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1. PREFACE

The Patent Office of the Republic of Bulgaria (Patent Office, the Office) is a successor of the Institute for Rationalization (IR), established by Decree of the Presidium of the National Assembly in 1948, as successor of the Industrial Property Bureau, founded since 1921 with the adoption of the first Act on Patents for Inventions. After 1948, the IR underwent various structural and functional changes, and in 1993, with the adoption of the new Patent Law, its name was changed to the Patent Office of the Republic of Bulgaria.

Ever since its establishment, the Patent Office, in its capacity of a national public authority, has continued to carry out its mission of implementing an independent state policy related to the legal protection of industrial property, promoting innovation, competitiveness, entrepreneurship and economic growth for the benefit of society as a whole, ultimately turning its clients into partners by providing them with professional and correct service as well as high quality services and products that will permanently satisfy their requirements and needs. The Office strives to be an active partner of companies, entrepreneurs, universities, research institutes and others in order to maintain and increase the innovation potential and achieve the social, cultural, technological and economic prosperity of the country.

As an independent state body, the Patent Office seeks to promote the development and use of industrial property objects in Bulgaria and to work in a timely and competent manner to inform all stakeholders and the public alike about the existing and future opportunities evoked by these acquired rights. What is of significant importance is the contribution of the institution to stimulating the creation and timely implementation of the innovations, for which the Office works in close cooperation with universities, representatives of research and development organizations, and not least of importance with the Bulgarian medium and large business.

The main functions of the Office are related to examination of the various industrial property objects and issuing documents for protection of the latter, keeping and maintaining state registers for the protected object, dispute settlement, making publications and issuing official bulletin with all industrial property objects, international exchange of patent documents. Aiming to perform these functions, the Office creates and maintains information systems for industrial property objects and provides information services for them, as further issues instructions and regulations of its competence, provides training in the field of industrial property, maintenance
of patent funds, publicity and public awareness in regards to the industrial property and innovation activities.

The Patent Office is a member of three major international organizations: The World Intellectual Property Organization (WIPO), the European Patent Office (EPO) and the European Union Intellectual Property Office (EUIPO). As a state body and representative of the country in international organizations working in the same field, the Patent Office of the Republic of Bulgaria is also a reliable partner for the implementation of the European policies and a driving force for the implementation of the European law in the field of protection of the industrial property objects in Bulgaria.

The Annual Report of the Patent Office of the Republic of Bulgaria for the year 2018 contains information regarding the results achieved at protection of industrial property in the implementation of the state policy in the field of innovations. The annual statistics on the protection of industrial property objects, the information and other services provided in this regard have also been summarized. Information on the public awareness raising activities and qualification of different target groups working in the field of industrial property have also been provided.

2. LEGAL FRAMEWORK

In 2018, as a result of the obligation of the Patent Office in relation to the commitment of our country to transpose and/or bring the national legislation into line with the European Union Law, actions were taken to amend the existing legal framework and creating a new one. Amongst the acts drafted during the reporting period are:

Trade Secrets Protection Act

The draft Law on protection of trade secrets was drawn up in connection with the fulfilment of the commitments of the Republic of Bulgaria as a member state of the European Union to transpose in the national legislation the Directive 2016/943/EU of the European Parliament and the Council as of 8 June 2016 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure.

The bill seeks to bring the effective legal protection of business secrets in the country in accordance with the requirements stipulated in the European legislation.

It defines the subject matter, the limitations of its application, the basic principles and the criteria that a particular information must meet in order to be
classified as a trade secret. The court procedure for establishing unlawful acquisition, use or disclosure of business secrets has been fully regulated. There are provisions stipulating the types of precautionary measures that the court shall impose in order to limit or prevent the consequences of unlawful behaviour. There also are rules envisaged for ensuring and guaranteeing the confidentiality of court proceedings, as well as for the method of determining the compensation for damages caused by the violation, including by third parties. The additional measures set forth what the court shall be able to impose on the offender as well as the circumstances that are subject to assessment in determining the most appropriate measures in the particular case. The bill also contains provisions aimed at ensuring enforcement of the judgement. It also regulates the possibility of imposing appropriate measures in case of abuse of procedural rights.

By protecting business secrets, better conditions are created for their creators to benefit from their work or innovations, and therefore are particularly important for business competitiveness as well as for R & D and innovation-related achievements. The trade secrets are one of the most commonly used forms of intellectual product protection and innovation know-how by businesses, but at the same time they are the least protected by the existing legal framework of the European Union against their unlawful acquisition, use and disclosure by other countries.

**Trademarks and Geographical Indications Act**


The aim of the bill is both to bring the national legislation on trademarks and geographical indications into line with European Union law and the legal systems of the other Member States and to improve the legal framework by overcoming the existing regulatory gaps in the procedures, enhancing the process of registering and acquiring rights and the legal protection alike.

In order to achieve the goals outlined above, the bill contains two main groups of proposals. The first is to transpose the provisions of the Directive and to comply
with the requirements of the Regulation, which constitute a substantive amendment to the existing legal rules, as well as the introduction of new rules in the legal protection of the national system. The second group includes proposals for amendments resulting from the practice of implementing the MGIA and Council Regulation No 207/2009/EC of 26 February 2009 on the Community trademark, codified as Regulation 2017/1001/EU of the European Parliament and of the Council of 14 June 2017 on the European Union trade mark.

The provisions of the bill proposed in connection with the transposition of the provisions of Directive 2015/2436/EU are related primarily to a change of the definition of the term trademark. The existing restriction on the acquisition of legal protection for signs that have a distinctive character but cannot meet the requirement for graphical representation has been overcome. The absolute and relative grounds for refusal are supplemented and amended. The existing texts concerning well-known trademarks have been refined so as to extend the scope of protection not only in case of identity but also in similarity.

Further clarifications have been made in connection with the obligation to use the mark, clearly stipulating the time from which the term begins to run, as well as the conditions that must be fulfilled in regards to this obligation. The cases of real use as well as the scope of protection have also been specified. There are changes to the existing legal framework in the provisions concerning the protection of rights to trademarks and geographical indications, including new provisions in terms of breaches, which are relevant both for administrative and civil protection. There is envisaged right to a claim by considerably larger number of persons, and the possibilities for defending the defendant in civil proceedings are extended. The provisions on border control measures are also amended.

In regards to the collective and certification marks, the provisions are supplemented in the section setting out the possibility of registration as a collective mark of signs indicating the geographical origin of goods, the rules for the use of a collective mark and the definition of a certificate mark.

The provisions of the draft law proposed in connection with the compliance of the national legislation with the provisions of Regulation No 1151/2012/EU provide for termination of the registration of the geographical indications for agricultural products and foodstuffs under the MGIA as of the date of its entry into force. The registration of such products and foodstuffs will only take place under Regulation No 1151/2012/EU according to the procedure set out in Ordinance No 16 of 14
September 2007 on the preparation and submission of applications to the European Commission on agricultural products and foodstuffs with protected geographical indications and traditionally specific character, to control the compliance with the product specification and maintain a database of the producers and supervising persons.

In addition, it is envisaged to terminate all proceedings for applications for registration of geographical indications for agricultural products and foodstuffs filed at the Patent Office or applications for registration of a user of such a geographical indication, for which there is no decision in force until the entry into force of the draft law. The proceedings for infringement of rights falling within the scope of Regulation No 1151/2012/EU wherein there are no decisions have entered into force, and the enforced but not implemented decisions shall not take effect. It is also foreseen that the holders of rights on registered geographical indications falling within the scope of the Regulation shall not bring actions for infringements committed before the entry into force of the law and that the administrative penalties for such violations shall not be initiated and the initiated ones shall be terminated ex officio.

These changes are in line with the reasoned opinion of the European Commission on infringement procedure No 2017/4062, received on 28 January 2019.

Regarding the proposals that reflect the dynamics in the development of the practice applying the MGIA, the bill regulates in detail the content of the state registers of the marks and the geographical indications, and the registrable applications are also included in the objects to be registered. The list of data contained in the registers is also expanded.

Following the principle laid down by Directive 2015/2436/EU for efficient and rapid administrative proceedings, detailed procedures for access to the file are set out in detail and the range of persons who will have access is expanded. The amendments in the trademark and geographical registration procedures, opposition, appeals against opposition, invalidation and revocation are also intended to apply the above stated principles. A shortening of the deadlines is foreseen, and in the foreseeability of the legal framework are included rules clearly indicating the cases requiring the suspension of the proceedings for applications, oppositions and disputes.

