Introduction

The main goal of the activity of the Patent Office of the Republic of Bulgaria in 2005 was the improvement of all aspects of the administration of industrial property rights along with the improvement of the administrative services provided to the public. This activity found expression in the drafting of amendments to the effective legislative acts reflecting the new requirements in what concerns the Bulgaria’s accession to the European Patent Organization (EPO), and the enhancement of the examination as well as in ensuring a high degree of automation, maintenance of an adequate technical infrastructure and improvement of the information services in order to satisfy the requirements and the needs of the business, researchers and academics. The Patent Office makes every effort to actively support the development of the industrial property in terms of transforming it into a major factor influencing the country’s economic development and the nation’s prosperity.

I. Legal Framework

In 2005, the activity of the Patent Office concerning the legal framework consisted in drafting various legislative documents:

- Draft Law Amending the Patents Law, which has been approved by the Council of Ministers and is to be submitted to the National Assembly.

- A draft of a Council of Ministers Decree Amending the Tariff of Fees collected by the Bulgarian Patent Office.

As part of the Office’s work in this area, in 2005 some of its representatives took part in the following interdepartmental working groups:

- Working group with the Ministry of Agriculture and Forestry set up to draft an Ordinance establishing the terms and procedure for the acceptance of files and the control to protect the geographical designations of agricultural food products and foodstuffs.

- Interdepartmental working group on the development of a project under PHARE entitled “Building Up a National Network for Cooperation and Exchange of Information with a View to Protecting Intellectual and Industrial Property Rights,” which was launched officially on March 22, 2004. A Memorandum of Cooperation was signed and an Ordinance was approved, establishing the terms and procedure involved in the interaction among the Ministry of Culture, the Ministry of the Interior, the Ministry of Justice, the National Customs Agency and the Patent Office through the national system for exchange of information in the area of copyright and neighbouring rights and industrial property, as well as the
ones involved in the activity of the Interdepartmental Council for administration, maintenance and development of the national system.

- Working group with the Ministry of Economy on matters relating to the compulsory licenses of the medicaments for countries that need them (Doha Declaration of the World Trade Organization);
- Standing /Permanent mixed Bulgarian-Russian interdepartmental working group on matters relating to military and technical cooperation.
- Interdepartmental working group on the problems of the protection of LBB industrial property on the Asian markets.

Throughout the year, documents were prepared on a current basis in pursuance of the obligations of Bulgaria under the Agreement on Trade-Related Aspects of the Intellectual Property Rights (TRIP’S).

II. Industrial Property Protection

Inventions and Utility Models

In 2005, a total of 402 patent applications were filed with the Patent Office, including 313 for inventions and 89 for utility models. The applications filed by Bulgarian applicants were 346 (262 for inventions and 84 for utility models) and by foreign applicants - 56 (51 for inventions and 5 - for utility models, including three under the Bulgarian Patent Law and 2 under the PCT). The applications filed by foreigners under the Patent Cooperation Treaty (PCT) were 41, and those under the national Patent Law - 15.

Applications for Inventions and Utility Models (UMs)

<table>
<thead>
<tr>
<th>Applicant Type</th>
<th>Inventions</th>
<th>UM</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bulgarian applicants</td>
<td>262</td>
<td>84</td>
<td>346</td>
</tr>
<tr>
<td>Foreign applicants</td>
<td>under PCT</td>
<td>under NL</td>
<td>56</td>
</tr>
</tbody>
</table>

The patent applications in 2005 were by 88 fewer compared with 2004, when they totaled 490; the Bulgarian applicants were by 14 fewer (340 in 2004), and the foreign ones by 74 fewer (130 in 2004). The decrease of the number of patent applications for inventions and utility models remains stable, with a more substantial drop in the number of applications by foreigners due to Bulgaria’s accession to the European Patent Convention and the opportunities it offers to patent applicants.

In 2005, 3 applications were filed by Bulgarians for European patents and 18 for patents under the PCT.

In the period under review, 17 applicants for European patent were granted temporary protection in the territory of the Republic of Bulgaria. Legal protection in the territory of Bulgaria was granted for 187 European patents.

During the year 41 international applications entered the national phase.
In 2005, a total of 382 patents were granted for inventions and utility models (313 for inventions and 69 for utility models).

Due to non-payment of annual patent fees, 399 patents for inventions and utility models have lapsed, 12 of which were restored.

By December 31, 2005, the total number of national patents for inventions and utility models in force was 2.165. Of them, the patents for inventions were 1,917, including 425 granted to Bulgarian applicants and 1,492 to foreign ones (681 granted through the national route and 811 under the PCT). The total number of patents for utility models in force by the same date was 248, of them 243 granted to Bulgarian applicants and 5 to foreign ones – all based on national applications.

By December 31, 2005, the European patents in force in the territory of Bulgaria were 187.

