

# Report on Activities

## Industrial Property in 2010: pillar of a sustainable economic model

# 2010



GOBIERNO  
DE ESPAÑA

MINISTERIO  
DE INDUSTRIA, TURISMO  
Y COMERCIO

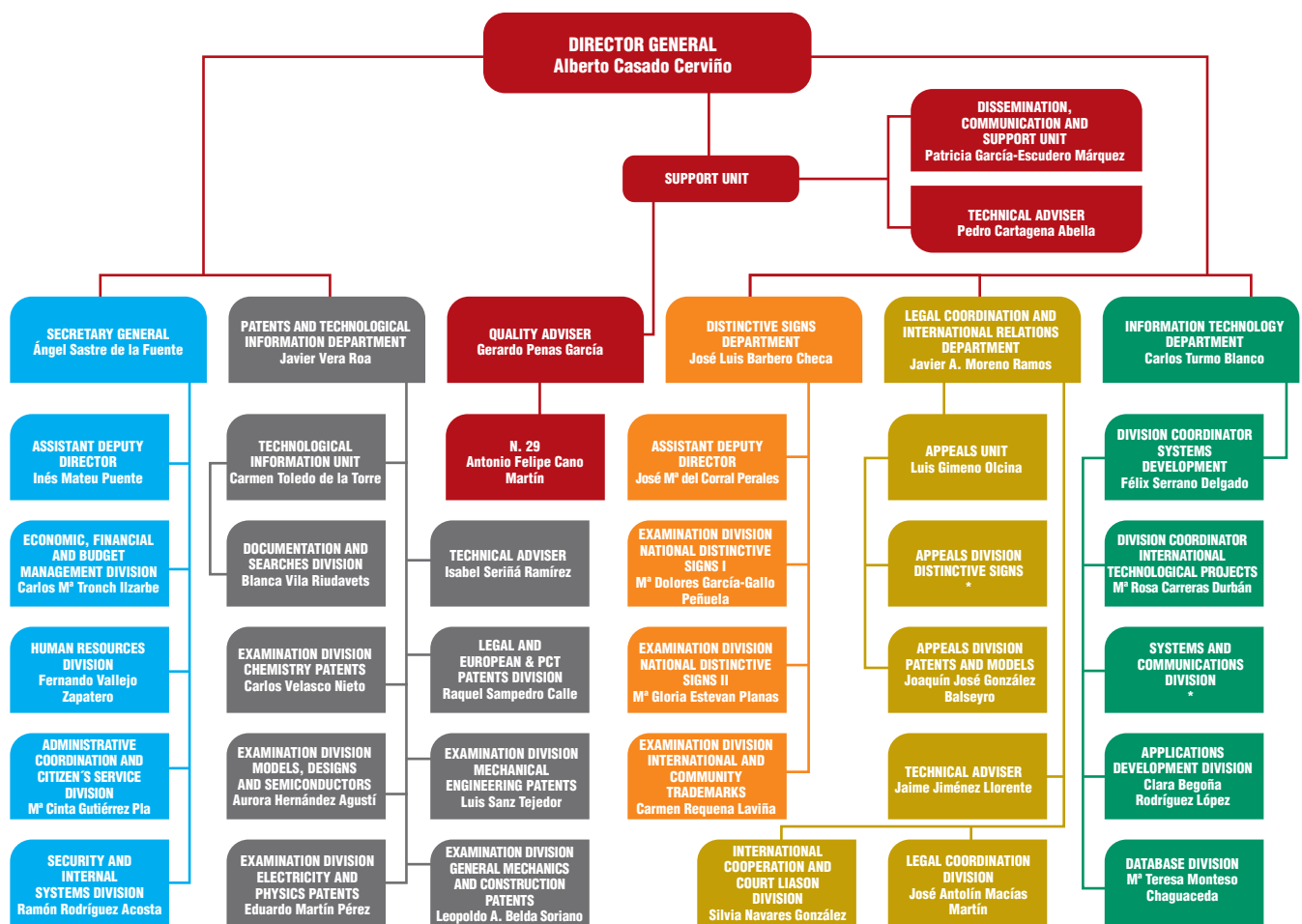


Oficina Española  
de Patentes y Marcas

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## Organisation chart



OEPM Organisation chart



**AMPARO FERNÁNDEZ GONZÁLEZ**  
Undersecretary of Industry,  
Tourism and Trade and President of the SPTO

## Preliminary Comments by the Undersecretary of Industry, Tourism and Trade and President of the SPTO

At the 9 March 2010 presentation of the first national strategic plan on Industrial Property in our country's history, Minister of Industry, Tourism and Trade Miguel Sebastián declared that "Industrial Property is the vector of innovation, competitiveness and growth for the future of the Spanish economy". The Plan, called the Plan for Promotion of Industrial Property in Spain or Plan PI, was subsequently approved by the government of Spain and, after its first months of life we may say that it has marked a turning point in the domestic and international perception of the importance of Industrial Property in Spain.

The Plan has had a strong international echo and a clear impact on business activity in Spain, both as regards the importance being ascribed to IP by all players in our economy, and in terms of the change it is driving in the perception held by the general public, and by the business community in particular, of the value of the intangible assets referred to by this acronym.

Plan PI is the plan of reference for Industrial Property in other important initiatives carried out by the government in relation to competitiveness, sustainability and innovation. And, as such, it has a key place within the framework of the Sustainable Economy Strategy.

No surprise, then, that Plan PI also forms part of the National Innovation Strategy, in line with the OECD recommendations that regard Industrial Property as an essential pillar of all national strategies for innovation, and that it is included in the Comprehensive Industrial Policy Plan (PIN) 2020, approved by the government of Spain this past December. The goal of PIN is to create an institutional framework that fosters growth and innovation, supports dynamic SMEs and internationalisation - and Industrial Property has a clear part to play in all these facets.

Nobody disputes that a country's competitiveness and the success of its companies depends in large part on the applied knowledge they possess and the quality image of their goods and services, especially in a highly internationalised environment. This acquisition of knowledge is linked, on one hand, to the capacity to be able to count on expert professionals, that is, the capacity to train men and women prepared to meet important challenges. But it is also linked to the productive sector's conviction that it is of the essence to ensure survival and long-term success by innovating and bringing value-added products and services to the market, nurturing an image of quality and efficiency in all relevant markets.

This image only materialises if companies are capable of converting these efforts into intangible assets by making use of Industrial Property rights and the protection they afford.

Actions that promote more intensive use of the instruments of Industrial Property protection and their internationalisation will help achieve the growth in the size that our companies need to be able to take part and compete in global markets.

In connection with raising IP awareness in the business community, the SPTO is responsible for carrying out the actions entrusted to it by Plan PI with the goal of making those activities permanent mainstays of the Spanish economy. The accomplishments seen this year confirm that the new measures aimed at improving the service provided to users of the IP system -by simplifying procedures, cutting down the time and cost of paperwork, intensifying the use of information and communication technologies- are serving to boost quality and productivity and help Spanish companies internationalise their business.

On analysing the data in this Report on 2010 Activities, I may say that I am very satisfied with the contribution made by the SPTO and by the people who work there to improving Industrial Property in Spain and hence to enhancing the competitiveness that will be decisive for our country's positioning in international markets.



**ALBERTO CASADO**  
 Director General of the Spanish  
 Patent and Trademark Office

## Introduction by the Director General of the Spanish Patent and Trademark Office

This year's report adopts the same structure as the Strategic Plan for the Promotion of Industrial Property, Plan PI. That plan is part of the overall Sustainable Economy Strategy and seeks to bring Industrial Property front and centre as a key factor for the future innovation, competitiveness and growth of the Spanish economy.

When unveiling the Plan, the Minister of Industry, Tourism and Trade Miguel Sebastián summarised its prime objectives as follows:

- Shorten the time frame for the grant of Industrial Property categories.
- Cut the 2009 fees by 18%, with a further reduction of 15% for those cases where telematic procedures are used.
- Increase the yearly average number of trademark and patent applications in Spain.
- Involve more than 100,000 enterprises in actions carried out under the Plan.
- Achieve user level of 15,000 subscribers to the Spanish Patent and Trademark Office 2.0 network as information channel for all users of Industrial Property rights in Spain.
- Serve as support for economic production in general.

These actions represent the government's commitment to closing the gap between Spain and the most technologically advanced countries.

The Plan was spawned by collaboration between business, universities, government research institutes and professionals in the IP sector to achieve an integrated and integrating solution. It embraces all aspects of Industrial Property: industry, trade, education, research, justice and actions abroad.

This Report on 2010 Activities reflects the efforts made and solutions delivered to implement this strategic plan with and by all parties involved in Industrial Property. And I want to underscore that the results obtained, taken as a whole, have lived up to our expectations.

The core goal of promoting Industrial Property has been supported by an important funding commitment, which has allowed the most important Industrial Property fees to be cut by as much as 18%.

In 2010, more than 150,000 businesses participated in at least one of the Plan's actions, and agreements were signed with such preeminently high-tech companies as Airbus and Navantia. A telling indicator of the increased reach of our activities was the 25% rise in the number of visits to the SPTO website.



As for the internationalisation goal, the call for applications for subsidies for foreign patents again met with great success. Driven in part by this aid, the growth of foreign patents of Spanish origin was notable. Spain is ranked 10th in the EU in European patent applications and 14th worldwide in PCT international applications, on the strength of a 13% increase. In support of this internationalisation effort, the SPTO penned four agreements that will streamline the procedures for Spanish applicants who wish to protect patents in the United States, Japan, Canada and Finland offices. Domestically, the situation regarding the number of patents and utility models generated in relation to R&D spending improved, with Spain climbing the ranks to enter the EU top ten, although there is still much work to be done on this front.

An essential activity carried on by the SPTO is our fight against piracy. In this connection, SPTO provides information to customs authorities and to Spanish law enforcement agencies. In 2010 more than 2700 such services were provided each month, a true measure of the importance of this work. The Office also takes active part in campaigns to raise awareness of the impact of piracy, with special emphasis on campaigns in Spanish cities of more than 100,000 inhabitants. The end of the year finally saw the startup of an ambitious and complex project to create a database with case-law precedents from over 2000 judgments, and significant additions and improvements were made to the anti-piracy website.

The SPTO is especially sensitive to social issues. The battle against climate change, in which technology plays a pivotal role, is one of them. To help foster the creation of technology suited to the challenges of global warming, the SPTO started up a fast-track patent award system for technologies that contribute to mitigating climate change. Some 20% of the patents in this area are awarded with the fast-track procedure. In addition, a series of informational bulletins have been launched on green technologies (electric cars, biomass, etc). In 2010, there were more than 4000 subscribers signed up for these publications.

Lastly, the results of the management excellence efforts have, in general, been highly satisfying. There was a notable shortening of the processing time it takes for the various Industrial Property categories. For example, the average for trademarks is now five months, and three days for designs. In addition, the SPTO reinvigorated our commitment to quality, certifying our trademarks and designs management system to the ISO9001:2008 standard.

These data and figures underscore that the Plan PI, far from being left as a mere declaration of intentions, has been steadily contributing to strengthening Industrial Property year by year, as part of our business culture and model.

For all of these achievements I wish to thank every one of the persons who work in the SPTO for your efforts and excellent work, the main reasons why the Strategic Plan for the Promotion of Industrial Property is being successfully carried into practice, and is contributing to intensify, year after year, the use of Industrial Property mechanisms.

At the present time, we can assert that all players in Spain's industrial fabric and economy are ever more aware that Industrial Property is one of their most important assets, a necessary level for enhancing their competitiveness and internationalisation, and that in this office, your office, they can find all the support and advice they need in this area of legal and economic activity.

“The potential benefits to be reaped from innovation and the image of high quality of our businesses will only materialise if businesses are capable of transforming those efforts into assets, through patents, trademarks and designs, that, through Industrial Property”.

**Miguel Sebastián.**  
Minister of Industry, Tourism and Trade

## **Industrial Property in 2010: pillar of a sustainable economic model**

On 9 March 2010, the Minister of Industry, Tourism and Trade, Miguel Sebastián, unveiled the first Strategic Plan for the Promotion of Industrial Property, known as Plan  $\pi$ , drawn up in Spain.

The act was also accompanied by a public declaration to users of Industrial Property: strengthen the emphasis on fostering a wider appreciation of Industrial Property so that the acquisition of the rights it entails and the legitimisation of those rights become part and parcel of a solid and effective economic system.

The Industrial Property protection we offer from the Spanish Patent and Trademark Office is pivotal for maintaining competitive advantage and allowing innovators to recoup their investments.

During this year our activities have been pursued with the conviction that economic growth and development, always in step with knowhow and innovation, are only understandable within the Industrial Property system.

**In this Report on Activities 2010 we want to summarise the efforts made over the course of the year to flesh out the five core strategic lines for embedding Industrial Property in the Spanish economy. We trust that in reading these pages you will obtain valuable information on the growing importance of Industrial Property in our socio-economic environment.**



# Stimulus of Industrial Property

# 01



“Relocating a factory is not difficult; implementing technologies in remote places is not difficult; but the world is learning that it is very difficult to delocalise the capacity to generate knowledge. That is why all activities that involve stimulating and protecting this asset must receive our support and our recognition”.

**D. José Longás Pellicena**

General Manager at Bosch and Siemens Home Appliances - Spain.

## Training and dissemination. Teach and educate on the value of Industrial Property, create a culture of intangible asset rights.

If we want IP to form part of the business culture it is indispensable that training and dissemination policies stand as essential objectives. In 2010 we have stepped up our efforts to inform, create and disseminate. We have maintained an active presence in conferences, acts and events where Industrial Property was presented as a vital pillar for effective technological and economic development of our industrial and business fabric.

Noteworthy along these lines were the following actions:



### European Project IPEuropAware on Awareness

European Project IPEuropAware on Awareness and Enforcement of Industrial and Intellectual Property (IIP) among European SMEs (co-financed by the European Commission, DG Enterprise and Industry) entered its third and final year of execution in 2010. The SPTO has been participating in this project since its beginning, together with 25 partners: 20 Industrial Property Offices from Europe, Universidad de Alicante, Henri Tudor Public Research Centre, L'Institut Européen Entreprise et Propriété Intellectuelle (European Business and Intellectual Property Institute - IEEPI) and other partners).

The activities carried on by the SPTO in 2010 under this project included:

- **Study to plan actions for services involving protection and raising awareness of Industrial Property.**
- **Inventory of intangible assets.** A new tool has been established for identifying and managing intellectual capital in SMEs.
- **Workshops on protecting Industrial Property rights in innovation services for SMEs.**
- **Pilot workshop on “Protecting Innovation”.** Four editions of the workshop were held in Valladolid, Valencia, Zaragoza and Madrid.
- **Sector Handbooks on IIP.** Four guides for SMEs in the textiles & clothing, footwear, leather & furs, and furniture sectors were published, distributed and disseminated in paper and on the web.
- **Drafting of answers and inclusion on the list of frequently asked questions (FAQs)** of the SPTO Call Centre. A series of questions and answers were prepared on basic questions regarding the protection and defence of IIP rights, along with a directory for redirecting questions on intellectual property to other competent bodies and offices, advising on business strategy for protecting intangibles, IIP courses and training, protection of innovations in other European countries, etc.



“Health and life quality can only be enhanced through innovation and its proper protection. Patents strengthen businesses by equipping them with the tools to better position themselves in an ever more diversified and competitive market”.

**D. José María Fernández Sousa-Faro**  
Chairman of the Zeltia Group.

- **Course on methodology for identifying intellectual assets in SMEs.**
- **Toolbox.** The SPTO website posted four online self-learning modules on Internet patent information searches: three translations into Spanish of the modules prepared by the European Patent Office on esp@cenet and the fourth was prepared in-house on INVENES.
- **Pilot actions with SMEs to evaluate new “tools”.** These actions were carried on with 10 SMEs in the aeronautics, automotive and footwear sectors located in Sevilla, Valladolid, Zaragoza and Alicante, with the aim of evaluating the new business knowledge and IIP protection “tools”.

## Industrial Property Classroom

Set up on our website, as part of our collaboration with educational institutions and organisations that promote and raise awareness of the importance of Industrial Property for business. The contents include the “Patent Kit”, material designed to help university professors teach about Industrial Property matters, with specific attention to the patent system.

In line with the IP training and education, we emphasise the need for full **recognition of patents in the professional background of scientists and researchers as having equivalent value to publications in scientific journals.**

## Patent Innovation Forum (FIP)

The forum is a think tank and advisory body, with representatives from the main Spanish players in innovation and patents. **In 2010** the FIP held its 20th meeting, serving as a meeting point where participants can discuss and exchange ideas to contribute to the development of innovation and competitiveness in businesses.

## New Technology Watch Bulletins

During 2010 SPTO began **publishing six new bulletins.**

Four refer to technologies in the information and communications technology (ICT) and are wholly prepared by the SPTO.

- **eDependencia**, accessibility for the elderly and disabled to the new information and communications technologies.
- **Mobile Advanced Interfaces and Services**, new operating interfaces for using mobile devices.
- **Wireless Sensor Networks**, use of networks of wireless sensors in agricultural activities and in urban and public environments.
- **Intelligent Car**, systems for optimised traffic management, sensorial and communications networks integrated in the vehicles, systems for managing parking spaces and tolls, for issuing alerts on accidents or breakdowns to emergency services and other nearby motorists.