In fulfilment of one of the main functions of the administrative body in the procedure for application and registration of a trademark - protection of the public interest, the official start has been strengthened in the examination of the
applications for the absolute prohibitions on registration. The rules on judicial control are also amended and supplemented.

The procedure developed in the Patent Office in connection with the international registrations of trademarks and geographical indications has also been regulated. In this respect the major change covers the examination of international trademark registrations, with a reference to the Republic of Bulgaria, wherein, for clarity, the rules for their examination their transition to the national phase have been set forth in more detail.

The terms, conditions and procedures for registering geographical indications have been amended in a similar way to those of the trademarks.

The draft amendments are significant in nature whereby concerning the merger of fees due on application for examination, publication and registration, as well as those determining the amount of fines and penalties for violations committed. It is now envisaged that the existing method of payment of state fees, according to which the payment is made at each of the stages of the registration process to be replaced by a sole payment of a single service fee called "Registration" due at the beginning of the procedure.

In this context, the overall ex ante impact assessment presents an analysis of the potential administrative and regulatory expenditures existing at present and those that would be realized with the adoption of the project proposed. The analysis indicates that if the single registration fee is introduced, the users and businesses will not only be burdened with additional financial burdens, but they will also save administrative and regulatory costs.

The introduction of a single fee will also contribute to a greater harmonization of the system of national trademark protection in Bulgaria with the EU trademark protection system. The trademark registration process involving the payment of a unified single fee is applied both by the EUIPO itself and by a number of EU Member States such as the UK, Slovakia, Sweden, Finland, Austria, Spain, the Czech Republic, Portugal, Hungary, Germany, Denmark, and the Intellectual Property Office of Benelux.

The draft also provides for an increase in the amount of fines and pecuniary sanctions imposed, aiming to harmonize administrative penalties and sanctions for administrative offences against trademarks and geographical indications with those provided for violations under the Copyright and Related Rights Act, because in all
cases there are violations of intellectual property rights. For the same purpose, provision should be made, in the event of systematic violations, as the place where they are made shall be sealed for a fixed period (three to six months).

The proposed amendments to the existing legal framework in the field of trademarks and geographical indications shall achieve conformity between Bulgarian and European law in the field of trademark protection and geographic indications and fulfilment of Bulgaria's obligations as a EU Member State, approximation of the national legislation with the other Member States, thus increasing work efficiency and achieving greater legal certainty for the businesses and users.

In 2018, the following regulatory acts were adopted and entered into force as previously drafted by the Patent Office in 2017: Amendment and Supplement to the Marks and Geographical Indications Act; Act on Ratification of the Protocol on implementation of the Unified Patent Court Agreement; Ordinance on Dispute Resolution under the Marks and Geographical Indications Act.

3. PROTECTION OF INDUSTRIAL PROPERTY

3.1. Patents and Utility Models

During 2018 the Patent Office had a total of 468 patent applications for inventions and registration of utility models as 198 of them are for patent for inventions and 270 for registration of utility models.

During 2017 the Patent Office had a total of 508 patent applications for inventions and registration of utility models as 225 of them are for inventions and 283 for utility models.

It is noteworthy that the number of applications submitted for these two types of industrial property objects has decreased significantly compared to the previous year 2017 when a total of 508 applications for patent for inventions and registration of utility models were filed. However, the total number of applications received is even lower by 2015 when the total number was 563, but it is higher than that of 2014, namely 467.

The trend of the previous year is retained, where there is a prevalence of interest in filing utility model registrations, compared to patent applications for inventions (225 patent applications and 283 utility model registration applications). In 2018, the application activity for utility models exceeded the patent for invention with over 70 PCs. The application activity for patents and utility models registrations for 2012-2018 has been represented in the graph below:
As seen from the data, it can be concluded that, with regard to the filing of patent applications in 2018, the lowest activity for the period is observed. Regarding the applicant activity for applications for registration of utility models, the application in 2018 is the third lowest in the quantitative dimension for the period. In respect of the applications filed from abroad the situation is the same since the share of such applications remains low for both types.

In 2018, 750 decisions on applications for inventions, utility models and supplementary protection certificates (SPC) were issued (in 2017-549) The success rate of the application for patent for inventions is relatively good as protection document has been issued in 50% of the cases. As for the utility models the share of decisions for registration is significantly higher at about 80%, which is mostly due to the registration regime of these IP objects (there is no search and assessment of patentability).

The number of applications for patents, utility models and SPC, which are subject to pending decision, amount to less than 900. At the end of 2017, the number of applications for patents, utility models and SPCs in the examination of formality requirements, preliminary and substantive examination was commensurable.

As of December 31, 2018 the national effective patents for inventions were 794, whereas in 2017 they were 819, and the number of the effective utility models was 1102 (919 for 2017) or 1921 in total (1738 for 2017).
The graph shows that over the last five years the total number of the effective IP object of these two types has generally decreased up until 2016. In 2012 the total number of protected objects was 2078 and in 2013 it was 2007, in 2014-2001 and in 2015-1871, while in 2016 this tendency was stopped and the number of the IP objects during the year increased to 1950. This is due to the raised interest towards the registration of utility models. On the other hand the tendency in decrease of the effective national patents continues which can be solved by adoption of a unified strategy for protection of intellectual property in the country.

3.1.1. Patents
In 2018 the Patent Office received total of 198 patent applications for inventions (225 in 2017). Generally, 179 of them were filed by Bulgarian applicants and 18 by foreign applicants.
Compared to the year 2017 there were 27 fewer patent applications for inventions filed for the year 2016. This decrease in the application activity is of approximately 10%.

The structure of the applications, filed by Bulgarian applicants, shows that typically the number of applications filed by physical entities (PE) considerably exceeds the number filed by institutions- the Bulgarian Academy of Science (BAS), Higher Education Institutions (HEI) and legal entities (LE). Consequently, the economic activity of corporate enterprises resulting in application activity remains at a relatively low level.

**Applications for inventions by Bulgarian applicants for 2006-2018**
As observed a tendency, the share of foreign patent applicants for inventions in Bulgaria has been insignificant over the last years, particularly when taking into consideration the overall law application activity in the country. However, it should be noted that there is an increase regarding the effective European patents in Bulgaria. As of 31.12.2018 they are 12 308. (In 2017 they were 11 590). The aforementioned indicates that there is an increase in interest towards obtaining protection for inventions and respectively towards the economy of Bulgaria by foreign holders of patent rights.

Again in 2017 the largest share is attributed to applications for inventions in the field of machine building industry- approximately 45% of all applications filed. Next are applications in the field of electrical engineering and electronics with 33 % and chemistry and biotechnology with 22 %.

The ratio proves that the widely held view that information and communication technologies have a leading role in the Bulgarian economy, has its grounds and a leading role in the innovation potential of the country as far as it might be associated with the patent activity. The applications in this area represent 45% of all applications filed in the Patent Office for patent for invention in 2018.

In 2018 there were 3 application for temporary protection of application for European Patents filed in the BPO. However, there were over 2332 (2300 in 2017)
requests for provision of legal protection of European Patents. Legal protection was provided to 2191 European Patents.

**Effective Patents in the territory of the Republic of Bulgaria during 2006 -2018 r.**

In 2018 the Office received a total of 43 applications for Supplementary Protection Certificate (SPC) as 37 of them are medical products and 6 for plant variety protection. In comparison to year 2017 there were 48 applications for SPC filed in the Office as 1 of them are for medical products and 6 for plant variety protection.

In 2018 there were 72 were decisions issued as 71 were for issuing SPC, and 1 for refusal. In 2017 there were 74 decisions for SPC issued.

**3.1.2. Utility models**

The number of applications for utility models filed in 2018 is a total of 270, as 263 of them were filed by Bulgarian applicants and 20 by foreign applicants. The number of applications for utility models for the year 2017 is a total of 283 and it shows a a reduction of less than 10% as for the applications for utility models. The share of the foreign applicants is small similarly to the ones filing for patents.

Of all applications for utility models the main part are for registration, but there also are applications parallel to patent applications for inventions and 31 for conversions of applications for utility model.

What should be taken into account is that to a larger extent the higher applicant activity in 2016, compared to year 2017 and 2018, arises out of the possibility for enterprises to apply for grants and funding of projects related to
acquisition of rights to intellectual property on innovations that are subject to the applications.

