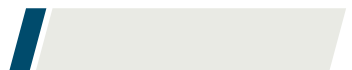




Oifig Maoine Intleachtúla na hÉireann
Intellectual Property Office of Ireland

Intellectual Property Office Of Ireland Annual Report 2019





Foreword

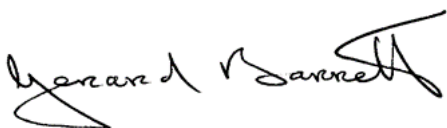
I have the honour to submit my Annual Report to the Minister for Business, Enterprise and Innovation for the year ended 31 December 2019 so that it can be laid before each House of the Oireachtas in accordance with Section 103 of the Patents Act 1992.

My Report is in respect of the execution of my statutory functions under the Patents Act, 1992 (as amended), the Trade Marks Act, 1996 (as amended); the Industrial Designs Act, 2001, the Copyright and Related Rights Act, 2000, the various Statutory Rules and Regulations made under these Acts; and the European Communities (Supplementary Protection Certificate) Regulations. Decisions under these Acts, Rules and Regulations rest with me in my statutory capacity, subject to certain rights of appeal to the High Court. My Report also includes a report on the KDB Certification Scheme as required by Section 18 of the Knowledge Development Box (Certification of Inventions) Act 2017.

In December 2019, the Patents Office changed its name to the “Intellectual Property Office of Ireland” (IPOI). The new name aims to clarify and better reflect the role of the IPOI in managing a range of intellectual property rights including registered trade marks and designs, patents and supplementary protection certificates as well as certain statutory functions under the Copyright Act. The new name is also in line with those of many similar agencies and offices abroad, making it easier for people to identify the statutory office in Ireland which has responsibility for the management and registration of intellectual property rights. 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 Office performs a number of operational and regulatory functions including:

1. Administering proceedings before the Controller in relation to IP rights including hearings on oppositions to trademark registrations.
2. Maintaining the registers of patent and trademark attorneys authorised to operate in the State.
3. 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.
4. Contributing to policy and legislative development on IP rights.
5. Providing assistance and information on intellectual property rights.

My report provides more detailed information on how the Office discharged its various statutory and regulatory functions and ancillary activities and is supported by a range of business statistics. I would like to acknowledge the considerable work effort and contribution of the staff of the Office during 2019 and their continuing commitment to delivering efficient and effective services.



Gerard Barrett
Controller of Intellectual Property



Trends and Activities

Ireland as a small country has traditionally “punched above its weight” in terms of innovative activity. The World Intellectual Property Organisation (WIPO) in their 2019 publication of World Intellectual Property Indicators, ranks Ireland, in terms of intellectual property filing activity worldwide, 29th for patents, 54th for trade marks and 51st for designs. In the 2018 European Innovation Scoreboard, Ireland is a ‘Strong Innovator’, ranked ninth most innovative country in the EU and first for innovative SMEs employment in knowledge intensive activities. Innovation 2020, which is a government strategy for research and innovation, focuses on Ireland becoming a global innovation leader by building a strong research and innovation base, increasing funding in research and development and building an effective regulatory framework for protecting intellectual property.

In 2019 the main drivers in the economy were increased consumer spending and exports. However, the year saw a slow down in some sectors, such as services and manufacturing, mainly due to uncertainties over Brexit. Ireland is highly susceptible to any changes in the external economic environment and the activities of multinationals. A joint study by the European Patent Office (EPO) and the European Union Intellectual Property Office (EUIPO) published in September 2019¹, noted that the highest share of jobs in IPR-intensive industries generated by companies from outside the EU is to be found in Ireland, at 20%. Estonia, Ireland, the Netherlands and the UK are the only Member States in which more jobs are created by companies from third countries than by companies based in other EU Member States. The study also noted that Ireland was one of seven Member States in which more than 30% of IPR-intensive job creation originates outside the country.

It is to be expected that the worldwide Covid 19 pandemic will have a severe impact on the world economy. In Ireland’s case the Economic and Social Research Institute has predicted that “Consumption, investment and net trade would all fall sharply. Households would cut spending, firms would cancel or postpone investment, and external demand for Irish goods and services will fall”². The economic contraction allied with BREXIT uncertainty will adversely affect almost all sectors of the economy. The effect of a typical recession is likely to show immediately in a decline in trademark registrations, with patent systems experiencing a less rapid reduction in filings. However, it may be the case that in Ireland and elsewhere, some sectors such as health care, medical technology, life sciences and e-commerce will benefit. It is noteworthy that the medical technology sector accounted for 19% of all European patent applications filed by Irish companies in 2019 (167 applications, +26% over 2018). Computer technology accounted for 10% of Irish applications (92 applications +6% over 2018), followed by pharmaceuticals with an 8% share (70 applications). Overall European patent applications filed by Irish resident companies increased by 6.3% in 2019, well above the 1.1% average growth of the European Patent Organisation’s 38 member states³. Such an increase is unlikely to be sustained in 2020.

1. IPR-intensive industries and economic performance in the European Union Industry-Level Analysis Report, September 2019 (EPO & EUIPO, Third edition, September 2019).

2. <https://www.esri.ie/system/files/publications/QECSPRING2020.pdf>

3. <https://www.epo.org/about-us/annual-reports-statistics/statistics/2019/statistics.html>

Patents

The level of national patent filings should not be taken as an indicator of the extent to which Irish based firms or inventors are engaged in innovative activity as firms may choose to file via the European route or use the Patent Co-operation Treaty route rather than through the national office. The following table shows the extent to which Irish applicants file in International Patent Offices.

Irish resident patent filings at selected International Patent Offices

	2016	2017	2018	2019
PCT ¹	441	489	628	640
EPO ²	727	660	826	878
UK	298	320	353	361
USA ³	1,408	1,487	1,612	n/a

Sources: WIPO Statistics Database, EPO Stats Database, UKIPO & USPTO Patent Statistics.
Filing statistics are based on residence of first-named applicant. Historical filing figures shown in previous years may vary from year to year as a result of the updating of database by the relevant patent authorities.

While the overall total number of national patent applications filed in 2019 showed a decrease on the previous year, (from 641 to 217) this is attributable to the 2018 figure being unusually high (due to the submission of a high volume of short term patents from one applicant) as opposed to any other factor. National short term Patent filings received during 2019 decreased significantly on the 2018 total (from 533 to 124) while the number of long term patent applications filed decreased slightly (from 108 to 93).

Applications for Supplementary Protection Certificates (SPCs) were strong in 2019 and increased from 46 in 2018 to 62 in 2019 and are reflective of the continuing strength of the pharmaceutical industry, with all of the top 10 Pharmaceutical companies having a base in Ireland.

1. PCT applications (International Phase) filed by Irish residents by filing date.
2. Analysis based on European patent applications filed with EPO.
3. US filings refer to Utility Patents also known as patents for inventions. (2019 figure not available)
** 2019 UK figure is provisional.

European Patents

The number of European patent applications designating Ireland in 2019 continues to rise, as it has done almost every year since Ireland first signed up to the European Patent Convention in 1992. European patent applications which designate Ireland are entered on the Irish Patent Register following grant at the EPO and have the same legal status as if they had been granted by the Office. The number of European patent applications designating Ireland rose from 174,317 in 2018 to 181,178 in 2019.

Trade Marks and Designs

The total number of national trade mark applications received in 2019 showed a decrease of 15% over the 2018 figure (from 2,697 to 2,290). The number of national trade mark applications filed had been rising steadily over the past few years due to continuing growth in the economy and, as expected, stabilised in 2019. The number of International marks seeking protection in Ireland increased from 1,159 to 1,227 in 2019.

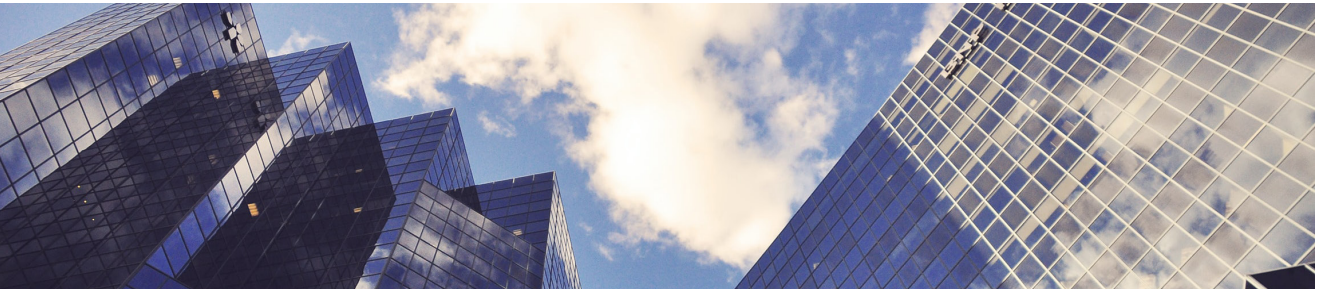
The number of industrial design applications received by the Office has fluctuated in recent years. In 2019 a total of 182 individual design applications were received.

