 60 events speaking on IP at "Start your own business" courses run by the Local Enterprise Offices. The Office engaged in IP awareness raising activities at various business advice and enterprise exhibitions throughout the country, including the All Ireland SME Summit, the National Ploughing Championships and at the Medical Technology Ireland event in Galway. Additionally, the Office co-hosted an IP seminar with Enterprise Ireland in Dublin as well as taking part in the National Research & Innovation Expo and various events including the Business Support Showcase during Enterprise Week. The Office also held 47 IP clinics in 2017, which give an opportunity to the public, inventors, entrepreneurs and business people to discuss on a one-to-one basis with Patents Office staff, matters concerning IP applications they intend to make or have already made to the Office. This approach has been found to be very helpful in providing basic guidance on procedures and forms required for the registration of IP rights, the processes of obtaining IP protection in Ireland or abroad. Assistance in constructing a do-it-yourself search strategy for patents, trade marks and designs and accessing and using online patent, trade mark and design databases is also provided.



A significant part of the Office's awareness raising efforts is directed at second level students through involvement with the BT Young Scientist & Technology Exhibition and the annual Student Enterprise Awards. The Office continued with its sponsorship of an award presented to the student whose project best demonstrates the use of technology in new or improved applications, enhanced efficiencies and novel innovations. The winners of the 2017 Patents Office sponsored prize were Lucy Leonard & Michelle Mann, Tullamore College, Co Offaly with their project entitled; "Investigating The Difference In Bacterial Contamination When Handling and Using a Device to Insert Contact Lenses".



The Student Enterprise Awards run by the Local Enterprise Board is the biggest enterprise competition for second level students in Ireland with 16,000 participants. The National Finals took place in April 2017. The winners of the Intellectual Property awards were: Our Ladys Secondary School, Belmullet, Co Mayo, pictured left, (Junior category) for "Barony Boxes" ; St Tiernans College, Crossmolina, Co Mayo with "Insert Strainer" (Intermediate category) & St Clare's College, Ballyjamesduff, Co Cavan for "Fiacla Bán" (Senior category). The competition provides an excellent vehicle for the Office to engage with student entrepreneurs to promote awareness of IP when developing a business idea and establishing a successful enterprise. The SEA workbook incorporates a chapter specifically relating to Intellectual Property, reinforcing awareness of IP amongst second level students. The Patents Office will continue its involvement with the Student Enterprise Awards into the future.

## **Objective 5**

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

As of 31 December 2017 the Office had 46 authorised posts, the same as in 2015 and 2016. However when career breaks, work-sharing and other family friendly working arrangements are taken into account, the Office operated with a staffing level of 42.58 full time equivalents during 2017. The number of staff working in the Office has decreased significantly since the Office first decentralised to Kilkenny in 1998. Since 2008, for example, the number of staff has decreased by 27% from 63 to the present level of 46. The Office has sought to meet the demands of high levels of public service with less staff resources and without compromising operational effectiveness through better and more efficient procedures and use of technology.

The Office is committed to ensuring that all staff performance is appraised regularly and that staff reviews are completed in a timely fashion. The Performance Management Development System (PMDS) links to the Office's annual business plan and affords each member of staff the opportunity to set individual goals, to initiate and deliver change and continue to improve work practices in order to deliver an efficient and high quality service. In accordance with the PMDS system, a Training Development Plan was drafted which took into account the various training needs which staff had identified in their personal development plans for 2017. Outside of continuing on-the-job training, staff undertook a total of 43 training days during 2017. Training was provided in areas such as economics, financial systems, communication skills and Freedom of Information.

Staff have continued to play a pivotal role in reducing energy consumption within the Office in line with the Public Sector Programme contained in the Government's Energy Efficiency Action Plan. The plan has a target of reducing energy consumption, increasing staff awareness of energy efficiency and monitoring the performance of heating/air conditioning equipment. The energy saving measures put in place by staff have resulted in significant energy consumption savings in the past year (compared with 2008, the benchmark year) and a consequential saving in energy costs. Energy consumption in the building has been reduced by 25.5% since joining the Optimising Power@Work campaign in 2008.

## **Objective 6**

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

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

The Office also has bilateral co-operation programmes with the EPO and the EUIPO under which it receives assistance towards participation in various IP awareness raising events, specialist IP training, ICT projects to facilitate IP data exchanges, the development of tools to provide better access to IP information and the harmonising of practices and procedures. Our participation facilitates dialogue on the content and structure of co-operation programmes between those organisations and other national IP Offices in Europe which in turn enables the Office to further enhance or develop its customer services in line with best international practice. Both the EPO and the EUIPO offer alternative routes to obtaining IP protection in Europe and the Office's involvement ensures it keeps abreast of international best practice and facilitates collaboration with other national and international intellectual property offices.

# International Co-operation



The Office participates in co-operation activities with its international counterparts, the EUIPO and the EPO on a number of projects, which are designed to promote harmonisation across national IP offices, and make things easier for users of the patent, trade mark and design systems.

## EUIPO CO-OPERATION

The Co-operation Programme of the EUIPO, launched in 2011, links EUIPO with National Offices and User Associations to reach common ground in areas where IP offices have different practices. It complements the work being done to create common IT tools taking place under the Cooperation Fund. Staff of the Office participate in the Working Groups established for each convergence project. The main benefits for users arising from the various Convergence Programmes are:

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

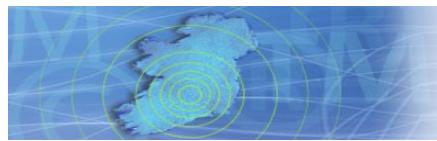
The Office has also received support from EUIPO for maintaining its flagship tools TM View and Design View. In addition, under a bilateral agreement with EUIPO, the Office availed of assistance towards the cost of a range of awareness raising events where information on the Community Trade Mark and Community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

In conjunction with the launching of the EUIPO Strategic Plan 2020, a new suite of Cooperation Projects has been launched with the expectation of building on the success achieved under the previous Strategic Plan 2011-2015. The Office is represented on the EUIPO's Working Group for Convergence Analysis and continues to work closely with EUIPO on the technical aspects of the Transposition of the Trade Marks Directive which will result in the introduction of new trade mark types in January 2019.

## EPO CO-OPERATION

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

# Office Website and Publications



## Patents Office Website

The website ([www.patentsoffice.ie](http://www.patentsoffice.ie)) provides a general introduction to intellectual property and specific information about how to protect your ideas as well as including a section on IP for business. Material published on the website includes previous years annual reports, a range of IP information booklets, the Office's current statement of strategy and customer service action plan and all primary and secondary legislation governing the functions of the Patents Office.

The following services are available online:

- View and search the Registers and Databases - search for patents, trade marks, designs
- Access and view the registers of copyright licensing bodies
- Access and view the registers of patent and trade mark agents
- Pay patent, trade mark or design renewal fees online
- Pay patent grant and trade mark registration fees online
- View the decisions of the Controller in trade mark inter-partes cases
- Search and view the Patents Office Journal online
- Online filing of Trade Marks and Designs
- View and search TM View and Design View
- Assistance in selecting trade mark classifications using TMClass

The Office's website continued to be the main vehicle for making information on IP available to the public as well as an efficient means of providing a range of interactive search and fee payment services. The number of visits to the website averaged over 23,500 per month or 283,500 per annum in 2017. 63% were new visitors. As in previous years the interactive online register search pages continue to remain the most popular with over 241,000 visits in 2017.

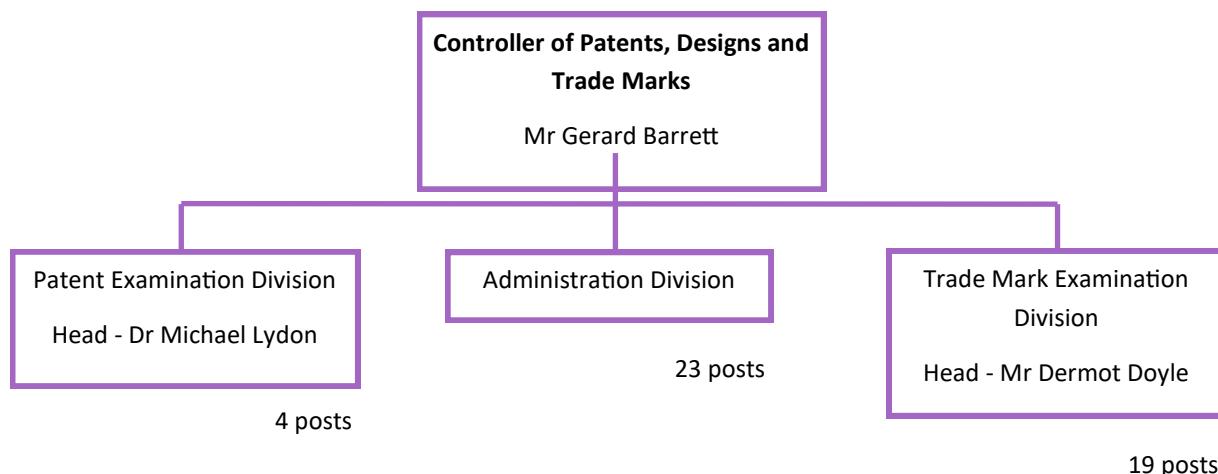
Work continued throughout 2017 on a major re-design of the IPO website so that it has the attributes and requirements of modern websites in terms of usability, accessibility, functionality, visual presentation and responsiveness and thereby increase customer satisfaction and usage. The new website will be launched in 2018.

## The Official Journal

The fortnightly journal is published on the website and each journal issue has a searchable index, along with information on actions relating to patent, trade mark and design applications and registrations. For example, it is possible to view details of accepted trade marks and designs in any journal. The journal also contains details of patents applied for, published and granted, including patents granted under the European Patent Convention designating Ireland.

The journal also contains information such as official notices, details of methods of payment of statutory fees and Patents Office opening hours. In 2012, an interactive facility was introduced into the online journal which now allows users access to the Register extract for any particular patent, trade mark or design contained within a journal by clicking on a hyperlink within the journal.

# Organisation Structure and Personnel

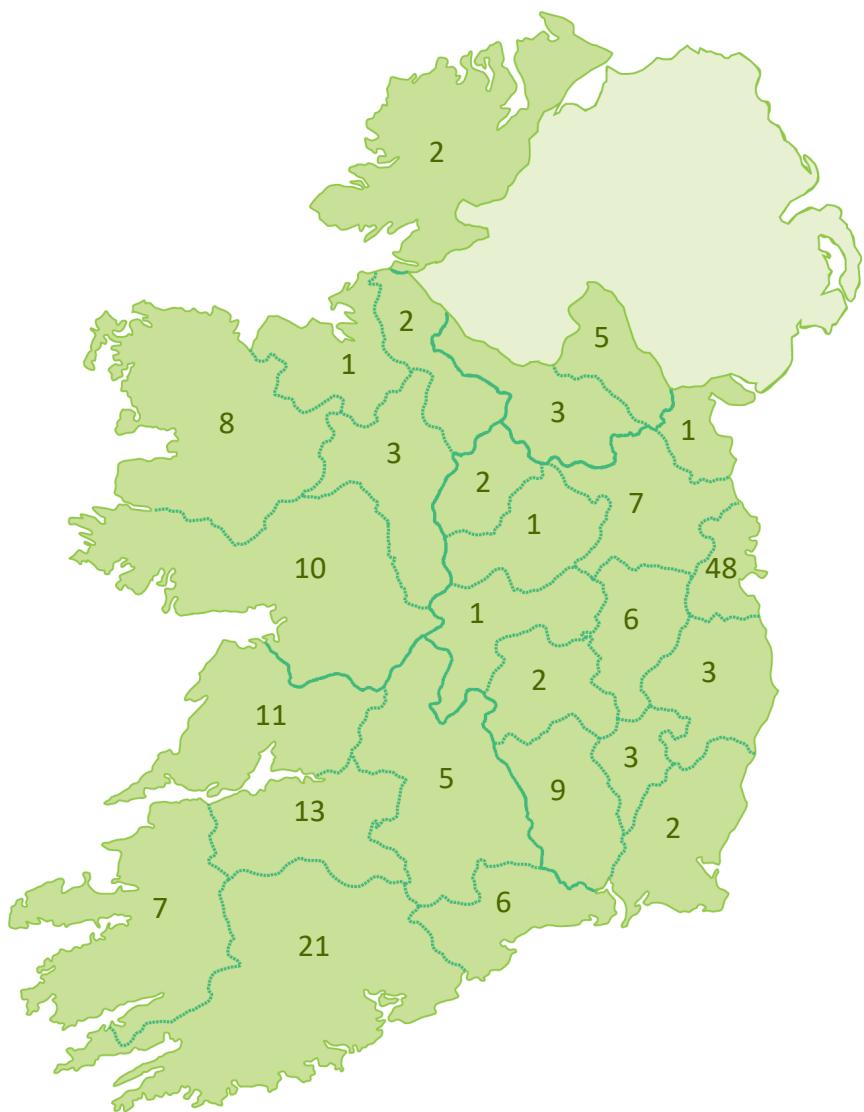


## Staff Numbers

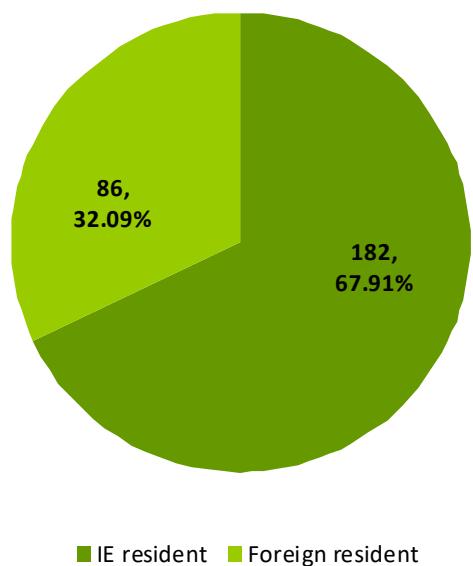
Title	Number of posts
Controller	1
Senior Patent Examiner	1
Assistant Principal	1
Higher Executive Officer	4
Patent Examiner	3
Administrative Officer	1
Executive Officer	18
Clerical Officer	16
Services Officer	1
<b>TOTAL</b>	<b>46</b>

The staff figure of 46 includes 2 Higher Executive Officers, 1 Administrative Officer, 6 Executive Officers and 4 Clerical Officers who availed of a work-sharing scheme, which permits a variety of attendance patterns. Three staff availed of a teleworking scheme, which permits staff to carry out their duties from home for part of the week. The number of full-time equivalent posts in the Office on 31 December 2017 was 42.58. The Department of Enterprise, Business and Innovation provides information technology services to the Office. There are four staff members of the Department's IT Unit situated in the Office.

# Business Statistics - Patents



National patent applications by country of first applicant.



## National patent applications by county in 2017

APPLICATIONS RECEIVED			YEAR	PATENTS GRANTED		
Full Term	Short Term	TOTAL		Full Term	Short Term	TOTAL
203	237	440	2015	48	78	126
149	138	287	2016	64	100	164
137	131	268	2017	60	27	87

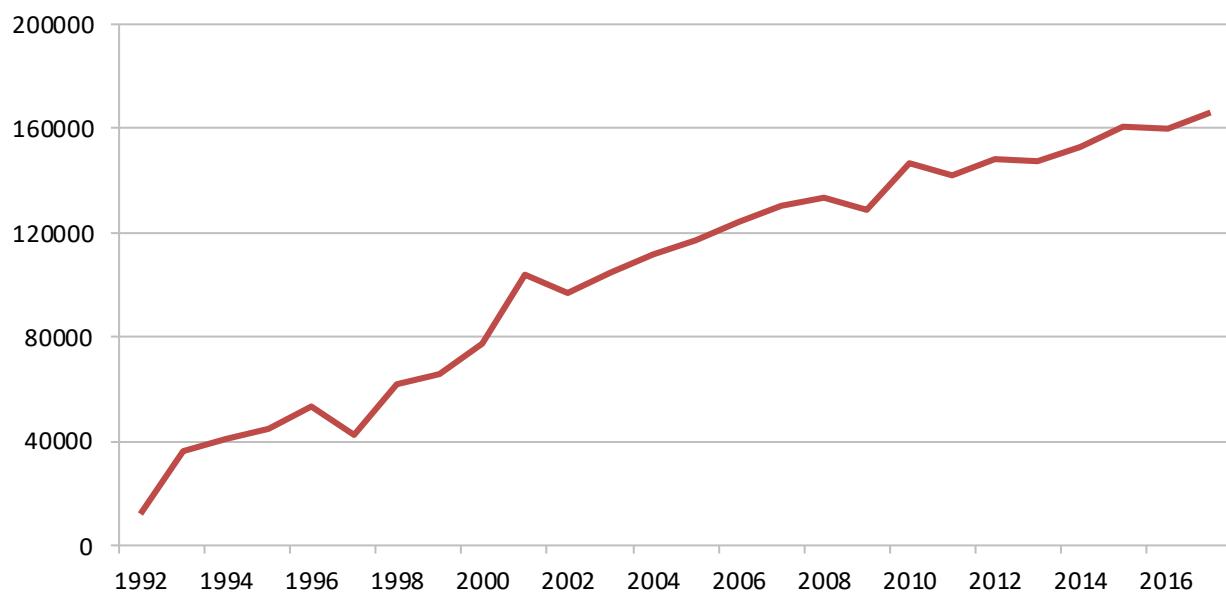
As at 31 December 2017, there were a total of 1,166 pending applications on hand. Of these, 180 applications were awaiting the submission of evidence of novelty. The number of applications received from applicants in the State was 182 compared with 202 in 2016.

## European Patent Applications designating Ireland

Year	Filings	Year	Filings	Year	Filings
1992	11,755	2001	103,659	2010	146,726
1993	35,762	2002	96,779	2011	141,373
1994	40,705	2003	104,529	2012	147,551
1995	44,161	2004	111,537	2013	147,487
1996	52,755	2005	117,096	2014	152,400
1997	41,875	2006	123,912	2015	160,028
1998	61,584	2007	129,890	2016	159,358
1999	65,708	2008	133,248	2017	165,629
2000	76,806	2009	128,378		

This table shows the total number of European applications designating Ireland (first arising in 1992). This figure is not included in the total number of patents granted in 2017 having effect in the State. These patents were entered in the national Register of Patents and have the same legal status as if they had been granted by the Office.

## European Patent Applications designating Ireland



## Patents granted in 2017 having effect in the State

2017	Total	Number of patents granted to Applicants from within the State	% of patents granted to Applicants from within the State
Granted by Office	87	41	47%
Granted by EPO	101,109	447	0.44%
<b>Total Grants</b>	<b>101,196</b>	<b>488</b>	<b>0.48%</b>

## Patent Register Data

	2015	2016	2017
<b>Patents and patent applications the subject of assignments</b>	1,188	887	794
<b>Patents revoked</b>	0	0	0
<b>Patents surrendered</b>	1	2	1
<b>Patents lapsed</b>	55,035	61,306	77,528
<b>Patents restored/reinstated</b>	13	10	6
<b>Patents renewed</b>	42,740	44,729	47,837
<b>Patents expired</b>	1,064	1,198	1,240
<b>Patents in force</b>	118,273	147,125	169,453
<b>Hearings</b>	0	1	0
<b>PCT applications received for transmission to WIPO</b>	21	23	15
<b>European patent applications received for transmission to EPO</b>	1	4	2

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

### Requests for Supplementary Protection Certificates

A total of 63 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, 74 certificates were granted (medicinal and plant protection), 10 were rejected and 11 requests were withdrawn. At the end of the year there were 175 requests pending.

### Register of Patent Agents

At the end of 2017, there were 86 individuals and 7 partnerships entered in the Register of Patent Agents.