**Recognition of patents  
in the professional  
background of  
scientists and  
researchers as having  
equivalent value to  
publications in  
scientific journals.**

In addition to these new Bulletins, the SPTO's work with OPTI to produce Technology Watch Bulletins in other technical sectors, two new bulletins are now available:

- Food and health
- Renewable energies: biomass

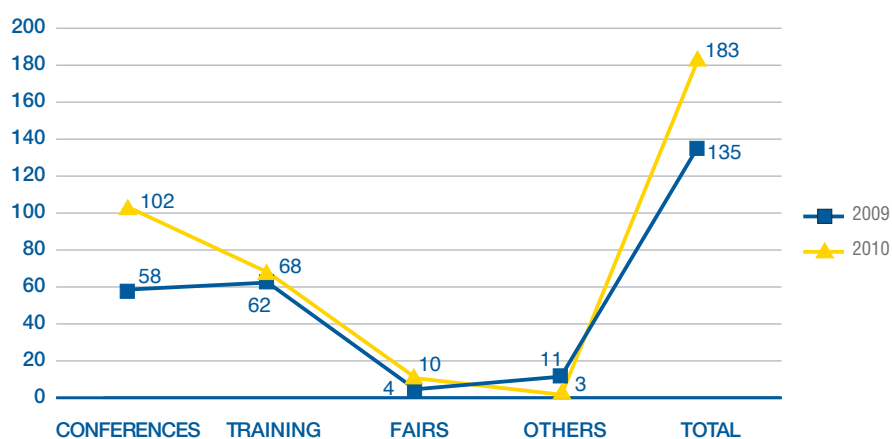
## Conferences, courses and seminars

Our presence in a wide variety of events and relations with the press are clear indicators of the SPTO's commitment to facilitating access to IP.

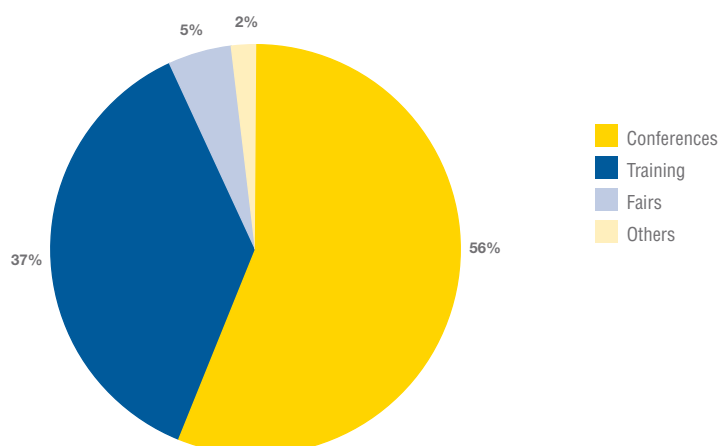
**During the year we took part in 183 outreach activities.**



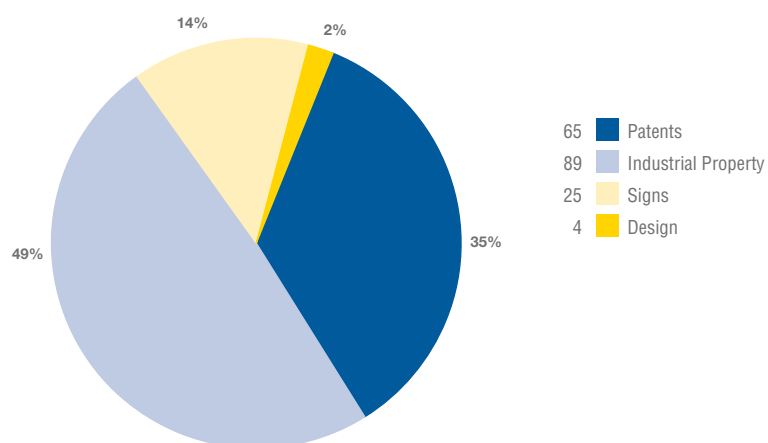
### Industrial Property dissemination activities. Comparison 2009-2010



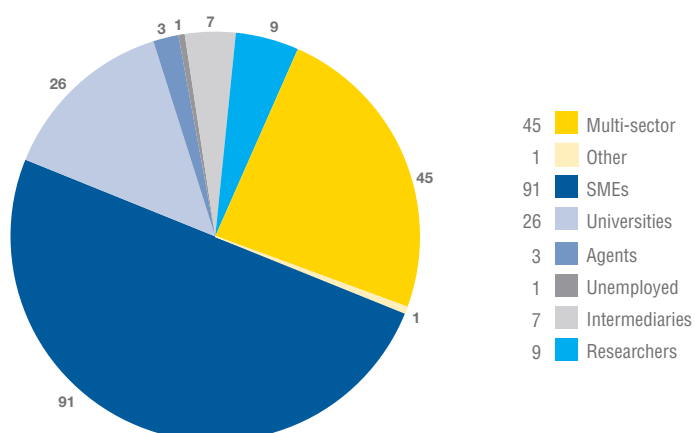
### Type of outreach activities in 2010



### Outreach activities by Industrial Property title

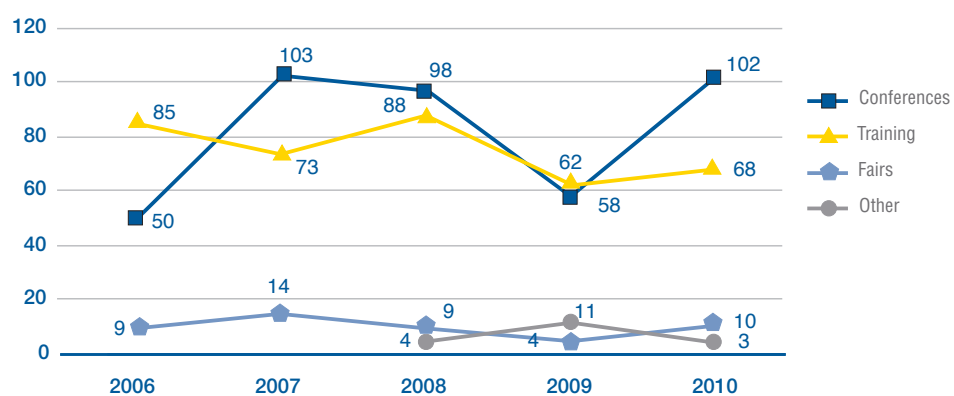


### Outreach activities by target public

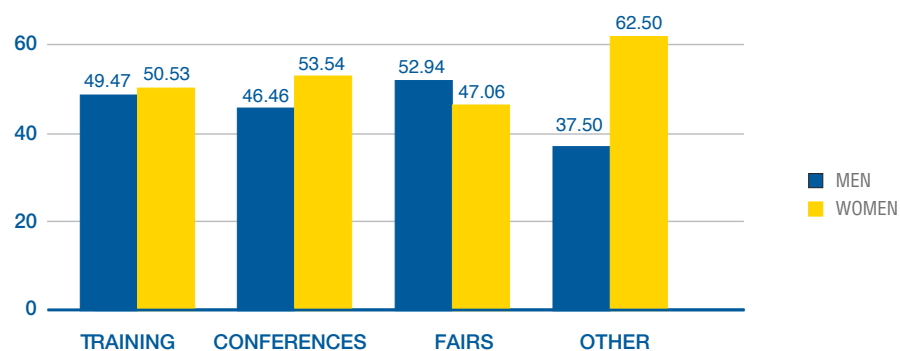




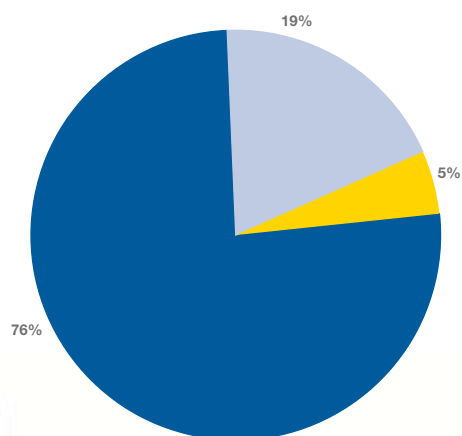
### Industrial Property outreach activities. Trend 2006-2010



### Gender distribution (%) of SPTO speakers in activities



### Relations with the Media 2010



32 ■ Print press  
8 ■ Radio  
2 ■ TV

Total interactions: 42



### Highlights:

- **Meet the others.** Various “meet the others”, sessions were held, intended to allow our examiners and users of the patent system to get to know each other. At the meetings, in addition to discussing their business activities, participants tell us how they use the system and identify its weaknesses and strengths. These encounters are born of the conviction that the better our staff know the people whom our work is intended to serve, the better the SPTO will perform its function.

The Spanish companies invited to participate in the three sessions held during the year were NOSCIRA, ROTOR Componentes Tecnológicos and BSH Electrodomésticos España S.A.

- **2nd Course in European Patent Law.** Organised by the SPTO together with the CEIPI (Centre d'Études Internationales de la Propriété Industrielle of the Robert Schumann University of Strasbourg, the EPI (European Patent Institute), and the EOI (Escuela de Organización Industrial) business school. The course was addressed to future patent professionals.
- **Patent study and update sessions (also known as “Patent Mondays”).** Two “Patent Mondays” were carried out in the SPTO.
- **“Japanese Patent System” course.** Organised in collaboration with the Patent Centre of Universidad de Barcelona. Essential features of the patent application and examination procedure in Japan were reviewed and discussed.
- **Practical course to prepare for the “European Qualifying Examination (EQE)”.** The 5th edition of this course was carried out in collaboration with the Patent Centre of the Universidad de Barcelona.
- **Conference on the protection of designs.** Organised by the Spanish Patent and Trademark Office, the World Intellectual Property Organisation and the Office for Harmonisation in the Internal Market, the aim of this event was to offer an overview of the possibilities of protecting designs at the national, European and international levels.
- **Seminar on the trademark protection system of the People's Republic of China.** Organised by the Spanish Patent and Trademark Office, the Office for Harmonisation in the Internal Market and the State Administration of Industry and Trade of the People's Republic of China, the seminar conducted in-depth discussion of industrial property protection issues in China, such as legislation on trademarks, the application and registration procedures and the trademark appeal system, amongst others.



*Seminar on the trademark protection system of the People's Republic of China.*



*Conference on "Industrial property as key element for innovation, competitiveness and internationalisation"*

- **Conference on Green Patents:** The Role of Industrial Property in the Sustainable Economy. Organised by the Spanish Patent and Trademark Office and the EOI business school, the conference offered an overview of green patents in Spain, underscoring their role as a source of technological information and a lever for maintaining the competitiveness of our green industrial sector over the long term.
- **Conference: the Utility Model.** Organised by the Spanish Patent and Trademark Office, the conference presented new developments in the procedure for granting utility models. Participants included representatives from the companies AGOTEK, FAGOR and TELEVES, who discussed how this Industrial Property title is seen by businesses.
- **Conference on "Industrial Property as key element for innovation, competitiveness and internationalisation".** The Spanish Animal Health Technology Platform (VET+i) and the Spanish Patent and Trademark Office organised this Industrial Property gathering for companies, research centre and, in general, all participants in technology platforms in the health (human and animal), agrofood, chemical and aquafarming sectors.
- **Outreach Day in Bizcaia to publicise Plan PI, Plan for Promotion of Industrial Property in Spain 2010-2012.** The Spanish Society for Industrial Promotion and Transformation (Sociedad para la Promoción y Reconversión Industrial — SPRI), The Bizcaia Technology Park and the Spanish Patent and Trademark Office organised this event to disseminate Plan PI for Promotion of Industrial Property in Spain for the period 2010-2012, aimed at raising awareness in the Basque business community of the importance of competitiveness and internationalisation of companies when transforming their developments and innovations into Industrial Property assets.



*Conference on Green Patents*



*Conference: the Utility Model*

- **Outreach Day in Andalusia for Plan PI for Promotion of Industrial Property in Spain 2010-2012.** The Andalusian Agency for Innovation and Development (IDEA) and the Spanish Patent and Trademark Office presented the Plan for Promotion of Industrial Property in Spain for 2010-2012. The gathering also included a roundtable on internationalisation, green technologies and SMEs, keys for Spanish Industrial Property in the future, featuring talks by representatives of local companies active in these areas.
- **Summer course in the UIMP: “Industrial Property and Society: Health, Sports and Environment”.** Organised by the Menéndez y Pelayo International University and the Spanish Patent and Trademark Office from 12-16 July, the course addressed such topic issues as the European entrepreneurial spirit in times of crisis, the role of patents as a factor for competitiveness in Europe and the importance of Industrial Property in these sectors.
- **Conference on the Patent Prosecution Highway (PPH).** The Assembly Hall of the Spanish Patent and Trademark Office hosted two conferences on the procedure for fast-track grant of foreign patents, the PPH. This initiative entails collaboration between different patent offices so that each office can benefit from the work previously done by the other, cutting down duplication of work by examiners, streamlining examinations and improving their quality. Participating in the sessions was a representative of the US Patent Office, who described their experience in this collaborative effort.



*Summer course in the UIMP: “Industrial Property and Society: Health, Sports and Environment”.*

- **International Fair if Ideas and Inventions: Attic 2010.** The SPTO was present with a stand offering information on our activities and services and participated on the jury for the Prizes and awarded the SPTO Special Award. In this edition, the award went to Antonio Soriano Vilalta, for his invention “Device for timed opening of safety belts in vehicles”.
- **38th Geneva International Exhibition of Inventions.** The Geneva International Exhibition of Inventions, sponsored by the Swiss government and by the World Intellectual Property Organisation (WIPO), brings together each year inventors from all over the world and a large number of patent offices. The Spanish researcher **Celia Sánchez Ramos** obtained the Grand Award of the Jury for the 38th edition of the Geneva Exhibition for her invention “System for Identifying Persons based on Ocular Biometrics”.

The Spanish Patent and Trademark Office awarded its prize to **Isidro Bocanegra Marquina**, for his invention “Extruded Modular Blade for Aerogenerators”.

- **Salón Miempresa.** This event is designed to draw participation from a majority of institutions, associations and networks dedicated to supporting entrepreneurs and SMEs in Spain, and has succeeded in drawing attention to the diverse solutions (subsidies, training, aid, advising...) that are available. The SPTO advised this year's participants on Industrial Property.
- **Alternative Fuels and Vehicles Salon.** A gathering of all players involved in the manufacture, distribution, adaptation of engines, promotion and advocacy of alternative vehicles and their fuels. The Spanish Patent and Trademark Office participated by offering its services and information and took part in the Technical Workshops, and publicised its efforts to foster green patents.



*Prize to Isidro Bocanegra Marquina*



“A large part of an enterprise's market value is determined by its intangible assets in the form of patents, trademarks and designs. This also allows companies, especially SMEs, to obtain financing backed by those titles”.

**Antonio González-Barbudo**  
Chairman of the Acotelsa Group

## Shoulder to shoulder. Management support for SMEs

In 2010 SMEs were a priority focus of Industrial Property stimulus activities, with various initiatives being carried out to assist them on the best way to manage their intangible assets.

Highlights of these actions included:

### Subsidies for Spanish patent and utility model applications

Some 256 subsidies were granted for a total aid volume of €150,000.

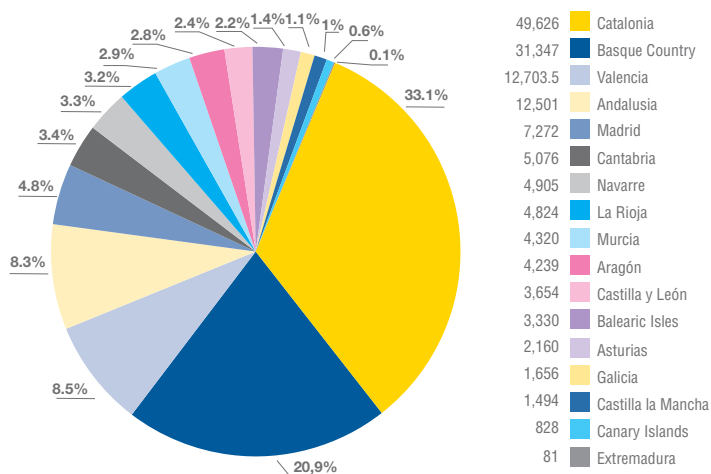
Subsidies covered up to 90% of application fees in the case of utility models and fees for application and for Search Reports in the case of patents.

In terms of type of beneficiary, 60% of the aid went to SMEs and 40% to individual inventors.

As for distribution by Autonomous Communities (regions), a notable 33.1% was concentrated in Catalonia, followed by the Basque Country (20.9%), Valencia (8.5%), Andalusia (8.3%) and Madrid (4.8%).

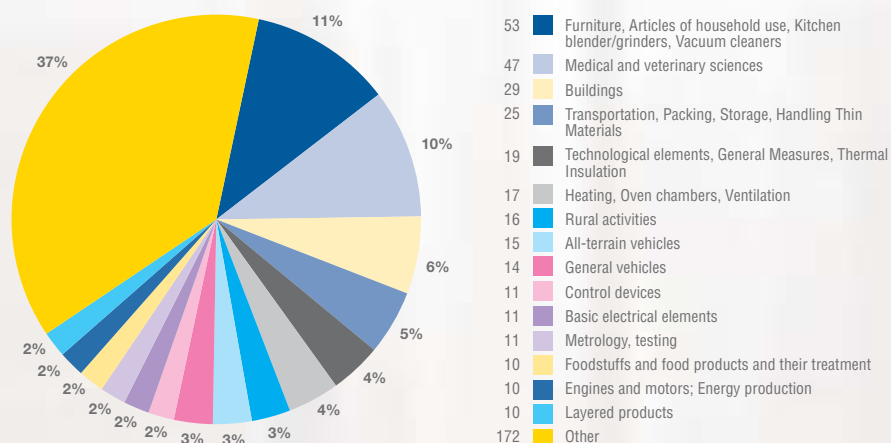
#### Distribution of aid by Autonomous Communities - National - 2010

**Some 256 subsidies  
were granted for a total  
aid volume of €150,000**



Notable in the distribution by technological sectors were the following: Furniture, articles of household use (11%), medical and veterinary sciences (10%), construction (6%), vehicles in general (5%), technological elements, insulation (4%), heating (4%), rural activities (3%) and all-terrain vehicles (3%). Some 6.4% of the applications were for patents qualifying as “green patents”.