European Union Trade Marks (EUTMs)

Some applicants choose to apply for a European trade mark rather than gaining a specific Irish registration. The European Union Trade Mark (EUTM) gives the proprietor a single trade mark registration, which provides trade mark protection in all 28 EU countries. Filings of EUTM applications by Irish resident applicants in 2019 remained strong decreasing slightly from 1,178 applications in 2018 to 1,143 applications in 2019.

EUTM applications by Irish resident applicants

	2017	2018	2019
EUTM applications	1,175	1,178	1,143
EUTM registrations	1,064	968	1,053



International Trade Marks

While there is no such thing as a “worldwide trade mark”, the Madrid Protocol is an international system of trademark registration which offers a trade mark owner the possibility to obtain trade mark protection in several countries by filing a single application. The Madrid system, which is administered by WIPO, offers a smart business solution for any company seeking to protect and manage its marks in international markets (usually outside the EU). 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 Madrid system currently has 106 members covering 122 countries, representing more than 80% of world trade. Member countries include China, Singapore, Brazil and the USA, for example.

International Applications & Registrations via Madrid System for TM holders resident in Ireland

	2017	2018	2019
Madrid Applications where country of holder is Ireland (by filing date)	165	186	192
Number of International Registrations	165	161	201
Designations in registrations where country of holder is Ireland	1,713	1,134	1,986
Subsequent Designations where country of holder is Ireland	258	169	198

WIPO recorded 201 international registrations for holders of marks domiciled in Ireland in 2019. These registrations include 1,986 designations of other Madrid members in which the holders sought to extend protection for their marks. A total of 198 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.



Brexit

The United Kingdom left the European Union on 31 January 2020 on the basis of a Withdrawal Agreement which includes an agreed transition period until at least 31 December 2020. On 2 March, the EU and the UK began negotiations on a new future relationship agreement which, if agreed, is due to come into effect from 1 January 2021. During the transition period, EU rules and regulations including those related to Intellectual Property (IP) will continue to apply to the UK and the UK will remain part of the EU's Single Market and Customs Union.

Not all Intellectual Property (IP) rights will be affected by Brexit. European patents will be largely unaffected both during and post the transition period. The Withdrawal Agreement ensures that applications for Supplementary Protection Certificates which are pending at the end of the transition period will be examined under the current framework. Any SPC which is granted based on those applications will provide the same protection as existing SPCs. It is expected that a new UK SPC law mirroring the existing EU SPC regime, along with the existing supporting provisions in UK patents legislation, will form the UK's own supplementary protection certificate regime on exit.

EU trade marks (EUTMs) and Community (EU) designs (both registered and unregistered) will be affected significantly, although these changes will not come into effect until the end of the transition period on 31 December 2020. After the transition period, EUTMs and Registered and Unregistered Community Designs will no longer have effect in the UK. The UK Government has provided that at the end of the transition period, the UK will automatically create a comparable UK trade mark for every registered EUTM, at no charge. The same will apply for Registered Community Designs (RCDs). Businesses, organisations or individuals that have pending applications for an EUTM or RCD at the end of the transition period and the UK's exit from the EU will have a period of nine months from 31 December 2020 to apply in the UK for the same protections, retaining the date of the EU application for priority purposes.

More detailed information on the impact of BREXIT on intellectual property is available on the IPOI website.



IPOI Mission and Objectives

The central mission of the Intellectual Property Office is:

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

This is to be achieved through the protection of intellectual property rights in the fields of patents, trade marks and designs, and the proactive dissemination of relevant knowledge and information in conjunction with each of these activities. During 2019 the Office continued to play its part in delivering a modern and responsive regulatory regime which supports both innovation and entrepreneurship and fosters an effective business environment in Ireland. The following commentary and accompanying statistical report considers the activities of the Office in the context of delivering on the six main objectives set out in its Strategy Statement 2017-2019. These six objectives are seen as central to fulfilling the mission of the Office and maintaining its operational efficiency.

Objective 1: Provide Excellent customer service

The Office's commitment to quality customer service is outlined in the "Customer Service Action Plan 2017-2019" which sets out 42 customer service targets establishing optimum time limits for carrying out various customer tasks. These are detailed in the "Performance Targets" section of the report. During 2019, the majority of customer service targets were met to a satisfactory level, 90% was the average rate of achievement. The Office is committed to constantly reviewing its administrative procedures and service targets with a view to achieving maximum efficiency. By the end of 2019, the vast majority of all applications for IP rights were filed online via the Office's website. (Patents & SPCs 78%, TMs 96%, Designs 91%). 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. Almost 100% of the Office's statutory fees are now paid electronically either online or by EFT showing a willingness on the part of customers to utilize the secure payments systems. For customers who can't avail of the online payments facility, the Office also uses a credit card terminal (CCT) to further facilitate secure payment of fees over the telephone.

In conjunction with the roll out of its patent and SPC online filing modules, the Office developed an online 'Patent Specification Template Tool'. The tool was developed with the aim of helping individual unrepresented applicants to better prepare a fully formatted and fully disclosed patent specification. It provides users with both clear written instructions and a detailed example of what should be input in each section of a patent specification and to build the specification as they go. When the user is happy with the information they have provided, the system will produce fully formatted PDF and Word versions of the completed patent specification which the user can save and file at their own convenience.

Objective 2: Ensure effective business processing resulting from ICT infrastructure improvements.

During 2019, staff continued to provide efficient service delivery by refining work processes and technology solutions. The Office’s e-services programme aims at improving service delivery and more efficient processing with the introduction of largely paperless processing in the Office. Online filing is now available for all Intellectual Property Rights (IPR) applications following the introduction of Patent & SPC e-filing in August 2019. The vast majority of Office correspondence is issued by e-mail. The Office also continued to make a secure Dropbox facility available to IP Attorneys. The Dropbox facilitates the electronic secure encrypted submission of applications for IP rights. In 2019, 9 companies availed of the Dropbox facility.

The Office continued to benefit from the assistance of the EUIPO Co-operation Fund which provides assistance with training and the development and implementation of web-based tools to support the trade marks and designs life-cycle. The Office also engaged in co-operation and training activities as a participant in the European Patent Network. As part of the “Quality at Source” initiative, the Office continued working with the EPO to improve the quality of patent data transmitted to the EPO. In relation to improving technological efficiencies, improvements were made to the PTOLEMY administration system to integrate it with the new Patent & SPC online filing functionality. Changes were also made to the website and all interactive web pages to take account of the change of name of the Office in December 2019.



Objective 3: Continue to contribute to the creation of an effective IP legal framework in Ireland and to IP policy service

The regulation of intellectual property rights is a vital part of the legislative framework that promotes and encourages innovation. The Intellectual Property Unit (IPU) has responsibility for intellectual property policy and legislation in this field. IPU furnishes advice and assistance in the form of draft legislation on these matters, in particular on the impact of proposed legal or regulatory changes on the work of the Office. Legislation on which the Office provided input and observations during 2019 were:

Copyright and Other Intellectual Property Law Provisions Act 2019 (No.19 of 2019):

Input was provided on the provision relating to the change of name of the Office, the provision which provides that applicants for international patents under the PCT can request that the application be treated as a national application under Part 2 of the Patents Act 1992 and the provisions which allow owners of intellectual property to pursue lower value IP infringement claims in the District and Circuit Courts.

Patent (Amendment) Rules 2019 (S.I No. 589 of 2019):

The Office provided input to the amendment of rules dealing with extending the prescribed period for responding to the search report and written opinion furnished under Section 29 consequent to the introduction of substantive examination, and also contributed to several administrative amendments for the purposes of the issuing of overdue reminder letters, public inspection of documents and reflecting the changes made in relation to the courts in the Copyright and Other Intellectual Property Law Provisions Act 2019. In addition the Office provided input for the inclusion of new Rule 87A prescribing the procedures to be followed pursuant to Section 127A of the Patents Act 1992, in circumstances where the Controller receives a request that an international application for a patent designating the State be treated as an application for a patent under Part II of the Act.

Trade Marks (Amendment) Rules 2019 (S.I. No. 588 of 2019):

The Office provided input to the changes to Rules 51, 57, 68 and 69 in order to provide that IP proceedings may take place in the relevant court.

Trade Marks (Amendment) Rules 2019 (S.I. No. 628 of 2019):

The Office provided input to the Rules containing certain procedural changes to ensure that opposition and invalidity proceedings are conducted in an efficient and effective manner. The Office also set out administrative procedures for lodging third party observations in relation to trade mark applications made on bad faith grounds and the role of the Controller of Intellectual Property in processing these observations.

Industrial Designs (Amendment) Regulations 2019 (S.I. No. 587 of 2019) :

The Office provided inputs to the amendments of Regulations 3, 30 and 31 involving the change of the name of the Office and also to the amendments to Regulations 48 and 49 to provide that IP proceedings may take place in the relevant court.

Input and observations were also provided on aspects of the Directive (EU) 2019/790 of the European Parliament and of the Council on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/EC (Directive on Copyright in the Digital Single Market) on possible amendments to the Copyright and Related Rights Act 2000. Observations were also provided on an EU proposal for a regulation amending Regulation No 469/2009 (the SPC Regulation) concerning the supplementary protection certificate for medicinal products by the introduction of an export manufacturing waiver.