## CLASSIFICATION OF PATENTS GRANTED BY THE OFFICE IN YEAR ENDED 31 DECEMBER 2017 ACCORDING TO THE INTERNATIONAL PATENT CLASSIFICATION (IPC)

### Note on Patent Classification

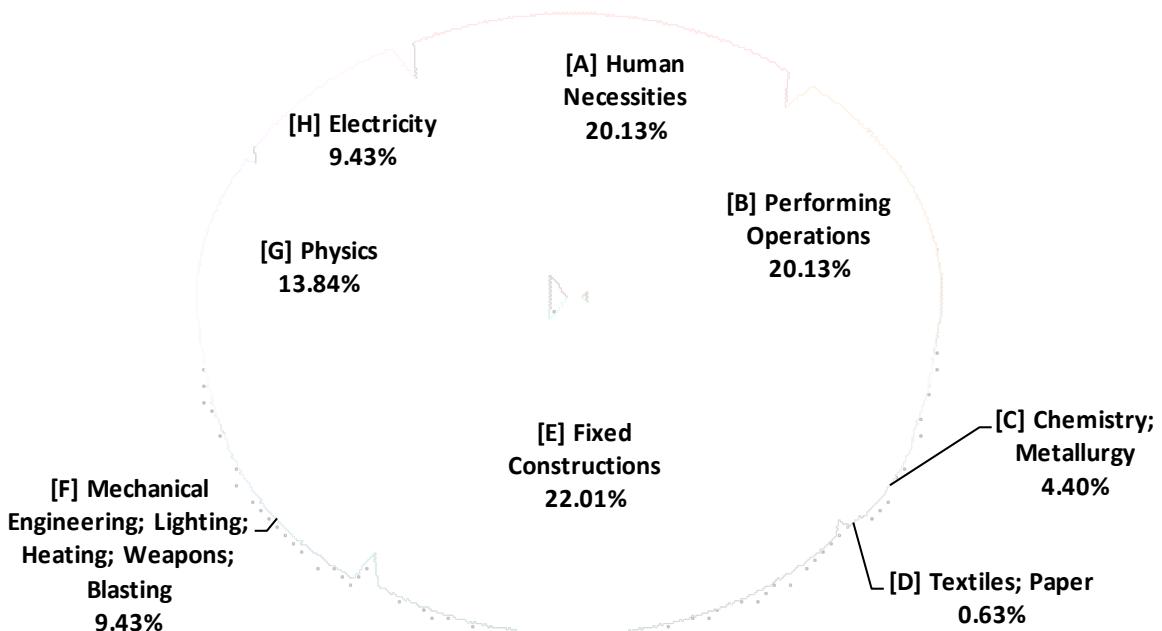
Patents are given classifications based on their technical content. Such classification allows retrieval of patents according to the nature of the inventions revealed therein. The International Patent Classification (IPC) consists of about 70,000 classification symbols divided between 8 basic sections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

A classification code is given for each inventive thing in a patent. A patent may contain two or more inventions as long as they are sufficiently related; for instance, a new chemical compound and its use as a medicine or herbicide, or a new laser and its use in eye surgery or data readers. Accordingly, a patent may need a number of classification symbols to cover the whole of its content. The accompanying table and graph collates the total number of classifications allocated to granted patents in 2017. Each individual classification represents an inventive element disclosed in a patent, so this is akin to a tally of inventiveness. The classifications are grouped by IPC section.

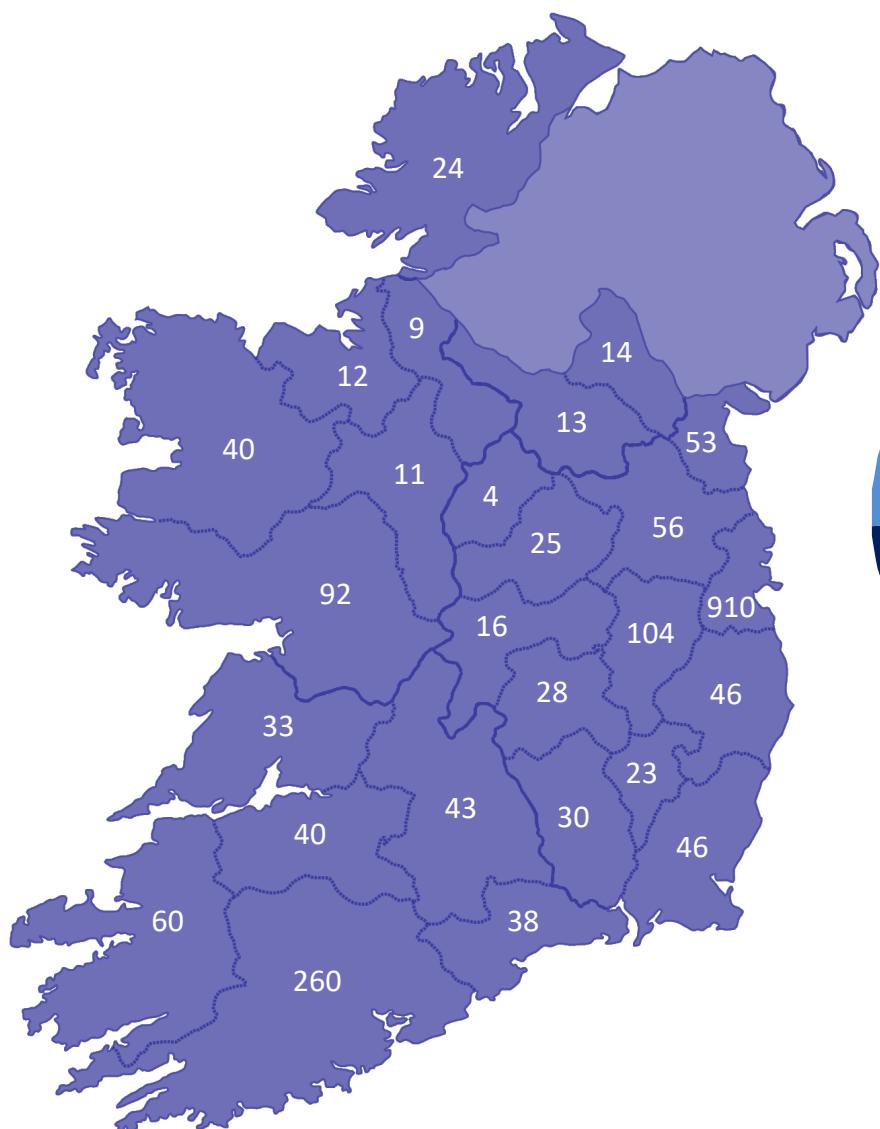
CLASSIFICATION	No of grants*
A. HUMAN NECESSITIES: e.g. Foodstuffs, Health, Personal Articles	32
B. PERFORMING OPERATIONS; TRANSPORTING: e.g. Shaping, printing, vehicle technology.	32
C. CHEMISTRY; METALLURGY	7
D. TEXTILES; PAPER	1
E. FIXED CONSTRUCTIONS: e.g. Building, drilling, mining.	35
F. MECHANICAL ENGINEERING; LIGHTING; HEATING; WEAPONS; BLASTING	15
G. PHYSICS: e.g. Optics, computing, nuclear physics.	22
H. ELECTRICITY: e.g. Electronic circuits, electricity generation and distribution.	15

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

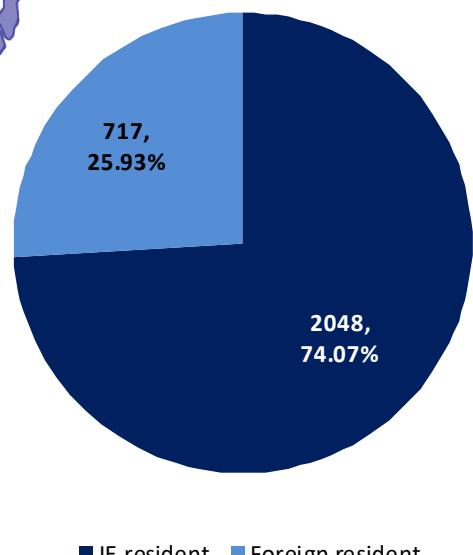
### Granted Patent Classifications by IPC section in 2017



# Business Statistics - Trade Marks



National Trade Mark applications by country of first applicant.



■ IE resident ■ Foreign resident

National Trade Mark applications by county in 2017

Received	National Applications				Year	International Registrations			
	Advertised	Opposed	Registered			Received	Advertised	Opposed	Protected
2,654	2,198	72	1,860		2015	1,180	945	5	879
2,694	2,246	91	1,894		2016	891	865	7	888
2,765	1,779	50	1,896		2017	1,195	849	9	862

## Trade Mark Register Data

	2015	2016	2017
Number of trade marks the subject of assignments	1,626	1,769	1,484
Number of licences of trade marks recorded in the register	40	121	10
Trade mark registrations removed for non payment of renewal	2,018	2,112	4,616
Trade mark registrations surrendered	3	25	10
Trade mark registrations restored	4	5	10
Trade mark registrations renewed	3,387	5,537	5,472
National trade marks revoked in full and in part	4	7	4
International trade marks revoked in full and in part	1	0	0
National trade marks declared invalid	0	1	1
International trade marks declared invalid	0	0	0
National registered trade marks in force	61,266	60,944	58,207
International trade marks in force	21,305	20,946	20,600
Total trade marks in force	82,571	81,890	78,807

## Hearings & Miscellaneous Matters

	2015	2016	2017
Hearings ( <i>ex-parte</i> )	9	4	3
Hearings ( <i>inter-partes</i> )	6	6	4
Hearings ( <i>inter-partes by way of written submission</i> )*	14	4	9
Applications to convert EU Trade Mark applications into national applications	31	37	24
International Trade Mark applications filed and transmitted to WIPO	83	62	65

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

## Register of Trade Mark Agents

At the end of 2017, there were 229 individuals and 5 partnerships entered on the Register.

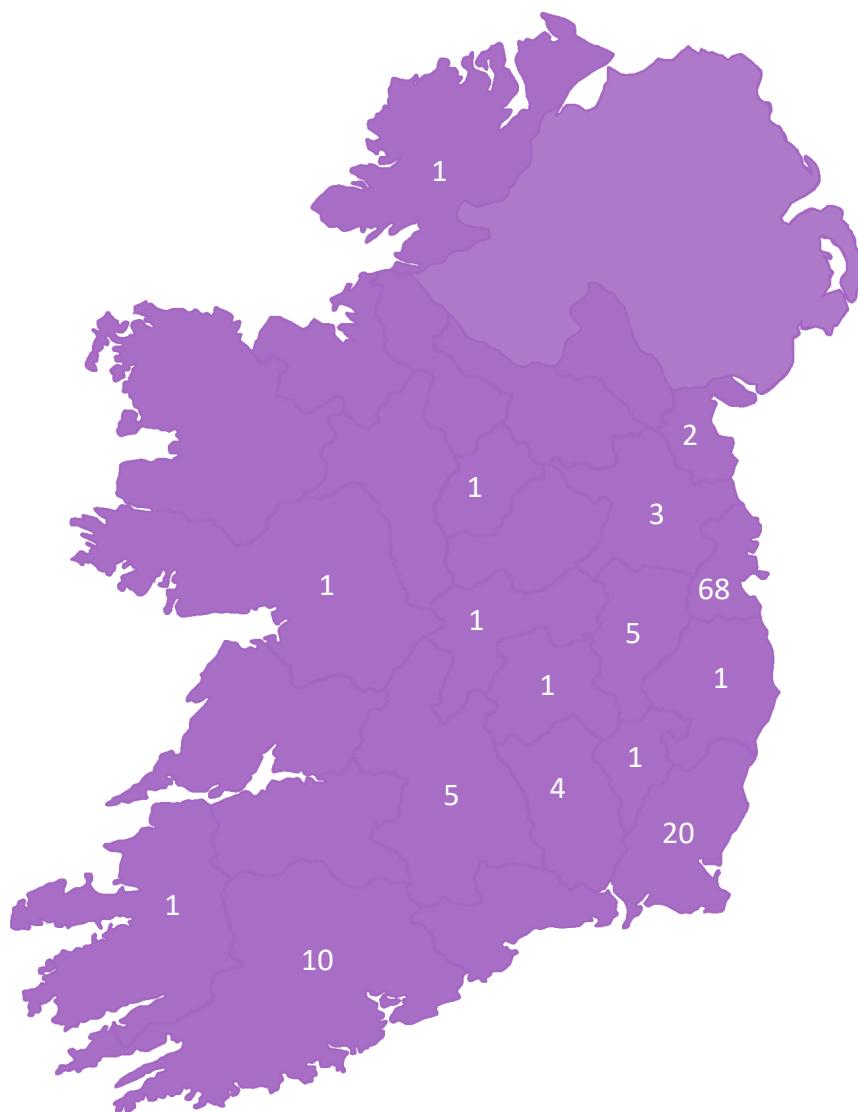
## INTERNATIONAL CLASSIFICATION OF GOODS AND SERVICES INTO WHICH TRADE MARKS

### REGISTERED IN 2017 FALL

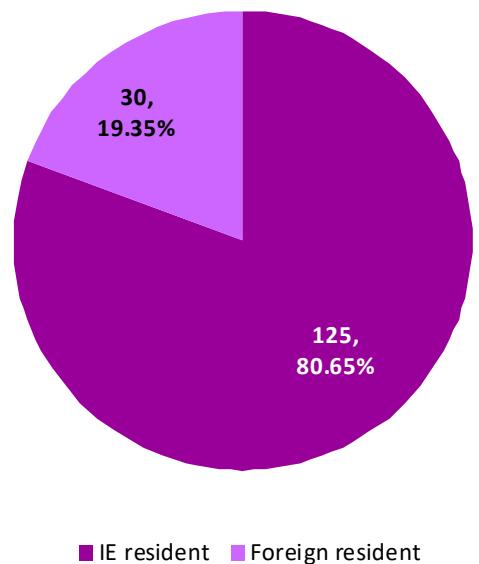
A multilateral treaty called the “Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks” established a classification system for trade marks. The Nice Classification comprises 45 class headings which describe in very broad terms the nature of the goods or services contained in each of the 34 classes of goods and 11 classes of services into which trade marks may fall. The classification is administered by the World Intellectual Property Organisation (WIPO) and the current (eleventh) edition has been in force since 1 January 2018.

<b>Class</b>	<b>Classification of Goods</b>	<b>No. of marks in classification</b>	<b>Class</b>	<b>Classification of Goods</b>	<b>No. of marks in classification</b>
1	Chemical Products, etc.	39	24	Tissues (piece goods), etc.	40
2	Paints, etc.	44	25	Clothing, including Boots, Shoes and Slippers	137
3	Bleaching Preparations, etc.	83	26	Lace and Embroidery, etc.	21
4	Industrial Oils, etc.	41	27	Carpets, etc.	12
5	Pharmaceutical Substances, etc.	219	28	Games, etc.	72
6	Unwrought and Partly Wrought Common Metals and their Alloys	62	29	Meat, Fish, Poultry and Game, etc.	154
7	Machines and Machine Tools, etc.	26	30	Coffee, Tea, Cocoa, Sugar, Rice, etc.	183
8	Hand Tools and Instruments, Cutlery, etc.	28	31	Agricultural Products, etc.	66
9	Scientific Apparatus and Instruments, etc.	281	32	Beer, etc.	97
10	Surgical Instruments, etc.	26	33	Wines, Spirits and Liqueurs	84
11	Installations for Lighting, etc.	65	34	Tobacco, etc.	30
12	Vehicles; Apparatus for Locomotion by Land, Air or Water	28	35	Advertising, Business Management, etc.	327
13	Firearms, Ammunition and Projectiles; Explosive Substances; Fireworks	0	36	Insurance, Financial Affairs, etc.	136
14	Precious Metals and their Alloys, etc.	38	37	Building Construction, Repair, Installation Services.	103
15	Musical Instruments (other than talking machines and wireless apparatus)	3	38	Telecommunications	66
16	Paper, etc.	174	39	Transport, Packaging and Storage of Goods, etc.	103
17	Gutta Percha, India Rubber, etc.	15	40	Treatment of Materials	42
18	Leather, etc.	55	41	Education, Entertainment, etc.	347
19	Building Materials, etc.	38	42	Scientific and technological services	199
20	Furniture, etc.	51	43	Providing food and drink	142
21	Small Domestic Utensils, etc.	76	44	Medical services, etc	83
22	Ropes, etc.	1	45	Personal and social services	55
23	Yarns, Threads	0			

# Business Statistics - Designs



National Design applications by country of first applicant.



## National Design applications by county in 2017

	2015	2016	2017
<b>Design Applications*</b>	49	80	65
<b>Number of designs applied for*</b>	178	181	155
<b>Designs Registered</b>	149	116	96
<b>Designs Lapsed</b>	53	90	96
<b>Designs Renewed (2001 Act)</b>	79	30	76
<b>Designs in force (1927 Act)</b>	100	4	0
<b>Designs in force (2001 Act)</b>	1,066	1,134	1,140
<b>Community Design Applications filed with EUIPO via this Office</b>	1	2	0

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

**DESIGNS REGISTERED UNDER THE INDUSTRIAL DESIGNS ACT, 2001 DURING THE YEAR ENDED  
31 DECEMBER 2017 LISTED ACCORDING TO THE INTERNATIONAL CLASSIFICATION**

The Locarno Agreement established a classification system for industrial designs. The Locarno Classification comprises a list of 32 classes of goods in which industrial designs may be incorporated. The classification is administered by the World Intellectual Property Organisation (WIPO) and the current (eleventh) edition has been in force since January 1, 2018.

<b>Class</b>	<b>Classification</b>	<b>Designs Registered</b>
1	Foodstuffs	0
2	Articles of Clothing and Haberdashery	1
3	Travel Goods, Cases, Parasols and Personal Belongings, not elsewhere specified	6
4	Brushware	2
5	Textile Piecegood Articles, Artificial and Natural Sheet Material	0
6	Furnishings	5
7	Household Goods, not elsewhere specified	12
8	Tools and Hardware	4
9	Packages and Containers for the Transport or Handling of Goods	6
10	Clocks and Watches and other Measuring Instruments, Checking and Signalling Instruments	13
11	Articles of Adornment	24
12	Means of Transport or Hoisting	0
13	Equipment for Production, Distribution or Transformation of Electricity	0
14	Recording, Communication or Information Retrieval Equipment	3
15	Machines, not elsewhere specified	2
16	Photographic, Cinematographic and Optical Apparatus	0
17	Musical Instruments	0
18	Printing and Office Machinery	0
19	Stationery and Office Equipment, Artists' and Teaching Materials	0
20	Sales and Advertising Equipment, Signs	1
21	Games, Toys, Tents and Sports Goods	1
22	Arms, Pyrotechnic Articles, Articles for Hunting, Fishing and Pest Killing	0
23	Fluid Distribution Equipment, Sanitary, Heating, Ventilation and Air-Conditioning Equipment, Solid Fuel	1
24	Medical and Laboratory Equipment	0
25	Building Units and Construction Elements	11
26	Lighting Apparatus	0
27	Tobacco and Smokers' Supplies	0
28	Pharmaceutical Products and Cosmetic Products, Toilet Articles and Apparatus	0
29	Devices and Equipment Against Fire Hazards, for Accident Prevention and for Rescue	0
30	Articles for the Care and Handling of Animals	0
31	Machines and Appliances for Preparing Food or Drink, not elsewhere specified	0
32	Graphic Symbols And Logos, Surface Patterns, Ornamentation	4
	<b>Total</b>	<b>96</b>

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

# COPYRIGHT

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

Under Section 38 of the Act, disputes between people playing sound recordings in public and the owner of the copyright subsisting in the recordings, regarding the equitable remuneration payable to the copyright owner, may be referred to the Controller for determination. Under Sections 151 or 152 of the Act, disputes between people or organisations regarding a proposed or existing licensing scheme and the operator of the licensing scheme regarding the equitable remuneration payable, may be referred to the Controller for determination. Currently the Controller is considering one dispute under Section 38.

## Registers of Copyright Licensing Bodies

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

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

13 bodies were registered in the Register of Copyright Licensing Bodies at the start of 2017, one of which subsequently expired and has not been renewed, while another body was registered for the first time. One body is registered in the Register of Licensing Bodies for Performers' Property Rights while no entries appear in the Register of Licensing Bodies for Database Rights.