#### Number of Spanish Patents and Utility Models by Technology Sectors -National- 2010



## CEVIPYME, SME Virtual Support Centre

In collaboration with the Directorate General for SMEs and EOI, Cevipyme's services are free of charge.

### What does Cevipyme offer?

- Customised support for SMEs through Industrial Property experts that can provide guidance on patents, trademarks and industrial design.
- Access to specialised information.
- Self-learning programmes in the form of various interactive courses on Industrial Property.
- Self-diagnosis tool: An exclusive system that allows SMEs to conduct an immediate assessment of the actual state of their patents and trademarks.

### Specialised advising

- Diagnosis: initial analysis of the actual Industrial Property situation of a small or medium business.
- Technology watch.
- Guidance on possible future strategies for:
  - protecting results.
  - internationalising the protection.
  - transferring, licensing, exploiting and marketing results

**Total number of visits to CEVIPYME in 2010: 2.102,485**



## Online access, the SPTO updates its services

Pursuant to Act 11/2007, the **electronic head office** has been set up, bringing together all of the electronic administration services that are available to the public, including filing application, consulting case files and the Boletín de la Propiedad Industrial (Industrial Property Bulletin - BOPi). These services are backed by the guarantee of the sede.oepm.gob.es domain and the electronic seal.

**SEDE ELECTRÓNICA**

Bienvenido a la Sede Electrónica de la Oficina Española de Patentes y Marcas

Esta sede electrónica es titularidad de la Oficina Española de Patentes y Marcas. La responsabilidad sobre la gestión de cada uno de los servicios y procedimientos puestos a disposición de los ciudadanos en la sede recaerá en el departamento titular de aquellos. La gestión tecnológica de la sede electrónica se realizará a través de la División de Tecnologías de la Información de la OEPM. Desde esta sede puede acceder a los procedimientos y servicios electrónicos que la Oficina Española de Patentes y Marcas pone a su disposición.

Catálogo de procedimientos	Con DNI electrónico	Con certificado electrónico	Con certificado electrónico
<a href="#">Solicitud de marca o nombre comercial individual o por lotes</a>	si	si	no
<a href="#">Solicitud de renovación de Signos Distintivos</a>	si	si	no
<a href="#">Solicitud de Diseños Industriales</a>	si	si	no
<a href="#">Presentación de recursos</a>	si	si	no
<a href="#">Consulta telemática</a>	si	si	no
<a href="#">Solicitud de invenciones</a>	si	si	no
<a href="#">Servicio de acceso digital a documentos de</a>	no	no	si

The most important change in automating the office was, without doubt, the implementation of **ALFA**. This is a single integrated support system for managing electronic applications, digitising paper documents, payments, sending notices via email, forwarding Search Reports, consultation of relevant cited documents, etc. Use of ALFA has served to automate data exchanges with other official bodies, as well as the publication of brochures, updating of INVENES, notifying the BOPI of entries and registrations, firmly establishing the electronic administration of these backoffice functions.

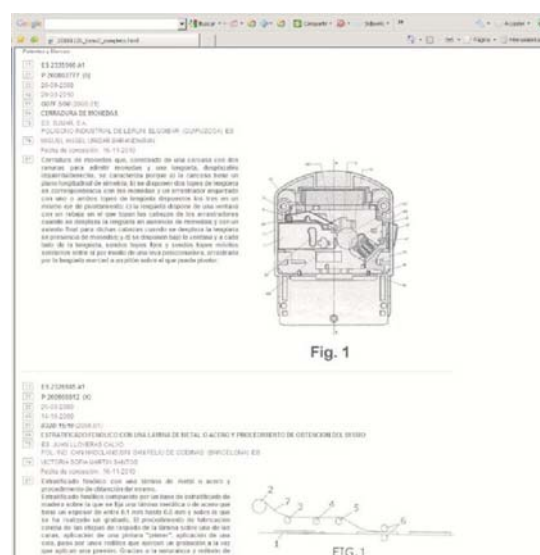
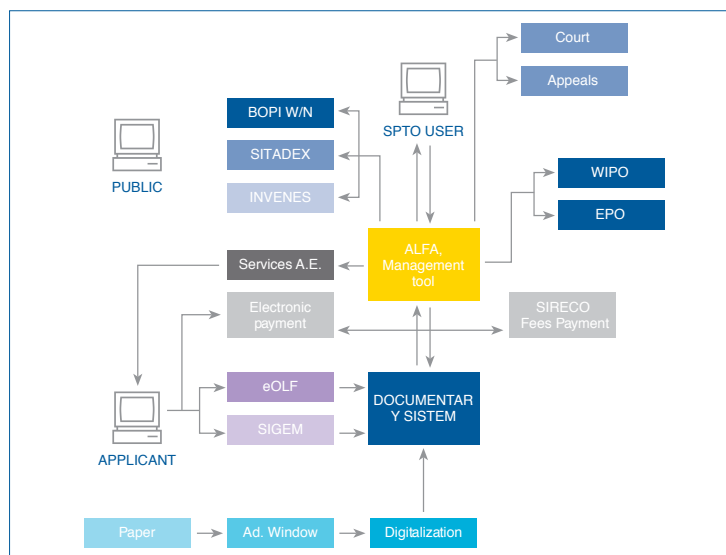
Subsequent to the implementation of ALFA, another key project is the new BOPI publication system, done completely in-house without the involvement of outside companies in its creation. The three volumes are presented each day in different formats (PDF, XML, HTML and ZIP), with document search and verification capabilities.

During 2010 a **new WEBSITE** was prepared, featuring greater integration and a more ergonomic approach. It is scheduled to be unveiled in early 2011.

In 2010 a **new programme for online application for registration of trademarks and trade names** was implemented, offering notable advantages over its predecessor, as it allows case files to be saved with their data in order to be sent when decided by the user of the service; the application's screen display is very similar in format to the paper registration application form. The programme now has a more advanced interactive help section, along with explanatory notes in the text of the form to help the applicant avoid the most common errors.

The SPTO been very active in cooperating with the Office for Harmonisation in the Internal Market, OHIM, with priority focus on two projects: **FILL-UP** and **TMVIEW**.

FILL-UP allows users to check the English translation of some 100,000 terms ordered by classes according to International Classification of Goods and Services under the Nice Agreement; this programme gives its users access to a centralised source of all of the lists of goods and services for trademark registrations offered by the European Union national offices participating in the project.



**The inclusion of Spanish trademark and trade name data, brings the total number of trademarks accessible via TMview to over five million.**

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**TMView** has been developed in cooperation with the Office for Harmonisation in the Internal Market (OHIM), and includes information on Spanish trademarks and trade names in force (applications and registrations). It provides free access to trademark data of the OHIM, WIPO and the national Industrial Property offices of the United Kingdom, Czech Republic, Denmark, Italy, Benelux countries, Portugal and Spain. Upcoming additions include trademark data from Estonia, Slovenia, Slovakia and France, with eventual inclusion of all 27 European Union Member States.

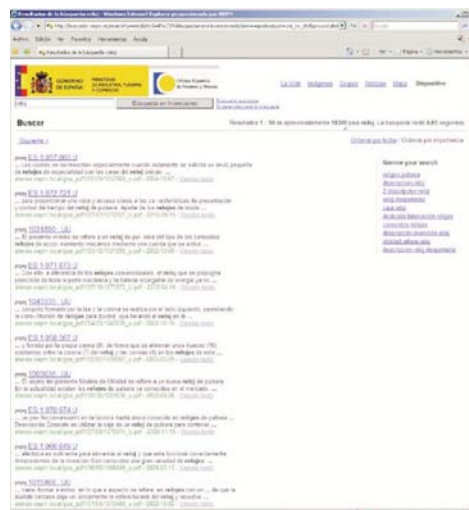
**The inclusion of Spanish trademark and trade name data, approximately one million, brings the total number of trademarks accessible via TMview to over five million.**

A new feature added to the electronic processing area is a trademark application service using Adobe forms. The **SIGEM** tool has been adapted to be able handle individualised procedures and been integrated with electronic payments.

Reception of paper documentation has been improved by the **ALTERA** project, which allows applications to be digitised "at the window" in order to allow subsequent their storage, recording and processing with support tools that ease the work of the recording department.

Search services were enhanced in **INVENES** through a more ergonomic presentation of the information. Automated translation was introduced in **LATIPAT**, boosting the international permeability of the database of Spanish-language patents. And we may call attention to the pilot indexing of the PDF-format files of Spanish patents with the Google search engine, allowing near-full-text searches with the familiar Google look and feel.

**15% reduction of the free for applications submitted via the electronic Register**





## Strengthening the Regional Industrial Property Information Centres in the Autonomous Communities

The European Patent Office (EPO) has detected the need for European PATLIB centres to evolve and offer services that are better suited to the current needs of users of the patent system. This goal has spawned a 3-year pilot project to train a certain number of PATLIB centres so they can establish new patent information services.

The project envisages activities such as:

- training courses on searches
- preparing patent reports
- analysing patent statistics
- observatory reports
- economic potential of inventions

The regional centres selected in Spain are: the Andalusian Agency for Innovation and Development (Agencia de Innovación y Desarrollo de Andalucía ó IDEA) and the La Rioja Development Agency (Agencia de Desarrollo de La Rioja ó ADER).

## Cooperation Agreements

- **Agreement with OPTI:** performance of the function of Permanent Secretariat of the Patent Innovation Forum by OPTI and joint production of the Technology Watch Bulletins in different technology sectors (Aquafarming, Footwear, Biotechnology applied to the agrofood industry, New products technology applied to the agrofood industry, New food conservation technologies, Metal-mechanical sector, Plastics processing sector, Biomass and New Foods)
- **Agreement with CDTI:** as in previous years, Technology Watch Reports were compiled based on patent applications filed abroad by Spaniards.

**Work continued on preparing Patent Technological Reports under the existing agreements with:**

- CSIC
- EADS
- ENISA and CIEMAT
- **Agreement with the Patent Centre of Universidad de Barcelona** for joint conduct of training and awareness activities.
- **Agreement with Andema-Higher Council of Chambers.** Under this accord with the National Association for Trademark Defence (Asociación Nacional para la Defensa de la Marca - ANDEMA) and the Higher Council of Chambers of Industry, Commerce and Navigation, a total of 22 conferences were organised on the protection of intangible assets.
- **Cooperation Agreements with the Universities of Jaén, Alicante, Santiago de Compostela, Universidad Autónoma de Barcelona and with the Politécnica.**

# Internationalisation

# 02





“A company's international growth requires an efficient and reliable system for protecting Industrial Property that allows the business to make a return on its investments and position itself advantageously with respect to its competitors”.

**Domingo Ureña Raso**  
Chairman of Airbus Spain

The aim of this core strategic line of action of the Plan PI for Promotion of Industrial Property in Spain 2010-2012 is to strengthen the use of IP by Spanish businesses as a tool for entering international markets.

Some of the more noteworthy activities of the year included:

## Subsidies for the promotion of patent applications outside Spain

The SPTO PROMOTES international protection of Spanish innovations as a means of exploiting our technology and fostering its transfer. In 2010 a new programme was opened to subsidise patents inside Spain for SMEs and individual inventors.

In order to lighten the administrative burden for persons seeking this aid and streamline the procedure for evaluating the applications, the filing and processing of the subsidies has been done completely online.

During 2010 the SPTO allocated a total of €3,260,576 to the Programme of Aid for the foreign protection of Spanish business innovations, a 22% increase over the previous year's total of €2,672,347.22.

First granted in 2006, these subsidies help Spanish companies and institutions overcome the main barriers they may encounter when seeking to protect their innovations in other countries. SMEs and individual inventors are awarded grants covering up to 90% of fees and translation costs, with up to 80% coverage for other applicants like universities, government agencies, large corporations, etc.

In the 2010 call for applications for this aid, a total of 712 subsidies were granted in respect of 2,516 inventions.

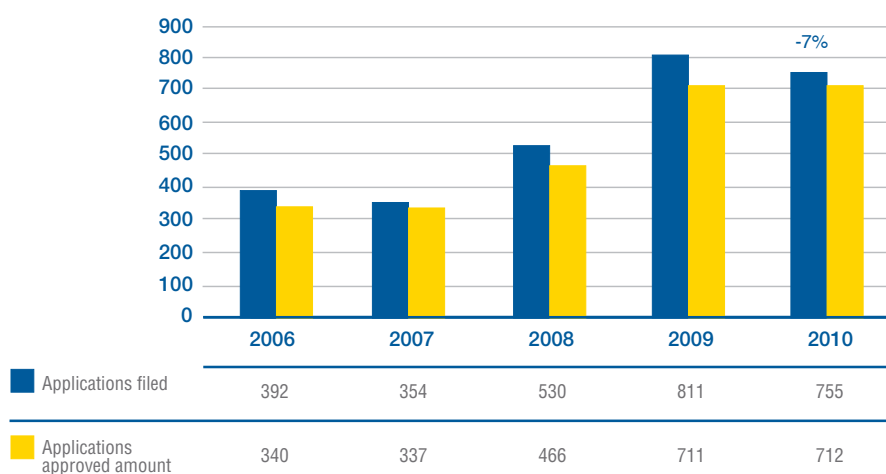
During 2010 the SPTO allocated a total of 3,260,576€ to the Programme of Aid for the foreign protection of Spanish business innovations, a 22% increase over the previous year's total of 2,672,347.22€.

712 subsidies were granted.



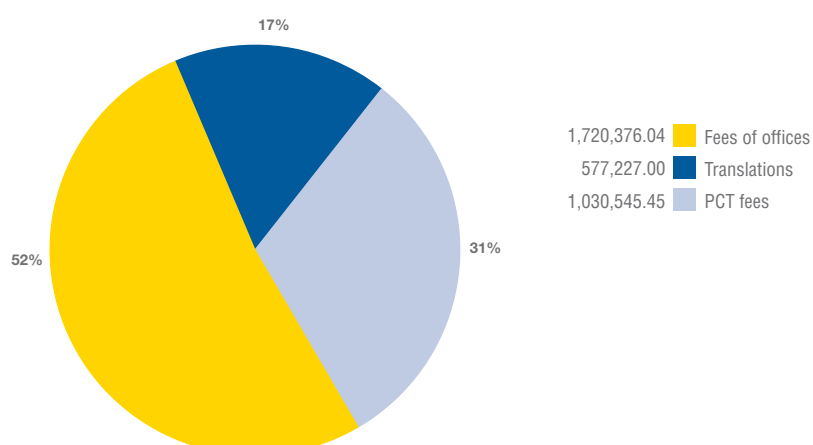
The following figure depicts the number of applications and the aid granted over the last five years:

### Applications



Shown below is the distribution by type of aid: 17% for translations, 31% for PCT processing and 52% for proceedings before foreign or Spanish regional offices.

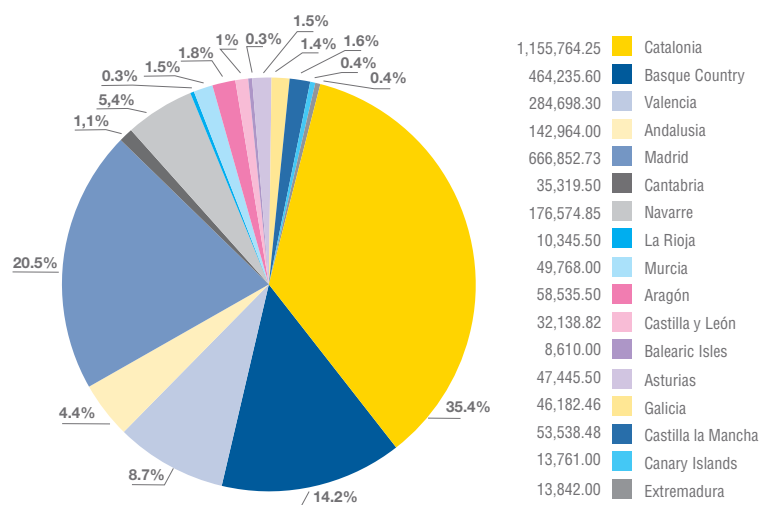
### Amount by type of aid - International (2010)



It bears noting that some 18% of applicants used the European Patent System to extend their inventions, followed by 13% who used the PCT International System to protect their inventions in different countries around the world. Some 7% of applicants extended their protection to the United States, 4% to China and to Brazil and 3% to Japan and Canada.