As a result of the examination of inventions and utility models, decisions were made on 809 patent applications in 2005, by 26 more compared with 2004, when the respective figure was 783. A total of 478 documents were prepared for publication. The number of still pending decisions on applications is 3,507, by 413 less then in 2004 when they were 3,290.

### Decisions on Patent Applications (by examination departments)

<table>
<thead>
<tr>
<th></th>
<th>Formal Examination</th>
<th>Mechanical &amp; Electrical Engineering &amp; Construction</th>
<th>Chemistry, Biotechnology, Plant &amp; Animal Varieties</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal protection granted</td>
<td>196</td>
<td>188</td>
<td></td>
<td>384</td>
</tr>
<tr>
<td>Refusals</td>
<td>72</td>
<td>65</td>
<td></td>
<td>137</td>
</tr>
<tr>
<td>Proceedings cancellation</td>
<td>57</td>
<td>91</td>
<td>140</td>
<td>288</td>
</tr>
<tr>
<td>Decisions - total</td>
<td>57</td>
<td>359</td>
<td>393</td>
<td>809</td>
</tr>
</tbody>
</table>

### Marks and geographical indications

In 2005, a total of 7,975 applications were filed for national registration of marks, by 926 more than in 2004, including 6,737 by Bulgarian applicants and 1,238 by foreign ones.

The tendency to an increase of the number of applications filed by Bulgarian applicants remained steady - they were by 800 more compared with 2004.

In 2005, the applications for international registration under the Madrid Agreement and the Protocol were 6,672, i.e. by 1,163 more compared with 2004 (5,509).

During the period under review, 396 applications were filed by Bulgarian applicants for international registration of marks under the Madrid Agreement and the Protocol, as well as 59 requests for territorial extension.
In 2005, the marks registered through the national route were 3,884.

In 2005, decisions were taken on 6,151 applications for the registration of marks through national route and on 5,678 international applications filed under the Madrid Agreement and the Protocol for grant of legal protection in the territory of Bulgaria. Decisions were taken for registration of 3,884 marks through national route, and to grant legal protection in the territory of Bulgaria for 4,944 applications filed under the Madrid Agreement and the Protocol. Due to formal reasons, decisions were taken to cancel the procedure for 1,332 applications filed through the national route.

### Decisions on Applications for Registration of Marks

<table>
<thead>
<tr>
<th>Registration through</th>
<th>Registrations</th>
<th>Refusals</th>
<th>Cancellations for formal grounds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>national route</td>
<td>3,884</td>
<td>935</td>
<td>1,332</td>
<td>6,151</td>
</tr>
<tr>
<td>MA and the Protocol</td>
<td>4,998</td>
<td>734</td>
<td></td>
<td>5,678</td>
</tr>
<tr>
<td>Total</td>
<td>8,828</td>
<td>1,669</td>
<td>1,332</td>
<td>11,829</td>
</tr>
</tbody>
</table>

In 2005, 6 applications for geographical indications where filed with the Patent Office, three more compared with 2004.

In 2005 4 appellations of origin were registered (one in 2004) along with one geographical indication.

A total of 145 expert opinion on mark infringement were drawn up in the period under review.

### Industrial Designs

In the period under review, the Patent Office received 1,027 applications for industrial design registration, including 3,564 designs. Of them, 600 applications were for national registration, including 550 by Bulgarian applicants and 50 by foreign ones. A total of 427 applications were filed under the Hague Agreement Concerning the Deposit of International Designs.

The Bulgarian applications filed under the Hague Agreement were 5.

In 2005, there were 519 designs registered via national route.

In the period under review, decisions were taken on 638 applications for national registration of industrial designs and on 438 international applications filed under the Hague Agreement for legal protection in the territory of Bulgaria. The designs registered through the national route were 519. Decisions were taken to grant legal protection in the territory of Bulgaria 427 international registrations. The refused applications for national registration were 50, and under the Hague Agreement – 1. Decisions were taken to cancel 69 national registrations for formal reasons.
Decisions on Applications for Industrial Designs

<table>
<thead>
<tr>
<th></th>
<th>Registrations</th>
<th>Refusals</th>
<th>Cancellation for formal reasons</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Route</td>
<td>519</td>
<td>50</td>
<td>69</td>
<td>638</td>
</tr>
<tr>
<td>Hague Agreement</td>
<td>427</td>
<td>1</td>
<td></td>
<td>428</td>
</tr>
<tr>
<td>Total</td>
<td>946</td>
<td>51</td>
<td>69</td>
<td>1,066</td>
</tr>
</tbody>
</table>

A total of 80 expert opinions on infringement of industrial design were drawn up as well as 185 preliminary searches.

New Plant Varieties and Animal Breeds

In 2005, the Patent Office received 39 applications for the registration of new plant varieties and one - for the registration of an animal breed, all of them filed by Bulgarian applicants.