3.2. Industrial Designs

In 2018 a total of 145 applications for registration of industrial designs were filed as they include 633 under the national route. In comparison to year 2017 there were 144 applications for industrial design including 434 under national route. In comparison to year 2017 there were 145 applications for industrial design including 633 under national route. Besides this there were 40 registrations under The Hague Agreement.

![Applications for industrial designs under the national route and the Hague Agreement in 2018](image)

The applicant activity related to applications for industrial designs continues the downward trend dating back 2014. The decrease in the number of applications for industrial designs relative to year 2017 is however negligible.
During the reporting period, 207 decisions were made on industrial design applications, 175 were approved for registration and 32 were withdrawn or terminated. Compared to year 2017 there were 195 decisions made for registration of applications for industrial designs and 22 were withdrawn or cancelled. The number of pending applications was a total of 40 applications for industrial design.

As of 31.12.2018 the pending applications for industrial designs with a total of 1930 pieces, including 6853 single designs (as of 31.12.2017 are 2156, including 7496 single structure).
3.3. Trademarks and Geographical Indications

3.3.1. Trademarks
In 2018 the BPO received 4344 applications for national registration (NR) of trademarks (4530 in the year 2017) as 3967 of them are by Bulgarian and 379 by foreign applicants.

Applications for Trademarks pursuant to the National Route during 2010-2018 r.

There were 1669 international registrations (IR) filed to request operation in the territory of the Republic of Bulgaria (1517 in the year 2017) in compliance with the Madrid Agreement (MA) and Protocol.

Applications for Trademarks under the National Route and the Madrid Agreement and Protocol in 2017

Applications - MA and Protocol 28%
Applications - NR 72%
During the year there were 181 applications for international registration under the Madrid Agreement and Protocol filed by Bulgarian applicants (opp. 173 in 2017) and 17 applications for territorial expansion.

In 2018 a total of 374 oppositions were filed (449 in 2017) as 336 of them (434 in 2017) were against applications for registration of trademarks under the national route and 38 (15 in 2017) against admission of the effect of international registrations of trademarks under the Madrid system for international registration of trademarks, in which the Republic of Bulgaria is designated state. The total number of decisions on oppositions is 361 (334 for 2017) as 144 of them are related to full or partial refusal of a trademark, 48 are related to rejection of the opposition, 124 are about termination of the procedure and 18 about non-initiation of proceedings.

The objections claimed under Art. 38a of the Law on Marks and Geographical Indications (LMGI) are 26 (for the year 2017-38) - only against national applications. The total number of decisions on objections under Art. 38a of the MGIA are 15 (for the year 2017 - 39), of which 2 are well founded and 13 unfounded.

During the year there were 4202 examinations made. There were 4921 final decisions issued on applications for national registration of trademarks (5764 in 2017) as 3784 of which were for registration (4294 in 2017), 79 for cancellation (140 in 2017), 153 for refusal (170 in 2017) and 905 were withdrawn (1160 in 2017). The application withdrawal was, as in 2017, due to unpaid fees for application, examination, publication and registration. The refusals represent 3.1% of the decisions.

In 2018 there were 1532 final decisions issued on international registrations and territorial expansions (1327 in 2017). There were 33 refusals for admission to registration (30 in 2017) and the international registrations allowed to operate in the territory of the Republic of Bulgaria were 1499 (1297 in 2017).

Overall, during the year the final decisions under the national route, international registration, and territorial expansions are 6453 (7091 in 2017). Along with the oppositions the total number of decisions issued in 2018 is 6814 (7425 in 2017).

After the decreased number of national applications filed in 2013, there is a gradual increase and stabilization of this number, as in 2016 their number is the highest. There is a new decrease of the number of filed national applications, still the rates are significantly higher than in 2013.
3.3.2. Geographical Indications and Appellations of Origin

In 2018, 9 national applications were filed in the Patent Office (2017-25) for registration of geographical indication users.

During the period there were 28 (3 in 2017) requests for international registration of origin in compliance with the Lisbon Agreement for the Protection of the Appellations of Origin and their international registration.

3.4. New Plant Varieties and Animal Breeds

As of the year 2018 there was a total of 18 applications for new plant varieties. Annual fees for maintenance of new varieties of plants and animal breeds have been utilized in total of 323 protected ones. In comparison to the year 2017, there were a total of 47 applications for new plant varieties, of which 1 application is for an animal breed. In 2015 the lowest applicant activity was observed as for the period from 2006 onwards. The data shows clearly that there is a serious increase in applicant activity compared to 2015 and in 2016 and 2017 with an increase of 131%. The diagram below shows that the applicant activity for the reporting period is pitifully at a slightly higher level than the 2015 level.

In 2018, 34 certificates were issued. 36 pcs. applications for a new plant variety were sent to the Executive Agency for Variety Testing, Field Inspection and Seed Control (EAVTFISC); 10 are to be published and sent to EAVTFISC. At the end of the reporting period there are 406 valid certificates for new varieties and animal breeds. The valid certificates for new plant varieties and animal breeds are about 400 as of 31.12.2016.
The substantive examination of the new plant varieties is carried out by the Executive Agency for Variety Testing, Field Inspection and Seed Control (EAVTFISC) and the examination of new animal breeds is carried out by the Executive Agency for Selection and Reproduction in Animal Breeding (EASRAB). All actions of protection upon the substantive examination are performed by the Patent Office of the Republic of Bulgaria based on the decisions and reports of the latter executive agencies.

3.5. Public Services

The Patent Office provides its clients with a number of services, which include a wide range of activities, such as registration of changes in the legal status of the objects of industrial property, maintenance of various information sources, research on the different objects of IP (free of charge, performed with methodological assistance of experts on information and documentation and paid services- upon request by the client).

3.5.1. Changes in the Legal Status of Industrial Property Objects Claimed or Protected

**Trademarks**

<table>
<thead>
<tr>
<th>Requests</th>
<th>Performed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Renewal of registration</td>
<td>2642</td>
</tr>
<tr>
<td>Change of name/address of the holder</td>
<td>1116</td>
</tr>
<tr>
<td>Transfer of right</td>
<td>759</td>
</tr>
<tr>
<td>Licensing agreements</td>
<td>133</td>
</tr>
<tr>
<td>Special pledges established</td>
<td>125</td>
</tr>
<tr>
<td>Distrains</td>
<td>46</td>
</tr>
<tr>
<td>Changes in the tax registration (restriction of goods, refusal of rights, etc.)</td>
<td>94</td>
</tr>
<tr>
<td>Change of Industrial Property Representatives</td>
<td>750</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>5665</strong></td>
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</table>

**Inventions, Utility Models, Plant Varieties and Animal Breeds**

<table>
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<th>Requests</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Change of name/address of the holder of patent/utility model</td>
<td>27</td>
</tr>
<tr>
<td>Transfer of right</td>
<td>84</td>
</tr>
<tr>
<td>Licensing agreements</td>
<td>29</td>
</tr>
<tr>
<td>----------------------</td>
<td>----</td>
</tr>
<tr>
<td>Pledges</td>
<td>1</td>
</tr>
<tr>
<td>Refusal of rights</td>
<td>0</td>
</tr>
<tr>
<td>Know-how contracts</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>142</strong></td>
</tr>
</tbody>
</table>

**European patents with effect on the territory of the Republic of Bulgaria**

<table>
<thead>
<tr>
<th>Requests</th>
<th>Performed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Certificates Issued for annual fees</td>
<td>9028</td>
</tr>
<tr>
<td>Change of name/address of the holder</td>
<td>125</td>
</tr>
<tr>
<td>Transfer of right</td>
<td>166</td>
</tr>
<tr>
<td>Licensing agreements</td>
<td>2</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>9321</strong></td>
</tr>
</tbody>
</table>

**Industrial Designs**

<table>
<thead>
<tr>
<th>Requests</th>
<th>Performed</th>
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</thead>
<tbody>
<tr>
<td>Renewal of registration</td>
<td>97</td>
</tr>
<tr>
<td>Change of name/address of the holder</td>
<td>32</td>
</tr>
<tr>
<td>Transfer of right</td>
<td>30</td>
</tr>
<tr>
<td>Licensing agreements</td>
<td>22</td>
</tr>
<tr>
<td>Pledges, collaterals</td>
<td>0</td>
</tr>
<tr>
<td>Refusal of rights</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>181</strong></td>
</tr>
</tbody>
</table>

**3.5.2. Patent Documentation and Service**

In 2018 pursuing the function of the Patent Office to provide public access to information in the field of industrial property protection the topicality of the patent documentation was maintained including the collection of patent documents, official newsletters of patent offices and international organizations in the field of industrial property, theoretical publications and periodicals. The records of applications for industrial property objects are periodically revised if necessary.
Over the year the reading room at Central Patent Library (CPL) has served more than 140 external users. Documents and files of the employees of the Patent Office are provided on a daily basis for the fulfilment of their official duties (more than 540 orders have been fulfilled). More than 6,200 pages of copies of paper, electronic media and Internet databases have been provided, upon request by external users, and for ensuring the work of the Office. There were ongoing consultations and provision of information in relation to the use of patent information and documentation and general questions concerning the protection of industrial property (IP) that were within the competence and expertise of the employees of the Office (including via e-mail and telephone).