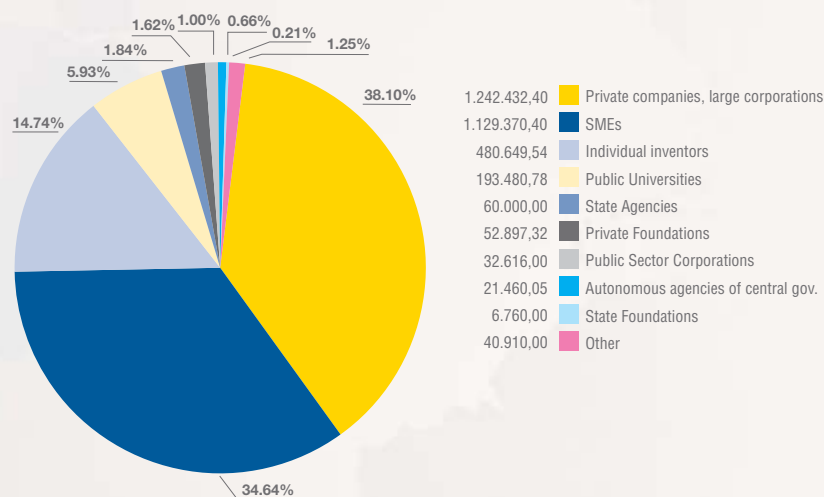
The six Autonomous Communities that received the largest percentage of subsidies were: Catalonia (35%), Madrid (20.5%), Basque Country (14.2%), Valencia (8.8%), Navarre (5.5%) and Andalusia (4.4%).

#### Distribution of aid by Autonomous Communities - International (2010)



The distribution by type of beneficiary was as follows: SMEs 34.64%, large companies 38.10%, individual inventors 14.74%, public universities 5.93%, government agencies 1.84%, with the remaining 4% distributed amongst government foundations, private foundations and others.

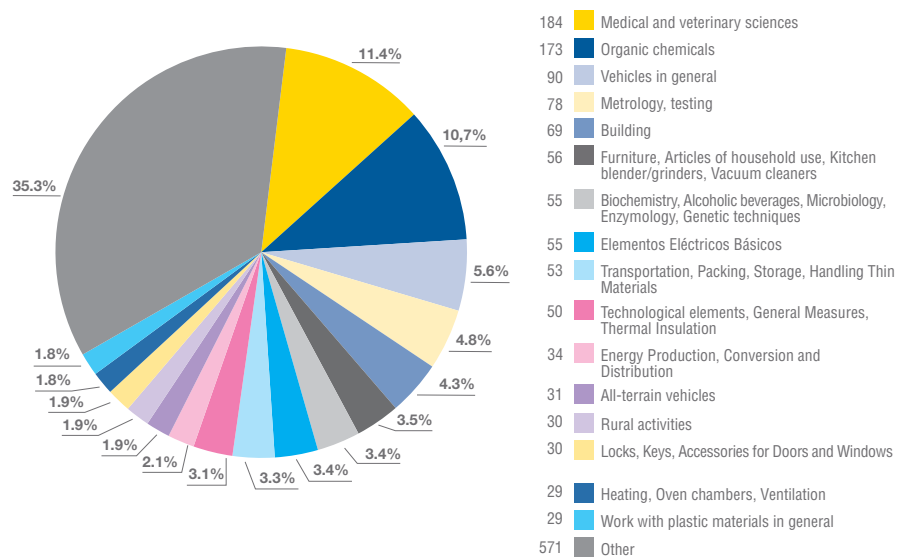
#### Amount by Type of Beneficiary - International - 2010





In term of distribution by technological sectors, the most important were: Medical or veterinarian sciences (11%), Organic chemicals (11%), Vehicles in general (6%), Metrology, testing (5%), Building (4%), Furniture, articles of household use (4%) and Biochemistry, microbiology, enzymology, alcoholic beverages (3%). Some 2.7% of the applications were for “green patents”, that is, in environmentally friendly technological sectors.

#### Number of Spanish Patents and Utility Models by Technology Sectors -International- 2010



## SPTO-CEDDET Foundation collaboration activities

The Fundación Centro de Educación a Distancia para el Desarrollo Económico y Tecnológico (Economic and Technological Development Distance Learning Centre Foundation - CEDDET), sponsored by the Ministry of Economy and Finance of Spain and the World Bank, has been working with the SPTO to organise and run distance-learning training activities primarily intended for staff of industrial property offices or professionals from related institutions in Latin America.

The goals pursued are to study the legal and technical aspects of the procedures for granting the different Industrial Property titles and the subsequent solution of conflicts in courts, share expertise and experience in the different systems for processing applications internationally and provide information to improve the tool for prior art searches in the case of patents.

The [course on Industrial Property](#) for judges and prosecutors consists of four class modules with a duration of seven weeks. It gives an overview of all Industrial Property categories, with special emphasis on judicial and procedural aspects and relevant case-law precedents.

Each edition of the courses is given to 30 participants selected according to the national industrial property offices, in the case of specific courses on patents and trademarks, and together with the network of general coordinators of supreme courts and councils of justice in Latin America, for the course addressed to judges and prosecutors. Notwithstanding the above, and even though they are mainly intended for civil servants working in government institutions, from one to five spots are reserved for university teachers and researchers, and for the private sector, which can access the course by paying a fee that is received directly from the CEDDET Foundation.

Since being started in 2004, this programme has provided training for more than 300 officials at industrial property offices, 55 judges, prosecutors and judicial official and around 50 beneficiaries from other areas relating to Industrial Property.



## Latin American Industrial Property Experts Network

The Network of Latin American Experts in Industrial Property is composed of the officers named by the participating Industrial Property Offices and by all participants in the online courses.

Its purpose, pursuant to the comprehensive training plan for staff at Latin American IP offices, is to create a permanent forum for its members as a means of expanding the shared knowledge base and constructing a portal for the SPTO's cooperation with Latin American countries.

The REI features diverse tools and sections, with information on the participants, up-to-date documentation for the online courses, a bulletin board and calendar of events, electronic mail, forums, documentation centre, experience bank and news bulletin. It is used for short refresher training courses, online talks by experts, a digital magazines and to organise work groups.

At present, the REI has **623** members from various countries, led by Argentina, Mexico and Ecuador.

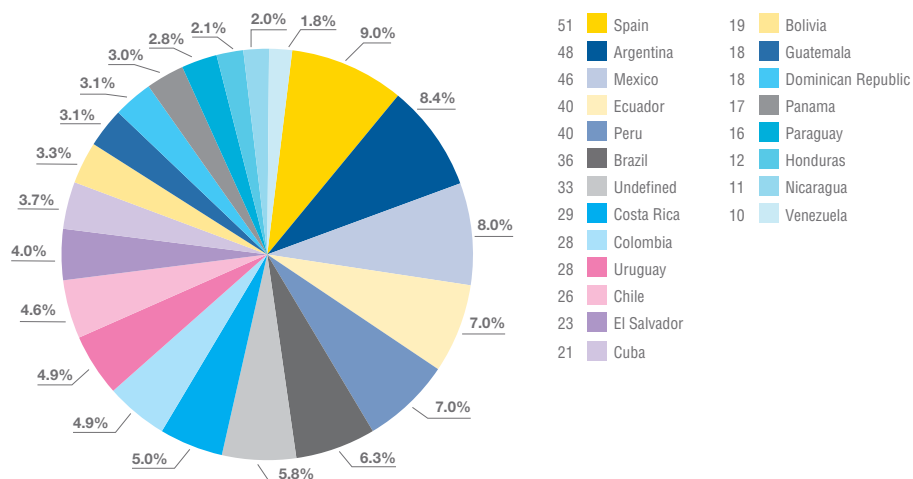
During 2010, the general training carried on by the REI was also accompanied by the following activities:

- Release of issues 6 and 7 of the digital magazine.
- **6 thematic forums** on “Registration procedure in Spain”, “Legal remedies for breach of time limits”, “Our offices: best practices and relations with national system of innovation”, “Agent trademark”, “Notorious and reputed trademarks” and “grants, rejections, relinquishing of patents in Latin American countries”.
- **2 forums of experts** on “Technology transfer” and “The Trademark Law Treaty (TLT) and its application in signatory countries”
- Continuation of the working group known as the “**Subregional Group of Patent Experts of Central American Countries and the Dominican Republic**”, set up as a virtual forum for carrying on coordinating activities and work in the region. A key part of its mission is to serve as a channel for communication and discussion to incorporate revisions, amendments and updates to the Manual of Organisation and Examination of Invention Patent Applications of the Industrial Property Offices of the Countries of the Central American Isthmus and the Dominican Republic. The manual is the fruit of the cooperation and work carried out with the support of the WIPO, the SIECA, the EPO, the IMPI of Mexico and the SPTO. The group uses the standard tools normally employed by the REI and has two permanent forums for communication, one open to the experts responsible for making decision and the other to a more general audience.
- **3 short training courses** on:
  - Madrid System
  - PCT System
  - Industrial Design

## CHART WITH NUMERICAL SUMMARY OF 2010

Category	Number	Activity
Long courses	3	Management and evaluation of patents Management and evaluation of trademarks IP for judges and prosecutors
REI short courses	3	PCT Madrid System Industrial design
REI thematic forums	6	Registration procedure Remedies for breach of time limits Best innovation practices Agent trademark Notorious and reputed trademarks Patent awards and rejections
REI expert forums	2	Technology transfer TLT and its application in signatory countries
REI digital magazine	2	1 <sup>st</sup> half year 2 <sup>nd</sup> half year

## REI in Industrial Property 2010, distribution by countries



## CIBIT Programme

The CIBIT Programme, Latin American Cooperation in International Patent Searches, had six patent examiners in 2010 in the Mexico, Cuba, El Salvador and Uruguay offices.

The purpose of the programme is to train Latin American patent examiners in the search methodology and familiarise them with technology information services.

## 20<sup>th</sup> Ibero-American Summit of Heads of State and Government

The 20th Ibero-American Summit of Heads of State and Government was held on 3 and 4 December in Mar del Plata.

Organised under the slogan “[Education for Social Inclusion](#)”, the meeting concluded with the approval of a Programme of Action spanning diverse spheres, including industrial property. The Heads of State and Government therefore once again called attention to and supported the Study of Industrial Property commissioned by the previous summit held in Estoril, Portugal to the Secretariat of Ibero-American Summits, SEGIB.

The study is focused on promoting information exchanges through public databases in Spanish and Portuguese, further development of existing skillbuilding activities and the promotion of technology transfer.

The study should involve Industrial Property Offices as well as the academic and research community, business world and SMEs. It should also serve as the basis for defining a future Ibero-American cooperation project on these matters.

## Visits to the SPTO

A highlight of the institutional cooperation maintained by the SPTO with Latin American industrial property offices in 2010 was the visit by the Director of the National Industrial Property Office of Dominican Republic and by staff from the Department of Industry and Commerce of Colombia.

Another nine visits to the SPTO were organised to maintain already existing collaboration or create new avenues for understanding, highlighted by visits from: Italian Patent and Trademark Office, British Intellectual Property Office, African Industrial Property Organisation, Japan Patent Office, Trade Office of Korea, State Administration for Industry and Trade of China, Ministry of Industry and Commerce of Vietnam, Polish IP Office and the Industrial Property Office of Taiwan.

## Patent Prosecution Highway (PPH) Agreements for accelerated patent awards

On 1 October 2010 the SPTO announced the launch and implementation of the **Patent Prosecution Highway (PPH)** Agreements, with three patent offices of great strategic weight: the Japan Patent Office (JPO), the United States Patent and Trademark Office (USPTO) and the Canadian Intellectual Property Office (CIPO). The PPH agreement was later signed with the National Board of Patents and Registration of Finland (PRH).



*Signing of PPH agreement with Japan*

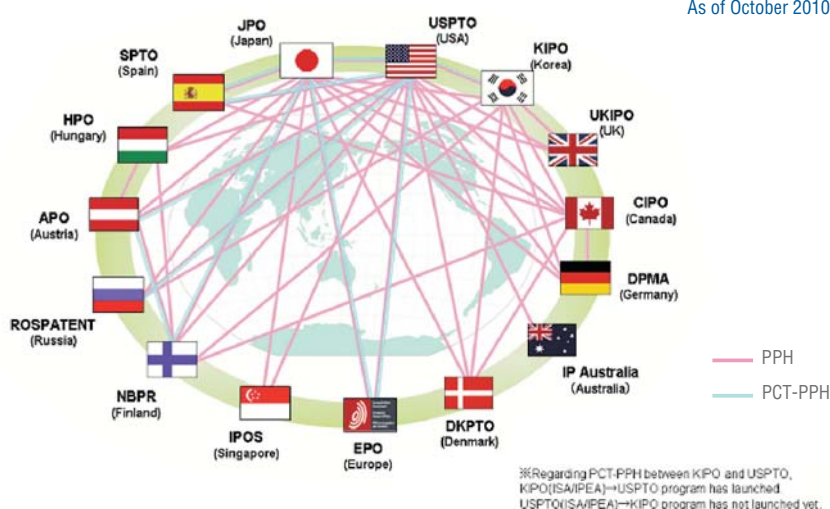
The Spanish Patent and Trademark Office has thus joined this innovative vanguard initiative that has been implemented by some of the leading offices in the IP world.

The initiative is part of the actions carried out by the Spanish Patent and Trademark Office as part of **Plan PI** for **Promotion of Industrial Property in Spain** 2010-2012, approved by the Spanish Council of Ministers on 23 April 2010.



## PPH Network

As of October 2010



The Patent Prosecution Highway is a tool for internationalisation and work-sharing, which uses bilateral agreements as a basis for sharing the results of the work already done by signatory offices in order to streamline patent award procedures.

With this new instrument, the office of first filing that examines an invention's patentability can convey to the office of second filing the search reports and preliminary examinations regarding its novelty and inventive step prepared by its examiners. This allows applicants who seek to protect their inventions in the two jurisdictions from having to repeat the work in each, as has been the case to date.

**From the administrative standpoint, the arrangement brings gains in efficiency and shortens the time it takes to examine patents.**

**For applicants, speeding up the registration procedure means patent protection can be brought into force more quickly.**

Spanish companies can therefore achieve fast-track protection of their technology in Japan, USA and Canada, which will presumably have a favourable impact on Spanish industry and facilitate trade in their technological products.

And Japanese, US and Canadian patents will likewise be afforded the same treatment in Spain.

The PPH system is built on two pillars: first, the emphasis placed by the signatory governments on supporting the overseas operations of their industries. Second, the PPH is based on mutual confidence in the quality of the technical work done by the participating patent offices and, specifically, of their examiners. Without that perception of quality this work-sharing initiative would not be as appealing and the technical reports would not be "exported" to other countries.

**From the administrative standpoint, the arrangement brings gains in efficiency and shortens the time.**

**For applicants, patent protection more quickly.**

### Extension to the Patent Cooperation Treaty (PCT)

All of the above can be extended to PCT products. In other words, a PCT applicant who designates the SPTO as international searching authority or international preliminary examining authority and has obtained a positive report on patentability, will benefit from the fast-track procedure in the USA and Japan IP offices when entering the national phase in those countries. This does not apply to Canada, as the PPH agreement with that country only applies to national applications.

- PPH with Japan: link to JPO website  
[http://www.jpo.go.jp/torikumi\\_e/t\\_torikumi\\_e/patent\\_highway\\_e.htm](http://www.jpo.go.jp/torikumi_e/t_torikumi_e/patent_highway_e.htm)
- PPH with the United States: link to USPTO website  
[http://www.uspto.gov/patents/init\\_events/pph/index.jsp](http://www.uspto.gov/patents/init_events/pph/index.jsp)
- PPH with Canada: link to CIPO website [http://www.cipo.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/h\\_wr02160.html](http://www.cipo.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/h_wr02160.html)

### Funds in Trust (FIT)

In 2010, the strategies guiding the projects were:

- Dissemination and support of Intellectual Property protection systems in especially sensitive areas.
- Preparation of guidelines and mechanisms for harmonising Intellectual Property implementation and management.
- Cooperation in institution building and skillbuilding activities.
- Dissemination and use of information technology and automation.
- Translation and promotion of the use of Spanish in WIPO publications.

### IMEX 2010

The SPTO participated in IMEX 2010, the international business fair and forum for exchanges between representatives of the Spanish and international business communities, with special focus on support for SMEs embarked on internationalising their businesses.

The principal objective is to promote growth of Spanish companies and foster their international growth, improving their competitiveness and supporting their success in other markets by providing them with broad knowledge of business opportunities in international markets.

## International activities for results “in quality”

- Participation in the PCT-WIPO quality working group.
- Conferences on Strategic Planning and Quality and Latin American Industrial Property Offices in collaboration with the WIPO and AECID in Antigua, Guatemala.
- Participation in the AENOR working group for international revision of the Technology and Environment Watch Standard 166006:2006.



## Spanish Presidency of the European Union. Measures for improving the protection of Industrial Property rights.

The plan of action for the Spanish Presidency envisaged greater advances in relation to the objectives and actions for cooperation between Member States in the fight to safeguard industrial property, as stated both in the Council Resolution of 25 September 2008 on a comprehensive European anti-counterfeiting and anti-piracy plan, and in the communication from the Commission to the Council, the European Parliament and the European Economic and Social Committee of 11 September 2009 titled “enhancing the enforcement of intellectual property rights in the internal market”.