## Collective Rights Management (CRM)

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

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

The CRM Regulations provide that the Controller is the competent authority in Ireland for the purpose of monitoring compliance with the regulations. The Regulations also provide that in addition to meeting the requirement in the Copyright and Related Rights Act 2000 which requires a CMO to register and maintain its registration as a copyright licensing body before it can operate in the State, each CMO or IME headquartered in Ireland must also submit an annual compliance statement to the Controller, together with their renewal of registration documentation. The compliance requirements in the CRM Regulations currently apply to 6 of the 13 registered copyright licensing bodies operating in the State.

## Orphan Works

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

To date, 6 Irish organisations have been registered as Beneficiary Organisations.

## **LEGISLATION**

### **2017 Legislation**

The Intellectual Property Unit of the Department of Enterprise, Business and Innovation has overarching responsibility for policy and the preparation of legislation relating to intellectual property. However, in accordance with Section 103 of the Patents Act the Controller includes particulars of all legislation made in the year being reported on.

#### **KNOWLEDGE DEVELOPMENT BOX (CERTIFICATION OF INVENTIONS) ACT 2017 (No 6 of 2017)**

The KDB Act established a certification scheme to enable SMEs with intellectual property assets in the form of patentable inventions which have not been patented but have been kept secret, to qualify for the KDB. Eligible SMEs are those with income arising from intellectual property of less than €7.5m and with global turnover of less than €50m where the profits result from R&D. The Act provides that the Controller of Patents, Designs and Trade Marks will oversee and operate this certification scheme.

#### **PATENT (AMENDMENT) RULES 2017 (S.I. No. 206 of 2017)**

In order to ensure that Irish long-term patents can qualify for KDB, the Patents Act 1992 has been amended (by Part 6 of the Knowledge Development Box (Certification of inventions) Act 2017 (the KDB Act) in order to facilitate the granting of Irish long term patents following substantive examination for novelty and inventive step. The Patents Rules have also been amended by the Patent (Amendment) Rules, 2017 (S.I. No. 206 of 2017) in consequence of the amendments to the Patents Act.

#### **PATENTS, TRADE MARKS and DESIGNS (FEES)(AMENDMENT) RULES 2017 S.I. NO. 205 of 2017**

The Patents Act 1992 has been amended to re-introduce substantive examination of Irish patent applications. These amendments to the Patents, Trade Marks and Designs (Fees) Rules 2001 (S.I. No. 482 of 2001) prescribe a fee of €200 for the submission of a report and opinion as to the patentability of an application under Section 29 of the Patents Act 1992. It also prescribes a fee of €200 for holders of short-term patents to request a search report under Section 66 of the Patents Act 1992 before taking infringement proceedings.

## **FINANCIAL INFORMATION**

Net receipts all of which accrued to the exchequer in 2017, amounted to €9.33m, an increase of €0.26m or 3% on the 2016 figure of €9.07m. The greater proportion of the Office's fee income comes from renewal fees on European Patents. The combined income from patent and trade mark fees (including international trade mark fees) of €8.75m showed an encouraging increase of €0.37m, or 4% over the 2016 figure.

The Office's net expenses for 2017 amounted to €3.27 which represented an increase of €0.2m over the corresponding 2016 figure of €3.06m. The increase is for the most part attributable to increased ICT related expenditure.

A more detailed breakdown of income and expenditure is provided in the following table.

# FINANCIAL INFORMATION

## RECEIPTS AND EXPENSES - YEAR ENDED 31 DECEMBER 2017 (Accounts not yet audited by C&AG)

RECEIPTS	€000
Patent fees (Notes 1 & 2)	6,537
Trade Mark fees	2,222
International Trade Mark Registration – fees received from WIPO (Note 3)	683
Design fees	14
Other fees	112
Less refunds made in respect of fees paid to the Office in error	125
Less transaction fees arising in respect of online credit card payments	104
<b>Net receipts accruing to the exchequer</b>	<b>9,339</b>

EXPENSES	€000
Salaries	1,922
Travel & Subsistence	69
Miscellaneous & Incidental expenses	43
Postal & Telecommunications Services	166
Office Equipment and Supplies & Related Services	547
Office Premises Expenses	94
Information resources, books periodicals, etc.	5
Subscriptions to Industrial Property Unions	429
<b>Net expenses</b>	<b>3,275</b>

**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
<b>Patent Fees</b>	<b>12,447</b>
<i>Less Proportion of patent renewal fees transferred to the European Patent Office</i>	<i>5,910</i>
<b>Net Patent fees which accrue to the Exchequer</b>	<b>6,537</b>

**Note 2:**

The Patents Office acts as a receiving Office for patent applications made under the Patent Co-operation Treaty and as such receives fees for onward transmission to both the EPO and WIPO. These fees do not accrue to the Irish exchequer and are therefore not included in the figure for net receipts. Details of the fees transferred to the EPO and WIPO during 2017 are shown below:

	€000
<b>PCT Basic and Designation Fees transferred to WIPO, Geneva</b>	<b>19</b>
<b>PCT Search fees transferred to EPO, Munich</b>	<b>24</b>
<b>Total</b>	<b>43</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).

# PERFORMANCE TARGETS 2017

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

## Area of Activity and Level of Achievement

Patents						
1.	Issue formal filing receipts for correctly filed applications within 5 working days.	85%	7.	Transmit European and PCT applications to EPO/WIPO within 5 working days of receipt.	100%	
2.	Issue certified copies of patent documents within 4 working days of receipt of request.	100%	8.	Approve the grant of short term patents within a period of 6 months from filing of a proper, complete application.	67%	
3.	Issue patent renewal certificate within 3 working days of receipt of renewal fee.	100%	9.	Following receipt of all necessary documents and responses to official objections associated with patent applications, to decide on whether to grant or refuse a patent within two months.	84%	
4.	Process applications for registration of assignments within 7 working days of submission of a fully completed application.	100%	10.	Issue notification of formal defects within 15 working days of filing.	94%	
5.	Issue confirmation that amendments requested to the patents register in respect of names and addresses of proprietors and addresses for service have been recorded within 5 working days of receipt of a properly completed application.	100%	11.	Issue notice of substantive defects within 2 months of filing.	100%	
6.	Grant patents within 3 working days of receipt of grant fee.	99%	12.	Classify for publication 90% of all non-divisional patent applications within 18 months after the priority filing date.	85%	
Supplementary Protection Certificates						
1.	Issue formal filing receipts for correctly filed SPC applications within 5 working days.	100%	3.	Perform examination of all applications for Supplementary Protection Certificates at least 12 months before expiry date of the basic patent	85%	
2.	Issue notification of formal defects within 10 working days of filing date.	100%				
Designs						
1.	Issue formal filing receipts for correctly filed (paper based) design applications within 5 working days.	97%	3.	Issue Certificate of Registration within 5 working days of the application being registered.	100%	
2.	Issue formal filing receipts for correctly e-filed Design applications within 2 working days.	88%	4.	Issue design renewal certificates within 1 working day of receipt of the renewal fee.	100%	

## Area of Activity and Level of Achievement

<b>Trade Marks</b>						
1.	Issue formal filing receipts for correctly filed (paper based) trade mark applications within 5 working days.	<b>99%</b>	12.	Issue decisions on regulations governing the use of collective trade marks within 2 months of filing acceptable regulations.	<b>100%</b>	
2.	Issue a request for payment of registration fees within 7 working days of the expiration of the period for filing of opposition where no opposition is received.	<b>100%</b>	13.	Issue 90% of decisions in hearings within 1 month of hearing.	<b>100%</b>	
3.	Where opposition is determined in favour of the applicant, request for registration fees to issue within 7 working days of publication of withdrawal of opposition.	<b>100%</b>	14.	Issue 80% of written statement of grounds of decisions in hearings within 2 months following request for same.	<b>83%</b>	
4.	Register trade marks within 3 working days of receipt of registration fee.	<b>98%</b>	15.	Issue to relevant parties copies of notices of opposition and applications for revocation or declaration of invalidity within 2 weeks of receipt.	<b>100%</b>	
5.	Transmit applications for International Trade Mark registrations within 3 working days of receipt of correctly filed applications.	<b>100%</b>	16.	Respond to 95% of written correspondence on individual applications (opposition, revocation, invalidity) within 2 weeks.	<b>100%</b>	
6.	Issue formal filing receipts for correctly e-filed trade mark applications on the next business day.	<b>100%</b>	17.	Respond to individual requests for extensions of time prior to the expiry of the relevant deadline where those requests are made not later than 2 weeks before such expiry.	<b>100%</b>	
7.	Conduct initial search in respect of new applications within 1 week of receipt.	<b>100%</b>	18.	Accept applications for trade marks within a period of 2 months from the filing of a properly completed application and where no objections have been raised by the Office.	<b>40%</b>	
8.	Complete formalities check on all e-filed application within 1 week of receipt.	<b>100%</b>	19.	Issue trade mark renewal certificate within 1 working day of receipt of payment.	<b>100%</b>	
9.	Issue initial acceptance/objection letters within 8 weeks of receipt of new applications in Division.	<b>45%</b>	20.	Issue certified copies and extracts from the Trade Marks Register within 4 working days of application.	<b>100%</b>	
10.	Issue preliminary search reports within 1 week of request.	<b>100%</b>	21.	Process applications for registration of trade mark assignments within 7 working days of submission of a properly, fully completed application.	<b>100%</b>	
11.	Respond to 95% of written correspondence on individual applications in examination within 2 weeks.	<b>100%</b>	22.	Issue confirmation that requests for amendments to the Trade Marks register in respect of names and addresses of proprietors, trade mark agents and addresses for service have been recorded within 5 working days of receipt of a properly completed application.	<b>100%</b>	
<b>General</b>						
	Issue payment receipts for all fees received (in the form of bank draft and money order) within 2 working days.					<b>100%</b>

## **KNOWLEDGE DEVELOPMENT BOX (CERTIFICATION OF INVENTIONS) ACT 2017**

The **Knowledge Development Box (Certification of Inventions) Act 2017, (No. 6 of 2017)** (the KDB Act) establishes a certification scheme to enable SMEs which have inventions in the form of intellectual property (IP) equivalent to a patentable invention to qualify for the KDB and avail of the reduced corporate tax rate of 6.25%. Eligible SMEs are those with income arising from intellectual property of less than €7.5m and with global turnover of less than €50m where the profits result from R&D.

The KDB Act provides that the Controller of Patents, Designs and Trade Marks will oversee and operate this certification scheme. A KDB certificate may only be issued in respect of an invention which is novel, non-obvious and useful. An application for a KDB Certificate does not constitute an application for tax relief and a KDB certificate confers no intellectual property rights on a certificate holder.

### **KDB Report**

Section 18 (KDB Report) requires the Controller to include in the report to the Minister made in accordance with Section 103(1) of the Patents Act 1992, statistical information on the number of applications received, withdrawn, refused, the number of certificates issued and information on the number of applications reviewed and the outcome of each review. The report shall not disclose any details of an invention the subject of an application. In the period following the commencement of the KDB ACT on 19 May 2017 until 31 December 2017 no applications were received by the Controller for a KDB Certificate.

## **COMING IN 2018**

### **Patent and SPC e-filing**

The Office will complete the development of an e-filing system for Patent and SPC applications in 2018. This will provide a facility for the Office's customers to file their Patent or SPC application online and also to pay the application fee online. This will also deliver on the recommendation in the Innovation Task Force Report that the Office should provide online filing facilities on a par with other Offices and in line with best international practice.

### **Patent Office Website**

Work was carried out during 2017 on creating a new and more responsive website design as well as reviewing and updating the content and the new website will be launched in Summer 2018. The new website will offer greater flexibility in terms of online services including online payments. It will also provide more information to the Office's customers in a clear and user friendly way.

### **TM e-filing**

Member States have until 14 January 2019 to transpose the provisions of Directive (EU) 2015/2436. While this will require some changes to be made to the Trade Marks Act and Rules, it will also involve modification of a number of procedures and processes in the Office. The online Trade Marks e-filing functionality will also have to be amended in order to cater for the possibility to file non traditional trade marks such as sound, motion, multi-media, and holograms.

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OIFIG NA bPAÍTINNÍ

IRISH PATENTS OFFICE

# 2017 TUARASCÁIL BHLIANTÚIL

# Brollach



I gcomhréir le forálacha Alt 103 d'Acht na bPaitinní, 1992, tá an onóir agam mo Thuarascáil Bhliantúil a chur faoi bhráid an Aire Gnó Fiontar agus Nuálaíocht don bhliain dar críoch an 31 Nollaig 2017. Baineann mo Thuarascáil le cur i gcrích mo chuid feidhmeanna reachtúla faoi Acht na bPaitinní, 1992 (arna leasú), an tAcht Trádmharcanna, 1996 (arna leasú); an tAcht um Dheartháí Tionscail, 2001, an tAcht um Chóipcheart agus Ceart Gaolmhar, 2000, na Rialacha Reachtúla agus Rialacháin éagsúla a rinneadh faoi na hAchtanna seo; agus Rialacháin na gComhphobal Eorpach (Deimhniú Forlíontach Cosanta). Tá cinntí faoi na hAchtanna, na Rialacha agus na Rialacháin seo le mo chumas reachtúil, faoi réir cearta áirithe achomhairc chuit an Ard-Chúirt. Áiríonn mo Thuarascáil den chéad uair freisin, tuarascáil ar an Scéim Dheimhniúcháin KDB de réir mar a éilítear le hAlt 18 den Acht um Bosca Forbartha Eolais (Deimhniú Aireagán) 2017.

Is í Oifig na bPaitinní an oifig reachtúil atá freagrach as deonú agus clárú cearta maoine intleachtúla in Éirinn, go háirithe cearta paitinne, trádmharc agus dearadh tionsclaíoch. Trí sholáthar seirbhísí a bhaineann leis na cearta seo, tá sé mar aidhm ag Oifig na bPaitinní cabhrú le daoine, gnó, tionscal agus fiontair acmhainn iomlán geilleagrach a gcuid maoine intleachtúla a bhaint amach. Is oifig reachtúil neamhspleách í an Oifig faoi choimirce na Roinne Gnóthaí, Fiontair agus Nuálaíochta agus tacaíonn a chuid gníomhaíochtaí le roinnt spriocanna straitéiseacha de chuid na Roinne lena n-áirítear cultúr fiontraíochta a chothú, bonn fiontraíochta nuálach a chruthú agus timpeallacht rialála a chothabháil atá ar cheann de na timpeallachtaí is forásáí agus is tacúla le haghaidh fiontair. Chomh maith lena phríomhghnó maidir leis an reachtaíocht ábhartha a bhaineann le próiseáil iarratais ar phaitinní, trádmharcanna agus dearaí tionsclaíocha a phróiseáil agus cláir leictreonacha agus bunachair sonraí na gceart seo a chothabháil, comhlíonann Oifig na bPaitinní roinnt feidhmeanna oibriúcháin agus rialála lena n-áirítear:

- Cabhair agus eolas a sholáthar maidir le maoin intleachtúil.
- Imeachtaí a riad os comhair an Cheannasaí i ndáil le cearta IP lena n-áirítear éisteachtaí maidir le hiarratais ar chlárúcháin trádmharcanna.
- Cláir na n-aturnae paitinne agus trádmharc atá údaraithe chun feidhmiú sa Stát a choinneáil.
- Tuairisciú clárúcháin agus comhlíonta ag comhlachtaí ceadúnaithe cóipchirt / eagraíochtaí bainistíochta comhchoiteanna a riad chomh maith le réiteach díospóidí maidir le méideanna ríchiosa is iníochta leis na comhlachtaí sin a thagann ann dóibh, go príomha, i réimse na feidhmíochta poiblí taifeadtaí fuaimé.
- Ag cur le forbairt bheartais agus reachtaíochta ar chearta IP.

Le linn 2017, lean foireann na hOifige ar aghaidh ag cur roinnt tionscadal tábhachtacha ar aghaidh, a raibh baint acu le scrúdú substaintíúil ar iarratais ar phaitinn ó Bhealtaine 2017, tabhairt isteach paitinní agus ríomh-chomhdú SPC, ag athchruthú ár gcórais agus na nósanna imeachta chun athruithe teicniúla agus reachtaíochta a chur san áireamh, iad siúd a eascraíonn as Treoir Trádmharcanna an AE san áireamh freisin chomh maith le hathfhorbairt láithreán gréasáin na hOifige. Ba mhaith liom aitheantas a thabhairt don tsár-iarracht oibre mar aon leis an obair a rinne foireann na hOifige le linn 2017 agus a dtiomantas d'fheabhsú leanúnach seirbhísí. Cuireann mo thuarascáil níos mó eolais ar fáil maidir le conas a scaoil an Oifig a cuid feidhmeanna reachtúla éagsúla agus gníomhaíochtaí coimhdeacha agus tacaítear léi le raon staitisticí gnó.

CEANNASAÍ

# Trácht Ginearálta ar Threochtaí agus ar Gníomhaíochtaí

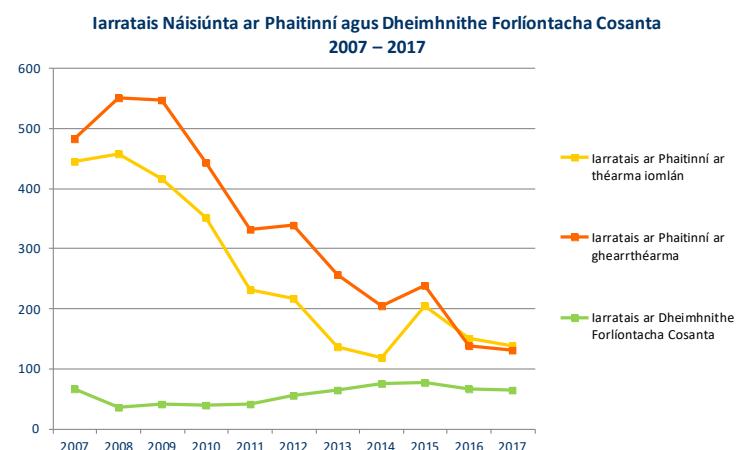
## Treochtaí

Lean geilleagar na hÉireann ag fás in 2017, a bhuí, go príomha, le gníomhaíocht baile an-láidir agus fás níos fearr ná mar a bhíothas ag súil leis san OTI. Tháinig fás mó� ar an earnáil déantúsaíochta go háirithe, ag méadú faoi 5.1% agus leathnaigh an earnáil faisnéise agus cumarsáide faoi 5.8%. Cé go bhfuil Éire ar cheann de na geilleagair is tapúla fás san Eoraip, tá baint láidir ag na rioscaí do chúrsaí geilleagracha romhainn le toradh na gcaibidí Brexit idir an Ríocht Aontaithe agus an AE. I Meán Fómhair 2017, d'fhoilsigh Coimisiún an AE páipéar seasaimh maidir le Cearta Maoine Intleachtúla a raibh príomhphrionsabail an AE ann maidir le cóireáil roinnt cearta IP in iar-Brexit AE. Cruthóidh tarraingt siar an RA ón AE méid áirithe neamhchinnteachta do pháirtithe leasmhara an RA agus an AE maidir le cosaint a gcearta maoine intleachtúla. Ba é príomhchuspóir an pháipéir cuid mhór cinnteachta a thabhairt do shealbhóirí cearta maidir lena gcuid IPR mar chuid de na caibidí Brexit. Luitéar sa pháipéar seo go sonrach cearta a bhfuil "carachtar aonadach san Aontas" acu, mar shampla ceart Trádmharcanna agus Dearadh an AE, chomh maith le tásca geografacha, agus iarratais ar na cearta seo agus na SPCanna agus cearta bunachar sonraí. Aithníonn sé freisin an neamhchinnteacht maidir le todhchaí cearta IP "AE" atá ann cheana féin sa Ríocht Aontaithe do shealbhóirí cearta sa Ríocht Aontaithe agus an 27 thír fágtha san AE. Tá tuilleadh eolais le fáil sa chuid dar teideal "*Brexit agus an tionchar a d'fhéadfadh a bheith aige ar Chearta Maoine Intleachtúla*".