In the same year, decisions were taken on 79 applications for new plant varieties.

During the period under review 61 certificates were issued for new plant varieties.

By the end of 2005, the pending decisions were 215.

The process of transformation of inventor’s certificates into certificates for new plant varieties and animal breeds is still in progress. The inventor’s certificates transformed into certificates for new plant varieties were 2.

In 2005, due to non-payment of the annual fees for maintenance, 104 certificates for new plant varieties and animal breeds lapsed and 9 were restored.

By December 31, 2005, the valid certificates for new plants and animal breeds were 460.

III. Legal and Control Activity

Inventions

In the course of 2005, 9 appeals against the examination decisions were lodged with the Disputes Department as well as 3 petitions for invalidation of patents.

Appeals and petitions lodged in 2001-2005

<table>
<thead>
<tr>
<th>Year</th>
<th>Appeals</th>
<th>Petitions</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001</td>
<td>8</td>
<td>5</td>
<td>13</td>
</tr>
<tr>
<td>2002</td>
<td>9</td>
<td>6</td>
<td>15</td>
</tr>
<tr>
<td>2003</td>
<td>3</td>
<td>2</td>
<td>5</td>
</tr>
<tr>
<td>2004</td>
<td>10</td>
<td>0</td>
<td>10</td>
</tr>
<tr>
<td>2005</td>
<td>9</td>
<td>3</td>
<td>12</td>
</tr>
</tbody>
</table>
The graph below shows the dynamic of the receipts in the past five years:

It should be mentioned that while the total number of the receipts varies considerably and that makes it impossible to draw conclusions about a definite tendency, the number of appeals exceeds considerably this of the petitions.

In 2005 the number of the decisions made was 7, of them - 5 confirming the refusal decisions and 2 to overrule the decision of the respective examination department and refer the case back for re-examination. No proceedings were initiated with regard to 2 appeals.

**Marks and Geographical Indications**

In the period under review, the total number of the appeals and the petitions for revocation and invalidation received was 297, or by 51 (17%) up than in 2004. Of them, 135 (45%) revocation petitions for the registration of international marks, 87 (29%) invalidation petitions for national registrations, including 3 ex officio proceedings, and 75 (26%) appeals against refusal decisions of the Marks and Geographical Indications Department.

Compared with 2004, the number of appeals increased by 17 (29%), and the number of the invalidation petitions - by 34 more (34%).

No petitions for invalidation of geographical indications registrations have been filed.

**Appeals and petitions filed in 2001-2005**

<table>
<thead>
<tr>
<th>Year</th>
<th>Total</th>
<th>Revocation</th>
<th>Invalidation</th>
<th>Appeals</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001</td>
<td>225</td>
<td>85</td>
<td>67</td>
<td>73</td>
</tr>
<tr>
<td>2002</td>
<td>259</td>
<td>111</td>
<td>61</td>
<td>87</td>
</tr>
<tr>
<td>2003</td>
<td>276</td>
<td>114</td>
<td>67</td>
<td>95</td>
</tr>
<tr>
<td>2004</td>
<td>246</td>
<td>101</td>
<td>87</td>
<td>58</td>
</tr>
</tbody>
</table>
The graph below shows the dynamic of the number of the appeals and petitions in the past five years.

Except for 2004, an upward tendency is observed in the number of petitions and appeals.

In 2005, a total of 238 decisions were made, whilst 31 appeals and petitions proceedings were suspended.

**Industrial Designs**

In the period under review the total number of the appeals and invalidation petitions filed was 22 - 21 petitions and one appeal.

**Appeals and petitions filed in 2001-2005**

<table>
<thead>
<tr>
<th>Year</th>
<th>Appeals</th>
<th>Invalidation petitions</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001</td>
<td>1</td>
<td>11</td>
<td>12</td>
</tr>
<tr>
<td>2002</td>
<td>3</td>
<td>12</td>
<td>15</td>
</tr>
<tr>
<td>2003</td>
<td>6</td>
<td>13</td>
<td>19</td>
</tr>
<tr>
<td>2004</td>
<td>0</td>
<td>22</td>
<td>22</td>
</tr>
<tr>
<td>2005</td>
<td>1</td>
<td>21</td>
<td>22</td>
</tr>
</tbody>
</table>
The graph below shows the dynamic of receipts in the past five years.

The above data reveal a downward tendency in the number of appeals while the number of invalidation petitions remains quite constant.

A total of 18 decisions were made during the year, whilst the proceedings for one petition were suspended.

**Procedural Representation**

In 2005, procedural representation was carried out with respect to 171 cases, including 122 pending ones (12 in the field of patents, 90 – of marks, 10 – of industrial designs and 9 - others). A total of 49 cases were closed by court decisions.