That initiative crystallised in the [Resolution of the Competitiveness Council of 1 March on the enforcement of intellectual property rights in the internal market. The most important points in that resolution were that the Council:](#)

- Invites the Commission to elaborate further on the tasks and role of the Observatory, supporting its activity through existing institutional structures and acting through the plenary or through working groups on an ad hoc basis.
- Calls upon Member States to develop national anti-counterfeiting and anti-piracy strategies and to establish transparent coordination structures in this field.
- Invites the Commission to work on developing a common methodology for obtaining comparable and compatible data on counterfeiting and piracy.
- Promotes the pursuit of European public awareness campaigns regarding the risks and harm caused by activities that infringe these rights, with the financing to be decided in the Observatory.
- Invites the Commission to take up an analysis of the application of Directive 48/2004/EC, including an assessment of the effectiveness of the measures adopted there and possible proposal of amendments to the Directive.
- Notes the importance of simplifying the cross-border enforcement of judicial decisions in order to ensure an effective Intellectual Property rights protection, and of a future review of the Brussels I Regulation.
- Invites the Commission to resume the work on presenting an amended proposal for the Directive on harmonisation of criminal measures aimed at combating the infringement of these rights.
- Establishes that the Observatory will compile a catalogue of best practices in public and private sectors and codes of conduct in private sectors.
- Promotes the establishment of a European network for administrative cooperation in this field, with a view to ensuring rapid exchanges of information and mutual assistance among the competent authorities of each Member State.
- Establishes that the Observatory will publish an Annual Report on the scope, scale and principal characteristics of [counterfeiting and piracy at the European scale](#).
- [Invites the Commission to ensuring appropriate levels of protection of Intellectual Property in both bilateral and multilateral international agreements](#) with due regard to the Union acquis.

<sup>1</sup> Directive 2004/48/EC of the European Parliament and of the Council of April 2004 on the enforcement of intellectual property rights.

<sup>2</sup> Council Regulation (EC) 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters.

## European trademark system

A European trademark system dossier was another of the priorities pursued by the Spanish Presidency in the Industrial Property field. In fact, the Programme of the Presidency proposed extending the commitments contained in the agreement reached by the Member States in September 2008.

During the course of the Spanish Presidency, there were adopted the [Conclusions on the future revision of the trade mark system in the European Union](#). Those conclusions provide that the Commission will present proposals for a review of Community legislation on trademarks that will include:

- The introduction of a specific provision to define the framework for cooperation between the OHIM and the National Offices.
- Making it explicit that harmonisation of practice and tools is an aim which all trademark offices in the EU should pursue.
- The creation of a legal basis for distributing an amount equivalent to up to 50% of the OHIM renewal fees to the National Offices, and that these funds be used for purposes closely related to the protection, promotion and/or enforcement of trademarks, including combating counterfeiting.
- The establishment of a clear legal basis for the involvement of the OHIM in trademark enforcement-related activities, including the fight against counterfeiting, in particular through fostering its cooperation with the National Offices and with the European Observatory on Counterfeiting and Piracy.
- Adoption of measures aimed at supporting the complementary relationship between the Community and national trademark systems.





## European Inventor Awards 2010

Some of the more notable actions carried out in connection with the Spanish Presidency of the European Union in 2010 were:

**The European Inventor Awards**, the European Patent Forum 2010 and the Anti-piracy Observatory and Forum, all of which were held in Madrid.

The European Inventor Award recognises all of the people behind the great ideas that shape our times. Set up in 2006 by the European Patent Office (EPO) and the European Commission, this award recognises outstanding **inventors from all over the world** working in diverse technical fields in all sectors (public, private, academic, etc), and is given in four categories:

- Industry
- SMEs/Research
- Non-European countries
- Lifetime achievement

The fifth edition of the European Inventor Award **gala ceremony** was held in Madrid on 28 April 2010, in an act organised by the European Patent Office, the European Commission and the Spanish Presidency of the European Union, in collaboration with the Spanish Patent and Trademark Office, and presided over by their Royal Highnesses the Prince Felipe and Princess Letizia of Asturias.



*European Inventor Awards 2010*

Also attending were the Spanish Undersecretary for Industry, Tourism and Trade, the President of the European Patent Office and the Director General of the Spanish Patent and Trademark Office.

For the first time in the prize's history, **there was a Spaniard on the list of nominees, Jorge Blasco**, a Valencian researcher who developed a system that allows people to connect to the Internet via standard electrical outlets.



# Heightened Legal Security and Protection

03



“The culture of Industrial Property has to be brought into the business world, both in relation to decision making and at the strategic level. This is the only way of creating and consolidating markets; the only way of protecting our entrepreneurial creations and avoiding possible infringement of third-party rights”.

**Manuel Torres**  
Chairman of MTorres Group

Adequate and effective protection of Industrial Property rights is essential for ensuring our country's technological, industrial and commercial development. No nation can achieve a proper level of economic and technological growth without a strong patent system, without effective protection of its trademarks and trade names and without fostering creativity by protecting designs and other innovations. Establishing a rigorous industrial property system is a powerful tool for economic growth, a system that must form part of a modern and efficient legislative framework for acquiring and maintaining Industrial Property rights.

Registering Industrial Property rights is of no use, however, unless there are assurances of their protection and enforcement. The credibility of a system of Industrial Property lies precisely how effectively that system applies and enforces those rights.

Along these lines, we highlight the following **developments in 2010** in the legal framework for IP protection:

## Anti-piracy activities

### Second meeting of the European Observatory on Counterfeiting and Piracy

On 10 June 2010, as part of the Spanish Presidency of the European Union, the **second meeting of the European Observatory on Counterfeiting and Piracy** was held in the Madrid Palacio de Congresos. This was the first meeting with joint presence of public authorities and private stakeholders. The meeting was attended by a total of 74 persons: 31 representative of the Member States, 33 private sector representatives, 3 observers and 7 representatives of the Commission.



*Meeting of the European Observatory on Counterfeiting and Piracy*

The inauguration was organised by the representative of the European Commission's Directorate General for the Internal Market. The issues analysed included the conclusions of the different studies and statistical reports from different European Union countries, sociological aspects of counterfeiting and piracy, and, specifically, consumer behaviour, cooperation between administrations and best practices.

## Forum on the Enforcement of Industrial Property Rights

On 11 June 2010, at the Standing Module of the Spanish Presidency of the European Union at the IFEMA grounds in Madrid, the Forum on the Enforcement of Industrial Property Rights was held, attended by a total of 111 persons, representing the Member States, the European Commission and private stakeholders.

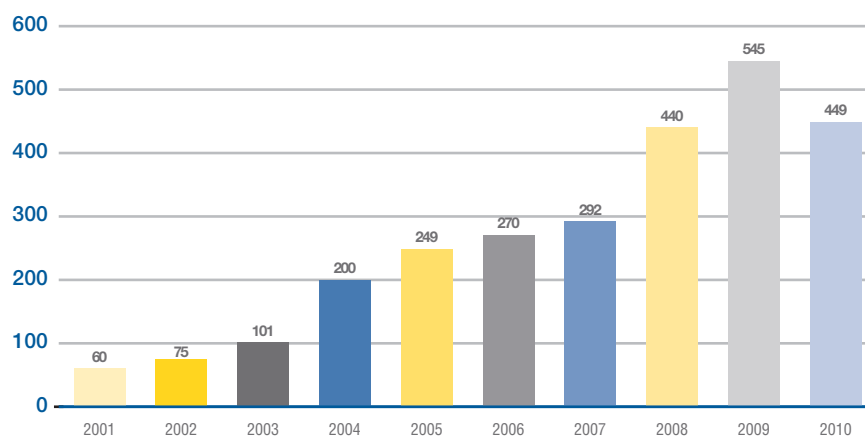


*Forum on the Enforcement of Industrial Property Rights*

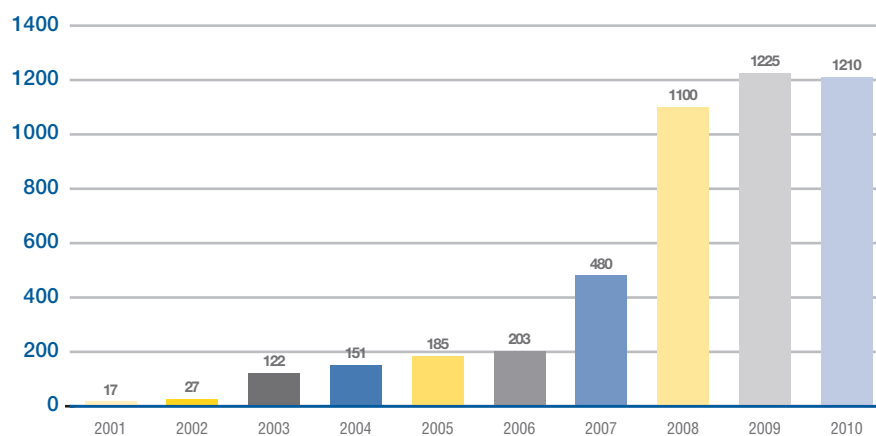
## Other anti-piracy actions

Activities supporting agents involved in combating industrial piracy and advising the general public

Information requested by police and customs authorities. Trend 2000-2010



Information requested by private individuals. Trend 2000-2010



### **Meetings of the Intersectorial Commission to act against activities that infringe Industrial Property rights**

On 21 October 2010 the headquarters of the Ministry of Industry, Tourism and Trade hosted a new meeting of the Intersectorial Commission to act against activities that infringe Industrial Property rights.

### **International and European Union activities**

Events held in relation to the fight against counterfeiting and the enforcement of Industrial Property rights during the Spanish Presidency of the European Union.

### **Training activities**

Three courses were given for national police authorities, with participation in a conference for prosecutors, focused on the new criminal regulation on counterfeiting and piracy after the reform of the Spanish Criminal Code carried out via Organic Act 5/2010 of 22 June 2010, which amended Organic Act 10/1995 of 23 November 1995 on the Criminal Code. The new Code came into effect on 23 December 2010. The reform was mainly focused on eliminating the criminal implications of parallel imports and the decriminalisation of the so-called top manta illegal street vendors in cases where the proceeds obtained are presumed to be less than €400.

### **Presentation of the statistical study of 2009 interventions by law enforcement agencies: Industrial and Intellectual Property**

On 22 July 2010, at the Ministry of the Interior headquarters, the Report de "Intellectual and Industrial Property Interventions by Spanish law enforcement agencies in 2009" was made public in a presentation by representatives of the Ministry of the Interior; Ministry of Industry, Tourism and Trade; Ministry of Culture and of the Spanish trademark defence association ANDEMA.

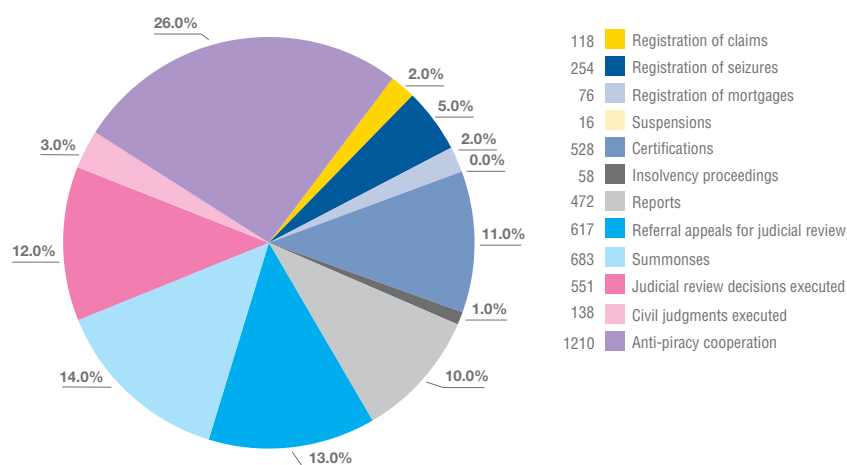


## Activity of the Spanish Patent and Trademark Office in its relations with the Justice Administration and with other public authorities

### Activity of the Service for Coordination with the Justice Administration

The Service for Coordination with the Justice Administration saw a notable rise in 2010 in the registration of insolvency proceedings, seizures and mortgages; whereas the production of reports, issuance of certifications and other activities of this Service stayed close to the previous levels, as depicted in the accompanying figure.

#### Activities of Area for International Coordination and Relations with Courts except for institutional, training and cooperation activities (2010)





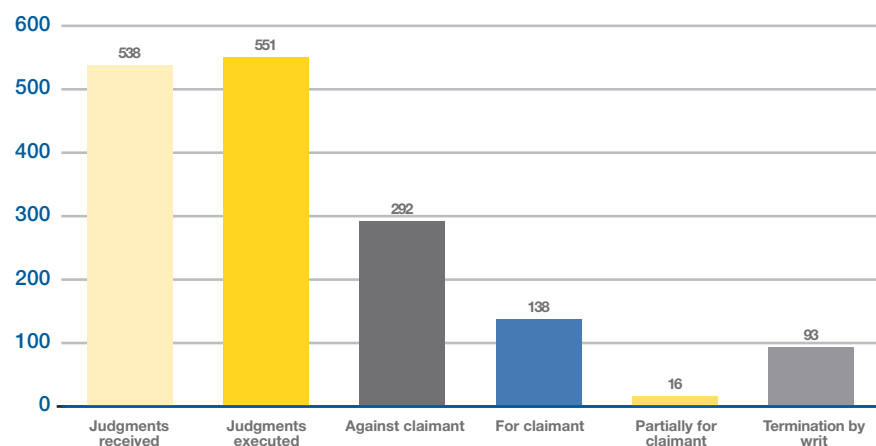
## Activity of the Relations with the Justice Administration Service

The increase in the volume of activity carried on by this Service was mainly due to enforcement of 551 judgments in disputed proceedings.

Other activities included service of summonses and referral of case files to high courts of justice, both in respect of judicial review proceedings.

The difference between decisions upheld and overturned, which can be seen in the figure below, underscores the high regard in which the resolutions handed down by the SPTO are held by the courts of justice.

### Activity of the Relations with the Justice Administration Service



## Lawmaking Activity

The main areas addressed by new lawmaking activity in Industrial Property matters during 2010 were in relation to the registration of modifications of rights in the Register of Patents, the rules governing Industrial Property agents and e-Administration.

1. Royal Decree 245/2010 of 5 March 2010, amending Royal Decree 2245/1986 of 10 October 1986, which approved the Regulation implementing the Patent Act 11/1986 of 20 March 1986. The main novelties are:

- a) Entry of modifications of rights in the Register of Patents adapting the relevant regulatory provisions to the new legal framework, which brings the said documentary requirements into line with those established in the national and EU legislation on trademarks and industrial designs, for which purpose the filing of a private document is sufficient.
- b) Regulation of Industrial Property agents establishing measures to simplify the current rules on taking up and exercising service activities, which include those carried on by Industrial Property agents.

2. Order ITC/2505/2010 of 22 September 2010, which regulates recognition of the professional qualification of European Union citizens to operate as an Industrial Property agent in Spain.

This Order represents the implementation for Industrial Property agents of Royal Decree 1837/2008 of 8 November 2008, which transposed into Spanish law the Community Directives on recognition of professional qualifications, as well as certain aspects regarding exercise of the profession of lawyer.

3. Spanish Patent and Trademark Office resolution of 9 March 2010 creating the virtual office (Electronic Head Office) of the Spanish Patent and Trademark Office.

The site, available at «<https://sede.SPTO.gob.es>», gives applicants a single access point for all online services and procedures, in accordance with the provisions of Act 11/2007 of 22 June 2007 on electronic access of citizens to public services. The resolution also regulates certain aspects of the publication Boletín Oficial de la Propiedad Industrial on this virtual office.

4. Spanish Patent and Trademark Office resolution of 23 June 2010 creating the Electronic Register of the SPTO.

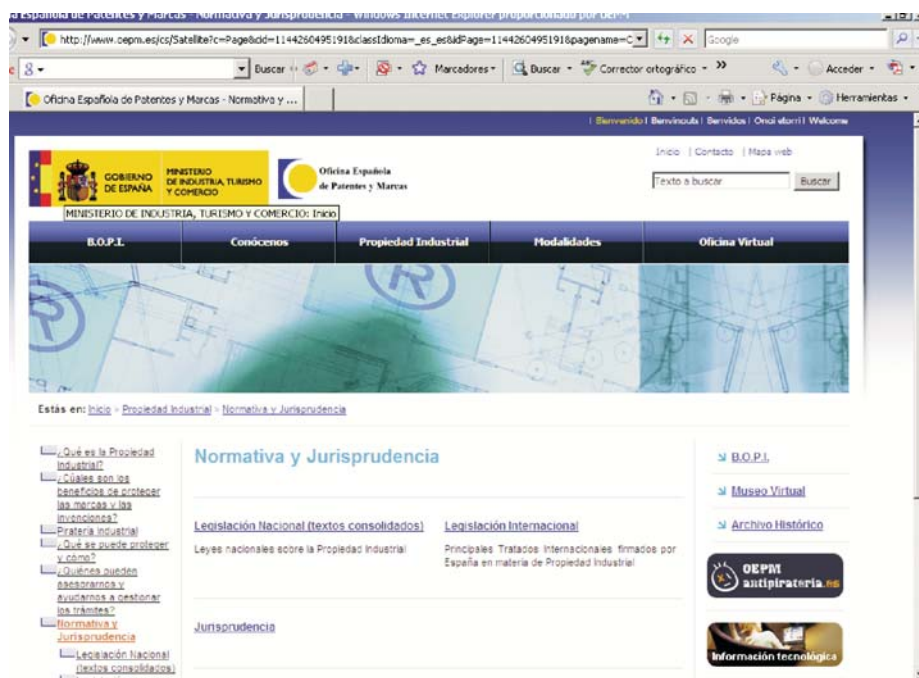
The resolution regulates the functions of the electronic register, the documents that can be submitted their, the events in which its functioning may be interrupted and the consequences of such interruptions, the operating days and hours and the rules on computing time periods.