## Paitinní agus Deimhnithe Forlíontacha Cosanta (DFCanna)

Cialláonn láithreacht dianchorparáidí IP sna hearnálacha faoi stiúir an onnmhairithe, FDI agus ilnáisiúnta gur dócha nach comhdaithe náisiúnta na hÉireann iad comhdaithe den chéad phaitinn. Is amhlaidh atá mar, go minic, bíonn beartas ag go leor cuideachtaí faoi úinéireacht eachtrach ach atá lonnaithe in Éirinn a fhorbraíonn IP in Éirinn iarratais a chomhdú chun na cearta IP sin a chosaint i margáí eachtracha trína máthairchuideachta a bhfuil a ceanncheathrú aici thar lear. Ní i gcónaí a léiríonn an laghdú ar chomhdú náisiúnta paitinne a mhéid is atá cuideachtaí nó aireagóirí atá lonnaithe in Éirinn ag gabháil do ghníomhaíocht nuálaíoch mar gur féidir le cuideachtaí comhad a dhéanamh tríd an mbealach Eorpach nó an bealach PCT seachas tríd an oifig náisiúnta.

Ina foilseachán ó 2017 de Tháscairí Maoine Intleachtúla an Domhain maidir le gníomhaíocht comhdaithe IPR ar fud an domhain de réir téire, chuir an Eagraíocht Dhomhanda Maoine Intleachtúla (WIPO) Éire san ochtú áit is fiche d'fhoilsíú paitinne, sa tríú is caoga le haghaidh trádmharcanna agus sa dara háit is caoga le haghaidh dearadh.



- I gcomparáid leis an iomlán don bhliain 2016, bhí laghdú 7% ann ar líon na gcomhdúchán Paitinní lántéarmacha náisiúnta a fuarthas le linn na bliana 2017 (ó 149 cinn go 137 gcinn). Bhí laghdú 5% ann ar líon na n-iarratas ar phaitinní gearrthéarmacha a fuarthas (ó 138 gcinn go 131 gcinn).
- Laghdáigh líon na n-iarratas ar Dheimhnithe Forlíontacha Cosanta (DFCanna) sa bhliain 2017, agus é ag titim ó 66 cinn sa bhliain 2016 go 63 cinn sa bhliain 2017.

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

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

	2012	2013	2014	2015	2016	2017
An Conradh Comhair Paitinní <sup>1</sup>	391	432	438	457	441	477
Oifig Eorpach na bPaitinní <sup>2</sup>	609	566	622	614	682	593
An Ríocht Aontaithe	336	361	352	330	298	n/a
Stát Aontaithe Mheiriceá <sup>3</sup>	947	1,039	1,068	1,245	1,408	n/a

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

<sup>1</sup> iarratas a chomhdaigh daoine a bhfuil cónaí orthu in Éirinn faoin gConradh Comhair Paitinní (céim idirnáisiúnta).

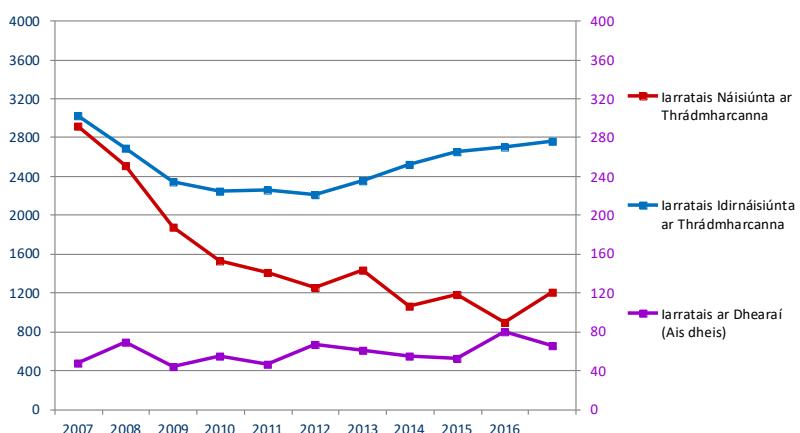
<sup>2</sup> Bhí an analís bunaithe ar líon na n-iarratas ar phaitinní Eorpacha a comhdaíodh le hOifig Eorpach na bPaitinní (iarratas dhíreacha Eorpacha agus iarratas idirnáisiúnta a bhí ag dul isteach sa chéim Eorpach).

<sup>3</sup> Tagraíonn comhdúite Stát Aontaithe Mheiriceá le paitinní fóntais a dtugtar freisin mar paitinní d'aireagáin.

## Trádmharcanna agus Deartháí

Tháinig méadú 2% ar líon náisiúnta na n-iarratas ar thrádmharc a fuarthas i rith 2017. Leanann sé seo an treocht aníos le 4 bliana anuas le hiarratas anois ag 20% os cionn na leibhéal a fuarthas idir 2010 agus 2012. Is féidir é seo a lua le roinnt tosca lena n-áirítear méadú iomlán ar ghníomhaíocht ghnó in Éirinn a eascraíonn as an téarnamh leanúnach geilleagrach. Tháinig méadú suntasach ar na figiúirí i ndáil le Clárúcháin Idirnáisiúnta (IR) in 2017 ó 891 in 2016 go 1,195 in 2017, méadú 34% ar fhigiúr na bliana roimhe sin. Léiríonn sé seo imréiteach riaráiste mór iarratas nua a fuair WIPO seachas tosca ar bith eile. Táthar ag súil go gcobhsófar an figiúr in 2018.

Iarratas Náisiúnta ar Trádmharcanna agus Dearáí 2007 – 2017



## Tráchtairreacht Ghinearálta ar Threochtaí agus ar Ghníomhaíochtaí

- Léirigh líon iomlán na n-iarratas náisiúnta ar thrádmharc a fuarthas i 2017 méadú 3% ar fhigiúr 2016 (ó 2,694 go 2,765). Tá méadú seasta tar éis a bheith ann ó 2012 a d'fhéadfaí a lua le fás agus forbairt leanúnach an gheilleagair agus filleadh ar mhuinín an mhargaidh
- Tháinig méadú suntasach ar iarratais idirnáisiúnta marcanna ag lorg cosanta in Éirinn faoi 34% i gcomparáid le 2016 (ó 891 go dtí 1,195).
- Tháinig laghdú ar iarratais ar chlárú dearaí tionsclaíocha ó 80 in 2016 go 65 in 2017.

# Tráchtairreacht Ghinearálta ar Threochtaí agus ar Ghníomhaíochtaí

## Trádmharcanna an Aontais Eorpaigh (TAEnna)

Tháinig Trádmharc an Aontais Eorpaigh (Trádmharc Comhphobail roimhe sin) in éifeacht an 1 Aibreán 1996 agus tugtar clárúchán aonair don dílseánach leis, rud atá bailí sna 28 dtír d'AE. Maidir le líon na n-iarratas ar Thrádmharc an Aontais Eorpaigh ar chomhdhaigh iarratasóirí a bhfuil cónaí orthu in Éirinn iad sa bhliain 2017, mhéadaigh sé ó 1,156 iarratas sa bhliain 2016 go 1,143 iarratas sa bhliain 2017.

	2014	2015	2016	2017
Iarratas as Thrádmharcanna an Aontais Eorpaigh	1,027	1,074	1,156	1,143
Líon thrádmharcanna an Aontais Eorpaigh a cláraíodh	1,004	966	1,019	1,034

### Foinse: Staidreamh ó EUIPO

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

## Trádmharcanna Idirnáisiúnta

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

Thaifead Biúró Idirnáisiúnta na hEagraíochta Domhanda um Maoin Intleachtúil 165 gclárúchán idirnáisiúnta sa bhliain 2017 do shealbhóirí trádmharcanna a bhfuil sainchónaí orthu in Éirinn. Áirítear leo sin 1,717 n-ainmniúchán le haghaidh baill eile de chóras Mhaidrid. Sna cásanna sin, d'iarr na sealbhóirí go leathnófaí cosaint le haghaidh a dtrádmharcanna. Dá éis sin, rinneadh 258 bhall sa bheiris de chóras Mhaidrid a ainmniú ina dhiaidh sin i gclárúcháin idirnáisiúnta reatha ó Éirinn d'fhorraí aon geogra-fach bunaidh a gcosanta a leathnú chuig balltíortha nó dlínsí breise de chóras Mhaidrid.

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

	2014	2015	2016	2017
Líon na gClárúchán Idirnáisiúnta	181	158	175	165
Ainmniúcháin	1,297	1,337	1,601	1,717
Ainmniúcháin ina dhiaidh sin	169	360	339	258

Foinse: Athbhreithniú Bliantúil ar Chóras Mhaidrid ó WIPO do na blianta 2014-2017

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

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

# Tráchtairéacht Ghinearálta ar Threochtaí agus ar Ghníomhaíochtaí

## BREATIMEACHT AGUS A THIONCHAR FÉIDEARTHA AR CHEARTA MAOINE INTLEACHTÚLA

Ciallaíonn imeacht na Ríochta Aontaithe (an RA) ón Aontas Eorpach (an AE) an 29 Mártá 2019 nach mbeidh feidhm ag roinnt cearta maoine intleachtúla a thagann ó Rialacháin an AE sa Ríocht Aontaithe a thuilleadh. Is iad trádmharcanna cláraithe agus dearaí cláraithe na foirmeacha cearta is comhchuibhithe de chearta IP san AE, a chiallaíonn gurb orthu a bheidh an tionchar is mó ag Brexit. Beag beann ar thréimhse idirthréimhseach comhaontaithe, ón dáta sin ní chlúdóidh ná ní bheidh cosaint ag trádmharcanna agus dearthaí atá cláraithe ag an AE cheana féin sa Ríocht Aontaithe. Táthar ag súil, áfach, go gcuirfear socrutithe idirthréimhseach i bhfeidhm chun Trádálacha Comhardaithe an AE (EUTM) agus Dearthaí Pobail Cláraithe (RCDanna) a thiontú go huathoibríoch ina gcearta náisiúnta comhfhireagracha sa Ríocht Aontaithe, agus tosaíocht a choinneáil Má tharlaíonn sé seo, ciallóidh sé go gcoimeád-faidh na cearta athraitheacha na dátaí ábhartha go léir agus go dtiocfaidh siad le hathnuachan mar chearta an AE agus cearta an RA araon ar an lá céanna. Mar sin féin, nuair a thagann ann don dáta athnuachana, is dóichí go mbeidh ar shealbhóirí cearta táillí athnuachana a íoc chuig an EUIPO agus an UKIPO araon, rud a chiallaíonn go mbeidh costais mhéadaithe ar tháillí athnuachana, mura laghdaíonn an EUIPO a táillí chun clúdach laghdaithe geografach EUTManna agus RCDanna a léiriú. Ní chlúdóidh na hiarratais go léir (EUTM nó RCD) a fhaigheann an EUIPO ar nó tar éis an 29 Mártá 2019 ach na Ballstát fágtha san AE27. Ba cheart d'iarrthóirí a bhfuil a n-iarratas (EUTM nó RCD) ar feitheamh ag an EUIPO ar an 29 Mártá 2019 muná leanann a n-iarratas ar aghaidh go clárú a bheith ag súil leis nach mbeidh aon chosaint aige sa Ríocht Aontaithe. Dá bhrí sin, chun cosaint a fháil dá gcearta sa Ríocht Aontaithe iar-Brexit beidh sé riachtanach iarratas a chomhdú le haghaidh trádmharc ná dearadh ar leith de chuid an RA.

Áirítear ceadúnais, comhaontuithe comhdhéanta, urghairí agus imeachtaí sáraithe i measc na saincheisteanna eile a gcaithfidh úinéirí EUTM agus RCD a bheith ar an eolas fúthu. Teastódh athbhreithniú ar cheadúnais agus ar chomhaontuithe cómhaireachtála sa chás nach bhfuil aon trácht ar leith ar an Ríocht Aontaithe ach gurb é "an AE" ceann de na críocha liostaithe, go háirithe mar gheall gur margadh suntasach é an Ríocht Aontaithe. Más gá a gcearta a fhorfheidhmiú go dlíthiúil iar-Brexit, ní mór do na húinéirí dhá shraith imeachtaí a thabhairt os comhair cúirte (ceann amháin os comhair Chúirt na RA agus an ceann eile os comhair Chúirt an AE) a chiallóidh nár bhféidir costais ardaithe dlí a sheachaint. Anuas air sin, ní fios an dteastóidh imeachtaí úra dlíthiúla os comhair chúirt-teanna na RA ó urghairí reatha uile-Eorpacha. Tá an baol ann go bhféadfadh EUTM, a úsáideadh go príomha ná sa Ríocht Aontaithe amháin, a bheith curtha ar ceal. Foráiltear sa Rialachán EUTM gur féidir EUTM a chur ar ceal sa chás nár baineadh fíorúsáid as an marc san AE ar feadh tréimhse cúig bliana leanúnacha agus nach bhfuil aon chúiseanna cuí ann le haghaidh a neamhúsáidte. Tar éis Brexit, is beag is fiú úsáid sa Ríocht Aontaithe. Ar an gcaoi chéanna, níl sé soiléir cé acu an bhfuil Trádmharcanna Eorpacha a thiontaítear i gcearta na Ríochta Aontaithe, ach nach bhfuil á n-úsáid sa RA faoi láthair, in ann leanúint de bheith ag brath ar úsáid roimhe seo in áiteanna eile san AE. Ní bheidh tionchar aige seo ar dhlí coiteann sa Ríocht Aontaithe agus leanfaidh an tort 'cur ar aghaidh' de bheith infheidhmithe ar chearta trádmharc. Mar sin féin, ní dócha go gcuirfear cosaintí ar fáil do na dearaí faoi na Forálacha um Dearadh Neamhchláraithe Pobail sa Ríocht Aontaithe iar-Brexit, ach d'fhéadfaí iad a chlúdach faoi chearta deartha ná amhchláraithe tí sa RA. Toisc go bhfuil an Ríocht Aontaithe ina ball den Chonradh um Chomhoibriú Paitinne agus de Choinbhinsiún na bPaitinní Eorpacha, ní bheidh aon athruithe suntasacha i leith paitinní, ór ní bhraitheann aon cheann acu ar bhallaíocht an AE le bheith infheidhmeach. Ar an láimh eile, d'fhéadfaí moill a bheith ar theacht i bhfeidhm Chúirt na bPaitinní Aonadacha agus Chúirt Paitinne Aontaithe (UPC) toisc go bhfuil an Ríocht Aontaithe ina comhalta éigeantach chun an UPC a chur i bhfeidhm. Cé go gcuirtear isteach orthu agus go gcuirtear i bhfeidhm iad go neamhspléach ag leibhéal náisiúnta, tá Teastais Chosanta Forlíontacha (SPCanna) le haghaidh táirgí cosanta míochaine agus plandaí faoi rialú dlí an AE, nach mbeidh feidhm aige níos mó sa Ríocht Aontaithe, agus dá bhrí sin beidh tionchar ag Brexit orthu. Táthar ag súil, áfach, gur féidir teacht ar chomhaontú chun a chinntíú go n-aithneofar SPCanna arna ceadaíodh sa Ríocht Aontaithe don chuid eile dá dtréimhse bailíochta.

## **Tráctaireacht Ghinearálta ar Threochtaí agus ar Ghníomhaíochtaí**

Cé go bhfuil níos lú cinnteachta ann an mbeadh rialtas na Ríochta Aontaithe ag iarraidh díospóidí 'nua' cosanta SPC a thairiscint iar-Brexit, agus más amhlaidh, an mbeadh na téarmaí cosúil leis an gcóras reatha AE. Ina theannta sin, is dóichí go mbeidh an tionscal cógaisíochta sa Ríocht Aontaithe ag coimhdeacht ar an rialtas réimeas an-chosúil a sholáthar do chosaint nua SPC iar-Brexit - le Cúirt Uachtarach na RA ag cur an CJEU in áit an díospóide deiridh.

# Misean agus Cuspóirí Oifig na bPaitinní

Is é misean lárnach Oifig na bPaitinní:

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

Tá sé seo le baint amach trí chosaint cearta maoine intleachtúla i réimsí na bpaitinní, na dtrádmharcanna agus na ndearáí, scaipeadh réamhgníomhach eolais agus faisnéise ábhartha i gcomhar le gach ceann de na gníomhaíochtaí seo. Leanfaidh Oifig na bPaitinní le páirt a ghlacadh i réimeas rialála nua-aimseartha agus sofotreagrach a bhaint amach, a thacaíonn le nuálaíocht agus le fiontraíocht araon agus a chothaíonn timpeallacht éifeachtach ghnó in Éirinn. Críochnaíodh Ráiteas nua Straitéise don tréimhse 2017-2019 i mí na Nollag 2016 agus leagtar amach na cuspóirí a mbeidh an Oifig ag obair i dtreo sna trí bliana romhainn ann. Déanann an tráchtaireseacht seo a leanas agus an tuarascáil staidrimh a ghabhann leis cur síos ar ghníomhaíochtaí na hOifige i gcomhthéacs seachadadh na sé phríomhchuspóir atá leagtha amach sa Ráiteas Straitéise 2017-2019. Feictear na sé chuspóir seo mar chuid lárnach d'fhonn misean na hOifige a chomhlíonadh agus a éifeachtúlacht oibríochtúil a chothabháil.

## Cuspóir 1

### Seirbhís den scoth a sholáthar do chustaiméirí.

Lean an Oifig ar aghaidh ag seachadadh seirbhísí le héifeachtacht agus éifeachtúlacht mhéadaithe in 2017, agus an chuid is mó de na spriocanna seirbhíse do chustaiméirí á gcomhlíonadh go leibhéal an-sásúil. Leag an Oifig amach pleán nua um sheirbhís do chustaiméirí le linn 2017 don tréimhse 2017-2019, rud a chinntigh go raibh na spriocanna um sheirbhís do chustaiméirí cuí le tabhairt isteach agus forbairt ríomhsheirbhísí, feidhmeanna nua agus acmhainní foirne atá ar fáil. Leagtar amach ár dtiomantas do sheirbhís ardchaighdeáin do chustaiméirí inár bPlean Gníomhaíochta um Sheirbhís do Chustaiméirí, a leagann amach 42 sprioc seirbhíse a leagann síos na teorainneacha ama is fearr chun tascanna éagsúla do chustaiméirí a dhéanamh. Tugtar mionsonraí orthu seo sa chuid "Spriocanna Feidhmíochta" den tuarascáil. Tá an Plean Gníomhaíochta um Sheirbhís do Chustaiméirí ar fáil ar shuíomh gréasáin na hOifige. Tá an Oifig tiomanta d'athbhreithniú leanúnach a dhéanamh ar a nósanna imeachta riarracháin d'fhonn an éifeachtúlacht is fearr a bhaint amach. Tá seachadadh an chláir ríomhchumarsáide ríthábhachtach mar a sheachadtar ríomh-chomhdú ar líne do chearta IP. Faoi láthair tá córas ríomh-chomhdaithe ag Oifig na bPaitinní le haghaidh iarratais trádmharc agus dearadh. Is é príomhshochair d'úsáideoirí an chórais an dearbhú atá acu go nglacfaidh an Oifig aon téarmaí a roghnaíonn siad as an liosta aicmithe comhchuibhithe ceadaithe atá i gClár TM. Chuidigh sé seo leis an bpróiseas iarratais a shruthlíníú agus a chur ar fáil le hinfhaighteacht bhreise d'úsáideoirí. Cuidíonn sé leis an bpróiseas scrúdaithe freisin, rud a fhágann cinntí níos tapúla maidir le hiarratais ar chosaint. Faoi dheireadh 2017, bhí 90% de na hiarratais trádmharc go léir comhdaithe ar líne trí shuíomh gréasáin na hOifige. Ní chruthaítear comhaid pháipéir a thuilleadh le haghaidh iarratais ar thrádmharc agus dearadh a fhaightear go leictreonach agus tá próiseas den chuid is mó gan pháipéar i bhfeidhm le haghaidh cuardaigh agus scrúdaithe atá ag teacht leis an gcleachtas idirnáisiúnta is fearr.

Cuireadh tú le réamh-obair i rith 2016 maidir le córas ríomhfhíoraithe d'iarratais Paitinne agus SPC a forbairt agus lean sé ar aghaidh i rith 2017. Forbraíodh urlis teimpléad iarratais ar phaitinn freisin a chabhróidh le hiarratasóirí neamhthuairiscithe maidir leis an bpróiseas comhdaithe paitinne a nascleanúint. Tabharfar isteach comhdú ar phaitinní agus SPC i rith 2018, rud a chinntíonn go bhfuil an Oifig ag cloí le ceanglas an Rialtais go bhfuil gach gnáthamh ceadúnaithe agus údarúcháin le haghaidh gnó ar fáil ar líne roimh dheireadh 2018.