Objective 4: Promote awareness and understanding of IP amongst Irish businesses, enterprises and students.

One of the main objectives of the Intellectual Property 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. The Office has specifically directed its IP awareness programme towards assisting small and micro-enterprises, small business start-ups, individual entrepreneurs, innovators and students. During 2019 the Office participated in 45 outreach events speaking on IP matters. These events varied from “Start your own business” courses run by the Local Enterprise Offices to speaking in third level colleges through the “New Frontiers” programme. The Office engaged in IP awareness raising activities at various business advice and enterprise exhibitions throughout the country, including the National Ploughing Championships and the Tullamore Show. The Office also held 44 IP clinics in 2019 which gives an opportunity to the public, inventors, entrepreneurs and business people to discuss on a one-to-one basis with Office staff, matters concerning IP applications they intend to make or have already made to the Office.

IP awareness directed at second level students involved participation for the first time at the Transition Year Show which was held over 2 days, and is dedicated to TY, LCA and LCP students. The Office continued its involvement with the BT Young Scientist & Technology Exhibition and the annual Student Enterprise Programme Awards. The Student Enterprise Programme, run by the Local Enterprise Boards, is the biggest enterprise competition for second level students in Ireland with 16,000 participants. The National Finals took place in April 2019. The winners of the Intellectual Property awards were: Junior Award: Presentation Secondary School, Castleisland, Co Kerry with “Eary Fix”; Intermediate Award: Gortnor Abbey, Crossmolina, Co Mayo (pictured below) with “Sparkles”; Senior Award: St Mary’s Secondary School, Ballina, Co Mayo with “Worrybear & Co.” The competition provides an excellent vehicle for the Office to engage with students to promote awareness of IP when developing a business idea and establishing a successful enterprise. The Student Enterprise Awards workbook includes a chapter specifically relating to Intellectual Property, reinforcing awareness of IP amongst second level students. The IPOI 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.

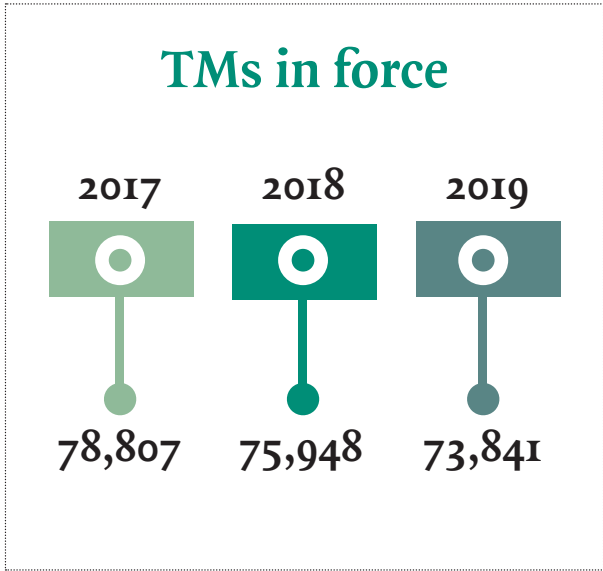
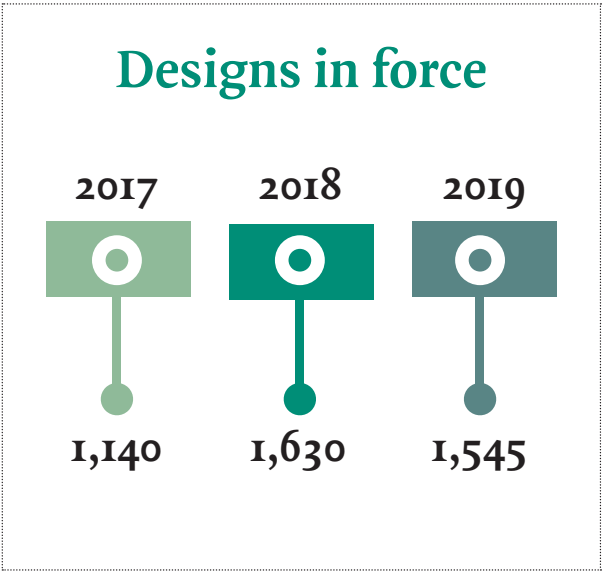
As of 31 December 2019, the Office had 47 authorised posts, the same as in 2018. However, when career breaks, work-sharing and other family friendly working arrangements are taken into account, the Office operated with a staffing level of 43.58 full time equivalents during 2019. The number of staff working in the Office has decreased significantly since the Office first decentralised to Kilkenny in 1998. The automation of procedures and innovative improvements to internal business processing has facilitated a significant decrease in staff numbers from 76 in 1998 to 47 full time equivalent posts. The Office continued to successfully meet the demands for high levels of public service without increasing staff resources and without compromising operational effectiveness through better and more efficient procedures and use of technology.

The Office is committed to ensuring that all staff performance is appraised regularly. The Performance Management Development System (PMDS) affords staff the opportunity to set individual goals, to initiate and deliver change and continue to improve work practices in order to deliver an efficient and high quality service. In accordance with the PMDS system, a Training Development Plan was drafted which took into account the various training needs which staff had identified in their personal development plans for 2019. Outside of continuing on-the-job training, staff undertook training during 2019 in areas such as managing people and performance, project management and building resilience.

Objective 6: Work and co-operate with EU, international partners and other national offices to ensure that European and International IP systems are accessible to and supportive of Irish businesses and enterprises.

IPOI 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. Office 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 and the harmonising of practices and procedures.

Participation at an international level facilitates dialogue on the content and structure of co-operation and convergence programmes between those organisations and other national IP Offices in Europe, which in turn enables the Office to further enhance and develop its practices, procedures and customer services in line with best international practice.



Patents and SPCs in force



% of fees paid electronically



% of IPR applications filed online

2017	TMs 90%
2018	TM 92% Designs 92%
2019	TM 96% Designs 91% PT/SPC 78% (Overall average 88%)

NET fee receipts accruing to Exchequer



Change of Name of Office

Section 42 of the Copyright and Other Intellectual Property Law Provisions Act 2019 changed the name of the Patents Office to the “Intellectual Property Office of Ireland”. The title of the Controller of Patents, Designs and Trade Marks also changed to the “Controller of Intellectual Property” and reflects the statutory role in respect of some copyright matters. The change of name came into effect on 2 December 2019. The new name clarifies and better reflects the role of the IPOI in managing a range of intellectual property rights. The new name is also in line with developments elsewhere as numerous patent and trademark offices have changed their names in recent years to more accurately describe their activities.



Oifig Maoine Intleachtúla na hÉireann
Intellectual Property Office of Ireland

As the “Intellectual Property Office of Ireland” and the “Controller” are referred to by name in a number of pieces of legislation, provision has been made in Section 42 of the Copyright and Other Intellectual Property Law Provisions Act 2019, to amend the Patents Act in order to give legal effect to the changes in the Acts and Rules. The change of name does not impact on the role of the Office or how it operates. The change does not affect registered trade marks, design or granted patent rights. Neither does the change affect applications for intellectual property rights in Ireland or the application process. The Office’s domain name has changed to www.ipoi.gov.ie and the general email address for correspondence changed to ipinfo@ipoi.gov.ie.

Official Journal

The fortnightly journal is published on the IPOI’s website in PDF and searchable versions. Each journal issue has a searchable index, along with information on actions relating to patent, trade mark and design applications and registrations. For example, it is possible to view details of accepted trade marks and registered designs in any journal. The journal contains details of patents applied for, published, granted and lapsed, including patents granted under the European Patent Convention designating Ireland. The journal also contains information such as official notices, details of methods of payment of statutory fees and Office opening hours. The online journal has an interactive facility which allows users access to the Register extract for any particular patent, trade mark or design by clicking on a hyperlink within that journal.

Iris um Oifig Maoine Intleachtúla na hÉireann

Journal of the Intellectual Property Office of Ireland

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CLÁR INNSTE

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The Journal of the Intellectual Property Office of Ireland is published fortnightly.

Each issue is freely available to view or download from our website at www.ipoi.gov.ie

International Co-operation

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

EUIPO



The Convergence Programme of the EUIPO facilitates convergence of practice between the EUIPO and National Offices. The key objective is to reach common ground in areas where IP offices have different practices. This complements the work being done to create common IT tools under the Cooperation Fund. Staff of the Office once more actively participated in various Working Groups established to support the aims of convergence of practice.

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

The new suite of Cooperation Projects that were launched in line with the objectives of the EUIPO Strategic Plan 2020 were further developed, thus building on the success achieved under the previous Strategic Plan 2011-2015. The Office successfully worked with EUIPO on the technical aspects of the transposition of the Trade Marks Directive which resulted in the introduction of new non-traditional trade mark types in January 2019. The Office also participated in and made a number of presentations to a Trade Marks Conference organised by the EUIPO in Thailand in 2019, attended by representatives from 10 South-East Asian countries.