## New section of the SPTO website: “Case-law”

The Spanish Patent and Trademark Office now offers a new online service consisting of a database of **Case-law** precedents on Industrial Property matters, free of charge. The Case-law Database will contribute to enhancing the awareness and protection of Industrial Property rights.

The content of the database consists of judgments handed down on administrative, civil and commercial matters by the Spanish Supreme Court, provincial appellate courts (Audiencias Provinciales) and High Courts of Justice. The database contains decisions from 2007 to the present and will be updated periodically.

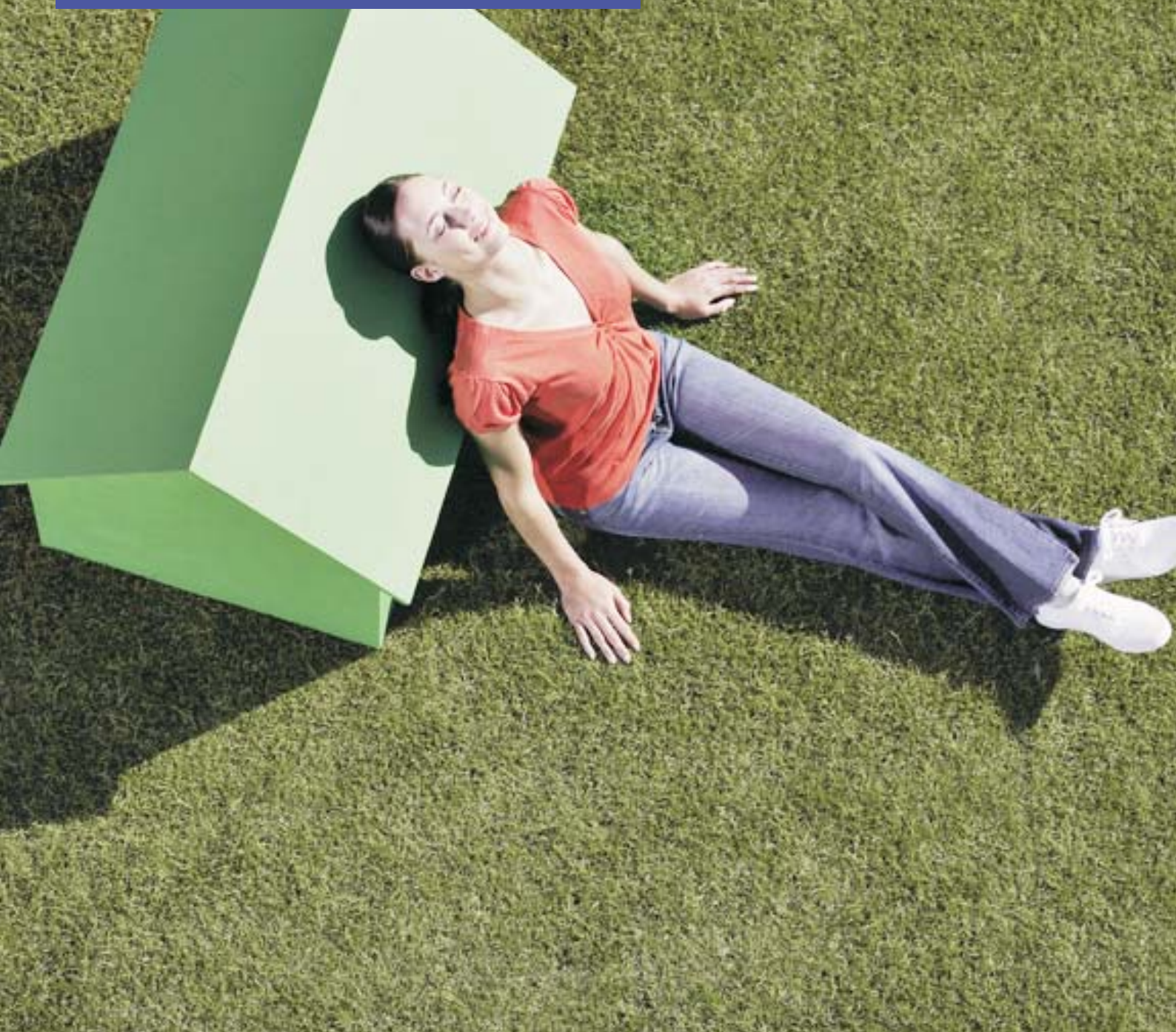
The database has an intuitive and practical design that supports different search options, with summaries, key words and assessment of the importance of the judgments. No doubt, this will be an invaluable research and work tool.





# Green Industrial Property

## 04





“Countries that commit to a sustainable economy based on knowledge and innovation make intensive use of the patent system, especially in technologies related with climate change”.

**Ramón Comellas**  
Chairman of Circutor

The OECD ranks Spain as the world's sixth largest generator of renewable energy patents.

The predominant “green patents” in Spain are for technologies in the solar and wind energy fields.

A 2009 CERNA study titled "Technology Transfer and Climate Change" ([http://www.cerna.ensmp.fr/index.php?option=com\\_content&task=view&id=192&Itemid=288](http://www.cerna.ensmp.fr/index.php?option=com_content&task=view&id=192&Itemid=288)) concluded that Spain, together with the USA, Germany, Japan and Austria, is one of the five countries designated the most in green patents requested outside the country of origin of the patent. This reflects the dynamism of this sector in Spain and the attendant appeal of the Spanish market for international investors.

A clear and precise definition of the concept of “clean” or “green” technology is not easy, and refers to a cross-sector type of technologies that are present in a large variety of technical fields. In this regard, the OECD has identified a series of spots in the International Patent Classification (IPC) that cover a broad spectrum of green technologies.

The actions carried out by the SPTO in 2010 to foster innovation in this sector are described in the paragraphs that follow.

## Fast-track patent awards

This procedure favours and encourages innovators who conduct their research work in the green IP area.

A telling datum was that out of the total of 73 applications for fast-track award received in November and December of 2010, 17 were for green technologies.

## Aid for green patents

Green patents accounted for 6.38% of the total applications received in response to the national call to apply for this aid, and 2.66% in the case of the international call.





## Technology Watch Bulletins

In relation to the green IP sector, we call attention to the implementation in 2010 of two new bulletins:

### Electric cars

The Government of Spain presented on 6 April 2010 the Comprehensive Strategy for Promoting Electric Vehicles, with a horizon of 2014 and a set of measures to be implemented through a Plan of Action over the next two years to achieve the objectives charged in the Strategy.

Electric vehicles represent an industrial opportunity at a pivotal time for the automotive sector, with major technological, energy and environmental implications. By way of example, it will open a pioneering field in the development of software for recharging batteries and the development of intelligent networks.

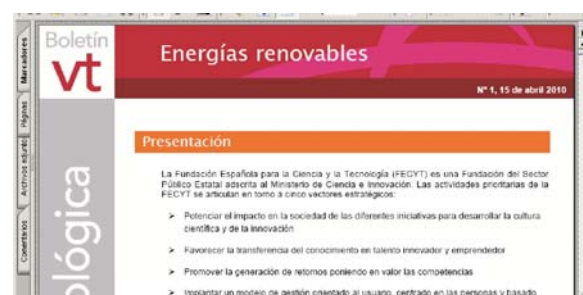
Within the objectives of PlanPI - Strategic Plan for the Promotion of Industrial Property, this technology sector forms part of the Strategy for a Sustainable Economy and seeks to make industrial property a key factor for innovation, competitiveness and future growth of the Spanish economy.



### Renewable energies

The Renewable Energies Technology Watch Bulletin: biomass, presents the results of publications relating to technologies for converting biomass into energy, the European projects being executed in this area and the level of participation by countries, together with the global patent situation in 2010.

This bulletin is prepared as a team effort by the OPTI Foundation, the Spanish Patent and Trademark Office and the Energy, Environment and Technology Research Centre (Centro de Investigaciones Energéticas Medioambientales y Tecnológicas - CIEMAT).



## European Patent Forum 2010

On 28 and 29 April, in conjunction with the European Inventor Award gala ceremony in Madrid at the Hotel Eurostars Madrid Tower, the **European Patent Forum 2010** was held, organised by the European Patent Office, the European Commission and the Spanish Presidency of the European Union, with the collaboration of the Spanish Patent and Trademark Office.

The Forum was inaugurated by the Undersecretary for Industry, Tourism and Trade and the President of the European Patent Office.

The slogan for the Forum was: **“Evaluating the potential of renewable energies in Europe”**. During two days, more than 300 delegates from all countries of Europe, the United States, Korea, China, and countries from other parts of the world emphasised the role of patents in relation to the threat posed by climate change.

The Minister of Industry, Tourism and Trade addressed the Forum on the 29th, stressing **the fundamental role to be played by patents if Europe is to emerge from the crisis** with renewed strength, with a knowledge-based economic model that is respectful with the environment and provides a high level of social and inter-territorial cohesion.

The conference saw the presentation of the first results of the study **Patents and Clean Energy**, jointly conducted by the **European Patent Office**, the **United Nations Environment Programme** and the **International Centre for Trade and Development**.



Industrial Property has to be made a key part of the Spanish economy as a means of boosting our competitiveness... The culture of protecting developments and improvements is largely absent from Spanish companies. That is what makes this sector a key for a sustainable economy model”.

**Alberto Casado**  
Director General of the Spanish Patent and Trademark Office

## Green Patents. The role of Industrial Property in the sustainable economy

The SPTO, in collaboration with the EOI, organised the conference on “Green patents. The role of Industrial Property in the sustainable economy”, underscoring the part played by green patents as a source of technological information and factor for maintaining the long-term competitiveness of our industrial sector. An analysis was also conducted of the study *Patented innovation in Spain in the sector of technologies that mitigate climate change (1979-2008)*, which examines the green technologies patented in Spain in 13 sectors and provides a series of recommendations and proposed measures.



Conference on “Green patents”

The Director General Manager of the Spanish Patent and Trademark Office discussed Plan PI 2010 - Strategic Plan for the Promotion of Industrial Property, describing it as an attempt to “project Industrial Property as a basic dynamic factor that strengthens the competitiveness of our economy”.



# Management Excellence

# 05



“Trademarks represent an indispensable mechanism for the functioning of a competitive system. It is the most valuable asset a company can have, as it condenses all of its good work and the prestige achieved over years of effort”.

**José Luis Bonet Ferrer**  
Chairman of Freixenet Group

## The Spanish Patent and Trademark Office brings out a new Quality Certificate to complete its excellence model

The SPTO has maintained a **constant commitment to quality**, making it part and parcel of all its strategic plans of action, as reflected in Plan PI for **Promotion of Industrial Property in Spain** (2010-2012), approved in April 2010 by the Spanish Council of Ministers.

This commitment is seen in its concern for improving its human and material resources in order to adapt to the needs of its customers, in the adaptation of laws and regulations, in the establishment of new channels of communication with users of its services, etc.

In 2010 the SPTO continued phased extension throughout its entire organisation of the Quality Management system based on the ISO 9001:2008 standard. The key milestones along these lines were:

- Review of the existing service charters and creation of a new service charter for utility models.
- Renewal of quality certificates: ISO 9001:2008 certificate for the PCT Process and Information Technology Services, and certification of the Search Service's Technology Watch System to the UNE 166006:2006 EX standard.
- Expansion of the scope of ISO9001:2008 certification for the Quality Management System to Industrial Designs and to the Distinctive Signs Department. The ISO 9001 international standard is the most used quality management tool in the world, with nearly **one million certificates in 175 countries**.
- Improvement proposals in collaboration with the Departments involved. The most noteworthy achievements included a shortening of the time it takes for grant of all Industrial Property categories, especially industrial designs and utility models.
- Assessment of services: user satisfaction surveys for the services provided in distinctive signs and industrial designs.

These certifications make the SPTO one of the few IP Offices in the world holding quality certification for all of its procedures.

## Quality Programme in the SPTO

The SPTO's quality programme is an outgrowth of the commitments acquired in the framework of its relations with international institutions, and of the agency's directors' commitment to and awareness of the importance of confronting new challenges and pursuing continuous improvement.

The 2010 Quality Plan consisted in:

### Monitoring the SPTO's processes and its Strategic Plan

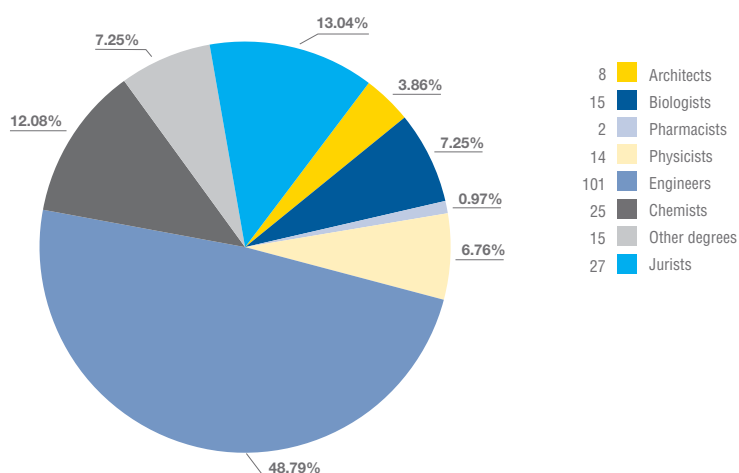
- Preparing a monthly report on the SPTO's Plan PI
- Designing and preparing an integrated command chart for the SPTO
- Applying the projections of Industrial Property applications expected to be received
- Preparing customised sector studies and reports: historical series (trends in trademarks, patents and utility models since 1979 ); Requests to other countries
- Maintaining and designing the Plan PI Portal with news, statistics and forums

## Human Resources

As part of our work of promoting a new image of the SPTO, in this section we present statistical data on the people who make it possible day by day for us to occupy our place as a modern agency that keeps abreast of the new technologies and provides an ever more efficient service to the public.

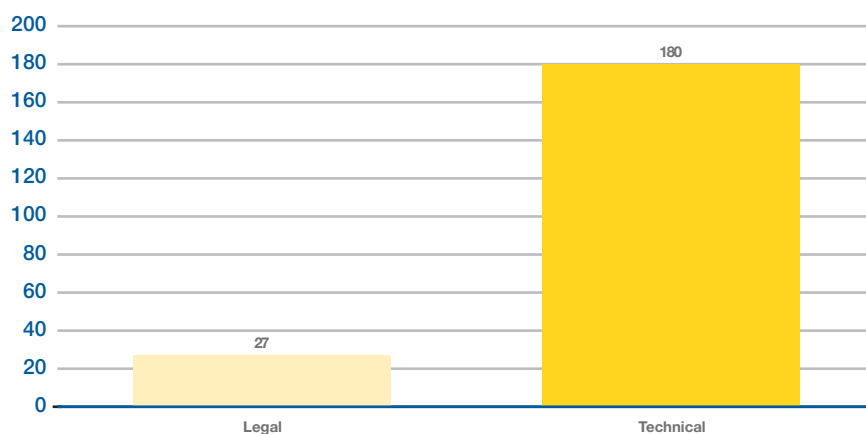
### HR: Distribution of specialised positions in the administration

Distribution of holders of higher degrees by speciality

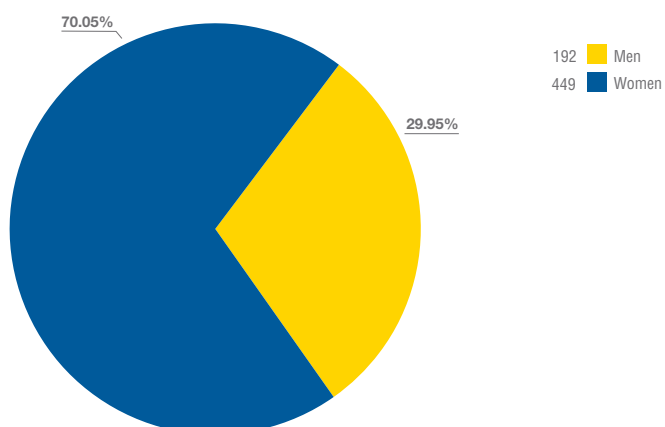




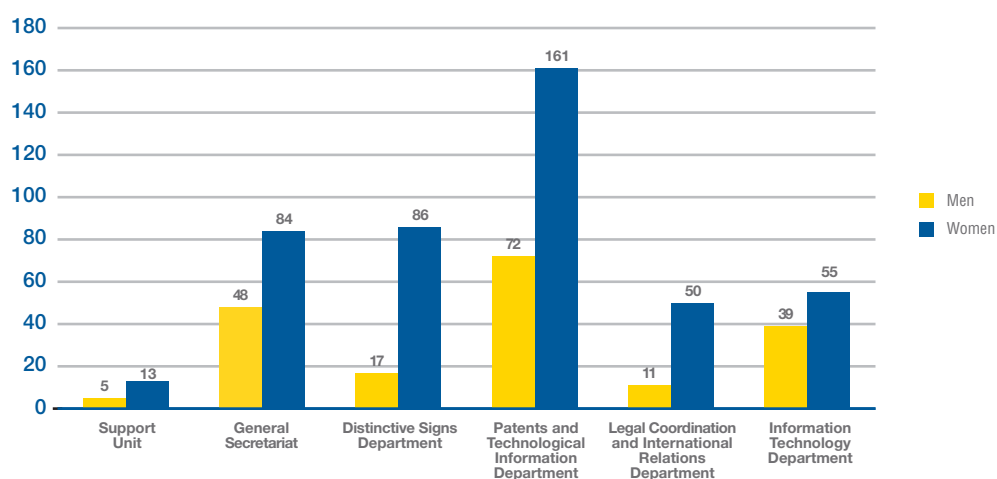
### Distribution of holders of higher degrees by administrative speciality