Chomh maith le rochtain ar líne saor in aisce ar a cláir, bunachair sonraí, agus Iris Oifigiúil, cuireann an Oifig rochtain ar líne ar fáil d'urlisí éagsúla cuardaigh atá saoráideach do chustaiméirí ar nós TMView, DesignView, Espacenet agus an Clár Paitinne Cónaíd hme

## Cuspóir 2

### Próiseáil éifeachtach gnó a chinntíú mar thoradh ar fheabhsuithe bonneagair TFC

Le linn 2017, lean an fhoireann ag scagadh na bpróiseas oibre agus na réiteach teicneolaíochta a thacaíonn lena dtáirgí agus seirbhísi lárnacha chun seachadadh seirbhíse níos éifeachtaí a sholáthar. Tá sé mar aidhm ag clár r-sheirbhísi na hOifige feabhas a chur ar sheachadadh seirbhíse agus próiseáil níos éifeachtaí trí chomhdú leictreonach, próiseáil comhaid leictreonach agus cumarsáid leictreonach a chomhcheangal ar bhealach a éascóidh próiseasáil gan pháipéar den chuid is mó a thabhairt isteach sa Oifig. Cheana féin tá céimeanna suntasacha tóghtha ag an Oifig chun é seo a bhaint amach mar go n-eisítear an chuid is mó de chomhfhereagras na hOifigeanois ar r-phost agus spreagtar custaiméirí a gchomhfhereagras a dhéanamh ar r-phost leis an Oifig, más féidir. Thug an Oifig isteach iarratais ar thrádáil a chomhdú go leictreonach in 2014, ríomhchomhdú a dhearadh in 2015 agus tá sé ag forbairt ríomhchomhdú do phaitinní agus SPCanna faoi láthair le dul beo in 2018. In 2011 thug an Oifig isteach bosca titim leictreonach chun éascú a dhéanamh ar iarratais criptithe paitinne, trádmharcála agus dearadh go leictreonach agus go slán. Úsáideann aturnaetha IP an bosca titim agus ag deireadh 2017, bhí rochtain ag 24 cuideacht ar an áis. Cuirfear deireadh leis an áis nuair a chuirtear tú le feidhmiú paitinne agus DFCanna ar líne.

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

Le linn na bliana lean an Oifig ag baint tairbhe as an gcúnamh ó Chiste Comhoibrithe Oifig Maoine Intleachtúla an Aontais Eorpacha (EUIPO) a thugann cúnamh d'Oifigí Náisiúnta an AE le hoiliúint agus le huirlisí bunaithe ar an ngréasán a fhorbairt agus a chur chun feidhme chun tacú le saolré na dtrádmharcanna agus dearaí.

Glacann an Oifig páirt freisin i ngníomhaíochtaí éagsúla comhoibrithe agus oliúna mar rannpháirtí i Líonra na bPaitinní Eorpacha a fhaigheann tacaíocht ó Oifig na bPaitinní Eorpacha (EPO). Mar chuid den "Tionscnamh cáilíochta ag an bhfoinse" thosaigh an Oifig ag obair leis an EPO chun caighdeán na sonraí paitinne a tharchuirtear chuig an EPO a fheabhsú. Ar a chuid féin, tá an Oifig ag leanúint le tionscadal chun líon na ndoiciméad náisiúnta paitinne a chuirtear i gcartlann leictreonach a mhéadú. Cuireadh tú leis an tionscadal seo in 2013 agus lean sé ar aghaidh i rith 2017 agus é mar aidhm aige na doiciméid ar fad a bhí ar fáil maidir le hiarratas ar phaitinn a chur ar fáil ó na 1960í go luath sna 2000í, agus iad a chur ar fáil don phobal le féachaint orthu ar an láithreán gréasáin. Meastar go bhfuil thart ar 58,000 doiciméad le scanadh. Leanadh leis an tionscadal in 2017 le níos mó ná 38,000 doiciméad scanta go dtí seo. Mar bheart costais coigiltis agus chun rochtain leanúnach a fháil ar na doiciméid, bheartaigh an Oifig gan an obair seo a sheachfhoinsíú agus tá sí ag baint úsáide as a hacmhainní agus a foireann inmheánach féin. Maidir le héifeachtúlachtaí teicneolaíochta a fheabhsú, forbraíodh cúig fheabhasú agus uasghrádú substaintiúla ar ghnéithe de chóras riacháin PTOLEMY i gcaitheamh na bliana, a bhí thírithe ar fheabhas a chur ar éifeachtúlachtaí obríochtaí agus a chinntíú go bhfanfadhb córais ghnó lárnacha na hOifige cothrom le dáta.

## Cuspóir 3

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

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

- Tháinig **An tAcht um Bosca Forbartha Eolais (Deimhniú Ionstraimí) 2017 (Uimh. 6 de 2017)** i bhfeidhm i mBealtaine 2017. Tugadh isteach an Bosca Forbartha Eolais (KDB) san Acht Airgeadais 2015 chun ráta cánach corporáide laghdaithe de 6.25% a sholáthar d'ioncam a ghíntear ó shaothrú sócmhainní maoine intleachtúla áirithe a eascraíonn as taighde agus forbairt. Mar sin féin, tá Teastas KDB ag teastáil ó chuideachtaí beaga a bhfuil sócmhainní acu i bhfoirm maoine intleachtúla (IP) atá coibhéiseach le haon aireagán paitinnithe nach bhfuil paitinnithe nó déanta go poiblí. Tá sé de chumhacht ag an gCeannasaí Paitinní, Dearthaí agus Trádmharcanna an deimhniú riachtanach a sholáthar má tá an t-aireagán a chuirtear isteach ina aireagán úr, neamh-soiléir agus úsáideach. Eiseoidh an Ceannasaí deimhniú KDB má tá sé sásta go gcomhlíontar gach ceanglas i gCuid 2 den Acht KDB. Nuair a bhfaightear teastas, beidh cuideachta in ann éileamh a dhéanamh ar fhaoiseamh cánach ó na Coimisinéirí loncaim.
- D'eascair **Rialacha na bPaitinní (Leasú) 2017 (IR Uimh 206 de 2017)** as leasú ar Acht na bPaitinní 1992 atá mar chuid den Acht KDB a thug athscrúdú substaintiúil ar iarratas Éireannacha ar phaitinn isteach in ath-uair. Leagann na rialacha amach na hathruithe ar nósanna imeachta chun tacú le scrúdú substainteach lena n-áirítear tuairisc chuardaigh a chur isteach agus tuairim scríofa maidir le paitinniúlacht aireagáin. Déantar foráil freisin do bharúlacha tríú páirtí chuig an gCeannasaí maidir le paitinniúlacht na n-iarratas.
- Dréachtú na Rialachán agus na Rialacha chun Treoir (AE) 2015/2436 ó Pharaimint na hEorpa agus ón gComhairle an 16 Nollaig 2015 a leasú lena leasaítear Treoir 2008/95 / CE maidir le trádmharcanna.

## Cuspóir 4

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

Is é ceann de phríomhchuspóirí Oifig na bPaitinní cuidíú le gnóthaí, nuálaithe agus fiontraiithe tuiscint a fháil ar an gcaoi a bhféadfadh IP cabhrú leo luach a chruthú óna gcuid smaointe agus a bheith in ann rochtain a fháil ar fhaisnéis faoi IPRs (Cearta Maoine Intleachtúla) a chuirfidh ar a gcumas iad a úsáid, a mhaoin intleachtúil a bhainistiú agus a fhorfheidhmiú ar a chumas is iomláine. Tá clár feasachta IP na hOifige dírithe go sainiúil ar chabhrú le fointair bheaga agus micrifhiontair chomh maith le fiontraiithe agus nuálaithe aonair. Lean an Oifig ar aghaidh lena clár for-rochtana maidir le feasacht a mhéadú maidir le maoin intleachtúil i measc an phobail i gcoitinne agus bhí sé dírithe go háirithe ar an earnáil thionscnamh ghnó bheaga agus ar mhic léinn. I rith 2017, ghlac an Oifig páirt i 60 imeacht ag labhairt ar IP ag cursaí "Cuir tú le do ghnó féin" a reáchtáil na hOifigi Fiontar Áitiúla. Ghlac an Oifig páirt i ngníomhaíochtaí ardaithe feasachta IP ag taispeántais éagsúla ghnó agus taispeántais fhiontair ar fud na tíre, lena n-áirítear Cruinniu Náisiúnta Mullaigh FBM, an Craobhchomórtas Náisiúnta Treabhactha agus ag ócáid maidir le Teicneolaíocht Mhíochaine in Éirinn i nGaillimh. Chomh maith leis sin, chuir an Oifig seimineár IP i láthair le hOifig EI i mBaile Átha Cliath chomh maith le bheith páirteach san Expo Náisiúnta Taighde agus Nuálaíochta agus imeachtaí éagsúla lena n-áirítear an Taispeántas Tacaíochta Gnó le linn Sheachtain na Fiontraíochta. Reáchtáil an Oifig 47 clinic IP in 2017, a thugann deis don phobal, d'aireagóirí, d'fhiontraithe agus do lucht gnó ábhair a bhaineann le hiarratais IP a bhfuil sé ar intinn acu a dhéanamh nó a rinne siad cheana don Oifig a phlé duine le duine le foireann Oifig na bPaitinní. Fuarthas go raibh an cur chuige seo an-chabhrach le treoir bhunúsach a sholáthar maidir le nósanna imeacha agus foirmeacha a theastaíonn chun cearta IP a chlárú, na próisis a bhaineann le cosaint IP a fháil in Éirinn nó thar lear. Cuirtear cúnamh chun straitéis chuardaigh féin a thógáil do phaitinní, trádmharcanna agus dearaí agus rochtain a fháil ar bhunachair sonraí paitinne, trádmharc agus dearadh ar líne.



Tá cuid shuntasach d'iarrachtaí ardaithe feasachta na hOifige dírithe ar dhaltaí dara leibhéal trí rannpháirtíocht le Taispeántas Eolaí Óg agus Teicneolaíochta BT agus na Dámhachtainí Bliantúla Fiontraíochta do Mhic Léinn. Lean an Oifig ar aghaidh lena hurraíocht ar dhámhachtain bronnta ar an dalta a leírionn a t(h)ionscadal an úsáid is fearr as an teicneolaíochtaí bhealaí nua nó feabhsaithe, éifeachtúlachtaí feabhsaithe agus nuálaíochtaí úra. Ba iad buaiteoirí na duaise 2017, urraithe ag Oifig na bPaitinní Lucy Leonard & Michelle Mann, Coláiste Thulach Mhór, Co Uíbh Fhailí lena dtionscadal dar teideal; " Ag Imscrídú ar an Difríocht i dTruailliú Baictéarach nuair a Láimhseáil agus Úsáid Gléas chun Lionsáí Teagmhála a lonsáigh".



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



Bhí an Craobhchomórtas Náisiúnta ar siúl ar an 7 Aibreán. Ba iad buaiteoirí na ndámhachtainí maidir le Maoín Intleachtúil: Meánscoil Mhuire, Béal an Mhuirthead, Co. Mhaigh Eo, sa phictiúr ar chlé, (Catagóir Sóisearach) le haghaidh "Barony Boxes"; Coláiste Naomh Thiarnáin, Crois Mhaolíona, Co. Mhaigh Eo le "Insert Strainer" (Catagóir Idirmheánach) agus Coláiste Naomh Chláir, Baile Shéamuis Dhuibh, Co. an Chábháin le haghaidh "Fiacla Bán" (Catagóir Sinsearach).

Is éard atá sa chomórtas bealach den scoth don Oifig dul i dteagmháil le daltaí le feasacht ar IP a chur chun cinn nuair a bhíonn smaoineamh gnó á fhorbairt agus fiontar rathúil á bhunú acu. Cuimsíonn leabhar oibre an SEA caibidil a bhaineann go sonrach le Maoín Intleachtúil, ag cur le feasacht ar IP i measc daltaí dara leibhéal. Leanfaidh Oifig na bPaitinní lena rannpháirtíocht le Dámhachtainí Fiontar Mac Léinn sa todhcháí.

## Cuspóir 5

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

Ón 31 Nollaig 2017 bhí 46 post údaraithe ag an Oifig, mar a bhí in 2015 agus 2016. Mar sin féin, nuair a chuirtear sosanna gairme, comhroinnt oibre agus socrutithe oibre a thacaíonn leis an teaghlaigh, d'oibrigh an Oifig le leibhéal comhionann foirne de 42.58 fostáí lánaimseartha i rith 2017. Tá laghdú suntasach tagtha ar líon na mball foirne atá ag obair san Oifig ó dhíláraigh an Oifig go Cill Chainnigh den chéad uair i 1998. Ó 2008, mar shampla, tháinig laghdú 27% ar líon na foirne ó 63 go dtí an leibhéal reatha de 46. Tá iarracht déanta ag an Oifig freastal éilimh ardleibhéil seirbhísé don phobal le níos lú acmhainní foirne gan éifeachtacht oibríochtúil a chur i mbaol trí nósanna imeachta níos fearr agus níos éifeachtaí agus úsáid na tecneolaíochta.

Tá an Oifig tiomanta do chinntíú go ndéantar measúnú rialta ar gach feidhmíocht foirne agus go ndéanfar athbhreithnithe foirne a chríochnú go tráthúil. Nascann an Córás Forbartha Bainistíochta Feidhmíochta (PMDS) le plean gnó bliantúil na hOifige agus tugann sé deis do gach ball foirne spriocanna aonair a leagan síos, tús a chur le hathruithe a dhéanamh agus leanúint de bheith ag feabhsú cleachtais oibre chun seirbhís éifeachtach ardchaighdeáin a sheachadadh. De réir an chórais PMDS, dréachtaíodh Plean Forbartha Oiliúna a thóg san áireamh na riachtanais is oiliúna éagsúla a d'ainthin an fhoireann ina bpleannanna forbartha pearsanta do 2017. Lasmuigh den oiliúint leanúnach ar an láthair, thug an fhoireann faoi 43 lá oiliúna ar fad i rith 2017. Cuireadh oiliúint ar fáil I réimsí amhail an geilleagar, córais airgeadais, scileanna cumarsáide agus Saoráil Faisnéise.

Lean an fhoireann lena ról lárnach maidir le tomhaltas fuinnimh a laghdú laistigh den Oifig i gcomhréir leis an gClár Earnála Poiblí atá I bPlean Gníomhaíochta Éifeachtúlachta Fuinnimh an Rialtais. Tá sé mar sprioc ag an bplean tomhaltas fuinnimh alaghdú, feasacht foirne ar éifeachtúlachta fuinnimh a mhéadú agus monatóireacht a dhéanamh ar heidhmíocht trealamh téimh / aerchóirithe. Mar thoradh ar na bearta coigilt fuinnimh atá curtha bhfeidhm ag an bhfoireann, tá coigiltis suntasacha tomhaltais fuinnimh le bliain anuas (i gcomparáid le 2008, an bhliain thagarmharcála) agus sábháil iarmhartach i gcostais fuinnimh. Laghdaigh tomhaltas fuinnimh san fhoirgneamh de 25.5% abhuí lenár rannpháirtíocht san fheachtas “Optimizing Power@Work” in 2008.

## Cuspóir 6

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

Déanann baill foirne Oifig na bPaitinní ionadaíocht d'Éirinn ag roinnt fóram idirnáisiúnta. Agus an méid sin á dhéanamh acu, cinntíonn siad go gcuirtear seasamh na hOifige ar ábhair Mhaoine Intleachtúla in iúl, go gcuirtear daoine ar an eolas faoin seasamh sin agus go dtugtar cosaint dó. Déanann ardbhainisteoirí na hOifige ionadaíocht d'Éirinn ar Chomhairle Riaracháin Oifig Eorpach na bPaitinní agus ar na Coistí Bainistíochta éagsúla dá cuid. Déanann siad ionadaíocht don téarmaí ar Bhord Bainistíochta agus ar Choiste Buiséid EUPO freisin. Agus iad ina saineolaithe ina réimsí féin, suíonn baill foirne ar roinnt coistí teicniúla agus idirchaidrimh de chuid Oifig Eorpach na bPaitinní agus EUPO. Suíonn siad freisin ar Mheithleacha Tionscail a bhrúnn tionscnaimh chóineasaithe agus chomhchuibhithe Eorpacha chun cinn in EUPO. Tá cláir chomhair dhéthaobhaigh i bhfeidhm ag an Oifig le hOifig Eorpach na bPaitinní agus le EUPO freisin, ar cláir iad faoina bhfaigheann an Oifig cúnamh le haghaidh na nithe seo a leanas: páirt a ghlacadh in imeachtaí éagsúla atá thíos ar fheasacht ar MI a ardú, páirt a ghlacadh i sainioiliúint MI, páirt a ghlacadh i dtionscadail TFC arb é is aidhm dóibh malartú sonraí MI a éascú, uirlisí a fhorbairt chun rochtain níos fearr a chur ar fáil ar fhaisméis MI agus cleachtais agus nósanna imeachta a chomhchuibhiú. Éascaíonn ár ranpháirtíocht sna cláir comhphlé a dhéanamh ar ábhar agus ar struchtúr clár comhair idir na heagraíochtaí sin agus oifigí náisiúnta eile MI san Eoraip, rud a chuireann ar chumas na hOifige a seirbhísí do chustaiméirí a fheabhsú agus a fhorbairt tuilleadh de réir an dea-chleachtais idirnáisiúntabealaí nósanna imeachta riacháin agus rialacha cur chun feidhme a chinneadh le haghaidh cosaint aonadach paitinne. Anuas air sin, glacann baill foirne páirt i gcruiinnithe na gcomhlachtaí rialaithe agus na gcomhlachtaí teicniúla de chuid WIPO (a riarrann an Conradh Comhair Paitinní agus socrutithe faoi Phrótacl Mhaidrid lena ndéileáltear le hiarratais idirnáisiúnta trádmhairc) agus i roinnt conarthaí idirnáisiúnta maidir le maoin intleachtúil.

# Comhoibriú Idirnáisiúnta



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

## CLÁR COMHAIR EUIPO

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

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

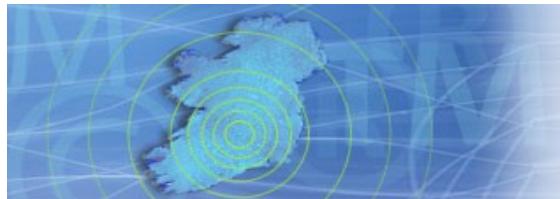
Fuair an Oifig tacáiocht ó EUIPO freisin chun a chuid uirlísí príomhthionscnaimh TM view agus Design view a choinneáil. Ina theannta sin, faoi chomhaontú déthaobhach le EUIPO, bhain an Oifig leas as cúnamh i leith costas imeachtaí ardaithe feasachta, tráth a scaipeadh eoals maidir leis an Trádmharc Pobail agus na Córás Deartha Pobail.

I gcomhar le seoladh Plean Straitéiseach EUIPO 2020, seoladh sraith nua de Thionscadail Chomhoibrithe le súil le tógáil ar an rath a baineadh amach faoin bPlean Straitéiseach 2011-2015 roimhe seo. Tá ionadaíocht ag an Oifig ar Ghrúpa Oibre an AEIPO um Anailís ar Chóineasú agus leanann sé ag obair go dlúth le EUIPO maidir leis na gnéithe teicniúla de Threoir na Trádmharc a Thrasúí a mbeidh mar thoradh ar thabhairt isteach cineálacha trádmharcanna nua in Eanáir 2019.