In partnership with the EUIPO the Office hosted a European Regional Seminar in Kilkenny, from 4-6 November 2019. The objective of the Seminar was to provide a platform for knowledge sharing on specific IP issues for staff of National Offices and User Representatives. The seminar programme was diverse and covered presentations and workshops on particular IP issues such as the distinctive character of shape marks, cultural heritage, freedom of expression and the refusal of applications on the grounds of morality as well as discussions on the future of design law in Europe, the implications of BREXIT for EUTM holders, how Artificial Intelligence is being implemented in IP Offices and the consequent change of practices. Twenty different EU Member States National Offices were represented as well as a number of User Associations, pictured below.



Attendees at the European Regional Seminar in Kilkenny, Nov 2019.

International Co-operation

WIPO

The Irish Office acts as a receiving Office for the transmission of Patent Co-operation Treaty applications (PCTs) to WIPO, which is based in Geneva. Individuals may file their application for a PCT either through the Intellectual Property Office of Ireland or directly to WIPO. During 2019, the IPOI introduced electronic filing of PCT applications. Training was provided by a WIPO representative to both IPOI staff and Patent Attorneys in the Office in September.



EPO

The Office has a longstanding bi-lateral co-operation programme with the European Patent Office. The Programme mainly facilitates co-operation between the Office and the EPO in areas such as specialised training, patent data acquisition and transmission based on quality at source, as well as European Patent Network events aimed at strengthening the European Patent System. A new cooperation framework programme will be introduced in 2020 as part of the EPO's Strategic Plan 2023.



EPO Annual Co-operation meeting

The Office hosted the EPO Annual Meeting on Co-operation in Kilkenny on 13-14 May. The event, organised by the EPO, was attended by the Heads of National Patent Offices in the various EPO Member States and involved over 100 delegates from 39 contracting states and future Member States. Proceedings were opened by Minister John Halligan. Antonio Campinos, President of the EPO, also attended the meeting. The discussions focused on the development of the EPO's Strategic Plan 2023 in relation to co-operation matters and these discussions then fed into a proposal presented to and agreed by the Administrative Council of the EPO in June.



EPO President Antonio Campinos, Minister John Halligan & Gerard Barrett, Controller of Intellectual Property at the EPO Annual Meeting on Co-operation, Kilkenny, May 2019.



Delegates attending the Annual Meeting in Kilkenny

Office Website

Following the change of name of the Office in December 2019, the Office website domain name changed also to www.ipoi.gov.ie. The website provides a general introduction to intellectual property and specific information about how to protect your ideas as well as including a section on IP for business. Online services include: online fee payments, e-filing of trade mark and design applications, patent & SPC applications, viewing and searching of patent, trade mark and design registers and databases; the registers of copyright licensing bodies and the registers of patent and trade mark agents. Material published on the website includes previous years annual reports, a range of IP information booklets, the Office's current statement of strategy and customer service action plan and all primary and secondary legislation governing the functions of the Office.

The Office's website continued to be the main vehicle for making information on IP available to the public as well as an efficient means of providing a range of interactive search and fee payment services. The number of visits to the website remained strong with over 268,000 visits in 2019. As in previous years the interactive online register search pages continue to remain the most popular with approximately 242,800 visits in 2019.

Audit

During June 2019, the Internal Audit Unit (IAU) of the Department conducted an audit of the Office. The IAU provided independent assurance as to the adequacy and effectiveness of management and control procedures in place in the IPOI.

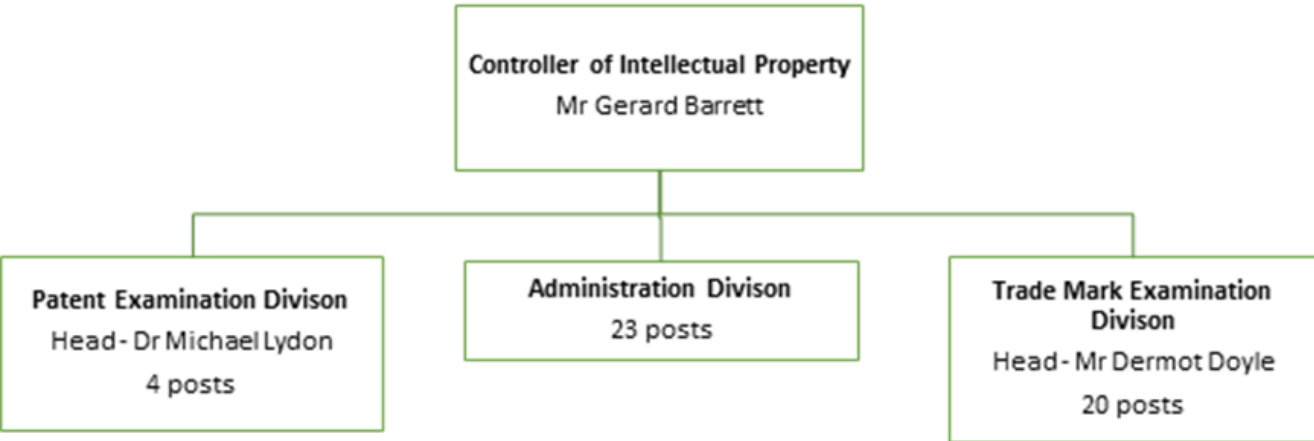
The objectives agreed for the audit were:

- to consider the effectiveness of the IPOI compliance with Department guidelines and policies which includes financial and budgetary control, procurement, bank account procedures, ICT capital expenditure, GDPR, shared premises expenses, records management, asset management and risk management.
- to consider the adequacy and effectiveness of the arrangements and internal control procedures established by the IPOI to manage customer accounts and account for receipts recorded in Appropriations-in-Aid and to include a review of controls over EU funding.
- to form an opinion on the effectiveness of the communication structures between the Department's Liaison Unit and the IPOI and the monitoring of the IPOI performance in respect of the Memorandum of Understanding requirements and to form an opinion whether, in the course of this review, the audit identified other recommendations to improve practices and procedures in the IPOI, to meet the Department's obligations.

Following a very positive outcome, Internal Audit was able to provide independent assurance as to the adequacy and effectiveness of management and control procedures in place across the office. The audit report concluded that the overall assurance rating for the review was 'Substantial assurance' i.e. there is a sound system of control with some minor weaknesses and a low level of risk that IPOI objectives will not be achieved.

Organisation Personnel

The IPOI is headed by Mr Gerard Barrett, Controller of Intellectual Property. The Head of the Trade Marks Division is Mr Dermot Doyle and Head of Patent Examination is Dr Michael Lydon. At the end of 2019, there was a total of 47 permanent staff including 2 Higher Executive Officers, 1 Administrative Officer, 6 Executive Officers and 4 Clerical Officers who avail of a work-sharing scheme. Two staff members availed of a tele-working 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 2019 was 43.58. The Department of Business, Enterprise and Innovation provides information technology services to the Office. There are four members of the Department’s IT Unit situated in the Office.



Title	Posts
Controller of Intellectual Property	1
Senior Patent Examiner	1
Assistant Principal	1
Higher Executive Officer	4
Patent Examiner	3
Administrative Officer	1
Executive Officer	19
Clerical Officer	16
Services Officer	1
Total	47

Energy Efficiency in Office

Office staff play a pivotal role in delivering the Government’s Energy Efficiency Action Plan which has a target of reducing energy consumption, increasing staff awareness of energy efficiency and monitoring performance of heating/air conditioning equipment. Energy saving measures have resulted in significant savings in the past year (compared with 2008, the benchmark year), with a reduction of 33% in energy consumption since the Office first joined the Optimising Power@Work campaign in 2008. This is a cross Departmental initiative run by the Office of Public Works which aims to change staff behaviour towards energy use and eliminating energy wastage in public offices. An Energy Advisor is appointed to each participating building and sets energy savings targets. The Energy Advisor also advises staff as to how energy savings may be achieved, through no or low costs measures. Measures included setting up hibernation power savings on all PCs, switching off all unnecessary lighting and reducing the temperature on heating. The Office also successfully implemented a number of Green Team initiatives by introducing more paperless processes and the abolition of all single use plastics from all areas of the Office. As a reduction in energy usage is of key importance, the Office participated in a scheme which replaced our entire lighting system with a motion detector system to ensure energy is used only when required. Plans are also underway to replace the building’s gas boiler with a more energy efficient version that can be zone controlled, giving more scope to reduce energy usage whenever possible.