**Administrative Penal Enforcement**

In the period under review, 51 requests for enforcement of administrative penalty were filed, 41 of them under the Law on Marks and Geographical Indications and 10 - under the Law on Industrial Designs. A total of 38 statements of infringement as well as 12 findings reports were drawn up. The number of the penal injunctions issued in 2005 was 32.

**IV. International Activity**

**European Integration**

In pursuance of the obligations of our country under the European Association Agreement between the Republic of Bulgaria and the European Communities and
their member states, in 2005 the Patent Office drew up and submitted to the respective state authorities various positions, reports and fact sheets concerning national industrial property legislation and the activity of the Patent Office in the field of the protection of the industrial property rights.

During the year, information has been prepared on a monthly basis about the activity of the Patent Office and the national policy with a view to adopting the *acquis communautaire* in the field of the industrial property. Representatives of the Office took part in:

- Drafting and coordinating with the European Commission the Treaty on the Accession of the Republic of Bulgaria to the EU (“Company Law” part), signed in April 2005;
- “Company law” working group at the Ministry of Justice;
- “Agriculture” working group at the Ministry of Agriculture and Forestry;
- Working group No.6 within the Commission for the Protection of Competition.

**Multilateral and Bilateral Cooperation**

*European Patent Organization (EPO)*

The cooperation with EPO is an important prerequisite for the development and strengthening of the national system for industrial property protection and its successful integration with the existing European structures, as well as for raising the role of the Patent Office as a major factor for public awareness.

The fruitful cooperation between the Bulgarian Patent Office and the European Patent Office continued in 2005 in all priority areas of activity - granting industrial property rights and facilitating their enforcement and protection against infringement, improving the automation of all procedures at the Bulgarian Patent Office by establishing a modern technological infrastructure and databases.

As a member state of European Patent Organization, in 2005 representatives of the Patent Office took part in:

- The meetings of the EPO Administrative Council and some of the Organization’s committees;
- Meeting of the EPO member states in Ankara, during which the activity of national industrial property offices in the field of the international cooperation both within the framework of the Organization and with other countries, were reviewed and the political priorities in the following few years were defined;
- Annual conferences on patent information organized by the European Patent Office (EPO): PATLIB2005, EPIC2005 and *epoline®*, as well as in the working meetings on technical information.
Another important aspect of the cooperation with EPO is the implementation of the Bilateral Cooperation Programme between the Bulgarian Patent Office and the European Patent Office, whose three-year period expires on March 17, 2006.

In September, all Bulgarian patent documents sent for scanning to Jouve, France, under the Programme, have been processed into electronic form and sent back to the Patent Office in electronic format – on 4 DVD discs, including a full list of the scanned documents. At the same time, about 30,000 Bulgarian documents from 1973 onward have been integrated into the EPO database esp@cenet - worldwide database and made accessible via the internet.

In the scope of the Programme, in 2005 the hardware (GID server) and software necessary for the installation and functioning of the GID (Global Index Database) have been delivered to the Patent Office. The system has been tested with incomplete configuration (without Web Order Module (WOM) and some information input functions). One mission of a representative of Jouve, France, was accomplished in order to install the system and train the staff to work with it.

Two workstations for the PATLIB centres were also received.

Under a further project of the Bilateral Cooperation Programme, the WIPO edition “Intellectual Property Handbook” was translated, edited and is to be published. A project was also designed for an electronic Multilanguage intellectual property glossary to satisfy the needs of the Patent Office.

In pursuance of the implementation of the Toolbox-EPTOS project, in the scope of the EPO multilateral cooperation programme, some technical aspects have been pinpointed and efforts have been made for the finalization of the Cooperation Agreement on the implementation of Toolbox-EPTOS. The CS-Patents versions have been updated in due time.

Another area of the cooperation with EPO was the participation of the Patent Office’s employees in various forms of training and workshops organized by EPO in order to improve their knowledge in the field of the examination, information technologies, communications and public relations management, the EPO information products, the information systems in the patent procedure, the patent information, etc.

**Office for Harmonization in the Internal Market (OHIM)**

The cooperation with OHIM in 2005 resulted in:

- Visit of a delegation of the Patent Office, headed by its President Ms. Tsonka Taoushanova. Preliminary talks were held regarding the forthcoming accession of Bulgaria to the EU and its influence on the national system for the protection of marks considering the fact that the country will becomes part of the market of the European Economic Community. Bulgaria was invited to take part as observer in the work of the OHIM Administrative Council and its Budgetary Committee and as a result of that a delegation of the Patent Office attended the two regular annual meetings of the OHIM governing bodies.