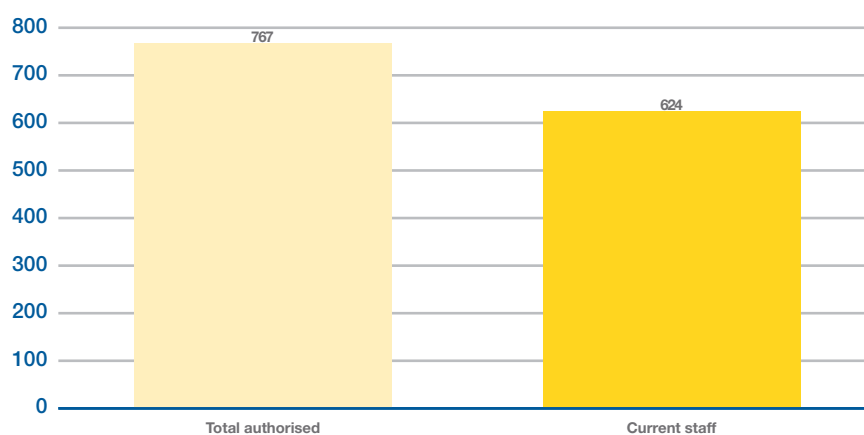
### HR: Distribution of staff by gender and department



### Distribution by Department



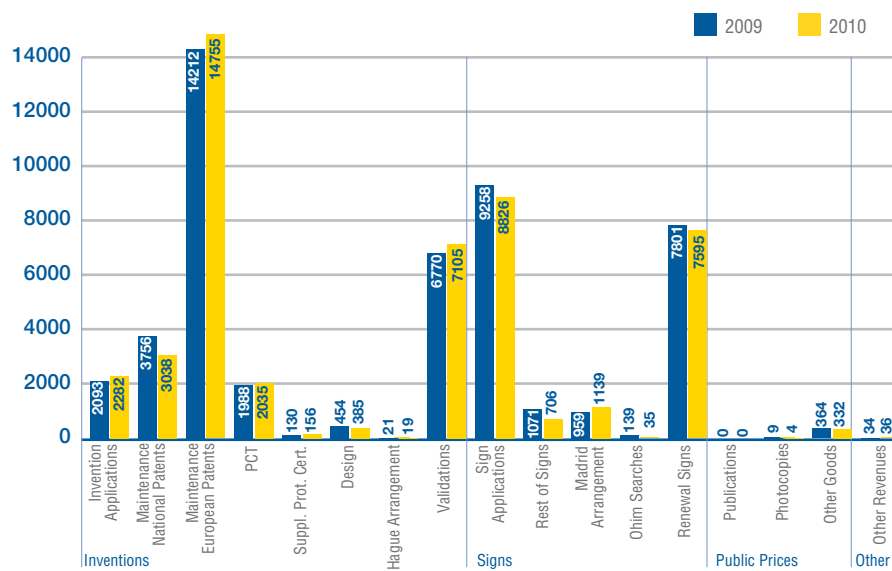
### HR: Authorised and current staff



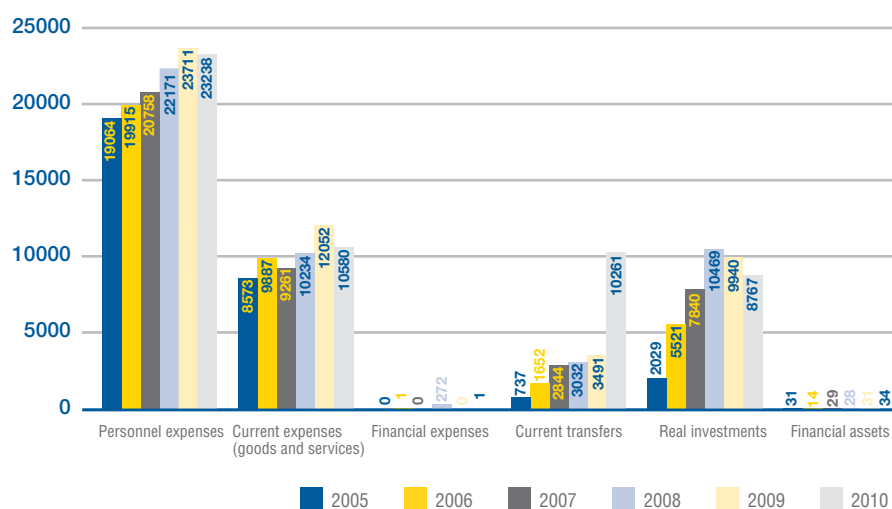
- Universidad Politécnica de Madrid scholarship recipients

A total of 20 scholarship recipients have conducted training internships in different units of the SPTO.

## Revenues from 2009 to 2010 (000s €)



## Expenditure from 2005 to 2010 (000s €)



**Annexes**

**06**



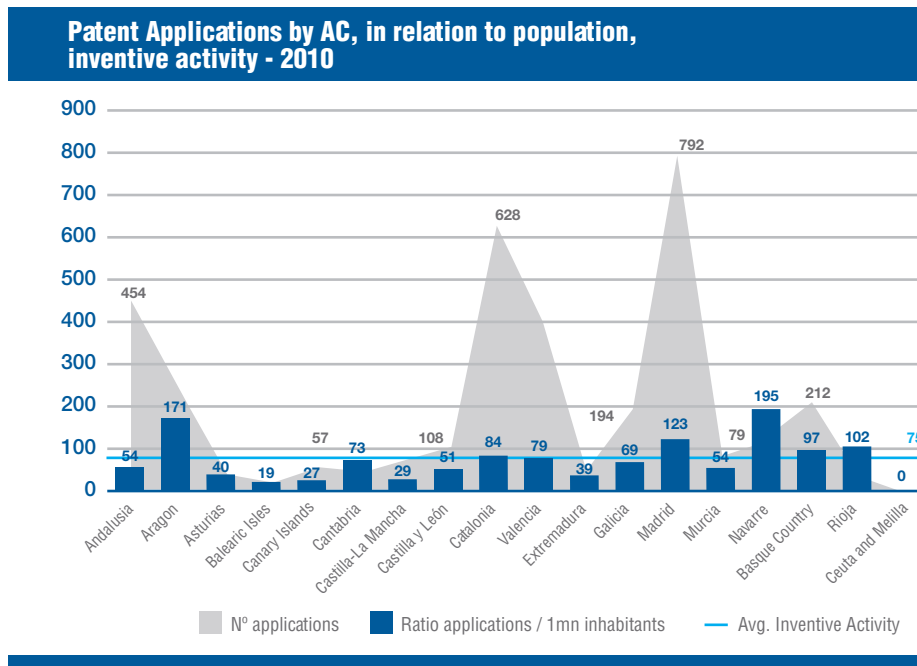


## 1. Statistical data on Industrial Property Categories

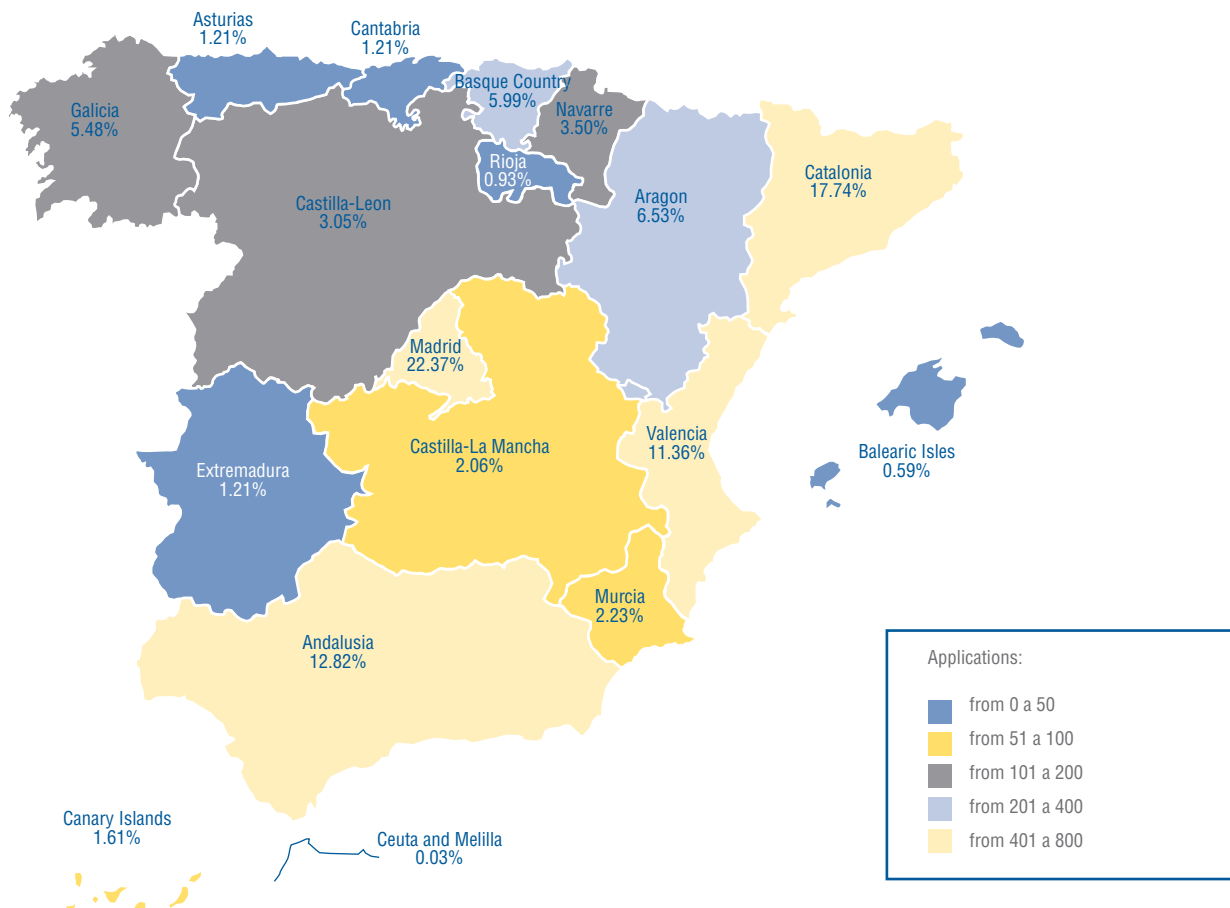
### 1.1 Patent Applications by AC. Inventive Activity

Patent Applications by AC, in relation to population, inventive activity - 2010							
AUTONOMOUS COMMUNITIES	APPLICATIONS			POPULATION		INVENTIVE ACTIVITY	
	NUMBER	% ANNUAL CHANGE	% OF TOTAL RESIDENTS SPAIN	NUMBER	% RESIDENTS/ TOTAL SPAIN	RATIO APPLICATIONS /1MN RESIDENTS	DEVIATION FROM AVERAGE
ANDALUSIA	454	0.22%	12.82%	8,370,975	17.80%	54	-28.0%
ARAGON	231	7.94%	6.53%	1,347,095	2.86%	171	127.8%
ASTURIAS (Principality of)	43	-21.82%	1.21%	1,084,341	2.31%	40	-47.3%
BALEARIC ISLES	21	-50.00%	0.59%	1,106,049	2.35%	19	-74.8%
CANARY ISLANDS	57	-6.56%	1.61%	2,118,519	4.51%	27	-64.3%
CANTABRIA	43	72.00%	1.21%	592,250	1.26%	73	-3.6%
CASTILLA-LA MANCHA	73	-5.19%	2.06%	2,559,515	5.44%	29	-62.1%
CASTILLA Y LEON	108	0.93%	3.05%	2,098,373	4.46%	51	-31.6%
CATALONIA	628	-4.70%	17.74%	7,512,381	15.98%	84	11.0%
VALENCIANA	402	2.03%	11.36%	5,111,706	10.87%	79	4.5%
EXTREMADURA	43	86.96%	1.21%	1,107,220	2.35%	39	-48.4%
GALICIA	194	12.14%	5.48%	2,797,653	5.95%	69	-7.9%
MADRID	792	-5.49%	22.37%	6,458,684	13.74%	123	62.9%
MURCIA (Region of)	79	-8.14%	2.23%	1,461,979	3.11%	54	-28.2%
NAVARRRE (Historic Charter Community)	124	13.76%	3.50%	636,924	1.35%	195	158.6%
BASQUE COUNTRY	212	1.44%	5.99%	2,178,339	4.63%	97	29.3%
RIOJA (LA)	33	3.13%	0.93%	322,415	0.69%	102	36.0%
CEUTA and MELILLA	1	0.00%	0.03%	156,613	0.33%	6	-91.5%
NOT GIVEN	2	-75.00%	0.06%				
TOTAL	3,540	-0.73%	100%	47,021,031	100%		
AVERAGE FOR SPAIN						75	

NOTE: Population base is taken from official municipal lists of residents updated at 1 January 2010 (R.D. 1612/2010, 7 December 2010)



### Patent Applications by AC - 2010





## 1.2 Top 10 Patent Applicants

Top 10 patent applicants - 2010		Top 10 utility model applicants - 2010	
RANKING	RESIDENTS	RANKING	RESIDENTS
1	Consejo Superior de Investigaciones Cientificas	1	Feribeco S.L.
2	BSH Electrodomesticos España, S.A.	2	Seat, S.A.
3	Universidad Politécnica de Madrid	3	Jane S.A.
4	Airbus España S.L.	4	Grupo Minor 9000 S.L.
5	Telefonica. S.A.	5	Lekue S.L.
6	Universidad de Sevilla	6	Televes, S.A.
7	Universidad de Santiago de Compostela	7	Fedur, S.A.
8	Porras Vila, Francisco Javier	8	Ovelar Merchandising, S.L.
9	Universitat Politècnica de Catalunya	9	Servicio Andaluz de Salud
10	Gamesa Innovation y Technology S.L.	10	Ya Hornig Electronic Co., Ltd.