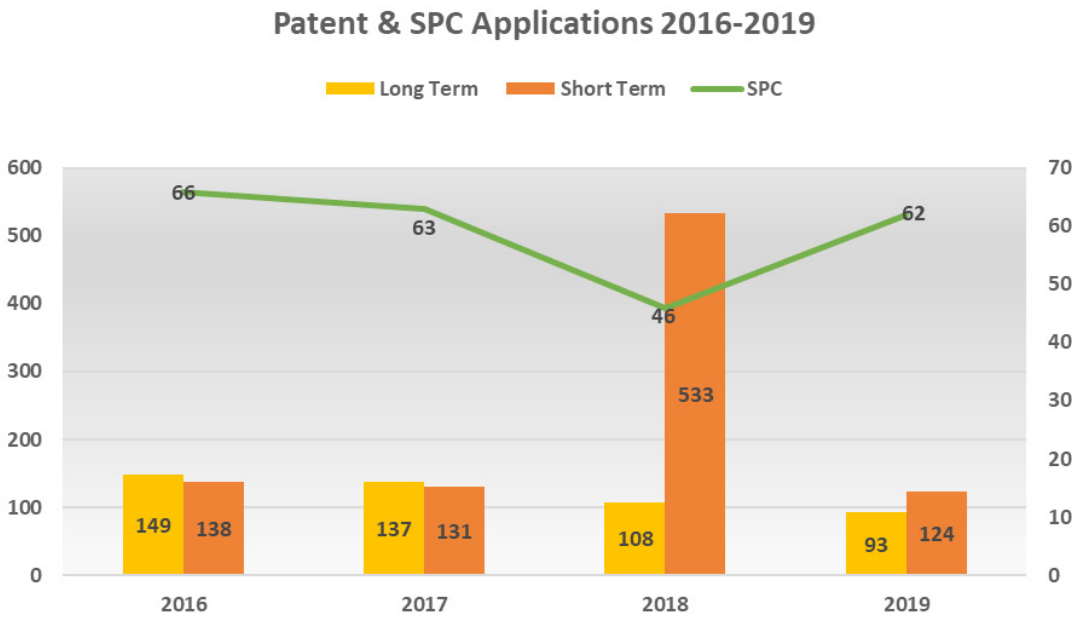
Business Statistics - Patents

Applications Received			YEAR	Patents Granted		
Full Term	Short Term	TOTAL		Full Term	Short Term	TOTAL
149	138	287	2016	64	100	164
137	131	268	2017	60	27	87
108	533	641	2018	52	35	87
93	124	217	2019	48	83	131

As at 31 December 2019, there was a total of 1,491 pending applications on hand. Of these, 112 applications were awaiting the submission of evidence of novelty. The number of applications received from applicants in the State was 167 compared with 194 in 2018.

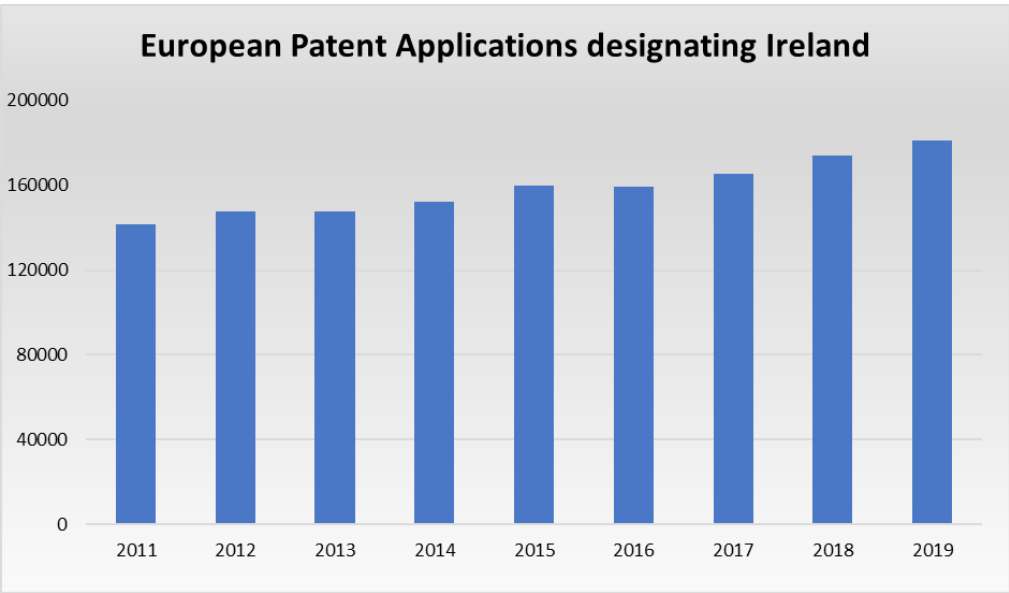
Supplementary Protection Certificates

A total of 62 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, 32 certificates were granted (medicinal and plant protection), 4 were rejected and 9 requests were withdrawn. At the end of the year there were 181 requests pending, compared to 164 in 2018.



Business Statistics - Patents

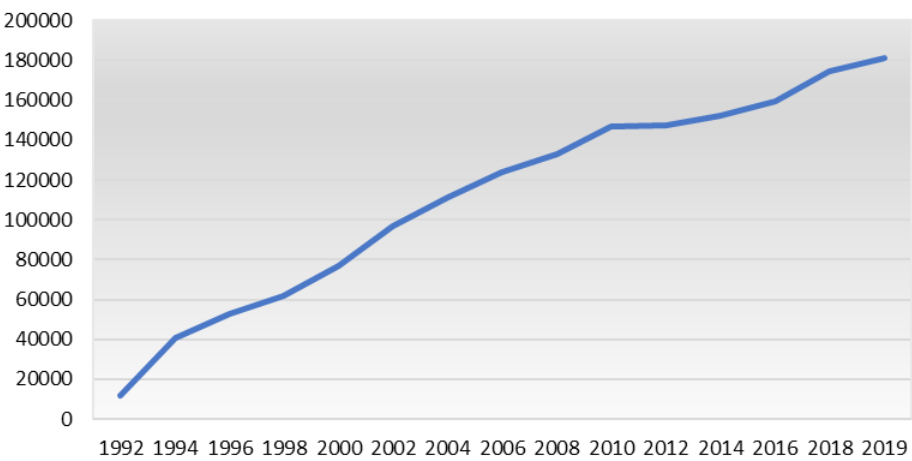
This table shows the total number of European applications designating Ireland. This figure is not included in the total number of patents granted in 2019 having effect in the State.



There were 181,178 European Patent Applications designating Ireland in 2019 (75,547 Euro-direct and 105,631 PCT applications entering the regional phase). The total number of European Patent Applications in 2019 was 181,406. For each European Patent Convention contracting state, the number of designations in applications is generally nearly 100% of the total applications, since all countries are initially automatically designated.

There were 135,313 granted European Patents designating Ireland in 2019.

European Patent Applications designating Ireland 1992-2019



Business Statistics - Patents

Patents granted in 2019 having effect in the State

2019	Total	Patents granted to Applicants from within the State	% of patents granted to Applicants from within the State
Granted by Office	131	41	31%
Granted by EPO	135,374	568	0.41 %
Total Grants	135,505	609	0.44%

Patent Register Data

	2017	2018	2019
Patents and patent applications the subject of assignments	794	914	1,186
Patents surrendered	1	1	0
Patents lapsed	77,528	94,503	109,177
Patents restored/reinstated	6	12	6
Patents renewed	47,837	51,463	55,526
Patents expired	1,240	1,258	1,417
Patents & SPCs in force	169,453	197,468	222,233
Hearings	0	1	1
PCT applications received for transmission to WIPO	15	16	10
European patent applications received for transmission to EPO	2	0	1

Register of Patent Agents

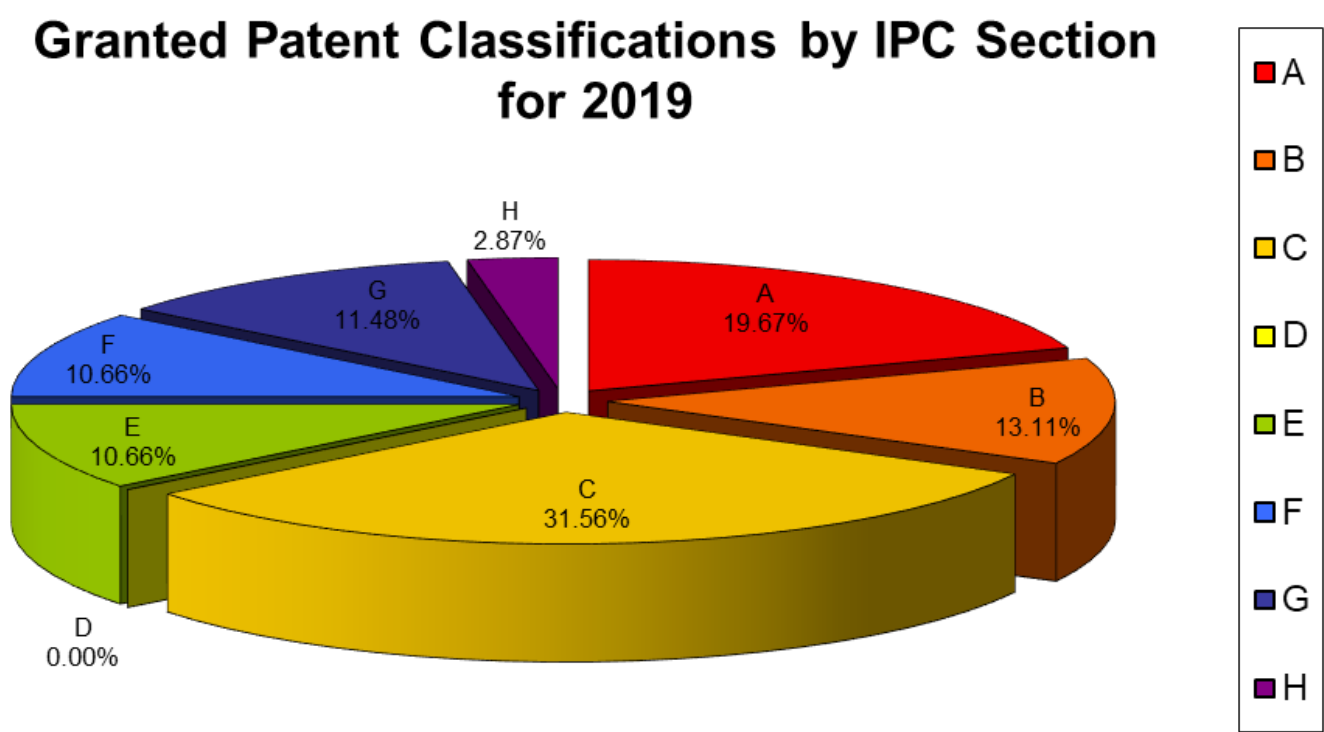
At the end of 2019, there were 89 individuals and 9 partnerships entered in the Register of Patent Agents.