In 2005, representatives of the Patent Office took part in the sessions of the working groups in the field of marks, consisting of OHIM and the national patent offices experts - “Procedure and Practice” and “Information and Informatics”, as well as in the field of the industrial designs.
World Intellectual Property Organization (WIPO)

Within the framework of the WIPO activities, in 2005 employees of the Patent Office took part in the sessions of the governing bodies of the WIPO member states and the unions administrated by the organization, in the regular sessions of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC), in the plenary and regular sessions of the Standardization and Documentation Working group with the Standing Committee on Information Technologies, as well as in the regular sessions of the Standing Committee on the Trade Marks, Industrial Designs and Geographical Indications Law and the regular and annual sessions of the committees of the International Union for the Protection of New Varieties of Plants (UPOV).

Cooperation with national patent offices and other institutions

The bilateral cooperation between the Bulgarian Patent Office and other national patent offices and institutions covered:

- **Meeting between Ms. Tsonka Taoushanova, President of the Patent Office, and Mr. Kioshi Yamada, President of the Committee on Intellectual Property of the Organization for General Studies with the Tokai University in Japan.** Prof. Bozhana Nedelcheva, Director General of the Institute for Post Graduate Studies with the University of National and World Economy, attended the meeting. Mr. Yamada presented in brief the history and development of the Tokai University in Tokyo and the activity of the Committee on Intellectual Property with the University. He focused on the development of centres for technology transfer to the industry within the universities’ and the Japan’s policy in this field.

- **Working visit of a delegation of Romania’s National Office for Inventions and Trade Marks, led by Mr Bogdan Boriskevich, Director of National Patent Collection, Information Systems and Services Department, to the Bulgarian Patent Office under the Bilateral Cooperation Agreement in the field of the Industrial Property between Bulgaria and Romania.** Meetings with the Office’s management and the heads of the departments involved with the information activity, information and documentation were held during the visit. Issues of mutual interest were discussed along with problems linked with the cooperation programmes between the two national patent offices and the European Patent Office.

- **Official visit of a five-member delegation of the State Office for Intellectual Property of the People’s Republic of China, headed by its President Mr. Tian Li Pu, to the Patent Office paid under the Agreement and the Working Cooperation Programme signed in 1996.** During the visit, the delegation was received by Deputy Minister of the Economy and Energy, Nina Radeva. During the meetings, a review of the cooperation between the two countries in industrial property protection has been made and the prospects for future cooperation in this area and its further development have been also outlined. A Working Plan for cooperation was signed between the two institutions for the 2006–2007 period, which envisages exchange of information in the field of industrial property, in particular, exchange of patent documentation in English, information about applications and patents for inventions and utility models, as well as exchange of specialists.
• Working visit by a delegation of the Danish Patents and Trade Marks Office, headed by Mr. Jesper Kongstad, Director General. The delegation had a meeting with Mr. Kostadin Manev, President of the Patent Office. Issues of mutual interest related to the policy and activity of the European Patent Office and the role of the national patent offices in their establishment and implementation. In the context of the Memorandum of Understanding signed in 2004, a review of the relationship between the two offices was made. The sides exchanged views concerning the plans for further cooperation in 2006. The Danish specialists shared their experience in strengthening the administrative capacity of their office and activity planning. During the visit the delegation met with the Deputy Minister of Economy and Energy, Luchezar Borissov.

V. Information Activity

Databases and CD-ROM collections

In compliance with its basic functions and in the context of Bulgaria’s integration within the European structures, the Patent Office carries out a wide range of activities in the area of information - publication of protection documents and of Official Bulletin, updating of the state registers of protected industrial property rights and the office’s internal databases, as well as providing documentation and information services in the field of industrial property. The main goal in this field is the establishing and development of a national patent information system, compatible and harmonized with the European standards, requirements and priorities.

In 2005, the completeness of the Patent Office databases has been maintained regularly by entering information about any changes in the applications for inventions and utility models filed and the patents granted, as well as for new plant varieties and license agreements.

The changes in the abstracts of the applications for inventions and utility models filed and patents granted made in the examination procedure, were reflected in due time.

The English titles and abstracts of the applications for inventions and utility models filed and of the patents granted published in the official Bulletin in 2005 have been integrated into the database.

During the year under review all current changes have been inputted into the marks and industrial designs databases. A total of 14,263 entries have been made in the National Registers of Marks and Geographical Indications concerning changes in the legal status.

The PLANT database for the new plant varieties has also been maintained.

On-line access was provided and maintained for the examiners to the database of free names of medicines of the World Health Organization.

A total of 313 patent specifications have been prepared and sent to Hungary to be included into the CD-ROM ESPACE-PRECES collection.

The full text specifications of all patents for inventions granted in 2005 and published in the Official Bulletin have been processed using the EPOSCAN technology and sent in electronic format to EPO in order to incorporate them into the EPO databases and into the BG esp@cenet at the EPO in The Hague.
In pursuance of the obligations of the Patent Office set up in the Bilateral Co-operation Programme between BPO and EPO and in order to expand BG esp@cenet by adding information about applications and patents granted for utility models, the complete backlog of patents for utility models (from No. 1 through No. 712) has been processed with the EPOSCAN technology and sent to EPO - The Hague.