In 2018, the tendency in the demand for information services remains stable relative to previous reporting periods.

3.5.3. Searches

In the field of inventions, utility models, industrial designs, plant varieties and animal breeds, including with regard to European patents with effect on the territory of the Republic of Bulgaria, the following types of services are offered:

- prior art of the technology search;
- patent purity search;
- novelty of invention search;
- novelty and inventive step search;
- analogous patent search;
- theme search in the field of inventions;
- novelty search of a new plant variety or breed;
- search of patent legal status/utility model/industrial design/supplementary protection certificate;
- search by applicant name/patent holder/utility model/industrial design/supplementary protection certificate;
- preparation of certificates for patent legal status/utility model/industrial design/supplementary protection certificate;
- granting access to the State Patent Register/utility model/industrial design/supplementary protection certificate;
- references to various public and state institutions in the field of patents/utility models/industrial designs/supplementary protection certificates;
- design novelty search;
- name searches of natural and legal persons for the Asset Forfeiture
Commission;
- prior art of technology searches under the WIPO cooperation agreement;
- issuing certificates of fees paid for the maintenance of patents, including for European patents, with effect on the territory of the Republic of Bulgaria;
- priority certificates.

Different services were provided for the period, including numerous references and name searches of natural and legal persons for the Commission for Illegal Assets Forfeiture (CIAF), the NRA, the Ministry of Interior and other state institutions.

There were 476 pcs. made in the field of information services on patents for inventions, utility models, supplementary protection certificates, industrial designs and plant varieties and animal breeds, of which 29 were for patent purity, 19 for novelty of invention, 9 for prior art of the technology, 25 for novelty and inventive step, 5 by theme, 66 for legal status, 55 for patent analogue, 30 by name, 23 for certificate of legal status, 39 for novelty of industrial design, 46 for issuing priority certificate and 130 pc for CIAF.

There were name searches on natural persons and legal entities for The Commission for Illegal Assets Forfeiture (CIAF), National Revenue Agency (NRA), Ministry of Interior and others as 675 were for trademarks and geographical indications. There also were information services provided in the field of trademarks and geographical indications as follows: 1063 – searches for presence of identity and similarity with earlier trademarks, 932 subscription searches for monitoring of registered trademarks, 134 examinations of the legal status of trademarks/geographical indications, etc.

3.5.4. Industrial Property Representatives (IPR)

The examination session for IPR was held in 2018, as there were 16 candidates sitting the “Inventions and Utility Models” module and 39 sitting the “Trademarks Geographical Indications and Industrial Design” module. Over the reporting period the topicality of registers and database of the Patent Office in regards to IPR was duly maintained- new representatives were entered, deletion and changes in the address/name were performed and the latter were published on the portal respectively the bulletin of the Patent Office. Block certificates for IPR registration have also been sent to the EUIPO.

3.6. Dispute and Procedural Representation

The Department of Legal Affairs and Disputes is focused primarily upon decisions on appeals and requests related to industrial property objects as well as
decisions on deletion/invalidation of trademark registration, geographical indications, industrial designs and utility models, invalidation of a granted patent and protection certificates.

In 2018, in the area of inventions and utility models were filed the following: 1 application for invalidity of a European patent, 6 applications for invalidation of the registration of utility models, as well as 4 appeals against decisions issued on patent applications and applications for registration of utility models, of which 1 appeal against a decision to terminate the proceedings and 3 appeals against decisions for rejection. During the period, 3 decisions on appeals against decisions on substantial examination were made, 1 of which was well-founded and 2 were rejected. Furthermore, there was 1 decision on an applications for a declaration of invalidity of an issued patent for invention, which was found valid.

During the year, there were 16 application for invalidation of registered industrial designs and 1 appeal against a decision to terminate proceedings on an application for registration of an industrial design. There were 9 decisions, of which 8 were on applications for invalidation of an industrial design and 1 on an appeal against a decision to terminate proceedings. The appeal was found well-grounded and 7 of the decisions on invalidation were found well-grounded alike as 2 were rejected.

The total number of decisions of the Legal Affairs and Disputes Department in the fields of inventions, utility models and industrial designs is 13 for the year 2018.
In 2018 there were 103 appeals against decisions on trademark registration, 39 requests for revocation and 33 requests for invalidation of registration. 58 of the appeals filed were against decisions on oppositions, 9 against decisions on cancelation of proceedings and 36 against decision by substantial examination.

Field Requests and Appeals for 2017

A total of 190 decisions were issued and 35 rulings.

In the case of applications for invalidation, the judgements and ruling were 64 in total, of which 31 were in substance, 6 were for termination of proceedings, 3 for non-initiation of proceedings, 2 for execution of judgements and 22 were for suspension and resumption of proceedings.

There are a total of 63 judgements and rulings, of which 42 were in substance, 11 for termination of proceedings, 2 are for non-initiation, 1 for execution of a court decision and 7 for suspension and resumption of proceedings.

In the case of appeals against opposition decisions, the judgements and rulings were 54, of which 44 were in substance, 1 for termination of proceedings, 1 for non-initiation, 4 for execution of judgements and 4 for suspension and resumption of proceedings.

In the case of appeals against decisions of examination per se, the judgements and rulings on the substance of the case were 22, of which 18 were in substance, 2 for non-initiation and 2 for execution of judgements.
The decisions on appeals issued against oppositions, 22 of them were to be upheld, 15 for revocation, and 7 for partial confirmation/cancellation.

Regarding the decisions issued on appeals against examination per se 13 of the latter were upheld, 6 were repealed, and 1 was partially confirmed/repealed.

In regards to the decisions on appeals against decisions to terminate the proceedings, one decision was upheld and the other was partially confirmed/repealed.

Concerning the decisions on applications for invalidation, 9 of them were considered well-founded, 14-unfounded and 10-partly well-founded.

The decisions on applications for revocation issued were respectively 24 well-founded, 2 unfounded and 17- partially well-founded.
The activity of procedural representation is related to appeals against decisions of the Patent Office, including penalty of violation. During the year, a total of 131 appeals were received (93 for 2017) against acts of the Patent Office. Procedural representation on behalf of the Office before courts in Sofia and the country was performed under 222 cases (274 cases for 2017). There were 75 effective court decisions as 47 upheld the decisions issued by the Patent Office for the year 2018. Thus the share of the so upheld decisions is 63%. The subject matter of the cases in which decisions have entered into force is mainly related to appealing the decisions of the Department of Disputes and Administrative Penal Services (55) and appealing against the penalty of violation issued (20). The court upheld 32 decisions of the Department of Disputes and Administrative Penal Services that have entered into force as respectively 23 cases were revoked. The enacted judgements under administrative and criminal cases with which the court has ruled in favour of the Patent Office are 15 and under 5 of the cases the penalty of violation issued have been cancelled.
3.7. Administrative and Punitive Activity

The jurisdiction of the Department of Disputes and Administrative Penal Services also includes administrative and punitive activity comprising inspections on infringement of the rights of trademarks, industrial designs and geographical indications as well as enforcement of administrative penalty. During the reporting year there were 185 inspections performed as 131 acts of administrative offences were issued and there were 54 statements on lack of offence issued. 95 punitive decrees were issued.

There were 387 expert examinations and inquiries submitted to pre-litigation authorities, 365 of them are for trademarks and 22 for industrial designs.
4. INFORMATION ACTIVITY

The information activity of the Office covers publication, issuing a newsletter on industrial property objects, maintenance of the BPO webpage to disseminate information about events and other news, seminars, training courses and other events related to raising public awareness towards the activities of the Office.