Classification of Patents Granted in 2019

Classification	No Of Grants★
A. Human Necessities: e.g. Foodstuffs, Health, Personal Articles	48
B. Performing Operations; Transporting: e.g. Shaping, Printing, Vehicle Technology	32
C. Chemistry; Metallurgy	77
D. Textiles; Paper	0
E. Fixed Constructions: e.g. Building, Drilling, Mining	26
F. Mechanical Engineering; Lighting; Heating; Weapons; Blasting	26
G. Physics: e.g. Optics, Computing, Nuclear Physics	28
H. Electricity: e.g. Electronic Circuits, Electricity Generation And Distribution	7

Note on Patent Classification

Patents are given classifications based on their technical content which 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 included, with a new edition released yearly. A classification code is given for each inventive element 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. 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 2019. Each individual classification represents an inventive element disclosed in a patent, so this is akin to a tally of inventiveness. Classifications are grouped by IPC section.



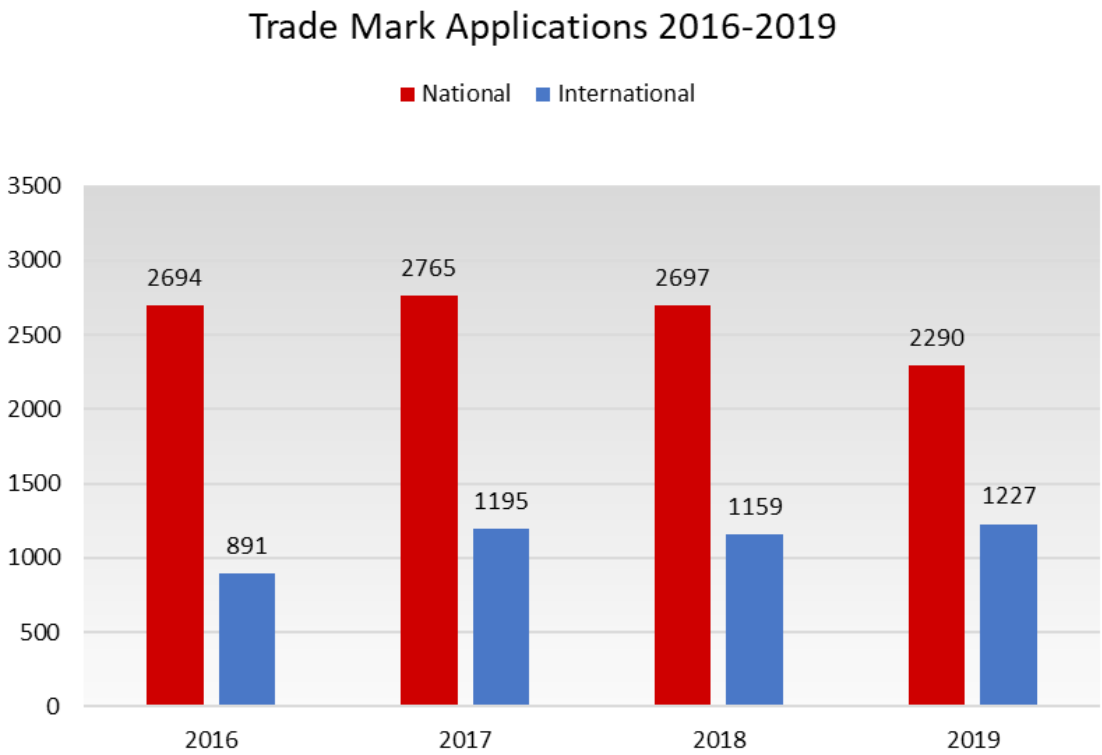
Business Statistics - Trade Marks

National Trade Mark Applications				
Year	Received	Advertised	Opposed	Registered
2016	2,694	2,246	91	1,894
2017	2,765	1,779	50	1,896
2018	2,697	2,111	61	1,713
2019	2,290	2,019	74	1,759

International Trade Mark Registrations				
Year	Received	Advertised	Opposed	Protected
2016	891	865	7	888
2017	1,195	849	9	862
2018	1,159	870	5	844
2019	1,227	1,178	15	1,116

Register of Trade Mark Agents

At the end of 2019, there were 247 individuals and 11 partnerships entered on the Register.



International Classification of Goods and Services into which Trade Marks Registered in 2019 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 WIPO and the current (eleventh) edition has been in force since 1 January 2018.

Class	Classification of Goods	No. of marks in classification	Class	Classification of Goods	No. of marks in classification
1	Chemical Products, etc.	42	24	Tissues (piece goods), etc.	22
2	Paints, etc.	13	25	Clothing, including Boots, Shoes and Slippers	143
3	Bleaching Preparations, etc.	90	26	Lace and Embroidery, etc.	11
4	Industrial Oils, etc.	27	27	Carpets, etc.	2
5	Pharmaceutical Substances, etc.	161	28	Games, etc.	53
6	Unwrought and Partly Wrought Common Metals and their Alloys	40	29	Meat, Fish, Poultry and Game, etc.	209
7	Machines and Machine Tools, etc.	27	30	Coffee, Tea, Cocoa, Sugar, Rice, etc.	217
8	Hand Tools and Instruments, Cutlery, etc.	29	31	Agricultural Products, etc.	66
9	Scientific Apparatus and Instruments, etc.	253	32	Beer, etc.	108
10	Surgical Instruments, etc.	31	33	Wines, Spirits and Liqueurs	113
11	Installations for Lighting, etc.	54	34	Tobacco, etc.	6
12	Vehicles; Apparatus for Locomotion by Land, Air or Water	16	35	Advertising, Business Management, etc.	363
13	Firearms, Ammunition and Projectiles; Explosive Substances; Fireworks	0	36	Insurance, Financial Affairs, etc.	163
14	Precious Metals and their Alloys, etc.	35	37	Building Construction, Repair, Installation Services.	74
15	Musical Instruments (other than talking machines and wireless apparatus)	0	38	Telecommunications	46
16	Paper, etc.	170	39	Transport, Packaging and Storage of Goods, etc.	77
17	Gutta Percha, India Rubber, etc.	16	40	Treatment of Materials	32
18	Leather, etc.	45	41	Education, Entertainment, etc.	309
19	Building Materials, etc.	35	42	Scientific and technological services	184
20	Furniture, etc.	34	43	Providing food and drink	151
21	Small Domestic Utensils, etc.	48	44	Medical services, etc	146
22	Ropes, etc.	3	45	Personal and social services	56
23	Yarns, Threads	2			

Business Statistics – Trade Marks

	2017	2018	2019
Number of trade marks the subject of assignments	1,484	966	1,072
Number of licences of trade marks recorded in the register	10	21	10
Trade mark registrations removed for non payment of renewal fees	4,616	4,165	4,139
Trade mark registrations surrendered	10	10	5
Trade mark registrations restored	10	15	6
Trade mark registrations renewed	5,472	5,517	5,088
National trade marks revoked in full and in part	4	4	6
International trade marks revoked in full and in part	0	0	5
National trade marks declared invalid	1	1	2
International trade marks declared invalid	0	0	0
National registered trade marks in force	58,207	55,727	53,417
International trade marks in force	20,600	20,221	20,424
Total trade marks in force	78,807	75,948	73,841

Hearings	2017	2018	2019
Hearings (ex-parte)	3	10	7
Hearings (inter-partes)	4	8	5
Hearings (inter-partes by way of written submission or papers filed)	9	11	17
Applications to convert EU Trade Mark applications into national applications	24	16	35
International Trade Mark applications filed and transmitted to WIPO	65	74	70