In the scope of the Patent Office obligations with regard to the international exchange, files with post-grant data have been sent to EPO on a regular basis.

Bibliographic data and abstracts of all applications for inventions and utility models filed and patents granted, published in the Official Bulletin, were translated into English and sent to EPIDOS - Vienna. The same information has been made available on the web site of the Patent Office.

Bibliographic data and abstract of published applications and patents granted for inventions and utility models in Bulgarian in English have been sent for incorporation into Bulgarian esp@cenet server of EPO - The Hague on a regular basis.

Bibliographic data and the images of all trade marks registered during the year have been processed and sent to Hungary for the CD-ROM TRACES collection.

As part of the information activity of the Patent Office, within the framework of the international information exchange, 4,320 Bulgarian patent documents on paper have been sent Bulgarian and foreign customers in 2005.

**Information Resources and Services for the Public**

To meet the needs of the public as well as of the examination, rich information resources have been collected, maintained and provided for use on various media - full collections of patent documents, official bulletins and indexes published by national patent offices and international IP organizations, along with the main classifications and catchword indexes, periodicals in the area of intellectual property and other patent-related literature.

The patent collections include over 20 million documents on paper, organized according to the International Patent Classification (IPC), from 30 countries and two organizations (EPO and WIPO) and in electronic format - from 28 countries and two organizations (EPO and WIPO). In 2005, a total of 120,000 patent documents on paper and 2,219 discs were added to these collections. In the same year, 854 bulletins were added to the collections of official bulletins of national patent offices and international organizations, along with 244 new titles as part of the theoretic literature collection. All resources listed above are available for use in the reading room of the Central Patent Library (CPL). Four automated workstations are placed at the disposal of users in the reading room of the library, with the purpose of ensuring of a quick and efficient access to all available information in electronic format and in the internet and to allow research in the specialized collections and IP databases.

Specialized collections of patent documents on paper have been maintained at the Patent Office for the state examination from four countries and WIPO (Bulgaria, Germany, Great Britain, Russia and PCT applications), and in electronic format - from
13 countries, EPO ad WIPO, as well as specialized theoretical literature for internal use.

In 2005, the CPL reading room has been visited by 1,874 customers (86 from the Patent Office and 1,788 - external users), which were provided with more than 3,000 boxes containing patent specifications, 687 discs, 5,327 bulletins and 1,787 titles of theoretical books.

A total of 3,880 searches have been made in the Office’s database of inventions and utility models, accessible via the internal network, through the information system for national registrations of marks – BPO On-line, and in the specialized collections and databases on electronic media and in internet.

In 2005, Patent Office specialists carried out the following number of paid preliminary searches:

- In the field of inventions - 596;
- In the field of markss - 4,649;
- In the field of industrial designs - 240.

In the period under review, copies of more than 17,000 documents on different media were provided for external users, and about 900 documents - to the Office's staff

**Official Publications and Patent Office web site**

An important element of the information activity of the Patent Office are its official publications. The Official Bulletin of the Office is a monthly edition and includes information about all protected rights, legal status changes, entries in the registers, indexes and colour reproductions of marks. The bulletin is also published in the English language (Patent Abstracts of Bulgaria) as a supplement to the patents and utility models section and contains bibliographic data and abstracts of patents and utility models and is accessible through the web site of the Patent Office (from No. 12/97 on).

A total of 447 applications inventions, 108 applications for utility models, 17 applications for European patents validated in the territory of Bulgaria, 53 applications for new plant varieties, as well as 313 patents on inventions, 69 patents on utility models, 187 validated European patents, 62 certificates for new plant varieties, two certificates for new animal breeds and two inventors’ certificates for plant varieties transformed into certificates for new plant varieties have been published in the 12 regular issues of the Official Bulletin in 2005, along with 3,919 registered marks and 529 registered designs.

A list of the patents in force by June 30, 2005 has been published in No. 7 of the Patent Office’s Official Bulletin. Information about expired and restored patents will be published in the following issues of the Bulletin, thus informing the public in due time about any changes in the legal status of valid protection documents.

In accordance with the amendments to the Law on Marks and Geographical Indications, a total of 1,102 applications for marks have been published from October 2005 to the end of the year.
At the same time, information has been prepared and 309 changes in patent applications, patents granted and applications for certificates for new plant varieties, as well as 5,587 changes in registered marks and designs have been published.

The Official Bulletin of the Patent Office was distributed to 79 subscribers in Bulgaria and to 45 subscribers in 39 foreign countries.

A total of 382 patent specifications for inventions and utility models, comprising 6,472 pages, were published during the period under review.