4.1. Official Gazette of the Bulgarian Patent Office

The Official Gazette has been published since 2009 on the BPO web page in its full volume and contains information about all objects under protection administrated by the Patent Office as well as the entries in the official registers, directories. The Official Gazette is issued twice a month, on the 15th and on the last working day of the month.

In 2018 all of the 24 issues of the Official Gazette were published at total volume of 84218 pages.

4.2. Internet Webpage

The Patent Office's website offers a variety of information structured in different thematic headings, which is of interest to both the Office's clients and industrial property representatives as well as to the public in general. What can be found on the site is: news related to the activities of the Office, statistical data, official announcements, information about public procurements, information about various project stages, in which the institution participates, updates on draft regulatory acts, up-to-date information on entries and changes in the list of Industrial Property Representatives as well as information related to protection of industrial property, records of undelivered correspondence and other relevant information.

The news in the field of intellectual property, as well as the activities and events related to the work of the Patent Office, are traditionally presented in the "Updates" and "News" sections.

The "News" section provides rich information on a wide range of issues, topics, events and initiatives in the field of industrial property protection. This part of the Office website provides information on international intellectual property projects and presents the work of the international organizations. Throughout 2018, over 40 information materials in the field of intellectual property have been uploaded in the "News" section, concerning mainly international activities.

The "Updates" section offers information and pictures that present closely the activities of the Patent Office of the Republic of Bulgaria. In this way one can get a real idea of the institution's work - events, meetings, initiatives, ongoing projects,
etc. More than 30 news related to the Office's activity, covered by the news agencies, were published in 2018.

4.3. Other Publications

Pursuant to the Cooperation Agreement between the Patent Office of the Republic of Bulgaria and the European Union Intellectual Property Office (EUIPO) for the year 2018, two information bulletins ‘Information about Trademarks and Designs’ were published, reflecting the novelties in the practice of trademarks and designs in Bulgaria and Europe, and the new cooperation projects in the field. They provide information on the events and practices related to trademarks and designs, EUIPO and cooperation between EUIPO and the EU Member States intellectual property offices.

Under the same contract, 8 editions were issued, 7 of which were dedicated to common practices with the EU Intellectual Property Office and the EU Member States to which the Office joined, and 1 edition related to the Joint Communication on the Representation of New types of Trademarks.

There was a flyer printed as reflecting the changes in TMView and DesignView, and the new electronic services were also presented. The flyer is intended to inform all stakeholders about the developments in TMview and DSview search engines of the European Union Intellectual Property Office (EUIPO).

4.4. Annual Reports of the Patent Office

The annual report of the Office for 2017 was published as it combines the essential aspects of the overall activities of the institution during the reporting period in regards to the various industrial property objects.

The annual technical reports for the year 2017 were completed and sent to EPO and WIPO along with the annual statistics on all Industrial Property objects administered by the Bulgarian Patent Office.

4.5. Seminars

Raising public awareness in the field of Industrial Property has been one of the priorities for the Patent Office and a lot of efforts have been made in this direction in order to achieve the goals set via constant, purposeful, and consistent actions. The regular organization of seminars have been substantial part of the activities of the Office and it has direct impact on the users of services offered by the institution. The information on the ongoing and already held seminars has been constantly updated on the Office webpage.
The World Intellectual Property Day - April 26 was marked by a seminar on which the Directive 2015/2436/EU was presented, including: the major changes in the system of trademark protection and their incorporation into the national legislation.

A series of seminars, trainings, demonstrations and discussion platforms aimed at various social groups were held in 2018 in order to raise public awareness of industrial property objects, popularize and present the new tools created within the framework of cooperation. The above mentioned events were aimed at the academic communities, teachers in secondary schools, students and MA students in intellectual property, bodies and institutions whose work is related to intellectual property objects - DGCOC, Customs Agency, Economic Police, the Prosecutor’s Office, Sofia City Administrative Court, Supreme Administrative Court and others.

On 20.03.2018 there was a meeting held between students from High School of Economics and Finance "Vasil Levski" Montana and experts from the Patent Office highlighting the student participation in a club of interests "Signs of the Intellectual Property". The students and their supervisors were acquainted with the way of filing a trademark application electronically through the Patent Office's e-Services portal. In addition, two of the search tools for trademarks were reviewed, namely BPO Online and TMview, as well as the TMclass Classification Assistance Tool.

A representative from the Office participated in the Regional Seminar "Development and Implementation of National IP Strategies", organized by WIPO in May 2018 in Riga, Latvia.

On 2.10.2018, at the Student Training Centre for Olympic Competitions, the Ministry of Education and Science held a two-day seminar on: "Raising the awareness of managers of training companies, principals and teachers on the protection of trademarks and designs" aimed at educational representatives - teachers, managers, principals and representatives of training companies.

On November 29th in Sofia Tech Park, the Patent Office conducted meetings with the small and medium business at a seminar "IP for Business Training". The event was organized by the GIS-Transfer Center with the courtesy of the Bulgarian Patent Office, in cooperation with the Enterprise Europe Network, the European IPR Helpdesk, the European Patent Academy and the Sofia Tech Park, as part of 12 training events in the field of intellectual property held in 12 European countries.

4.6. Other events

Under the Bulgarian Presidency of the Council of the EU, the Patent Office of the Republic of Bulgaria, in partnership with the European Union Office for Intellectual
Property, through the European Observatory on Intellectual Property Rights (Observatory), hosted a conference on "Intellectual Property in Education".

What is more, as part of the Bulgarian Presidency of the Council of the EU, the Observatory organized a meeting with representatives of the public sector held in Bulgaria on 21 and 22 February 2018. The participants were acquainted with the annual report on the activities of the Observatory for the year 2017, and with the significant results from what has been achieved during the year, and not least with the ongoing activities and future initiatives.

On March 16, under the auspices of the Bulgarian Presidency, the Office, in cooperation with the World Intellectual Property Organization (WIPO) and the European Patent Office (EPO), held an international conference on "Industrial Property - Today and Tomorrow". Heads and representatives of patent offices from 25 countries were guests at the forum. Divided into two thematic panels, the conference presented the most up-to-date issues and trends in the patent system and trademark protection.

The Patent Office of the Republic of Bulgaria, represented by the President, Dr. Petko Nikolov, took part in the ceremony of awarding the winners for the 2017 in the fifth competition for innovations, which was held on 21 May 2018 in the building of the Bulgarian Chamber of Commerce and Industry. The BPO President awarded BCCI with the plaque and honorary diploma for the best innovative project of the year 2017.

On 06.12.2018 in the European Commission premises in Sofia, The Patent Office of the Republic of Bulgaria was awarded in the category "Best Electronic Service". The award ceremony of the "Annual awards for state institutions 2018 - good examples" was held under the patronage of the European Parliament. The "Citizens Against Bureaucracy" Foundation conducts annually awards to state institutions that work convincingly to reduce administrative burdens and paper consumption. The award was won by the Portal for Electronic Registers and Services of the Patent Office, which was developed, maintained and upgraded jointly with the European Union Intellectual Property Office (EUIPO).

5. INTERNATIONAL COOPERATION

The activities of the Office in terms of international cooperation are directly related to Bulgaria's membership in international organizations in the field of intellectual property protection. In 2018, the line of cooperation with the three
leading organizations in the field - the World Intellectual Property Organization (WIPO), the European Union Intellectual Property Office (EUIPO) and the European Patent Office (EPO)-was actively maintained. The bilateral cooperation with institutions in the field of intellectual property of other countries has also been carried out.

5.1. European Union

In fulfilment of the obligations of Bulgaria arising out of its membership in the European Union (EU), in 2018 representative of the Patent Office participated in the meetings of the different formats of the Intellectual Property Working Parties and Committees at the Council of the EU in 2017 for drafting and discussion on EU acts. The BPO representative at the Permanent Representation to the EU worked on the preparation and discussion of documents related to different areas of industrial property. In March 2018, Council Conclusions on Intellectual Property Rights (IPR) were adopted on the basis of the non-legislative EC package, which was adopted at the end of the previous year. The outcomes focused on various areas such as guidelines for the implementation of the IPR Directive, specialization of industrial property judges, guidelines on the harmonized use and licensing of standard patents, the fight against counterfeit goods inside and outside the EU and so forth. The “Competitiveness” Council formally adopted the text on 12 March 2018.