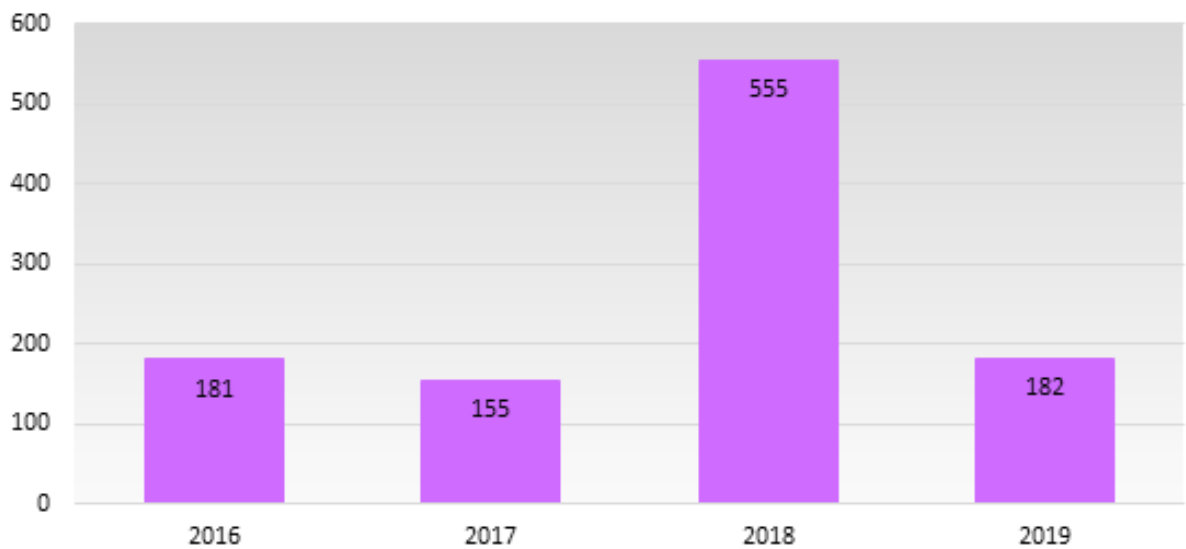


National Trade Marks registered at Intellectual Property Office of Ireland in 2019

Business Statistics – Designs

	2017	2018	2019
Design Applications*	65	82	79
Number of Designs applied for*	155	555	182
Designs Registered	96	588	152
Designs Lapsed	96	236	140
Designs Renewed	76	63	53
Designs in force	1,140	1,630	1,545

Number of Designs applied for 2016-2019



*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 in 2019 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 WIPO and the current (twelfth) edition has been in force since January 1, 2018.

Class	Classification	Designs Registered
1	Foodstuffs	17
2	Articles of Clothing and Haberdashery	20
3	Travel Goods, Cases, Parasols and Personal Belongings, not elsewhere specified	10
4	Brushware	2
5	Textile Piecegood Articles, Artificial and Natural Sheet Material	2
6	Furnishings	10
7	Household Goods, not elsewhere specified	5
8	Tools and Hardware	1
9	Packages and Containers for the Transport or Handling of Goods	0
10	Clocks and Watches and other Measuring Instruments, Checking and Signalling Instruments	4
11	Articles of Adornment	18
12	Means of Transport or Hoisting	7
13	Equipment for Production, Distribution or Transformation of Electricity	0
14	Recording, Communication or Information Retrieval Equipment	3
15	Machines, not elsewhere specified	0
16	Photographic, Cinematographic and Optical Apparatus	5
17	Musical Instruments	1
18	Printing and Office Machinery	1
19	Stationery and Office Equipment, Artists' and Teaching Materials	8
20	Sales and Advertising Equipment, Signs	0
21	Games, Toys, Tents and Sports Goods	6
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	1
25	Building Units and Construction Elements	0
26	Lighting Apparatus	2
27	Tobacco and Smokers' Supplies	0
28	Pharmaceutical Products and Cosmetic Products, Toilet Articles and Apparatus	1
29	Devices and Equipment Against Fire Hazards, for Accident Prevention and for Rescue	0
30	Articles for the Care and Handling of Animals	2
31	Machines and Appliances for Preparing Food or Drink, not elsewhere specified	8
32	Graphic Symbols And Logos, Surface Patterns, Ornamentation	18
Total		153

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

Copyright

Collective Rights Management (CRM)

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

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

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

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

Under Section 38 of the Act, disputes between people playing sound recordings in public and the owner of the copyright subsisting in those recordings, regarding the equitable remuneration payable to the copyright owner, may be referred to the Controller for determination. Under Sections 151 and 152 of the Act, disputes between people or organisations regarding a proposed or existing licensing scheme and the operator of the licensing scheme regarding the equitable remuneration payable, may be referred to the Controller for determination. In 2019 there were no references made to the Controller under Section 38. There are currently no references pending before the Controller.

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

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

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

In 2019, 12 bodies were registered in the Register of Copyright Licensing Bodies, 1 body was registered in the Register of Licensing Bodies for Performers' Property Rights and there were no entries in the Register of Licensing Bodies for Database Rights. The Registers may be viewed on the IPOI website at:

<https://www.ipoi.gov.ie/en/types-of-ip/copyright1/copyright-licensing-bodies/register-of-copyright-licensing-bodies/>.

Orphan Works

Orphan Works are works such as books, films, newspaper articles and other creative material that are protected by copyright, but whose owner cannot be found or contacted to obtain permission to use them. The works may be part of collections held by Beneficiary Organisations such as libraries, museums, archives, film and audio heritage institutions and public service broadcasting organisations. The EU Directive on Orphan Works (Directive 2012/28/EU) sets out common rules for the use of Orphan Works by cultural organisations for the purpose of digitising those works for non-commercial purposes without infringing copyright. Following the completion of a diligent search to establish either ownership or the orphan nature of the work(s), any organisation wishing to register an Orphan Work in the Orphan Works Database must first apply online to the EUIPO to be registered as a “Beneficiary Organisation.” To date, six Irish organisations have been registered as Beneficiary Organisations.

Knowledge Development Box

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

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

KDB Report

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

In 2019, there were no valid applications for a KDB Certificate received by the Controller.



Legislation

In accordance with Section 103(1)(b) of the Patents Act 1992, the Controller includes particulars of all legislation made in 2019 for the administration of which the Controller is responsible.

Copyright and Other Intellectual Property Law Provisions Act 2019 (No.19 of 2019):

The purpose of the Act is to modernise the copyright regime in Ireland by making better provision for copyright and other intellectual property (IP) protection in the digital era and to enable rights holders to better enforce their IP rights in the courts. The Act also made provision for the change of name of the Office as well as providing that applicants for international patents under the PCT can request that the application be treated as a national application under Part 2 of the Patents Act 1992.

Patent (Amendment) Rules 2019 (S.I No. 589 of 2019):

This amendment to the Patent Rules provides for extending the prescribed period for responding to the search report and written opinion furnished under Section 29 consequent to the introduction of substantive examination, and also includes several administrative amendments for the purposes of the issuing of overdue reminder letters, public inspection of documents and reflecting the changes made in relation to the courts in the Copyright and Other Intellectual Property Law Provisions Act 2019. In addition, new Rule 87A prescribes the procedures to be followed pursuant to Section 127A of the Patents Act 1992, in circumstances where the Controller receives a request whereby an international application for a patent designating the State be treated as an application for a patent under Part II of the Act.

Trade Marks (Amendment) Rules 2019 (S.I. No. 588 of 2019):

Amends Rules 51, 57, 68 and 69 in order to provide that IP proceedings may take place in the relevant court.

Trade Marks (Amendment) Rules 2019 (S.I. No. 628 of 2019):

Provides for a number of procedural changes to ensure that opposition and invalidity proceedings are conducted in an efficient and effective manner. The Rules also provide for administrative procedures for lodging third party observations in relation to trade mark applications made on bad faith grounds and the role of the Controller in processing these observations.

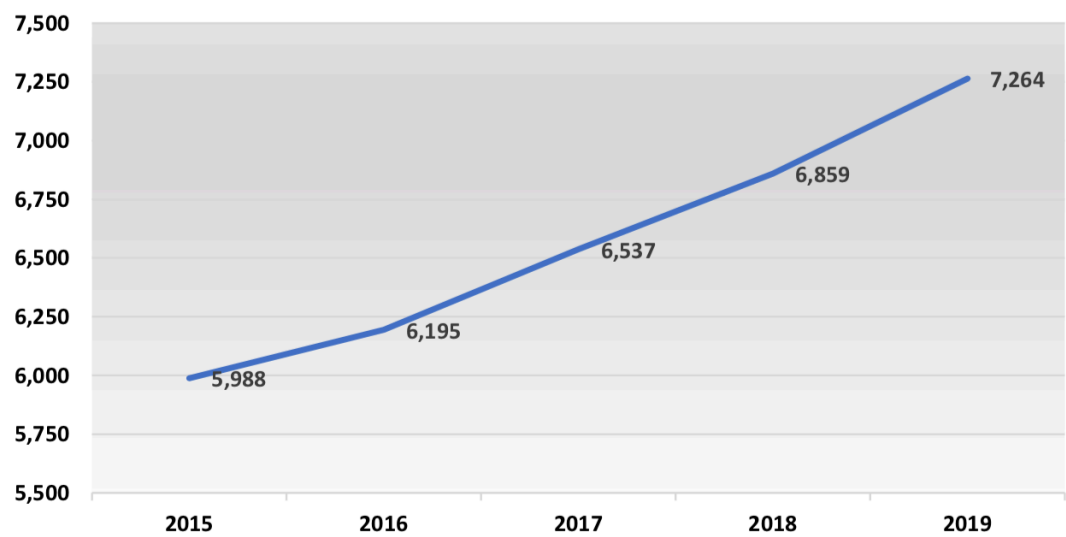
Industrial Designs (Amendment) Regulations 2019 (S.I. No. 587 of 2019):

Amends Regulations 3, 30 and 31 involving the change of name of the Office and also to the amendments to Regulations 48 and 49 to provide that IP proceedings may take place in the relevant court.