An updated catalogue of the literature acquired by the CPL in 2004 was published and distributed to 54 external users; the catalogue with information about 2005 has been prepared and published in early 2005.

The 2004 Annual Report of the Patent Office was drawn up in Bulgarian and English, with a new structure and content in order to offer the information in a more complete, clear and consistent way. Starting from 2002, the annual reports are available via the web site of the Patent Office in the internet.

As an important source of information for the public, the web site of the Patent Office (www.bpo.bg) has been regularly updated in 2005 publishing new drafts of legal acts, current statistics, news, official documents, announcements for vacancies at the Patent Office, information about various seminars and other significant events and the changes in the structure of the Patent Office and its Organization Regulations, in its official forms, the list of patent representatives, contact details and any other information.

VI. Automated Systems and Technological Processes

2005 was the year of completing the process of upgrading the Common Software (CS) to version 3.3.0 as the basic system for automated management of the procedures of granting patents and marks registration. Further upgrade of the CS to version 3.3.1 is under preparation.

To ensure access to the services of EPO provided through Patnet 2 and Epoquenet, the version of the application was upgraded to the current version 3.10, which allows the normal functioning of the system.

A server configuration Dell PE 6550, Windows 2003 server CE and Windows Exchange server CE, each along with 25 licenses, were supplied in connection with the reconfiguration of the internal network. A new Cisco 2801 router and a new commutator hp Pro Curve 2650/48 were supplied and installed. A project was developed for carrying out the reconfiguration financed by EPO under the Bilateral Co-operation Programme, and the procedure of its implementation is still in progress.

As part of the preparations for reconfiguration, the following activities have been performed:

- Building of two new optic lines to the communication hub of the optic ring of the state administration;
- Redirecting the internet traffic of the Office through the optic ring of the state administration using one of the two new communication lines;
Preparation for the restructuring of the information traffic under the reconfiguration project (configuration and putting the new communication equipment into operation, reconfiguration of IP addresses, communication hubs and software modules).

Within the procedure regarding the development of a TM search system, the system ACSEPTO of the company SWORD As there are no technical problems to its local adaptation, preparations for its implementation are still in progress.

Preliminary and final tests were accomplished of the NIPIES system according to a methodology developed in advance within the activities performed under the PHARE project for building a national system for cooperation and exchange of information for the protection of intellectual and industrial property rights. Efforts have been made together with the company which has designed the project and Danish Patent Office for the integration of the system into the information systems of the Patent Office. A separate communication line has been provided for the future use of the system.

Workplaces providing access to the European patent database have been configured and are in use in compliance with the Bulgaria’s obligations as a member of EPO; as well as a special workstation for the delivery, input and integration of current data into the database on a weekly basis. The database of EP applications and patents designating Bulgaria has been build up and is accessible from the workplaces for their processing. The database is updated every week in accordance with the established procedure, including by data input from the early 2002. The necessary changes in the CS configurations and parameters as well as in the Spirit module are being made regularly in accordance with the established procedures for handling EP applications and the valid European patents.

In pursuance of its obligations in the framework of the international exchange, the Patent Office the CS versions are being updating to respond to the reform of the International Patent Classification (IPC) effective as of January 1, 2006. The respective parameters and configuration changes were made as part of the upgrading of the CS versions from 3.2.4 to 3.3.0. The work of the examination departments in conformity with the new version of IPC is fully guaranteed from the technical view point. The reformed IPC was provided in due time - November 15, 2005.

The CS - Patents versions are being timely upgraded in order to be ready to join the EPTOS Project.

The upgrading of the CS - TM version is upcoming, having been delayed to allow time for making the respective changes in the BPO On-line application.

### VII. Raising Public Awareness in the Field of Industrial Property Protection

An important component of the overarching policy of the Patent Office in the area of information is the activity aimed at raising public awareness of the opportunities and advantages of the industrial property system in a national and international context. The success of the activity depends on the establishing of clear goals and priorities for future development on the one hand, and, on the other hand, and on the proper selection of tools for their practical implementation.
To familiarize the Bulgarian society with the role of industrial property as an incentive for the creation, development and transfer of new technologies, in 2005 the Patent Office organized in cooperation with other Bulgarian and foreign organizations the following events, taking active part in them, including by providing lecturers on various subjects:

- Seminar on “Trade Marks: National and International Procedure”, co-organized by the Bulgarian Association of Participants in the IDLO Programme, the International Development Law Organization (IDLO) and the BPO, which was held at the Intellectual Property Centre with the University for National and World Economics (UNWE), Sofia.