On 18 June 2018 under the Bulgarian Presidency the discussion on the Proposal for a Regulation of the European Parliament and of the Council amending Regulation No 469/2009/EC on the supplementary protection certificate for medicinal products started. Two revised Presidency proposals were discussed until 7 November 2018. The progress on the dossier was presented to the “Competitiveness” Council on 29 November 2018.

The following activities were also performed: coordination of EU positions for the WIPO meetings; (e.g. the Intergovernmental Committee; the Committee for the International Registration of Marks under the Madrid Agreement; the Standing Committee on the Law of Patents; Working Group on Preparation of the Regulations to the Lisbon Agreement and the Geneva Act revising the Agreement; Committee on Development and Intellectual Property; the Standing Committee on Trade Marks and Designs and Geographical Indications; the Intellectual Property Rights Consultative Committee and others).

The Office also took part in EC expert groups for providing expert support and guidance on the implementation of IP legislation. Some of these groups were “Industrial Property”, “Industrial Property Policy” Expert Group, and others.

The Patent Office continued to maintain contacts with representatives of the European Commission, the EPO, EU IPO and the interested parties in Brussels in connection with the Bulgarian EU Council Presidency in the first half of 2018.

5.2. European Patent Organization

Bulgaria is a full member of the European Patent Organization (EPO) along with 37 other states. BPO representatives attend regularly the Administrative Board and Budget Committee meetings of the European Patent Office. The aim of the meetings is to coordinate actions in the field of patent protection in the member states, as well as the reports of the EPO on the financial state and budget of the organization.

The European Patent Office supports the qualification of experts (seminars, exchange of experience, language courses), the implementation of the programme set forth by the National Office and other activities (provision of software products, expert assistance in implementation and maintenance), participation in joint projects, joint seminars for various target groups, support for initiatives in the field of cooperation with universities for training in industrial property, provision of information on industrial property objects.

"Enhancing Knowledge of the European Patent System." In 2017 there were activities performed on 4 of the projects.

As part of the Plan, BPO representatives participated in international meetings and trainings organized within the framework of the European Patent Network.

In March, Mr Benois Batistelli, President of the European Patent Office (EPO), participated in the International Conference on "Industrial Property - Today and Tomorrow".

5.3. European Union Intellectual Property Office

In 2018, the cooperation between the Bulgarian Patent Office and the European Union Intellectual Property Office continued successfully in the direction of developing the activities under the Technical Cooperation Agreement as of 2018 and the Cooperation Fund Projects. On 02.01.2018 a new Cooperation Agreement was signed between the Patent Office of the Republic of Bulgaria and the European Union Intellectual Property Office (EUIPO), which included projects that are part of the EUIPO Strategic Plan 2020 as well as the Program for joint action with the national offices.

The projects under which the Patent Office of Bulgaria cooperates with the European Union Intellectual Property Office (EUIPO) are the so called European Cooperation Projects or ECP, which are divided into 5 separate groups, aiming at modernizing and simplifying the national systems for trademarks and designs via online services; harmonizing the systems of trademarks and designs; building up and developing the software services; assisting national offices with promotion and enforcement of trademark and design rights.

The projects are divided into 5 large groups, each group having several sub-projects:

ECP 1. Consolidating and Completing the CF Landscape. It includes the activities of the instruments of the already completed Co-operation Fund, because there are still national agencies that have not implemented everything yet. The Patent Office has successfully implemented all the projects (excluding Back Office since another back office system has been currently implemented in the Office, namely IPAS). The Office has expressed interest only in the development of Similarity, but in 2018 there was not any clarity about the scope and terms of this project.
In 2018 a new functionality has been added to TMView, as from now on, the database with national registrations can also be searched by image, or the so called "Image Search".

In 2018 continued the maintenance of the two harmonized databases - for goods and services regarding the trademarks and designs regarding the products.

The database with information on the nationally registered trademarks claiming seniority from EU trademark applicants continued.

**ECP 2: Major Improvements to Existing CF Tools.** The activities include developing improvements to the e-services portal, both of the national office and the EUIPO. They were finalized in September 2018. The new and upgraded electronic services were launch in real environment on 14.09.2018.

**ECP 3: New tools – "Decision Desktop"** - The project aims to develop a tool that automatically generates decision templates and notifications in a consistent manner. The "Decision Desktop" for desktop (PC) computers can be integrated into Back Office, allowing for further performance improvements. Along with the tools already available, decision making experts will be able to receive and produce more informed, consistent and effective solutions.

The Patent Office of the Republic of Bulgaria participates with a representative in the working group as it is also designated as a pilot office, which will create the concept for the successful implementation of the project.

The Office will actively participate in the project development with its representative in the Working Group and as a pilot project office.

**ECP 3: New tools - EUIPO Academy Training Portal** - Creating the EUIPO Academy Training Portal is part of the ECP3 "Creating New Tools" project of the European Union Office for Intellectual Property. This is due to differences in the practices of the national offices in the area of intellectual property rights, the specificities of trademark and design registration procedures, and the challenges faced by the experts in their work. The office has been involved in developing 3 training videos to help end users. The first one - TMCclass - is now available for use. The other two were recorded in November, and their final completion depends on EUIPO. As part of the project, the following video clips have been created so far: "The TMCclass Tool"; "How to Protect a Trademark in Bulgaria" (respectively in other countries participating in the project); "How to Protect Design in Bulgaria" (respectively in other countries participating in the project). The portal also provides
a number of courses for acquiring and developing skills in areas such as management, communication and information technology. At present, the Patent Office of the Republic of Bulgaria participates with two of its representatives in a training course for Employee Enhancement on “Effective Writing of Documents Related to Intellectual Property in English”, which takes place in the Autumn 2018 - Spring 2019

**ECP4 Convergence Analysis Project.** This project includes harmonization of trademark and design practices. Particular attention is focused on the ECP4 Collaborative Network - Language check subproject. The team of the Patent Office of the Republic of Bulgaria continues to perform a linguistic verification of the meaning of the word elements of the marks in Bulgarian language of the submitted applications for EU trademarks, and actively participates in the workshops held.

The Office joined with a representative in the CP10 sub-project working group: Criteria for assessing disclosure of designs on the Internet.

At the end of the year, another candidate from the Office was approved for participation in the CP12 sub-project working group: Evidence in Dispute Procedures.

The Patent Office has also been a successful and active participant in the **ECP5 Supporting the Network**, which includes a significant number of sub-projects, namely:

**ECP5: Capture and Store of Historical Files** "Network Support - Scanning and Storage of Dossiers/Files on Paper” project with the following subject: "Capture and Store Historical Files" (ECP5 - Capture and Store Historical files) which is aimed at digitalizing old files of trademarks and designs, including retrieving structured data from the scanned documents, storing and integrating them into the specialized information systems of the office. The Patent Office of the Republic of Bulgaria has been designated as a pilot office in connection with the implementation of the new approach, namely the creation of a special new tool to help retrieve structured data from the scanned files and integrate them with the database of the office through the adopted MEST Toolkit and its micro-services provided by the EUIPO. It aims to support the network of national offices and to carry out scanning and storage of files/dossiers on paper. Within this sub-project, digitalization of the paper files of trademarks and designs, international trademarks and designs up to 10 years back, as well as such that date back more than 10 years but are still active will be carried out. The scanned documents will be uploaded to the back office of the respective office, in accordance with the requirements of EUIPO. At the end of 2018 a procedure has been announced for the award of a public procurement under the provisions of
the Public Procurement Act and the Regulation on Application of the Public Procurement Act. The completion of the project is foreseen for the middle of 2020.

**ECP5 Project Management Certification for IP Offices.** It provides for training to acquire a PRINCE2 project management certificate. It includes 27 employees of the Patent Office, 17 of whom take part in an exam training for Prince 2 Foundation certificate, and 10 for the Prince2 Practitioner certificate. Several employees have already successfully completed their training. In 2018 the project was temporarily suspended and it is expected to continue in 2019.

**ECP5 Support to Management Systems for IP Offices.** The sub-project aims to support the certification of national agencies for the quality management system for the intellectual property offices of EUIPO. The Patent Office has started to participate in the development and implementation of a quality management system according to the international standard BSS EN ISO 9001: 2015. The process lasted for about twelve months, and the reason for the quick and efficient results was the excellent cooperation and exchange of knowledge and experience between the Bulgarian Patent Office, the EUIPO and the Slovenian Intellectual Property Office. The implementation results and shared best practices will also benefit the rest of the national offices involved in the ECP5 Support to Management Systems for IPOs project. The system covers all processes and activities that influence the quality of the administrative service in the administration of the Patent Office of the Republic of Bulgaria, as well as the confidence in all the interested parties that they will be provided with services tailored to their needs and expectations.