## COMHOIBRIÚ EUIPO

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

# Láithreán greasáin agus foilseacháin na hOifige



## Suíomh gréasáin Oifig na bPaitinní

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

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

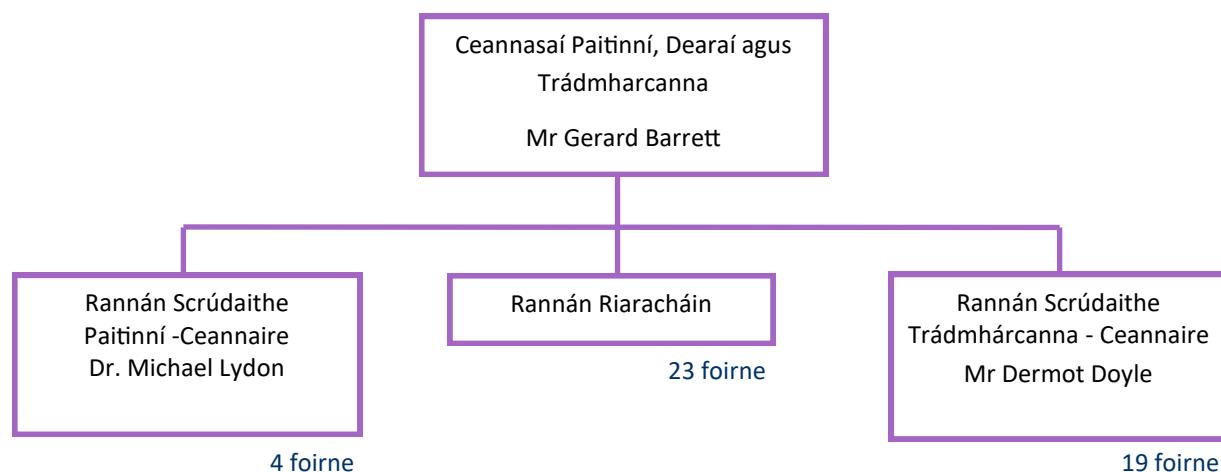
## Láithreán Gréasáin Oifig na bPaitinní

Lean láithreán gréasáin na hOifige mar phríomhurlis chun eolas a chur ar fáil don phobal ar IP chomh maith le bealach éifeachtach chun raon seirbhísí cuardaigh idirghníomhacha agus focaíochta táille a sholáthar. Bhí líon na gcuaireanna ar an láithreán gréasáin ag meán 23,500 in aghaidh na míosa nó 283,500 in aghaidh na bliana in 2017. Bhí 63% ina gcuairteoirí nua. Mar a tharla sna blianta roimhe seo, leanann an tóir is mó ar na leathanaigh chuardaigh idirghníomhacha ar líne le breis is 241,000 cuairt in 2017. Lean an obair ar aghaidh i rith 2017 ar ath-dhearradh mór ar láithreán gréasáin an IPO ionas go mbeidh tréithe agus riachtanais suíomhanna gréasáin nua-aimseartha aige maidir le húsáidteach, inrochtaineacht, feidhmiúlacht, léiriú agus freagrúlacht agus sásamh agus úsáid an chustaiméara a mhéadú. Seolfar an láithreán gréasáin nua in 2018.

## An tIrisleabhar Oifigiúil

Foilsítear an t-irisleabhar gach coicís ar an suíomh Gréasáin. Is i ngach eagrán den irisleabhar a bhíonn innéacs inchuardaithe agus faisnéis faoi ghníomhartha a bhaineann le hiarratais ar phaitinní, ar thrádmharcanna agus ar dheardaí agus faoi chlárúcháin. Mar shampla, bítear in ann sonraí a fháil i ngach irisleabhar faoi thrádmharcanna agus faoi dheardaí ar glacadh leo. Is san irisleabhar freisin a bhíonn sonraí faoi phaitinní a ndearnadh iarratas orthu, a foilsíodh agus a deonaíodh, lena n-áirítear paitinní a deonaíodh faoi Choinbhinsiún na bPaitinní Eorpacha agus lena n-ainmnítear Éire iontu. Cuimsítear san irisleabhar chomh faisnéis faoi nithe amhail fógraí oifigiúla, sonraí faoi mhodhanna íocaíochta táillí reacthaí agus uaireanta oscailte Oifig na bPaitinní. Cuireadh saoráid idirghníomhach leis an irisleabhar ar líne sa bhliain 2012. Mar gheall ar an tsaoráid sin, tá úsáideoirí in ann an sliocht d'aon phaitinn, d'aon trádmharc nó d'aon dearadh ar leith sa Chlár a rochtain laistigh den irisleabhar anois trí chliceáil ar hipearnasc laistigh den irisleabhar.

# Eagrú, Struchtúr agus Pearsanra



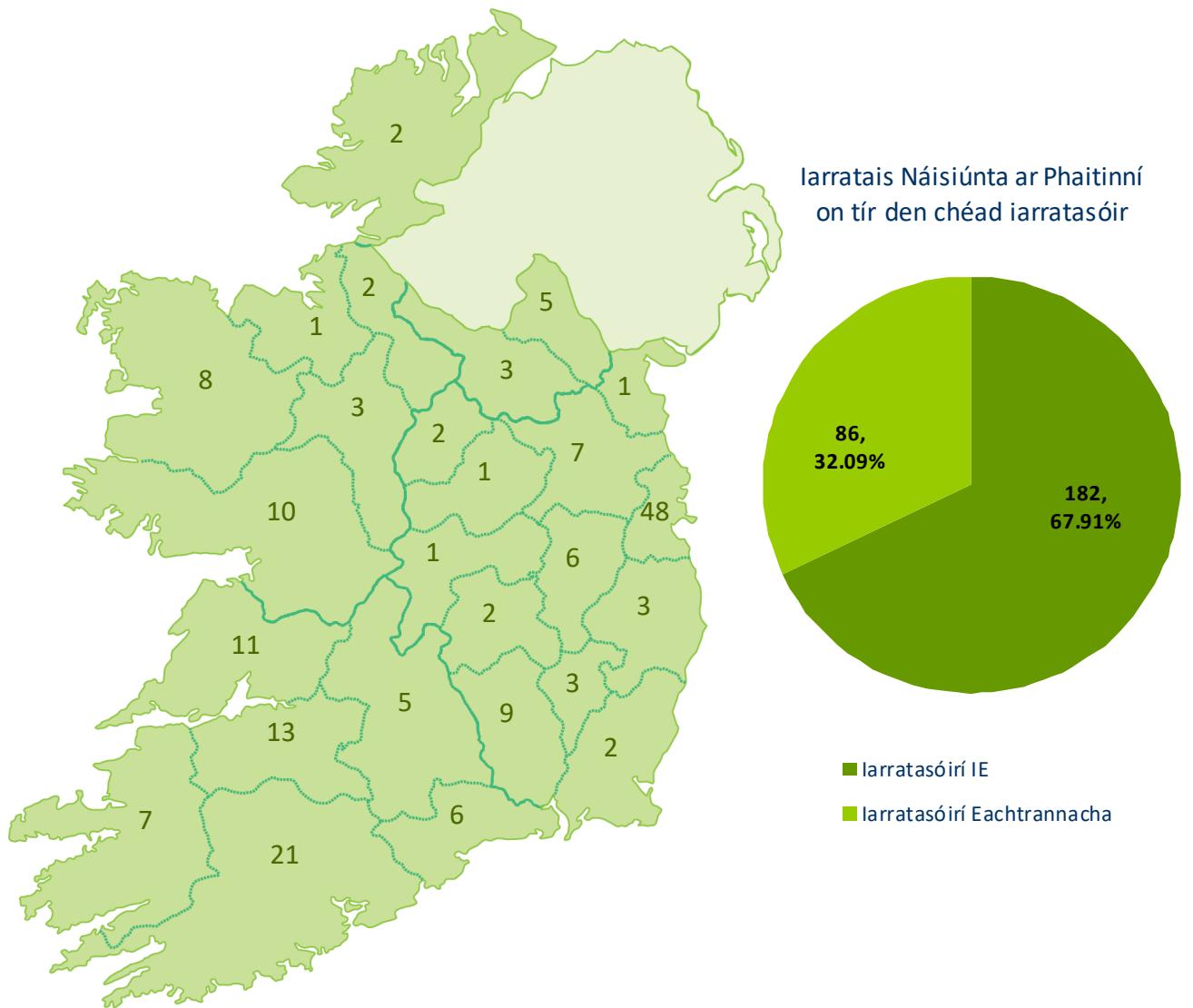
## Foireann ar Seirbhís

Foireann	Líon na bpost
Ceannasaí	1
Scrúdaitheoir Sinsearach Paitinne	1
Príomhoifigeach Cúnta	1
Scrúdaitheoir Paitinne	4
Ardoifigeach Feidhmiúcháin	3
Oifigeach Riaracháin	1
Oifigeach Feidhmiúcháin	18
Oifigeach Cléireachais	16
Oifigeach Seirbhísí	1
Iomlán	46

Áirítear leis na 46 bhall foirne 2 Ardoifigeach Feidhmiúcháin, 1 Oifigeach Riaracháin, 6 Oifigeach Feidhmiúcháin agus 4 Oifigeach Cléireachais a bhain leas as scéim comhroinnte oibre, rud lena gceadaítear patrún éagsúla freastail. Bhain triúr ball foirne leas as scéim teilea-oibrithe, rud lena gceadaítear do bhaill foirne a gcuid dualgas a chomhlíonadh ón mbaile ar feadh cuid den tseachtain. B'ionann agus 42.58 post líon na bpost coibhéise lánaimseartha san Oifig an 31 Nollaig 2017. Cuireann an Roinn Post, Fiontar agus Nuálaóchta seirbhísí teicneolaíocht faisnéise ar fáil don Oifig. Tá ceathrar ball foirne ann d'Aonad Teicneolaíochta Faisnéise na Roinne atá suite san Oifig.

.

# Staidreamh Gnó - Paitinní



Iarratais Náisiúnta ar Phaitinní faoi contae i 2017

IARRATAIS FAIGHTE		BLIAIN		PAITINNÍ DEONTA		
Ar Théarma Iomlán	Ar Ghearr-théarma	IOMLÁN	Ar Théarma Iomlán	Ar Ghearr-théarma	IOMLÁN	
203	237	440	2015	48	78	126
149	138	287	2016	64	100	164
137	131	268	2017	60	27	87

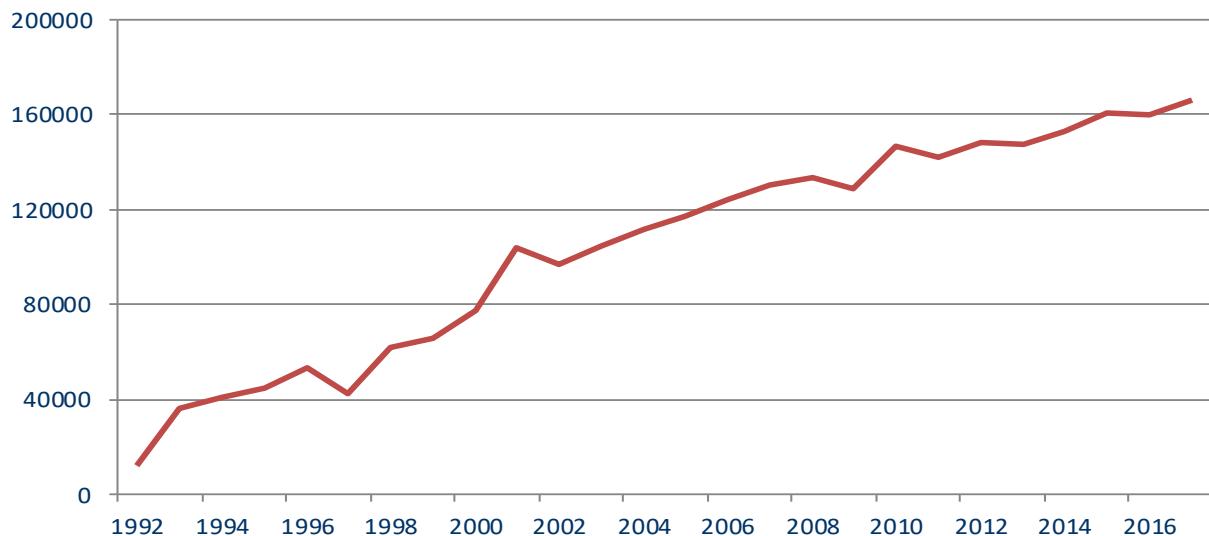
Ar an 31 Nollaig 2017, bhí 1,166 arratas san iomlán ar feitheamh idir lámha. Díobh seo, bhí 180 iarratas ag fanacht go gcuirfí isteach fianaise ar nuagacht. Fuarthas 182 iarratas ó iarratasóirí sa Stát i 2017 i gcomparáid le 202 i 2016.

## Iarratais Eorpacha a rinne sainiú ar Éirinn

Bliain	Comhadaithe	Bliain	Comhadaithe	Bliain	Comhadaithe
1992	11,755	2001	103,659	2010	146,726
1993	35,762	2002	96,779	2011	141,373
1994	40,705	2003	104,529	2012	147,551
1995	44,161	2004	111,537	2013	147,487
1996	52,755	2005	117,096	2014	152,400
1997	41,875	2006	123,912	2015	160,028
1998	61,584	2007	129,890	2016	159,358
1999	65,708	2008	133,248	2017	165,629
2000	76,806	2009	128,378		

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

## Iarratais Eorpacha a rinne sainiú ar Éirinn



## Paitinní a deonadh i 2017 a raibh feidhm leo sa Stát

2017	Iomlán	Líon na bpaitinní a deonadh d'iarratasóirí ó laistigh den Stát	% de nan paitinní a deonadh d'iarratasóirí ó laistigh den Stát
Deonta ag m'Oifig-se	87	41	47%
Deonta ag an OPE	101,109	447	0.44%
<b>Iomlán Deonta</b>	<b>101,196</b>	<b>488</b>	<b>0.48%</b>

## Paitinní

	2015	2016	2017
<b>Paitinní agus iarratais ar phaitinní ina n-ábhar sannta</b>	1,188	887	794
<b>Paitinní cúlgairthe</b>	0	0	0
<b>Paitinní tugtha suas</b>	1	2	1
<b>Paitinní tite ar lár</b>	55,035	61,306	77,528
<b>Paitinní curtha ar ais</b>	13	10	6
<b>Paitinní athnuaithe</b>	42,740	44,729	47,837
<b>Paitinní éagtha</b>	1,064	1,198	1,240
<b>Paitinní i bhfeidhm</b>	118,273	147,125	169,453
<b>Éisteachtaí</b>	0	1	0
<b>Iarratais PCT a fuarthas le cur chuig EDMI</b>	21	23	15
<b>Iarratais ar Phaitinní Eorpacha a fuarthas le cur chuig OPE</b>	1	4	2

### Iarratas ar Dheimhnithe Cosanta Forlíontacha

Fuarthas 63 iarratas san ionlán ar Dheimhnithe Cosanta Forlíontacha i rith na bliana faoi Rialachán na gComhphobal Eorpacha (Deimhnithe Cosanta Forlíontacha), 1992 (míochaineach) agus 1996 (táirgí cosanta plandaí). I rith na bliana, deonadh 74 deimhniú (cosaint míochaineach agus plandaí), diúltáodh do 10 iarratas agus tarraingíodh siar 11 iarratas. Ag deireadh na bliana bhí 175 iarratas ar feitheamh.

### Clár na nGníomhairí Paitinne

Ag deireadh na bliana 2017, bhí 86 duine aonair agus 7 comhpháirtíochtaí iontráilte i gClár na nGníomhairí Paitinne.

**AICMIÚ AR NA PAITINNÍ A DHEONAIGH AN OIFIG SA BHLIAIN DAR CHRÍOCH 31 NOLLAIG 2017 DAR LEIS AN  
AICMIÚ IDIRNÁISIÚNTA PAITINNE (AIP)**

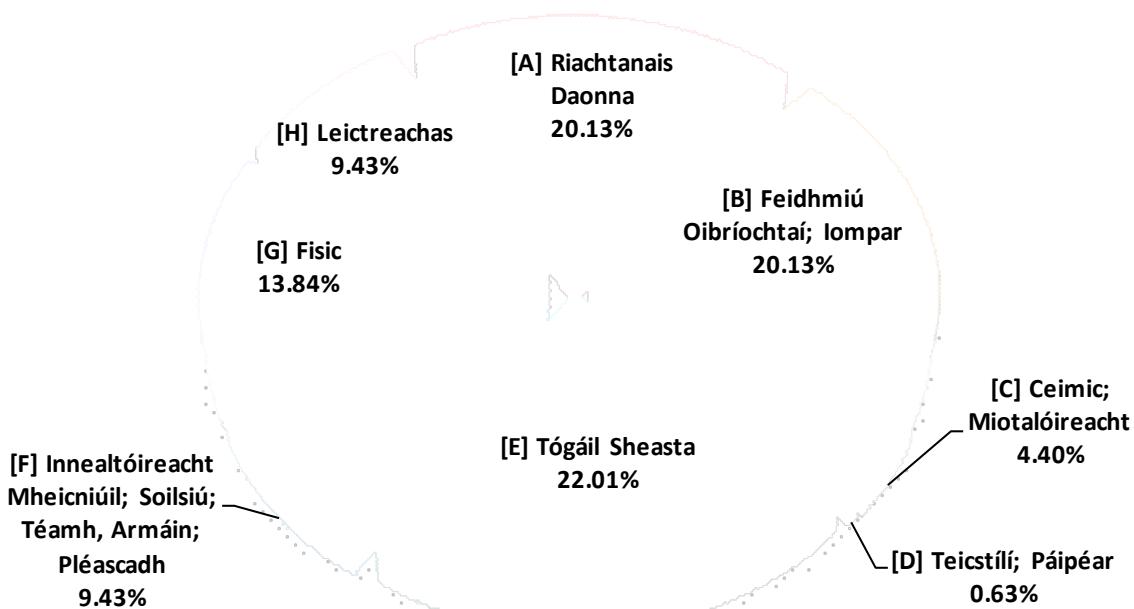
**Nóta ar Aicmiú Paitinne**

Déantar aicmiú ar phaitinní bunaithe ar a n-ábhar teicniúil. Ceadaíonn aicmiú den chineál sin aisghabháil paitinní de réir nádúr na n-aireagán a nochtar iontu. Is é an tAicmiú Idirnáisiúnta Paitinne (AIP) an córas caighdeánach do rangú paitinne. Tá sé comhdhéanta de thart ar 70,000 siombal aicmithe roinnte ar 8 rannóg bunúsacha (A go H), a bhaineann le cineálacha difriúla bunúsacha teicneolaiochta. Tugtar cód aicmithe ar gach ní airtitheach i bpaitinn. Is féidir dhá aireagán níos mó a bheith i bpaitinn chomh fada is atá leorhaol eatarthu; mar shampla, comheascán nua ceimice agus a úsáid mar mhíochaine nó mar luibhicíd, nó léasair nua agus a úsáid i máinliacht súl nó léamh sonraí. Dá réir sin, is féidir go dteastódh líon áirithe siombal aicmiúcháin lena n-ábhar ar fad a chlúdach. Déanann an tábla agus an graf atá leis seo comhordú ar líon iomlán na n-aicmí a leithdháileadh do phaitinní í 2017. Seasann gach rangú ar leith do ní airtitheach a nochtar i bpaitinn, agus dá bhrí sin is ionann seo cuid mhaith agus cuntas scóir ar airtitheach. Tá na haicmí curtha i ngrúpaí de réir rannóga AIP.