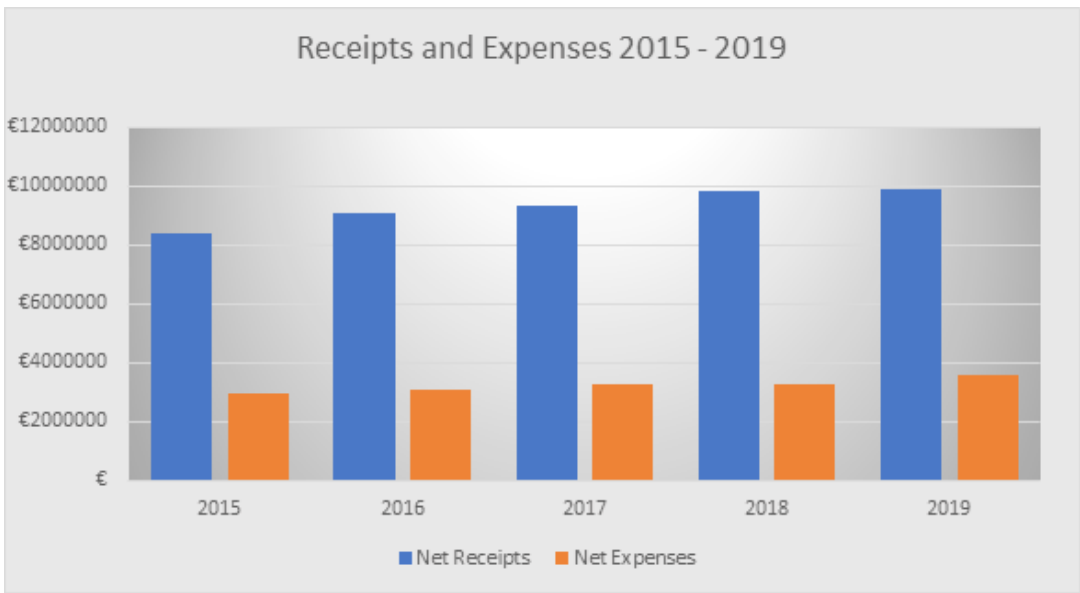
Financial Information

Net receipts accruing to the Exchequer in 2019 amounted to €9.88m, an increase of €0.06m or 0.6% on the 2018 figure of €9.82m. The greater proportion of the Office’s fee income comes from renewal fees on European Patents. In 2019, the Office received a net amount of €6.77m in renewal fees for granted European Patents designating Ireland, which was an increase of 6% (€0.38m) over the 2018 figure. The combined net income from European and National patent renewal fees amounted to €7.264m in 2019 and continues to increase year on year. The 2019 net figure has increased by 21% over the corresponding 2015 figure.

Net Patent fees which accrue to the Exchequer



The combined income from patent, design and trade mark fees (including international trade mark fees) of €10.034m increased by €0.074m, or 0.7% over the 2018 figure of €9.96m. The Office’s net expenses for 2019 amounted to €3.57m which represented an increase of €0.28m over the corresponding 2018 figure of €3.29m.



Financial Information

Receipts And Expenses - Year Ended 31 December 2019 (Accounts Not Yet Audited By C&Ag)

Receipts	€000
Patent fees (Notes 1 & 2)	7,264
Trade Mark fees	2,067
International Trade Mark Registration – fees received from WIPO (Note 3)	691
Design fees	12
Other fees	100
Less refunds made in respect of fees paid to the Office in error	71
Less transaction fees arising in respect of online credit card payments	184
Net receipts accruing to the exchequer	9,879
Expenses	€000
Salaries	2,217
Travel & Subsistence	57
Miscellaneous & Incidental expenses	83
Postal & Telecommunications Services	99
Office Equipment and Supplies & Related Services	604
Office Premises Expenses	98
Information resources, books periodicals, etc.	2
Subscriptions to Industrial Property Unions	410
Net expenses	3,570

Note 1: In accordance with the European Patent Convention, to which Ireland is a party, the Office is obliged to remit to the European Patents Office 50% of all renewal fees received in respect of European Patents which have been validated in Ireland and which are entered in the national register of patents.

	€000
Patent Fees	14,035
Less Proportion of patent renewal fees transferred to the European Patent Office	6,771
Net Patent fees which accrue to the Exchequer	7,264

Note 2: The 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 2019 are shown below:

	€000
PCT Basic and Designation Fees transferred to WIPO, Geneva	13
PCT Search fees transferred to EPO, Munich	16
Total	29

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 2019

The Office's 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	
Issue formal filing receipts for correctly filed applications within 5 working days.	76%
Issue certified copies of patent documents within 4 working days of receipt of request.	100%
Issue patent renewal certificate within 3 working days of receipt of renewal fee.	100%
Process applications for registration of assignments within 7 working days of submission of a fully completed application.	100%
Issue confirmation that amendments requested to the patents register for names and addresses of proprietors and addresses for service have been recorded within 5 working days of receipt of a properly completed application.	100%
Grant patents within 3 working days of receipt of grant fee.	100%
Transmit European and PCT applications to EPO/WIPO within 5 working days of receipt	100%
Approve grant of short term patents within 6 months from filing of a properly completed application.	69%
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 2 months.	85%
Issue notification of formal defects within 15 working days of filing date	92%
Issue notification of substantive defects within 2 months of filing.	96%
Classify for publication 90% of all non-divisional patent applications within 18 months after the priority date.	54%
Supplementary Protection Certificates	
Issue formal filing receipts for correctly filed SPC applications within 5 working days.	100%
Issue notification of formal defects within 10 working days of filing date.	100%
Perform examination of all SPC applications at least 12 months before the expiry date of the basic patent.	85%
Designs	
Issue formal filing receipts for correctly filed (paper based) design applications within 5 working days.	82%
Issue formal filing receipts for correctly e-filed Design applications within 2 working days.	100%
Issue Registration Certificate within 5 working days of the application being registered	100%
Issue renewal certificate within 1 working date of receipt of the renewal fee.	100%

Trade Marks	
Issue formal filing receipts for correctly filed (paper based) trade mark applications within 5 working days.	96%
Issue a request for payment of registration fees within 7 working days of the expiration of the period for filing of opposition where no opposition is received.	100%
Where opposition is determined in favour of the applicant, request for registration fees to issue within 7 working days of publication of withdrawal of opposition.	100%
Register trade marks within 3 working days of receipt of registration fee.	99%
Transmit applications for International Trade Mark registrations within 3 working days of receipt of correctly filed applications.	100%
Issue formal filing receipt for correctly filed e-filed trade mark applications on the next business day	100%
Conduct initial search in respect of new applications within 1 week of receipt.	92%
Complete formalities check on all e-filed applications within 1 week of receipt	100%
Issue initial acceptance/objection letter within 8 weeks of receipt of new applications.	51%
Issue preliminary search reports within 1 week of request.	100%
Respond to 95% of written correspondence on individual applications within 2 weeks.	100%
Issue 90% of decisions on Hearings within 1 month of Hearing.	100%
Issue 80% of written statement of grounds of decisions in hearings within 2 months following request for same.	88%
Issue to relevant parties copies of notices of opposition and applications for revocation or declaration of invalidity within 2 weeks of receipt.	100%
Respond to 95% of written correspondence on individual applications (opposition, invalidity, revocation) within 2 weeks.	100%
Respond to individual requests for extensions of time prior to the expiry of the relevant deadline where those requests are made not later than 2 weeks before such expiry.	100%
Issue trade mark renewal certificate within 1 working day of receipt of payment.	100%
Issue certified copies and extracts from the Trade Marks Register within 4 working days of application.	100%
Process applications for registration of trade mark assignments within 7 working days of submission of a properly completed application.	100%
Issue confirmation that request for amendments to the Trade Marks Register in respect of names and addresses of proprietors, trade mark agents and addresses for service have been recorded within 5 working days of receipt of a properly completed application.	100%
Accept applications for Trade Marks within 2 months from the filing of a properly completed application and where no objections have been raised by the Office.	29%
General	
Issue payment receipts for fees received (in the form of cash, bank draft & money order) within 2 working days.	100%

Contact Us

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