At the end of the year, the Office joined with a representative in the **CP 5 Working Group, The European Network of Authenticity** - aimed at proactive participation against counterfeit goods by Member States.

**ECP 5 - Promotional activities,** aimed at supporting the offices in disseminating and promoting the various activities and tools created on the basis of cooperation with the European Union Intellectual Property Office. This is the project in which the Patent Office of the Republic of Bulgaria is actively involved in promoting the European Trademark and Design Network and the protection of intellectual property objects amongst various public target groups in Bulgaria in general. Various seminars and trainings are being prepared, the annual “Information Bulletins for Trademarks and Designs” are published twice a year, as they reflect the latest developments in national and European trademark and design practice, and promote news and up-to-date information on the change of legislation in regards to new types
of trademarks and the transposition of the Directive in relation to them. Various collaborative projects have been prepared in this field. The two information bulletins have been prepared and published. There are issues drawn up and published as they are related to “Common Communication” and synchronization of the existing practice. The project activities and objectives have been almost 100% fulfilled.

A series of seminars, trainings, demonstrations and discussion platforms aimed at various social groups were held in 2018 focused on raising public awareness of industrial property objects, popularizing and presenting the new tools created within the framework of cooperation. The above events were aimed at the academic communities, teachers and lecturers in secondary schools, MA intellectual property students, bodies and institutions whose work is related to intellectual property objects.

A flyer containing information on upgrading and improving the TMview and DSview portals and information on new e-services has been prepared and printed out. Throughout the year, following the approval of the European Union Intellectual Property Office, the profiles of the Bulgarian Patent Office in social networks were actively supported, and the news was distributed in various mass media.

In September 2018, for a second consecutive year in connection with the implementation of the Cooperation Agreement, a seminar was organized for teachers from different secondary schools from all over Bulgaria, as it was realized jointly with the “Center for Education and Training Companies”. The aim was to train the trainers of students, who in turn would build up knowledge and respect for the intellectual property in the younger generation, especially in secondary school students. The event presented a range of knowledge about the nature of the trademarks, industrial designs, co-operation, as well as information on how to obtain protection for different intellectual property objects and how to enforce the rights in case of violations.

Within the framework of cooperation between the two institutions, a technical visit is held each year in February/March and September that is a visit to the premises of the Patent Office of the Republic of Bulgaria. The purpose of the visits is to review the development of the new European cooperation projects, as well as to present the work done by both the Patent Office and EUIPO.

The co-operation activities assist the Patent Office of the Republic of Bulgaria to: to implement and develop, to a great extent, the assigned tasks - improving and upgrading the information infrastructure, increasing the awareness of the users of the services and the public as a whole, as well as training and enhancing the
qualification of the employees of the Patent Office in the novelties regarding the European Trademark and Design.

5.4. World Intellectual Property Organization

In 2018, the BPO representatives took their regular participation in the meetings of the General Assemblies of the World Intellectual Property Organization /WIPO/ Member States and in the meetings organized by some of the committees.

In connection with the commencement of 01/01/2018 Bulgarian Presidency of the Council of the European Union the Office is sending a representative to Geneva to assist in coordinating the positions of the member states through the World Intellectual Property Organization.

5.5. Other

In 2018, the Patent Office of the Republic of Bulgaria continued to chair Working Group 34 "Protection of Intellectual and Industrial Property" at the Council for European Affairs, which prepares draft positions of Bulgaria on EU acts.

Furthermore, BPO representatives participate in Working Group No 30 - "EU Enlargement" and Working Group No 25 "Trade and Foreign Economic Policy" of the Council for European Affairs.

A significant activity was carried out over the year in order to intensify the bilateral cooperation of the Republic of Bulgaria in the field of industrial property protection.

6. FURTHER ACTIVITIES OF THE BPO

On 26.10.2017, the Patent Office of the Republic of Bulgaria launched the implementation of Project № BG16RFOP002-1.004-0002-C01 "Improving quality, efficiency and effectiveness of the services provided by the Patent Office of the Republic of Bulgaria in regards to the protection of industrial property objects ", financed by the Operational Program" Innovation and Competitiveness ", co-financed by the European Union through the European Regional Development Fund, grant award procedure BG16RFOP002-1.004" Development of modern industrial property system by supporting the activities of the Patent Office of Bulgaria".

The overall objective of the project proposal is to improve the quality, efficiency and effectiveness of the business services offered by the Patent Office of the Republic of Bulgaria related to the protection of industrial property objects. The activities in support of the development of modern and newly established services for the
business provided by the Patent Office will lead to an increase of the innovation activity of the Bulgarian enterprises by creating the necessary environment for the development of innovations. The project will be implemented within 36 months and provides for a set of measures assisting to achieve the main objective, including:

- Upgrading and integration of the IT environment of the Patent Office for the achievement of complex electronic management of the system for protection of industrial property;
- Renovation of the building stock of the Central Patent Library;
- Upgrading and modernizing of the web site of the Patent Office;
- Preparation of analyses and studies to maximize the support of business representatives in using the industrial property protection system;
- Speeding up patent examination applications;
- Promoting the system of protection of industrial property objects;
- Improving the quality and effectiveness of administrative and punitive activity;
- Other activities.

The project proposal also includes the relevant outsourcing, information and publicity activities, project organization, management and audit.

In 2018 the project team actively performed each of the activities and successfully completed two of them at the end of the year. The project will be implemented by the end of 2020.

6.1. Information technologies

The maintenance of the registers and information systems of the Patent Office continued in 2018. The state registers for all industrial property objects are constantly maintained and updated. Over the past year, the registers have increased by another, namely the European patent register.

The portal for electronic registers and services of the Patent Office was developed, maintained and upgraded jointly with the European Union Intellectual Property Office (EUIPO) and as of the end of 2018 it provides 35 electronic services related to trademarks, geographical indications, designs, patents, supplementary protection certificates, utility models, plant varieties and animal breeds, etc. Over the past 4 years, these services have been used over 17 000 times by the clients of
the office, which accounts for nearly 60% of the total number of requested services for that period. In December 2018, the Patent Office was awarded the “Annual State Institutions Awards 2018 - good examples” in the category “Best Electronic Service”. The award ceremony was held under the patronage of the European Parliament.

In September 2018, in the framework of cooperation with the European Union Intellectual Property Office, ECP2 was successfully completed: Major Improvements to Front Office, which includes developing improvements to the eService portal. The Patent Office of the Republic of Bulgaria applies the full range of improvements, with the main technological upgrading of the existing e-services for the application of trademarks and designs and 23 services for applying for secondary actions on already registered trademarks and designs. Six new e-services related to trademarks and designs have also been developed. The updated version of the front office is available for use.

The work on technical improvements and system upgrades continues, with two new phases targeted to user profiles, user interface enhancements, new types of trademarks, as well as the inclusion of additional functionalities to facilitate the work of all stakeholders in dealing with the electronic portal, time financial resource saving. At the end of 2018, the Patent Office of the Republic of Bulgaria expressed interest in joining the new phases of the project as a pilot office.

In 2018, the Office continued to expand and accelerate its activities by upgrading and upgrading systems. A lot more "online" information is provided and the users can search easily and quickly, as it makes the services even more accessible and simplified.

6.1.1. Activities and projects within the framework of cooperation with the European Patent Organization

Representatives of the Patent Office of the Republic of Bulgaria took part in the meetings of the Monitoring Committee under the Operational Program "Innovation and Competitiveness" 2014-2020

6.2. Organizational Structure and Human Resources

6.2.1. Staff Number and structure

The approved staff number of the Office is 114 permanent positions. As of December 31, 2018 the occupied positions were 104.

In 2018 there were 22 contracts terminated as 18 new employees were recruited under service contracts and 1 under labour contracts. 8 employees were
appointed civil servants as substitutions under Art.15 and Art.81of the Civil Servants Act and 2 employees were appointed civil servant under Art.81a of the said act. In 2018 there were 9 competitive selection procedures for appointment of civil servants.

6.2.2. Enhancing the Administrative Capacity

In 2018, the Patent Office actively participated in the training courses for professional development of public administration employees offered by the Institute of Public Administration, the European Patent Academy, the Academy of EUIPO, the WIPO and other training organizations.