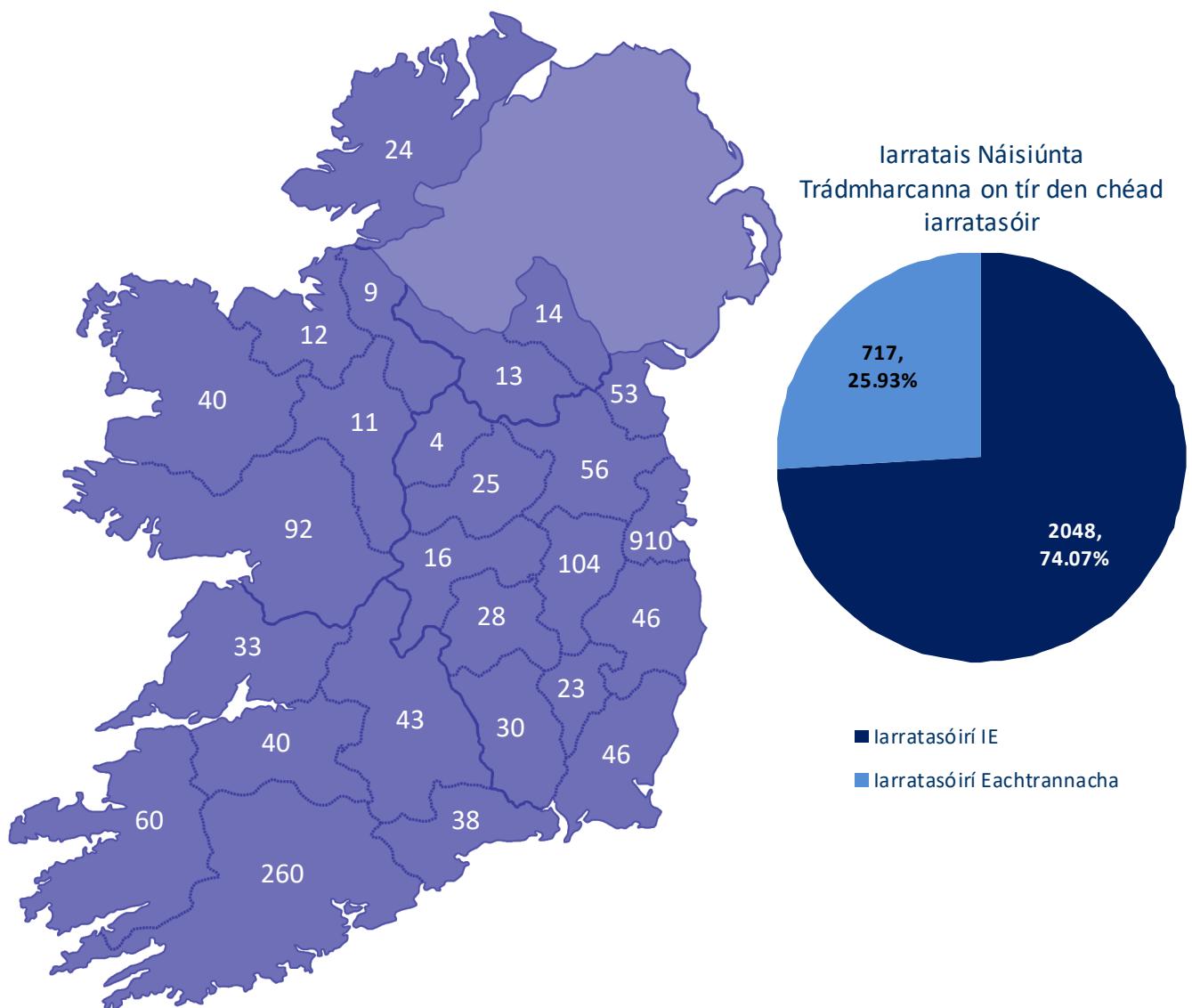
AICMIÚ	An líon deonuithe san Aicmiú *
A. RIACHTANAIS DAONNA m.sh. Ábhair bia, Sláinte, Nithe Pearsanta.	32
B. FEIDHMIÚ OIBRÍOCHTAÍ; IOMPAR: m.sh. Teicneolaíocht múnlaithe, prioritála,	32
C. CEIMIC; MIOTALÓIREACHT	7
D. TEICSTÍLÍ; PÁIPÉAR	1
E. TÓGÁIL SHEASTA: m.sh. Foirgníocht, druileáil, mianadóireacht.	35
F. INNEALTÓIREACHT MHEICNIÚIL; SOILSIÚ; TÉAMH, ARMÁIN; PLÉASCADH	15
G. FISIC: m.sh. Optaic, ríomhaireacht, fisic núicléach.	22
H. LEICTREACHAS: m.sh. Ciorcaid leictreonacha, giniúint agus dáileadh leictreachais.	15

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

### Aicmithe de réir Choidanna IPC do Phaitinní Deonaithe in 2017



# Staidreamh Gnó - Trád Mharcanna



Iarratais Náisiúnta ar Thrádmharcanna faoi contae í 2017

Iarratais a Fuarthas	Iarratais Náisiúnta				BLAIN	Clárúchán Idirnáisiúnta ina sainfodh Éire			
	Fógraithe	Curtha ina gCoinne	Dearáí cláraithe	Iarratais a Fuarthas		Fógraithe	Curtha ina gCoinne	Cosanta	
2,654	2,198	72	1,860	2015	1,180	945	5	879	
2,694	2,246	91	1,894	2016	891	865	7	888	
2,765	1,779	50	1,896	2017	1,195	849	9	862	

## Trádmharcanna

	2015	2016	2017
Líon na dtrádmharc ina n-ábhar sannta	1,626	1,769	1,484
Líon na gceadúnas ar thrádmhairc taifeadta sa chlár	40	121	10
Clárúcháin Trádmharc asbhainte de dheasca neamhíocaíocht na dtáillí athnuachana	2,018	2,112	4,616
Clárúcháin trádmharc tugtha suas	3	25	10
Clárúcháin trádmharc tugtha ar ais	4	5	10
Clárúcháin trádmharc athnuaithe	3,387	5,537	5,472
Trádmhairc Náisiúnta cúlghairthe go hiomlán nó i bpáirt	4	7	4
Trádmhairc Idirnáisiúnta cúlghairthe go hiomlán nó i bpáirt	1	0	0
Trádmhairc Náisiúnta fógraithe neamhbhailí	0	1	1
Trádmhairc Idirnáisiúnta fógraithe neamhbhailí	0	0	0
Trádmhairc náisiúnta cláraithe i bhfeidhm	61,266	60,944	58,207
Trádmhairc Idirnáisiúnta i bhfeidhm	21,305	20,946	20,600
Iomlán na dTrádmharc i bhfeidhm	82,571	81,890	78,807

## Éisteachtaí agus Ilnithe

	2015	2016	2017
Éisteachtaí ( <i>ex parte</i> )	9	4	3
Éisteachtaí ( <i>inter partes</i> )	6	6	4
Eisteachtaí ( <i>inter partes ar mhodh aighneacht i scribhinn</i> ) *	14	4	9
Iarratais le hiarratais Trádmhairc na bPobal Eorpacha a aistriú go hiarratais náisiúnta	31	37	24
Iarratais idirnáisiúnta trádmhairc ina raibh Éire ina hOifig Tionscnamh comhadaithe	83	62	65

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

## Clár na nGníomhairí Trádmhairc

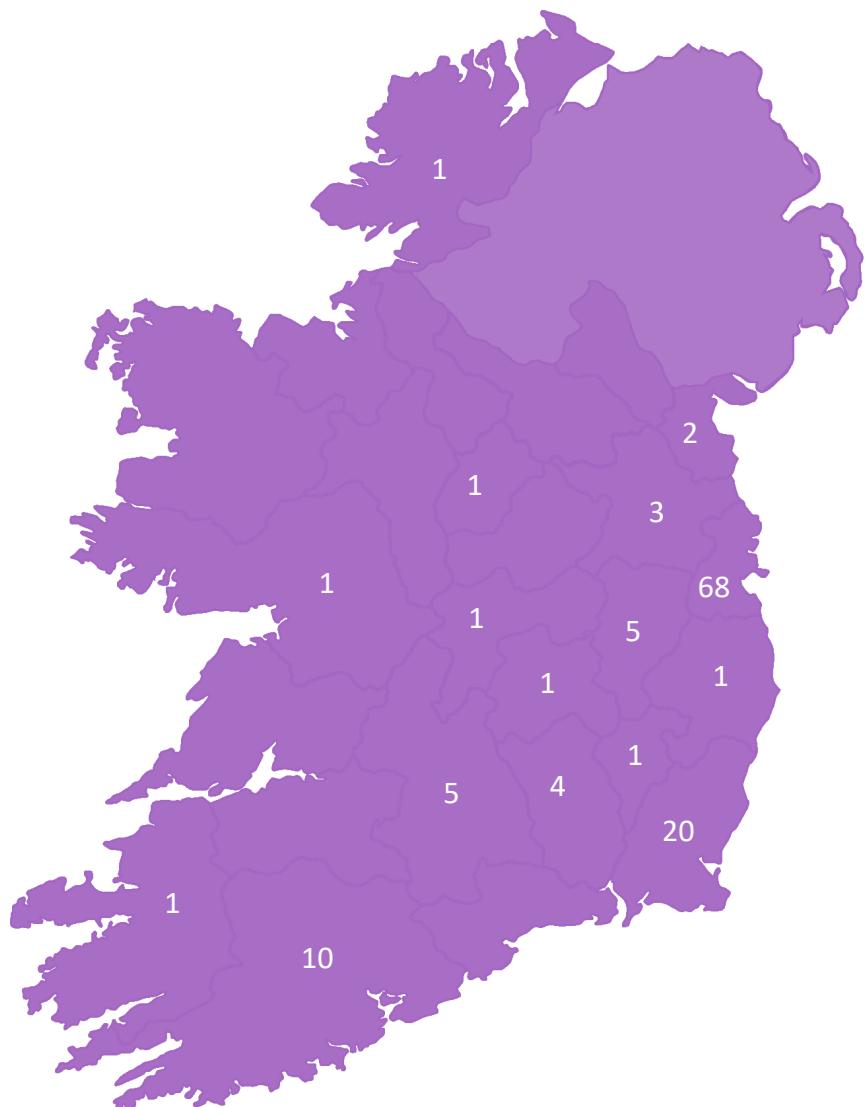
Ag deireadh na bliana 2017, bhí 229 duine aonair agus 5 comhpháirtíochtaí iontráltaí ar an gClár.

**AICMIÚ IDIRNÁISIÚNTA AR EARRAÍ AGUS AR SHEIRBHÍSÍ INA GCUIRTEAR NA  
MARCANNA A CLÁRAÍODH IN 2017**

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

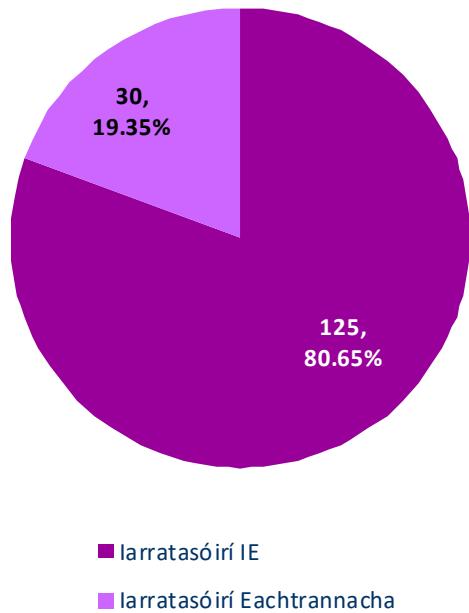
<b>Aicme</b>	<b>Aicmiúchán Earraí</b>	<b>Líon na marc san aicme</b>	<b>Aicme</b>	<b>Aicmiúchán Earraí</b>	<b>Líon na marc san aicme</b>
1	Táirgí Ceimiceacha, srl.	39	24	Fíocháin ( gréasáin), srl.	40
2	Péinteanna, srl.	44	25	Éadaí, ag áireamh Buataisí, Bróga agus Slipéir	137
3	Uillmhoidí Tuartha, srl.	83	26	Lásá agus Bróidnéireacht, srl.	21
4	Olaí Tionsclaíochta, srl.	41	27	Cairpéid, srl.	12
5	Substaintí Cógaisíochta, srl.	219	28	Cluichí, srl.	72
6	Miotail Choitianta agus a gcóimhiotail Neamhoibrithe agus Páirt Oibrithe	62	29	Feoil, Iasc, Éineoil agus Géim, srl.	154
7	Meaisíní agus Inneal Úirlisí, srl.	26	30	Caifé, Tae, Cócó, Siúcra, Rís, srl.	183
8	Uirlisí agus Ionstraimí Láimhe, Sceanra, srl.	28	31	Táirgí Talmhaíochta, srl.	66
9	Fearas agus Ionstraimí Eolaíochta, srl.	281	32	Beoir, srl.	97
10	Uirlisí Máinliachta, srl.	26	33	Fíonta, Biotáille agus Licéir	84
11	Fearas Soilsithe	65	34	Tobac, srl.	30
12	Feithiclí; Fearas Gluaiseachta ar Thalamh, san Aer agus ar Uisce	28	35	Fógraíocht, Bainistiú Gnó, srl.	327
13	Airm Thine, Lón Lámhaigh agus Diúracáin; Substaintí Pléascacha; Spréachairí	0	36	Árachas, Gnóthaí Airgeadais, srl.	136
14	Miotail luachmhara agus a gCóimhiotail, srl.	38	37	Tógál Foirgníochta, Deisiúchán, I Seirbhísí suiteála.	103
15	Uirlisí Ceoil (seachas meisíní cainte agus fearas raidió)	3	38	Teileachumarsáidí	66
16	Páipéar, srl.	174	39	Iompar, Pacáistíu agus Stóráil Earraí, srl.	103
17	Guma Peirc, Cútiúc, srl.	15	40	Cóiriú Ábhar	42
18	Leathar, srl.	55	41	Oideachas, Siamsaíocht, srl.	347
19	Ábhair Thógála, srl.	38	42	Seirbhísí eolaíochta agus teicneolaíochta	199
20	Troscán, Srl.	51	43	Soláthar bia agus dí	142
21	Acraí Beaga Tí, srl.	76	44	Seirbhísí míochaine, srl.	83
22	Rópaí, srl.	1	45	Seirbhísí pearsanta agus sóisialta	55
23	Snáitheanna	0			

## Staidreamh Gnó - Dearáí



Iarratais Náisiúnta ar Dhearaí faoi contae í 2017

Iarratais Náisiúnta Dearáí on tir den chéad iarratasóir



	2015	2016	2017
Iarratais ar Dhearaí*	49	80	65
Lín na ndearáí iarrtha*	178	181	155
Dearáí cláraithe	149	116	96
Dearáí tite ar lár	53	90	96
Dearáí athnuaithe (Acht 2001)	79	30	76
Dearáí athnuaithe (Acht 1927)	100	4	0
Dearáí i bhfeidhm (Acht 2001)	1,066	1,134	1,140
Iarratais Chomhphobail comhadaithe trí Oifig na bPaitinní agus a cuireadh ar aghaidh chuig an Oifig um OCMI	1	2	0

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

**DEARAÍ A CLÁRAÍODH FAOI ACHT DEARADH TIONSCLAÍOCH, 2001 I GCAITHEAMH NA BLIANA DAR  
CHRÍOCH 31 NOLLAIG 2017**

Bhunaigh conradh iltaobhach dá ngairtear "Comhaontú Locarnó ag bunú Aicmiúchán Idirnáisiúnta do Dhearaí Tionsclaíocha" córas aicmiúchán do dhearaí tionsclaíocha. Tá Aicmiú Locarnó comhdhéanta de liosta de 32 cineál earraí inar féidir dearáí tionsclaíocha a ionchorprú. Riarann An Eagraíocht Domhanda um Maoin Intleachtúil (EDMI) an t-aicmiúchán agus tá an t-eagrán reatha (11th) i bhfeidhm ó Eanáir 1, 2018.

Rang	Aicmiúchán	Dearáí Cláraithe
1	Ábhair Bia	0
2	Baill éadaigh agus Mionéadaí	1
3	Earraí Taistil, Cásanna, Parasóil agus Earraí Pearsanta, nach bhfuil sonraithe in áit eile	6
4	Earraí scuaibé	2
5	Earraí Gréasán Teicstíle, Leatháin Shaorga agus Nádúrtha	0
6	Feistis	5
7	Earraí Tí, nach bhfuil sonraithe in áit eile	12
8	Uirlísí agus Crua-earraí	4
9	Pacáistí agus Gabhdáin d'lompar nó do Láimhseáil Earraí	6
10	Cloig, Uaireadóirí agus Ionstraimí eile Tomhais, Ionstraimí Seiceála agus Comharthaíochta	13
11	Earraí Maisiúchán	24
12	Modhanna lompair nó Árdaithe	0
13	Trealamh do Tháirgeadh, Dáileadh nó Tarchur Leictreachais	0
14	Trealamh chun Taifeadadh, Cumarsáide nó Aisghabháil Faisnéise	3
15	Meaisíní, nach bhfuil sonraithe in áit eile	2
16	Gaireas Fótografaíochta, Cineamatografaíochta agus Optaice	0
17	Uirlísí Ceoil	0
18	Meaisíní Priontála agus Oifige	0
19	Stáiseanóireacht agus Trealamh Oifige, Ábhair Ealaíontóirí agus Múinteoiréachta	0
20	Trealamh Díolacháin agus Fógraíochta, Comharthaí	1
21	Cluichí, Bréagáin, Pubail agus Earraí Spóirt	1
22	Airm, Earraí Piorthéicniúla, Earraí chun Fiaigh, lascaireachta agus Marú Lotnaidí	0
23	Trealamh Dáilithe Leachta, Trealamh Sláintíochta, Téimh, Aerála agus Aerchóirithe, Breosla Soladach	1
24	Trealamh Míochaine agus Saotharlainne	0
25	Aonaid Foirgníochta agus Eilimíntí Tógála	11
26	Fearas Soilsithe	0
27	Tobac agus Soláthairtí do Lucht Caite Tobac	0
28	Tárgí Cógaisíochta agus Cosmáide, Earraí agus Fearas Maisiúchán	0
29	Gléasanna agus Trealamh in aghaidh Guaise Tine, Cosc ar Thionóisc agus chun Tarrthála	0
30	Earraí um Chúram agus Láimhseáil Ainmhíthe	0
31	Meaisíní agus Fearas Ullmhúchán Bia agus Dí, nach bhfuil sonraithe in áit eile	0
32	Siombalachá Grafaíochta agus Comharthaí, Patrún Dreacha, Ornadaíochta	4
	<b>IOMLÁN</b>	<b>96</b>

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

## Tagairtí don Cheannasaí faoin Acht Cóipchirt agus Ceart Gaolmhar, 2000

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

### Cláir na gComhlachtaí Ceadúnúcháin Chóipchirt

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

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

Cláraíodh 13 comhlacht i gClár na gComhlachtaí Ceadúnaithe Chóipchirt ag túis 2017. D'éag ceann acu agus níor athnuáíodh é, agus cláraíodh comhlacht eile den chéad uair. Tá comhlacht amháin cláraithe i gClár na gComhlachtaí Ceadúnúcháin do Chearta Maoine Taibheoirí agus níl aon iontrálacha le feiceáil i gClár na gComhlachtaí Ceadúnúcháin do Chearta Bunachar Sonraí.

### Comhbhainistíocht Ceart

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

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

Foráiltear leis na Rialacháin maidir le Comhbhainistíocht Ceart gurb é an Ceannasaí an t-údarás inniúil in Éirinn i dtaca le faireachán a dhéanamh ar chomhlíonadh na rialachán. Anuas ar chomhlíonadh a dhéanamh ar an gceanglas san Acht Cóipchirt agus Ceart Gaolmhar, 2000, lena gceanglaítear ar eagraíocht comhbhainistíochta clárú agus a clárúchán mar chomhlacht ceadúnúcháin chóipchirt a choinneáil ar bun sula bhféadann sí feidhmiú sa Stát, foráiltear leis na Rialacháin freisin nach mór do na heagraíochtaí comhbhainistíochta go léir a bhfuil a gceanncheathrú in Éirinn ráiteas bliantúil comhlíonta a chur faoi bhráid an Cheannasaí, in éineacht le hathnuachan a ndoiciméad clárúcháin. Tá mion-nótaí treorach faoi na Rialacháin maidir le Comhbhainistíocht Ceart agus faoi na ceanglaíochtaí chomhlíonta ar fáil ar shuíomh Gréasáin na hOifige. Tá feidhm ag na ceanglaíochtaí chomhlíonta sna Rialacháin maidir le Comhbhainistíocht Ceart maidir le 6 cinn de na 13 chomhlacht ceadúnúcháin chóipchirt chláraithe atá ag feidhmiú sa Stát.