- Seminar on “Modern Information Technologies”, organized by EPO, the BPO, the UNWE and the UNWE-CIP;

- Celebrating of April 26, the World Intellectual Property Day. On this occasion, a seminar on “The Patent: The Granting and enforcing of Exclusive Rights” was organized at the Boyana Residence together with EPO, the National Intellectual Property Association and the Alliance of Intellectual Property in Pharmacy, Chemistry and Biology. The annual ceremony of entering inventors in the Golden Book of Inventors took place as part of the celebration.

- Seminar on “Inventions implemented in Computers and Business Methods”, co-organized with EPO in Sofia;

- Intradepartmental seminar on the payment of annual fees for European patents valid in the territory of Bulgaria, co-organized with EPO;

- Seminar on industrial property, co-organized by the Bulgarian Chamber of Commerce and Industry and the European Commission in Brussels and its Technical Assistance and Information Exchange Office (TAIEX)


- Training seminar on the project for building up a national network for cooperation and information exchange for protection of the intellectual property rights;

- National conference on “The Intellectual Property: Factor for Economic Growth”, held in the UNWE Centre in Ravda;

- Roundtable on “Well known Trade Marks and Absolute Ground for Refusal of the Marks Registration”, co-organized with the International Trademark Association (INTA) and the UNWE’s CIP, held at the UNWE-CIP; and

- Seminar on “Marks and Geographical Designations”, co-organized with the European Commission in Brussels and its Technical Assistance and Information Exchange Office, held in Sofia.

Various information materials have been translated, printed and distributed for use in 2005 in order to promote the activity of the Patent Office and the advantages of the intellectual property system and its utilization.
Information on the events that took place was published in due time on the web site of the Patent Office.

As an expression of the desire of the Patent Office to contribute to the creation of better conditions for information support for the business at regional level as well as raising awareness of the role of industrial property for its development as a prerequisite for enhancement of innovation performance, a guarantee for a enhanced competitiveness of national economy and a stronger positions in the common European market, in 2005 all necessary steps have been taken for the establishment of the first regional PATLIB Centre in Bulgaria. The Centre was set up with the Industrial Chamber in Plovdiv under the Bilateral Co-operation Programme between the Bulgarian Patent Office and EPO. It was equipped with a workstation - a personal computer, monitor and a laser printer, retrospective collections for 2005 of European patent applications patents granted, international PCT applications in electronic form, discs containing cumulative bibliographic information and abstracts of the EPO ESPACE series and other information resources.

VIII. Administration, Personnel and Finances

In 2005, the staff of the Patent Office consisted of 191 persons, including 26 in the general administration and 166 in the specialized administration. There were 138 state employees and 53 labor agreement employees.

In October the structure of the Office was redesigned in order to improve its performance as a result of which five departments were created: Administrative Services, Human resources, Finances, Accounting and Property Management; Inventions, Utility Models and Industrial Design; Legal and International Activities; and Industrial Property Information and Documentation. New Organization Regulations were developed and are in force as of September 14, 2005.

The activities related to the property administration and management played an important role in ensuring the efficient functioning of the Patent Office in 2005. They involved awarding public contracts for repair works in the administrative building of the Patent Office and their implementation, the preparation and holding of procedures under the Public Procurement Act (PPA) and the related Ordinance, as well as logistics and material support of the work of all structural units of the Patent Office.

Special attention was paid to improving the employees’ qualification. In 2005, about 60 people took part in various forms of training under the training programme of the Patent Office, including 28 who completed their post-graduate intellectual property studies (Patent School), and 31 attended various courses at the Institute of Public Administration and European Integration (IPAEI) in subjects related to Bulgaria’s accession to the EU. The annual plan for training in 2006 was worked out, envisaging the enrollment of 36 employees in specialized training courses and two - in compulsory training courses.

Five parallel competitions were conducted (practical examinations and interviews) to appoint new employees and fill in ten vacancies at the different departments under the Ordinance on Competitions for the Employment of State employees; about 120 people applied for the vacancies.
In 2005, the revenue of the Patent Office amounted to 6,238,789 BGL, coming mainly from state fees. The revenue received from services was 272,599 BGL. There was a small amount received for renting premises - 7,591 BGL; the fines collected under penalty decrees totaled 17,147 BGL. The maximum amount planed for expenditure was 3,001,304 BGL; actual expenditure amounted to 2,966,000 BGL, sparing 35,244 BGL. In 2005, the expenditure on salaries, other types of remuneration and insurance contributions came up to 1,834,504 BGL, or 61.85 per cent of the total amount of expenses. The amount spend on maintenance in 2005 was 807,121 BGL. In 2005, the expenses on services from external providers totaled 362,936 BGL, including the expenses on accessing foreign databases, maintenance of the hardware and software on a subscription basis, publication of the INSO magazine, printing of the Official Bulletin, on security, the maintenance of lifts, fire alarm, telephone equipment, telephone bills, new planting, etc. In 2005, the capital outlay amounted to 234,879 BGL; the limit granted being 250,00 BGL.