English language training was conducted for the employees of the Patent Office, as well as a specialized course “Patent-Legal Specialization (patents, utility models, industrial designs, trademarks and geographical indications)”.

The training procedures included the preparation and approval of the annual plan for mandatory and specialised training, coordination and filing applications to education and training organisations, communication and ensuring the participation of the employees in the seminars on schedule, monitoring the execution of the annual plan for mandatory and specialised training for the respective year, coordination and clarification of the changes with the relevant training organisations.

All in all there were 42 trainings carried out in 2018 by the listed organisations as 131 employees enrolled and attended them:

- trainings organised by the European partners, EUIPO and WIPO-46 employees;
- civil servants trained by the Institute for Public Administration - 14 employees. Civil servants first appointed for civil service in 2018 and having completed compulsory education - 4;
- Other training organisations in Bulgaria-71 employees.

6.3. Administrative Activity

The Annual Report on the State of the Administration was completed in 2018. The Report on the Implementation of the Objectives of the Office for 2018 was also completed and submitted to the Council of Ministers and the Ministry of Economy as the goals set for the year 2019 were approved along with the report on the implementation of the programming budget for 2018.

In order to ensure the continuous process and the activity of the Office during the year and in connection with the implementation of Project No BG16RFOP002-
1.004-0002-C01 “Improving the quality, efficiency and effectiveness of the services provided by the Patent Office of the Republic of Bulgaria related to the protection of industrial property objects” funded by the Operational Program “Innovation and Competitiveness” co-financed by the European Union through the European Regional Development Fund, a total of 17 public procurement contracts were held, out of which 7 were under procedures of negotiation without prior notice, 3 public procurement bids, 2 procedures of direct negotiations and 4 procedures by collecting offers by public announcement.

Another activity which was also performed was to ensure access to public information in accordance with the requirements set forth in the Law on Access to Public Information. In 2018 a total of five requests for access to public information were examined as the respective decisions were issued for all of the latter. Decisions were issued for all the requests and the access to the information required was granted to all five requests.

6.4. Budget

The Patent Office is a secondary administrator with a budget approved by the Minister of Economy. The so approved budget determines the amount of funds, which the Office has at its disposal to perform its activities and the amount of funds to be received as revenue in the state budget.

As a result of the efforts made by the management body there is revenue over-performance of the approved budget.

**Budget Revenue and Expenditure during 2012 -2018 г.**
In general, reported and paid for in 2018 by the Office non-tax revenues (11,019,484 lev) exceed a little over 3 times the underlying budgetary expenditure (3 672 228 lev).

**Revenue**

The planned revenues of the Patent Office approved by the State Budget Act for 2018 amount to BGN 11 698 000 and the plan specified as of 31.12.2018 is increased to BGN 11 750 750 with the proceeds of grants and donations from abroad (BGN 52 750). The volume of the realized budget incomes in 2018 is 13% lower than the volume of incomes, reported for the previous year 2017. This fact resulted from the changed Fee Regulation of the Patent Office of the Republic of Bulgaria. (State Gazette, No 99/2017).

The state budget revenues from state fees amounted to BGN 12,316,000. In pursuance of the state policy for reducing the administrative burden for the population, the revenues of the Office from the fees set in the Price List of Administrative Services - amended in 2017, the latter were decreased more than 2 times compared to 2017 and more than 3 times to those of 2016. The revenue from services reported for 2018 - mostly searches, is BGN 63 875. However, the planned amount of revenue from the administrative services has been approved as that of the previous years - BGN 200 000.
The Law on Marks and Geographical Indications of the Republic of Bulgaria regulates the administrative punitive function of the Patent Office (Art.81 and Art.82). As for the established violations of protected rights under the LMGI and issued penal decrees by the President, the Office shall collect the fines and sanctions through the NRA.

The amount of the income from fines and property sanctions in the Patent Office for the year 2018 is BGN 75 650, of which BGN 20 029 were collected by the NRA. The incomes from fees and pecuniary sanctions mark an upward trend on a yearly basis.

Until the year 2015, revenues from the state budget were dominated by national state registration fees. In 2016, the revenues from national trademarks (BGN 4,052 thousand) were equalized with the revenues from fees for European patents (BGN 4,044 thousand). This trend of increased demand for European patents with no change in prices affected the amount of revenues reported for 2018 by the European patents of the Office - BGN 4 767.4 thousand and the amount of the fees for trademarks imported by Bulgarian applicants by national route and on international applications in 2018 is only BGN 3 514.8 thousand.

The share of reported trademark registration fees in total revenues for 2018 increased to BGN 4 693.2 thousand from the BGN 1 178.4 thousand collected by the
International Bureau in Geneva under the Madrid Agreement and the Protocol and the Hague Agreement which were transferred by WIPO at the Office in 2018.

**Revenue from State Fees on IP Projects for 2017**

- **European Patents**: 44%
- **Trademarks - NR**: 32%
- **Trademarks - IR under MA and Protocol**: 11%
- **Patents, Utility Models, SPC**: 10%
- **Industrial Designs - NR and HA**: 2%
- **Plant Varieties and Animal Breeds**: 1%

**Expenditure**

The expenditures of the Patent Office approved by the State Budget for the year 2018 in the implementation of Program 3 "Protection of IPO" amount to BGN 3 091 600, and as a result of the changes made to the budget, the expenses on the specified plan increased to BGN 3 678 524.

By Decree of the Council of Ministers No 147 / 21.07.2017 additional costs of BGN 500 000 were approved for 2018 by the personnel indicator in the budget of the Office for 2018. As a result of this operation the total costs, reported for 2018, reached BGN 3 672 228.

In total, the budgeted costs for 2018 show a growing rate of 26 % over the total costs, done for the year 2017.
The expenditure for staff (salaries, remuneration and social security payments) has a predominant place in the budget expenses- 63%.

Maintenance costs, including paid fees and taxes, represent 30% of the total cost.

Contributions due to our membership in WIPO and alike paid by budget funds account 3.7% of the expenditure incurred and with a minimal and insignificant amount as a rule and for capital expenditure by 3.69% for 2018.

7. STATISTICAL DATA
Applications for inventions and utility models 2017 – 2018 by field and applicant

<table>
<thead>
<tr>
<th>FIELD</th>
<th>2017</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Inventions</td>
<td>Utility</td>
</tr>
<tr>
<td></td>
<td>BG</td>
<td>Foreign</td>
</tr>
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<td>Chemistry, Pharmaceuticals</td>
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<tr>
<td>Electrical engineering, electronics</td>
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<tr>
<td>Machine building</td>
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<td>TOTAL Bulgarian and foreign applicants</td>
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48
Decisions issued on applications for patents, registration of utility models and supplementary protection certificates (SPC) in 2018

<table>
<thead>
<tr>
<th>Decision Type</th>
<th>Patents, incl.SPC</th>
<th>Utility models</th>
<th>Total</th>
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<tbody>
<tr>
<td>Legal protection granted</td>
<td>252</td>
<td>234</td>
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<tr>
<td>Cancelled, refused, withdrawn applications</td>
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<td>53</td>
<td>203</td>
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<tr>
<td>Withdrawn or not dated at the examination of the formality requirement stage</td>
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<td><strong>309</strong></td>
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Applications for inventions by Bulgarian applicants for 2013-2018

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Filed requests and European patents in force on the territory of the Republic of Bulgaria during 2013-2018

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Filed requests for utility models during 2013 – 2018

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Filed applications for industrial designs pursuant to the national Route during 2013-2018

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### Decisions on Applications for Industrial Designs during 2012-2018

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<td>Общо</td>
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### Decisions on Applications for Trademarks in 2018

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<th>Decision type</th>
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<tr>
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### Field Applications for New Plant Varieties and Animal Breeds during 2013 – 2018

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### Filed Appeals and Requests during 2013 – 2018

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<tbody>
<tr>
<td>Inventions and Utility Models</td>
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### Decisions on Appeals and Requests during 2013 – 2018

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<tr>
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<td>214</td>
<td>236</td>
<td>159</td>
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### Revenue from State Fees for IP Objects during 2014 - 2018 in Thousands of BGN

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<th>2016</th>
<th>2017</th>
<th>2018</th>
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<tr>
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<tr>
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<td>1736</td>
<td>1804</td>
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<td>Maintenance Expenses, Taxes and Fees</td>
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<td>669</td>
<td>950</td>
<td>706</td>
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<td>Membership Fee Expenses</td>
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<td><strong>TOTAL Expenditures:</strong></td>
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