### Saothair Dhílleachtacha

Is é is Saothair Dhílleachtacha ann ná saothair amhail leabhair, scannáin, ailt nuachtáin agus ábhar cruthaitheach eile a chosnaítear le cóipcheart sa chás nach féidir úinéir na saothar a fháil ná teagmháil a dhéanamh leis chun cead a fháil na saothair a úsáid. D'fhéadfadh go mbeadh na saothair sin mar chuid de bhailíúcháin atá i seilbh Eagraíochtaí Tairbhíocha amhail leabharlanna, músaeim, cartlanna, institiúidí oidhreachta scannáin agus fuaime, agus eagraíochtaí craoltóireachta seirbhise poiblí. Leagtar amach i dTreoir AE um Shaothair Dhílleachtacha (Treoir 2012/28/AE) rialacha comhchoiteanna maidir le húsáid a bheith á baint ag eagraíochtaí cultúrtha as saothair dhílleachtacha i leabhar, in irisleabhair nó i saothair scríofa eile, mar aon le saothair chineamatagrafaíochta nó chlosamhairc nó taifeadtaí fuaime agus amharcealaín leabaithe (seachas saothair ealaíonta aonair amhail grianghraif agus léaráidí), sa chás go bhfuil sé mar aidhm leis an eagraíocht chultúrtha saothair den sórt sin a dhigiú chun críocha neamhthráchtála gan cóipcheart a shárú. Ta eis dí cuardach dícheallach a dhéanamh chun úinéireacht an tsaothair/na saothar nó cineál dílleachtach an tsaothair/na saothar a dhéanamh amach, ní mór d'aon eagraíocht ar mian léi Saothar Dílleachtach a chlárú i mBunachar Sonraí na Saothar Dílleachtach iarratas ar líne a dhéanamh ar dtús chun bheith cláraithe mar "Eagraíocht Thairbhíoch". Is don Údarás Inniúil Náisiúnta atá ainmnithe i ngach Ballstát a thugtar fógra faoin iarratas ar líne sin. Cuirfidh an túdarás Inniúil Náisiúnta an t-iarratas ar aghaidh chuig EUIPO ansin lena chur ar áireamh i mBunachar Sonraí na Saothar Dílleachtach. Is é an Ceannasaí Paitinní, Deartháí agus Trádmharcanna an túdarás Inniúil Náisiúnta in Éirinn. Cláraíodh sé éagraíocht Éireannacha mar Eagraíochta Tairbhíocha le linn na bliana 2017. Cláraíodh sé eagraíocht Éireannacha mar Eagraíochtaí Tairbhíocha le linn na bliana 2017.

# REACHTAÍOCHT

## Reachtaíocht 2017

Tá freagracht uileghabhálach ag Aonad Maoine Intleachtúla na Roinne Fiontar, Gnó agus Nuálaíochta maidir le beartas agus ullmhú reachtaíochta a bhaineann le maoin intleachtúil. Mar sin féin, de réir Alt 103 d'Acht na bPaitinní, cuimsíonn an Ceannasaí sonraí na reachtaíochta go léir a rinneadh sa bhliain a bhfuiltear ag tuairisciú uirthi.

### AN tACHT UM BOSCA FORBARTHA EOLAS (DEARBHÚ AIREAGÁN) 2017 (Uimh. 6 de 2017)

Bhunaigh an tAcht KDB scéim dheimhniúcháin le cur ar chumas fiontair bheaga agus mheánmhéide le sócmhainní maoine intleachtúla i bhfoirm aireagáin phaitinnithe nach bhfuil paitinnithe ach a coinníodh rúndá chun cáiliú don KDB. Is FBManna incháilithe iad siúd a bhfuil ioncam acu ag teacht ó mhaoin intleachtúil de níos lú ná €7.5m agus le láimhdeachas domhanda níos lú ná €50m nuair a eascraíonn an brabús ó T&F. Forálann an tAcht go ndéanfaidh an Ceannasaí Paitinní, Dearthaí agus Trádmharcanna maoirseacht agus feidhmiú ar an scéim dheimhniúcháin seo.

### RIALACHA um PAITINNÍ (LEASÚ) 2017 (IR Uimh 206 de 2017)

D'fhonn a chinntí gur féidir le paitinní fadtéarmacha na hÉireann cáiliú le haghaidh KDB, leasaíodh Acht na bPaitinní 1992 (le Cuid 6 den Acht um Bosca Forbartha Eolais (Deimhnithe d'aireagóirí) 2017 (an tAcht KDB) chun an deonú a éascú d phaitinní fadtéarmacha na hÉireann tar éis scrúdú substainteach a dhéanamh maidir le nuacht agus céim chruthaitheach. Leasaíodh na Rialacha um Paitinní freisin le Rialacha na bPaitinní (Leasú), 2017 (IR Uimh. 206 de 2017) de dhroim na leasuithe ar Acht na bPaitinní.

### RIALACHA UM PAITINNÍ, TRÁDMHARCANNA & DEARTHAÍ (Táillí)(Leasú) 2017 IR Uimh. 205 de 2017

Leasaíodh Acht na bPaitinní 1992 chun scrúdú substainteach ar iarratais phaitinne na hÉireann a thabhairt isteach arís. Forordáonn na leasuithe seo ar na Rialacha um Paitinní, Trádmharcanna agus Dearthaí (Táillí) 2001 (IR Uimh. 482 de 2001) táille €200 chun tuarascáil agus tuairim a thabhairt faoi phaitinniúlacht iarratas faoi Alt 29 d'Acht na bPaitinní 1992. Forordáonn sé freisin táille €200 do shealbhóirí paitinní gearrthéarmacha chun tuarascáil chuardaigh a iarraidh faoi Alt 66 d'Acht na bPaitinní 1992 sula dtugtar faoi imeachtaí sáraithe.

# FAISNÉIS AIRGEADAIS

B'ionann glanfháltais ar fad a fabhraíodh don Státhiste in 2017 agus €9.33m, méadú de €0.26m nó 3% ar fhigiúr 2016 de € 9.07m. Tagann an cion is mó d'ioncam táille na hOifige ó tháillí athnuachana ar Phaitinní Eorpacha. Léirigh an t-ioncam comhcheangailte ó tháillí paitinne agus trádmharc (lena n-áirítear táillí trádmharcanna id-irnáisiúnta) de €8.75m méadú de €0.37m, nó 4% ar fhigiúr 2016.

B'ionann glanchostais na hOifige do 2017 agus €3.27, rud a léirigh méadú de €0.2m ar fhigiúr comhfhereagrach 2016 de €3.06m. An méadú a bhain le caiteachas méadaithe TFC ba chúis leis seo den chuid is mó.

Tugtar briseadh síos níos mionsonraigthe ar ioncam agus ar chaiteachas sa tábla seo a leanas

# Faisnéis Airgeadais

## FÁLTAIS AGUS CAITEACHAS 2017 (Níl cuntas iniúchta fós ag an Ard-Reachtaire Cuntas agus Ciste)

FÁLTAIS	€000
Táillí Paitinne (Nótaí 1 & 2)	6,537
Táillí Trádmhairc	2,222
Clárúchán ar Thrádmhairc Idirnáisiúnta – táillí a fuarthas ó EDM (Nóta 3)	683
Táillí Dearaidh	14
Táillí eile	112
Lúide aisfochaí i leith táillí a íocadh i ndearmad	125
Lúide táillí idirbhearta i leith íocaíochtaí ar-líne le cártaí creidmheasa	104
<b>Fáltais ghlan fabhraithe don Státhiste</b>	<b>9,339</b>

COSTAIS	€000
Tuarastail	1,922
Taisteal & Cothabháil	69
Ilnithe & Focostais	43
Seirbhísí Poist agus Teileachumarsáide	166
Meaisíní Oifige agus Soláthairtí eile Oifige	547
Costais Áitreabh Oifige	94
Foinsí eolais, leabhair, tréimhseacháin, srl.	5
Síntíús do Chumainn Mhaoine Tionsclaíocha	429
<b>Iomlán</b>	<b>3,275</b>

**Nóta 1:**

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

€000
<b>Táillí Paitinne</b>
<b>12,447</b>
<b>Lúide an cion de na táillí athnuachan paitinne a aistríodh go hOifig na bPaitinní Eorpacha</b>
<b>5,910</b>
<b>Táillí Paitinne glan fabhraithe don Státhiste</b>
<b>6,537</b>

**Nóta 2:**

Feidhmíonn Oifig na bPaitinní mar Oifig fháltas d'íarratais ar phaitinní a dhéantar faoin Chonradh Comhair Paitinní agus sa cháilíocht sin faigheann sí táillí le tarchur chuig Oifig Paitinní na hEorpa agus chuig An Eagraíocht Domhanda um Maoín Intleachtúil araoen. Ní fhabhraíonn na táillí do Státhiste na hÉireann agus dá bhrí sin níl siad san áireamh sa bhfigiúr ar an bhfáltas glan. Seo a leanas mionsonraí ar na táillí a aistríodh chuig an OPE agus an EDM (EDMI) i rith 2017

€000
<b>Táillí Bunaigh agus Sainithe CCP tarchurtha chuig EDM, an Ghinéiv.</b>
<b>19</b>
<b>Táillí cuardaigh CCP tarchurtha chuig OPE Munich.</b>
<b>24</b>
<b>Iomlán</b>
<b>43</b>

**Nóta 3:**

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

# SPRIOCANNA FEIDHMIÚCHÁIN 2017

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

## Réimhse Gníomhaíochta agus Leibhéal Bainte Amach

Paitinní					
1.	Fáltais chomhdú foirmeálta a eisiúint d'íarratais comhdaithe i gceart laistigh de 5 lá oibre.	85%	7.	íarratais Eorpacha agus PCT a chur ar aghaidh chuig EPO / WIPO laistigh de 5 lá oibre ón dáta a	100%
2.	Cóipeanna deimhnithe de dhoiciméid paitinne a eisiúint laistigh de 4 lá oibre tar éis an t-iarratas a fháil.	100%	8.	íarratas ar dheonú na bpaitinní gearrthéarmacha a fhaomhadh laistigh de thréimhse 6 mhí ó chomhdú íarratais chuí, iomlán	67%
3.	Deimhniú athnuachana paitinne a eisiúint laistigh de 3 lá oibre tar éis táille athnuachana a fháil.	100%	9.	Tar éis na dociméid agus na freagraí go léir atá riachtanach d'agódí a bhaineann le hiarratais ar phaitinn a fháil, chun cinneadh a dhéanamh maidir le paitinní a dheonú nó a dhiúltú laistigh de dhá mhí.	84%
4.	íarratais phróiseála chun tascanna a chlárú laistigh de 7 lá oibre tar éis iarratas iomlán a chomhlánú.	100%	10.	Fógra faoi lochtanna foirmiúla a eisiúint laistigh de 15 lá oibre ó chomhdú	94%
5.	Dearbhú a eisiúint go ndearnadh leasuithe a iarradh ar chlár na bpaitinní i leith ainmneacha agus seoladh na ndílseánaigh agus na seoltaí le haghaidh seirbhíse a thaifeadadh laistigh de 5 lá	100%	11.	Fógra a eisiúint ar lochtanna substainteacha laistigh de 2 mhí ó chomhdú.	100%
6.	Paitinní a cheadú laistigh de 3 lá oibre tar éis táille deontais a fháil.	99%	12	90% de na hiarratais neamh-rannachago léit ar phaitinn a aicmiú le foilsíú laistigh de 18 mí tar éis	85%

Deimhnithe Cosanta Forlíontacha					
1.	Admhálacha comhdaithe foirmeálta a eisiúint d'íarratais SPC a comhdaíodh i gceart laistigh de	100%	3.	Scrúdú a dhéanamh ar gach iarratas ar Dheimhnithe Forlíontacha Cosanta ag 12 mí deirdh	85%
2	Fógra maidir le lochtanna foirmiúla a eisiúint laistigh de 10 lá oibre ón dáta comhdaithe	100%			

Dearai					
1.	Admhálacha chomhdaithe foirmeálta a eisiúint d'íarratais SPC a comhdaíodh i gceart laistigh de 5 lá oibre.	97 %	3.	Teastas Deimhnithe a eisiúint laistigh de 5 lá oibre tar éis an t-iarratas a bheith cláraithe.	100%
2.	Admhálacha chomhdaithe foirmeálta a eisiúint d'íarratais SPC a comhdaíodh i gceart laistigh de 5 lá oibre.	88%	4.	Deimhnithe athnuachana paitinne a eisiúint laistigh de 3 lá oibre tar éis táille athnuachana a fháil.	100%

## Trádmharcanna

1.	Admhálacha comhdaithe foirmeálta a eisiúint d'íarratais chearta ar thrádmharc (páipéar bunaithe) laistigh de 5 lá oibre	99%	12.	Cinntí a eisiúint maidir le rialachán a rialaonn úsáid trádmharcanna comhchoiteanna laistigh de 2 mhí tar éis rialachán inghlactha a chomhdú.	<b>100%</b>
2.	Iarratas a eisiúint ar tháillí clárúcháin a íoc laistigh de 7 lá oibre ó dheireadh na tréimhse chun freasúra a chomhdú sa chás nach bhfuarthas aon fhreasúra.	100%	13.	90% de chinntí ar éisteachtaí a eisiúint laistigh de 1 mhí ón éisteacht	<b>100%</b>
3.	<u>Sa</u> chás go ndéantar freasúra a chinneadh i bhfabhar an iarratasóra, eisitear iarratas ar tháillí clárúcháin laistigh de 7 lá oibre ó eisiúint tarraingthe siar an fhreasúra.	100%	14.	80% de ráitis scríofa a eisiúint ar phorais chinntí in éisteachtaí laistigh de 2 mhí tar éis an t-iarratas sin a dhéana	<b>83%</b>
4.	Trádmharcanna a chlárú laistigh de 3 lá oibre tar éis táille clárúcháin a fháil	98%	15.	Cóipeanna de fhógraí freasúra agus iarratais ar chúlghairm nó dearbhú easláine a eisiúint do pháirtithe ábhartha laistigh de 2 seachtaine ón dáta a fhaightear iad.	<b>100%</b>
5.	Iarratais a chur ar aghaidh chuig clárúcháin Thrádmharcanna Idirnáisiúnta laistigh de 3 lá oibre tar éis iarratas a comhdaíodh i gceart a fháil	100%	16.	Freagair a thabhairt ar 95% de chomhfhreagras scríofa ar iarratais aonair (freasúra, cúlghairm, easláine) laistigh de 2 seachtaine.	<b>100%</b>
6.	Admhálacha comhdaithe foirmeálta le haghaidh iarratas ar thrádmharcanna, comhdaithe i gceart ar líne, a eisiúint an chéad lá eile gnó.	100%	17.	Freagair a thabhairt ar iarratais aonair ar shíneadh ama roimh sula dtéann an spriocdháta ábhartha in éag sa chás nach ndéantar na hiarratais chéanna níos déanaí ná coicís roimh an éagtha sin	<b>100%</b>
7.	Guardach tosaigh a dhéanamh maidir le hiarratais nua laistigh de sheachtain ón dáta a fhaightear é.	100%	18.	Glac le hiarratais ar thrádmharcanna laistigh de thréimhse 2 mhí ó chomhdú iarratas chomhlánaithe i gceart agus sa chás nach bhfuil aon agoidí luaithe ag an Oifig	<b>40%</b>
8.	Seiceáil foirmeáltachtaí a chur i gcrích ar gach iarratas comhdaithe ar líne laistigh de sheachtain	100%	19.	Deimhniú athnuachana trádmharc a eisiúint laistigh de 1 lá oibre ón íocaíocht a fháil.	<b>100%</b>
9.	Na céad litreacha faomhaidh/agóide a eisiúint laistigh de 8 seachtaine ó iarratais nua a fháil sa Rannán.	45%	20.	Cóipeanna agus sleachtaí deimhnithe agus ó Chlár na dTrádmharcanna a eisiúint laistigh de 4 lá oibre ón iarratas.	<b>100%</b>
10.	Réamhthuarascálacha cuardaigh a eisiúint laistigh de sheachtain ón iarratas	100%	21.	Iarratas ar dháileadh trádmharcanna le haghaidh cláraithe a phróiseáil laistigh de 7 lá oibre tar éis iarratas comhlánaithe ina ionlán a chur isteach.	<b>100%</b>

## Réimhse Gníomhaíochta agus Leibhéal Bainte Amach

### Trádmharcanna

11	Freagair a thabhairt ar 95% de chomhfhereagras i scríbhinn ar iarratais aonair laistigh de choicís	100%	22.	Dearbhú a eisiúint go ndearnadh taifead do leasuithe a n-iarradh orthu ar Chlár na bPaitinní i leith ainmneacha agus seoladh na ndilseánaigh agus na seoltaí le haghaidh seirbhíse laistigh de 5 lá oibre tar éis iarratas críochnaithe i gceart a fháil.	100%
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### Ginearálta

Admhálacha íocaíochta a eisiúint laistigh de 2 lá oibre ar gach táille (i bhfoirm seice, dréacht bainc nó órdú airgid) a fuarthas.	100%
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## An Bosca Forbatha Eolais (Deimhniú Aireagáin) 2017

Bunaíonn an tAcht um Bosca Forbartha Eolais (Dearbhí Aireagán) 2017, (Uimh. 6 de 2017) (an tAcht KDB) scéim deimhniúcháin le fiontair bheaga agus mheánmhéide, a bhfuil aireagán i bhfoirm maoine intleachtúla (IP) atá coibhéiseach le aireagán paitinnithe a chumasú chun cáiliú don KDB agus leas a bhaint as an ráta laghdaithe cánach corporáide de 6.25%. Is FBManna incháilithe iad siúd a bhfuil ioncam acu ag teacht ó mhaoin intleachtúil de níos lú ná €7.5m agus le láimhdeachas domhanda níos lú ná €50m nuair a eascraíonn an brabús ó T&F.

Forálann an tAcht go ndéanfaidh an Ceannasaí Paitinní, Dearthaí agus Trádmharcanna maoirseacht agus feidhmiú ar an scéim dheimhniúcháin seo.

Ní féidir deimhniú KDB a eisiúint ach amháin sa chás gur aireagán úr, neamh-soiléir agus úsáideach é an t-aireagán. Ní hionann iarratas ar Dheimhniú KDB agus iarratas ar fhaoiseamh cánach agus ní bhrónann deimhniú KDB aon chearta maoine intleachtúla ar shealbhóir deimhnithe.

### Tuarascáil KDB

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

Sa tréimhse tar éis túis a chur le feidhmiú an ACHT KDB ar an 19 Bealtaine 2017 go dtí an 31 Nollaig 2017 ní bhfuair an Ceannasaí aon iarratas ar Dheimhniú KDB.

## AG TEACHT I 2018

### R-chomhdú ar Phaitinní agus DF Canna

Comhlánóidh an Oifig forbairt chóras ríomhchomhdaithe d'iarratais ar Paitinn agus SPC in 2018. Cuirfidh sé seo áis ar fáil do chustaiméirí na hOifige a n-iarratas ar Phaitinn nó SPC a chomhdú ar líne agus an táille iarratais a íoc ar líne freisin. Comhlánóidh sé seo an moladh freisin i dTuarascáil an Tascfhórsa Nuálaíochta gur chóir don Oifig áiseanna comhdaithe ar líne a sholáthar ar aon dul le hOifigí eile agus de réir an chleachtais idirnáisiúnta is fearr.

### Láithreán Gréasáin Oifig na bPaitinní

Tá go dtí an 14 Eanáir 2019 ag na Ballstáit chun forálacha Threoir (AE) 2015/2436 a thrasúi. Cé go mbeidh sé riachtanach roinnt athruithe a dhéanamh ar an Acht agus na Rialacha um Trádmharcanna, cuimseoidh sé freisin athruithe ar roinnt nósanna imeachta agus próisis san Oifig. Caithfear feidhmiúlacht chomhdú Trádmharcanna ar líne a leasú freisin chun freastal ar an bhféidearthacht trádmharcanna neamhthraigdisiúnta amhail fuaim, gluaisne, ilmheáin agus hologramanna a chomhdú.

**Déan teagmháil linn**

Oifig na bPaitinní  
Oifigí an Rialtais  
Bóthar Hebron  
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**Uaireanta oscailte**

9:30-5pm Dé Luain-Dé hAoine