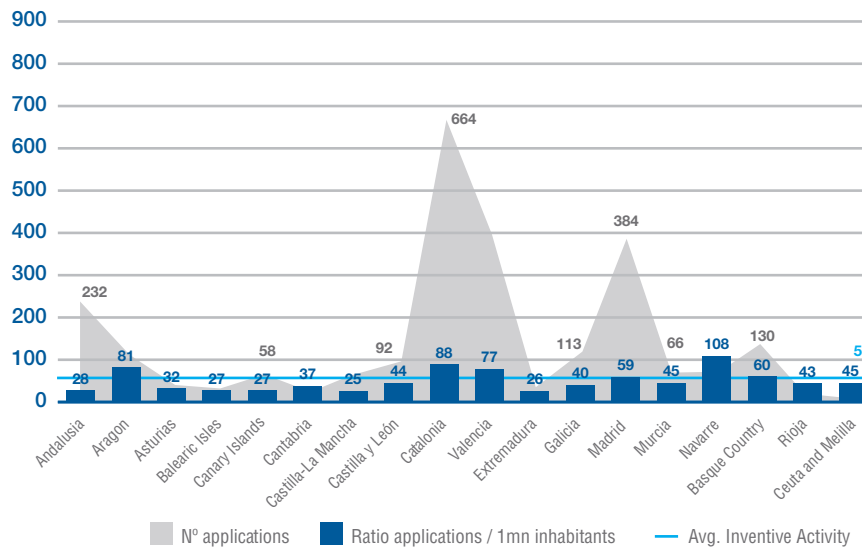
NOTE: Provisional figures

## 1.3 Utility Model Applications by AC

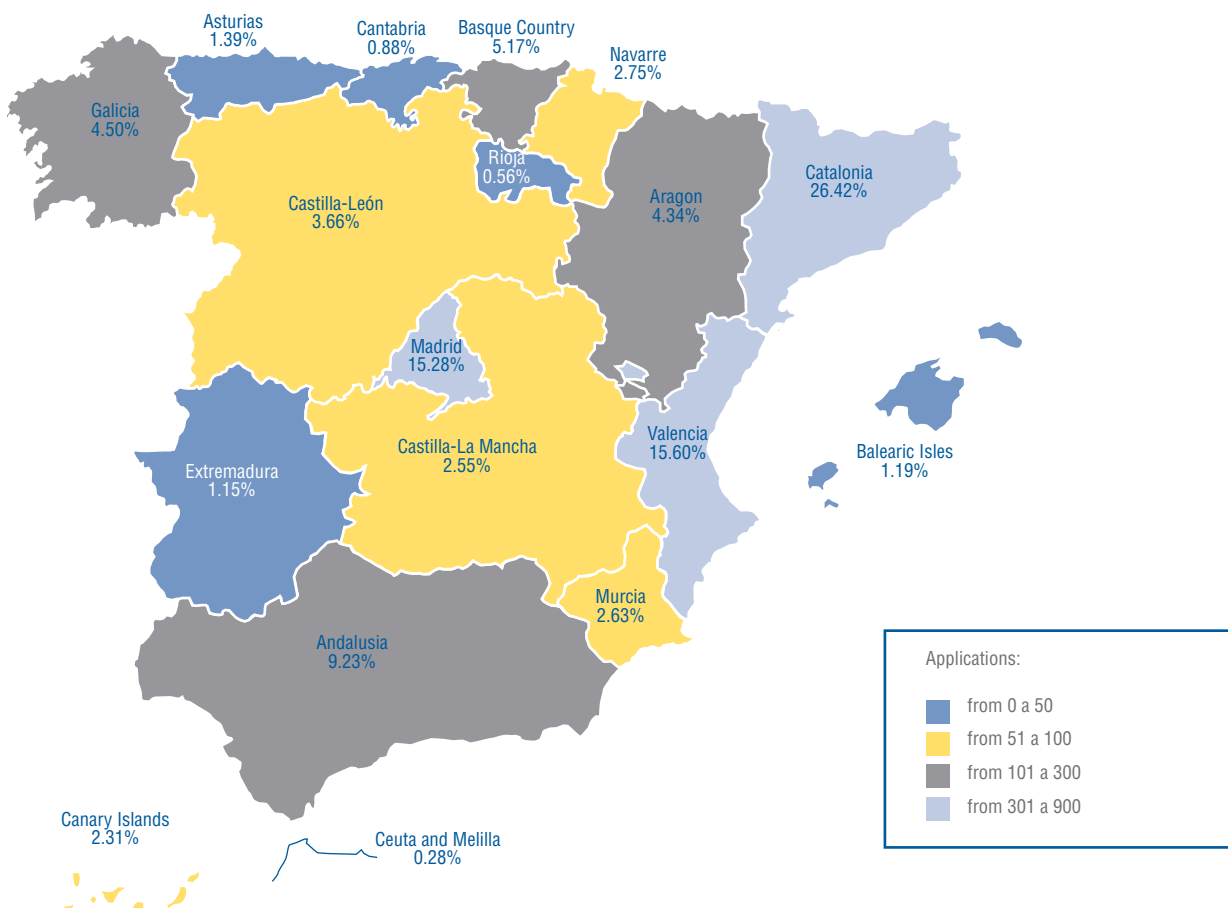
Utility Model Applications by AC, in relation to population, inventive activity - 2010							
AUTONOMOUS COMMUNITIES	APPLICATIONS			POPULATION		INVENTIVE ACTIVITY	
	NUMBER	% ANNUAL CHANGE	% OF TOTAL RESIDENTS SPAIN	NUMBER	% RESIDENTS/ TOTAL SPAIN	RATIO APPLICATIONS /1MN RESIDENTS	DEVIATION FROM AVERAGE
ANDALUSIA	232	4.50%	9.23%	8,370,975	17.80%	28	-48.1%
ARAGON	109	-15.50%	4.34%	1,347,095	2.86%	81	51.4%
ASTURIAS (Principality of)	35	-2.78%	1.39%	1,084,341	2.31%	32	-39.6%
BALEARIC ISLES	30	7.14%	1.19%	1,106,049	2.35%	27	-49.2%
CANARY ISLANDS	58	-6.45%	2.31%	2,118,519	4.51%	27	-48.8%
CANTABRIA	22	69.23%	0.88%	592,250	1.26%	37	-30.5%
CASTILLA-LA MANCHA	64	-11.11%	2.55%	2,559,515	5.44%	25	-53.2%
CASTILLA Y LEON	92	41.54%	3.66%	2,098,373	4.46%	44	-18.0%
CATALONIA	664	-4.73%	26.42%	7,512,381	15.98%	88	65.4%
VALENCIA	392	2.62%	15.60%	5,111,706	10.87%	77	43.5%
EXTREMADURA	29	26.09%	1.15%	1,107,220	2.35%	26	-51.0%
GALICIA	113	20.21%	4.50%	2,797,653	5.95%	40	-24.4%
MADRID	384	-3.52%	15.28%	6,458,684	13.74%	59	11.2%
MURCIA (Region of)	66	20.00%	2.63%	1,461,979	3.11%	45	-15.5%
NAVARRRE (Historic Charter Community)	69	53.33%	2.75%	636,924	1.35%	108	102.7%
BASQUE COUNTRY	130	27.45%	5.17%	2,178,339	4.63%	60	11.7%
RIOJA (LA)	14	-22.22%	0.56%	322,415	0.69%	43	-18.8%
CEUTA AND MELILLA	7	100.00%	0.28%	156,613	0.33%	45	-16%
NOT GIVEN	3	100%	0.12%				
TOTAL	2,513	2.91%	100%	47,021,031	100%		
AVERAGE FOR SPAIN						53	

NOTE: Population base is taken from official municipal lists of residents updated at 1 January 2010 (R.D. 1612/2010, 7 December 2010)

### Utility Model Applications by AC, in relation to population, inventive activity - 2010



### Utility Model Applications by AC - 2010



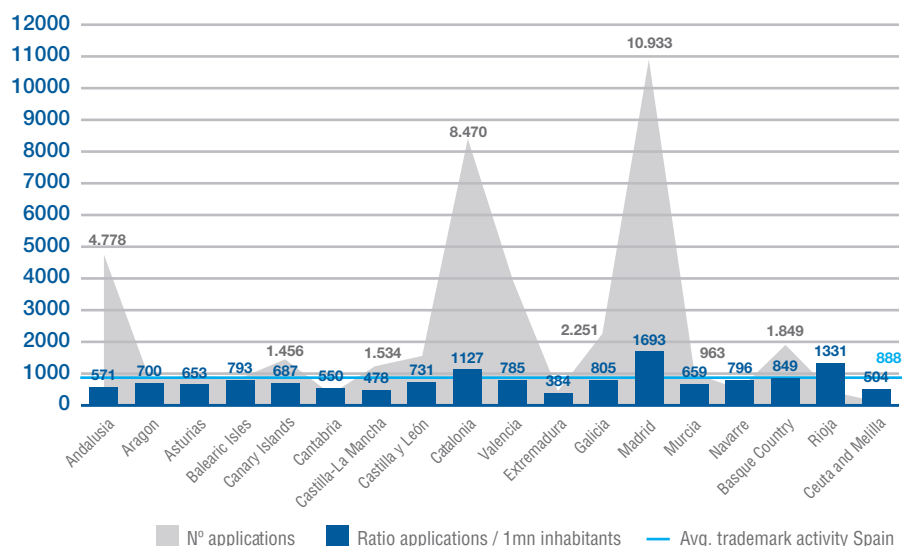
## 1.4 Trademark Applications by AC

### Trademark Applications by AC, in relation to population, Trademark Activity - 2010

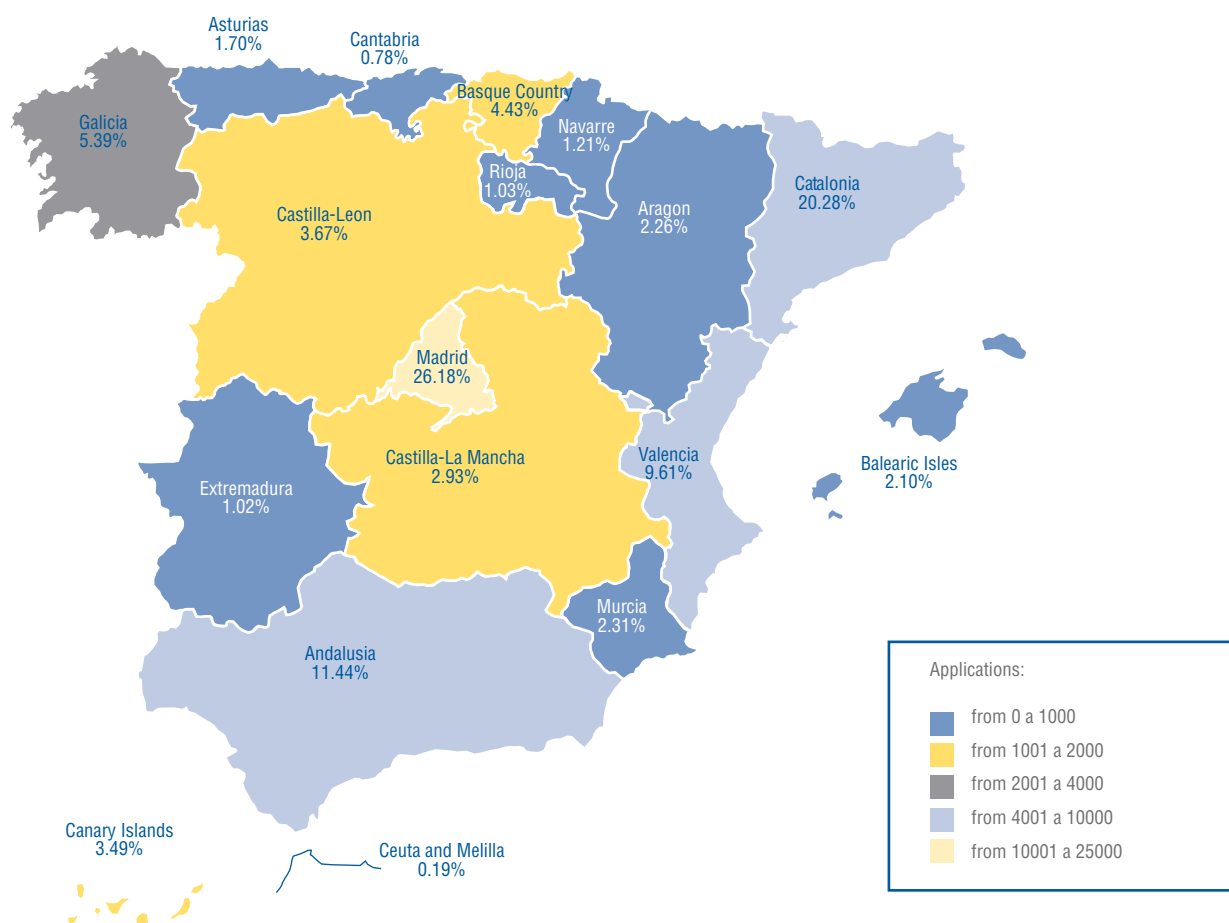
AUTONOMOUS COMMUNITIES	APPLICATIONS			POPULATION		INVENTIVE ACTIVITY	
	NUMBER	% ANNUAL CHANGE	% OF TOTAL RESIDENTS SPAIN	NUMBER	% RESIDENTS/ TOTAL SPAIN	RATIO APPLICATIONS /1MN RESIDENTS	DEVIATION FROM AVERAGE
ANDALUSIA	4,778	1.34%	11.44%	8,370,975	17.80%	571	-35.7%
ARAGON	943	9.14%	2.26%	1,347,095	2.86%	700	-21.2%
ASTURIAS (Principality of)	708	13.10%	1.70%	1,084,341	2.31%	653	-26.5%
BALEARIC ISLES	877	1.74%	2.10%	1,106,049	2.35%	793	-10.7%
CANARY ISLANDS	1,456	-7.08%	3.49%	2,118,519	4.51%	687	-22.6%
CANTABRIA	326	-7.39%	0.78%	592,250	1.26%	550	-38.0%
CASTILLA-LA MANCHA	1,224	11.88%	2.93%	2,559,515	5.44%	478	-46.2%
CASTILLA Y LEON	1,534	-1.92%	3.67%	2,098,373	4.46%	731	-17.7%
CATALONIA	8,470	4.35%	20.28%	7,512,381	15.98%	1,127	26.9%
VALENCIA	4,014	1.65%	9.61%	5,111,706	10.87%	785	-11.6%
EXTREMADURA	425	-7.00%	1.02%	1,107,220	2.35%	384	-56.8%
GALICIA	2,251	7.14%	5.39%	2,797,653	5.95%	805	-9.4%
MADRID	10,933	3.42%	26.18%	6,458,684	13.74%	1,693	90.6%
MURCIA (Region of)	963	-4.94%	2.31%	1,461,979	3.11%	659	-25.8%
NAVARRA(Historic Charter Community)	507	-2.87%	1.21%	636,924	1.35%	796	-10.4%
BASQUE COUNTRY	1,849	-2.94%	4.43%	2,178,339	4.63%	849	-4.4%
RIOJA (LA)	429	-5.30%	1.03%	322,415	0.69%	1,331	49.8%
CEUTA and MELILLA	79	-15.96%	0.19%	156,613	0.33%	504	-43.2%
<b>TOTAL</b>	<b>41,766</b>	<b>2.3%</b>	<b>100%</b>	<b>47,021,031</b>	<b>100%</b>		
<b>AVERAGE FOR SPAIN</b>						<b>888</b>	

NOTE: Population base is taken from official municipal lists of residents updated at 1 January 2010 (R.D. 1712/2010, 7 December 2010)

### Trademark Applications by AC, in relation to population, trademark Activity - 2010



## Trademark Applications by AC - 2010

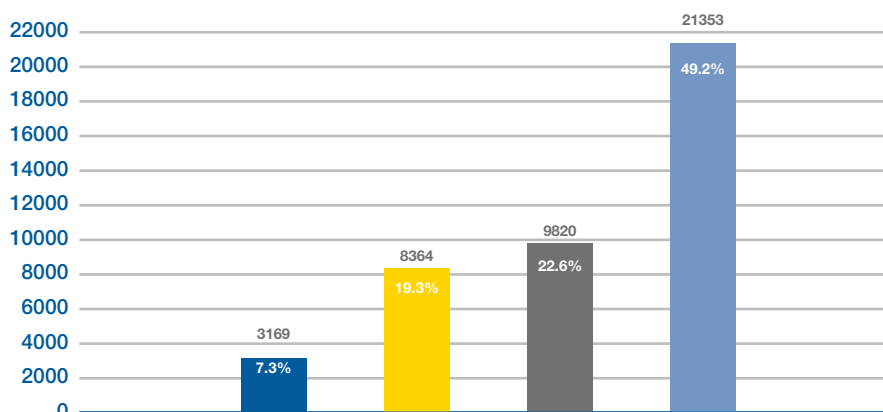


## 1.5 Trademarks by activity

### Technical sectors with largest number of trademarks presented in 2010

#### By activity

- Scientific and technological services, as well as research and design services in these fields; industrial research and analysis services; design and development of computer equipment and software.
- Education; providing of training; entertainment; sporting and cultural activities
- Advertising; business management; business administration; office functions.
- Total of the three biggest sectors



## 1.6 Top 10 Trademark Applicants

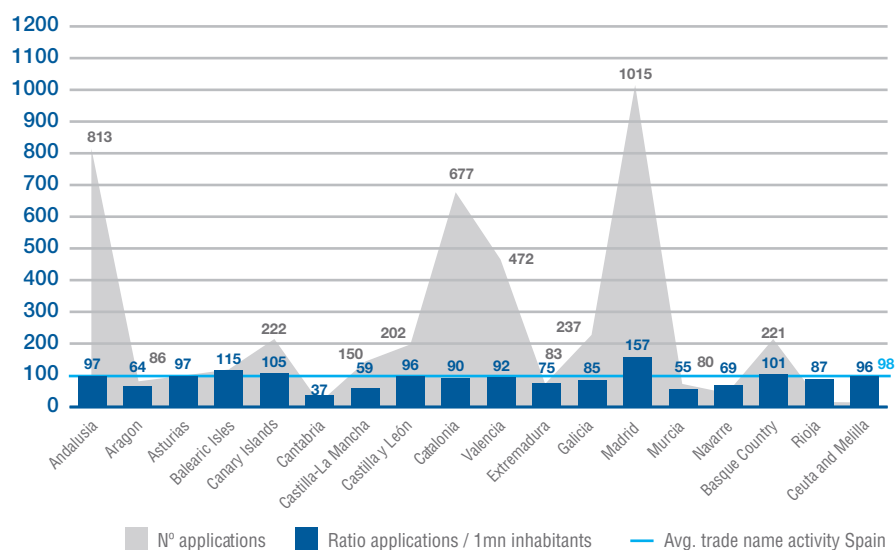
Top 10 Trademark Applicants - 2010			Top 10 Trade Name Applicants - 2010		
RANKING	RESIDENTS	NON-RESIDENTS	RANKING	RESIDENTS	NON-RESIDENTS
1	The Last Hero, S.L.	Jafer Limited	1	Justo a tiempo pharma S.L.	Norman Reinecke, Joachim
2	Crazy World, S.L.	Akzo Nobel Coatings International B.V.	2	Muñoz Llado, Adolfo	Adrenaline Holidays L.T.D. Tour Operador
3	Caixa D'estalvis I Pensions de Barcelona	Philip Morris Products S.A.	3	Pluim, Gijsbert Geert	Higuera, Albert
4	Desmarcate S.L.	Dietmed - Produtos Dieteticos e Mediciniais, Lda.	4	Asesco Spain S.A.	
5	Duscholux Iberica, S.A.	Philip Morris Products S.A.	5	Promocion Integral de Inmuebles Cibeles 2009, S.L.	
6	Heineken España, S.A.	Societe des Produits Nestle S.A.	6	Raya Guillen, Concepción	
7	Antena 3 de Television, S.A.	Dietmed-productos Dieteticos e Mediciniais, Lda	7	Adega Condes de Albarei, S.A.	
8	Mci Manufacturing Group S.L.	Hasbro, Inc.	8	Disgrunor, S.L.	
9	Gestevisión Telecinco, S.A.	Johnson & Johnson	9	Proyectos y Obras Pabisa, S.A.	
10	Fundacion Santa Maria	Sanboy Comercio de Bens Alimentares Serviços e Investimentos Lda.	10	Sumus Union, S.L.	

## 1.7 Trade Name Applications by AC

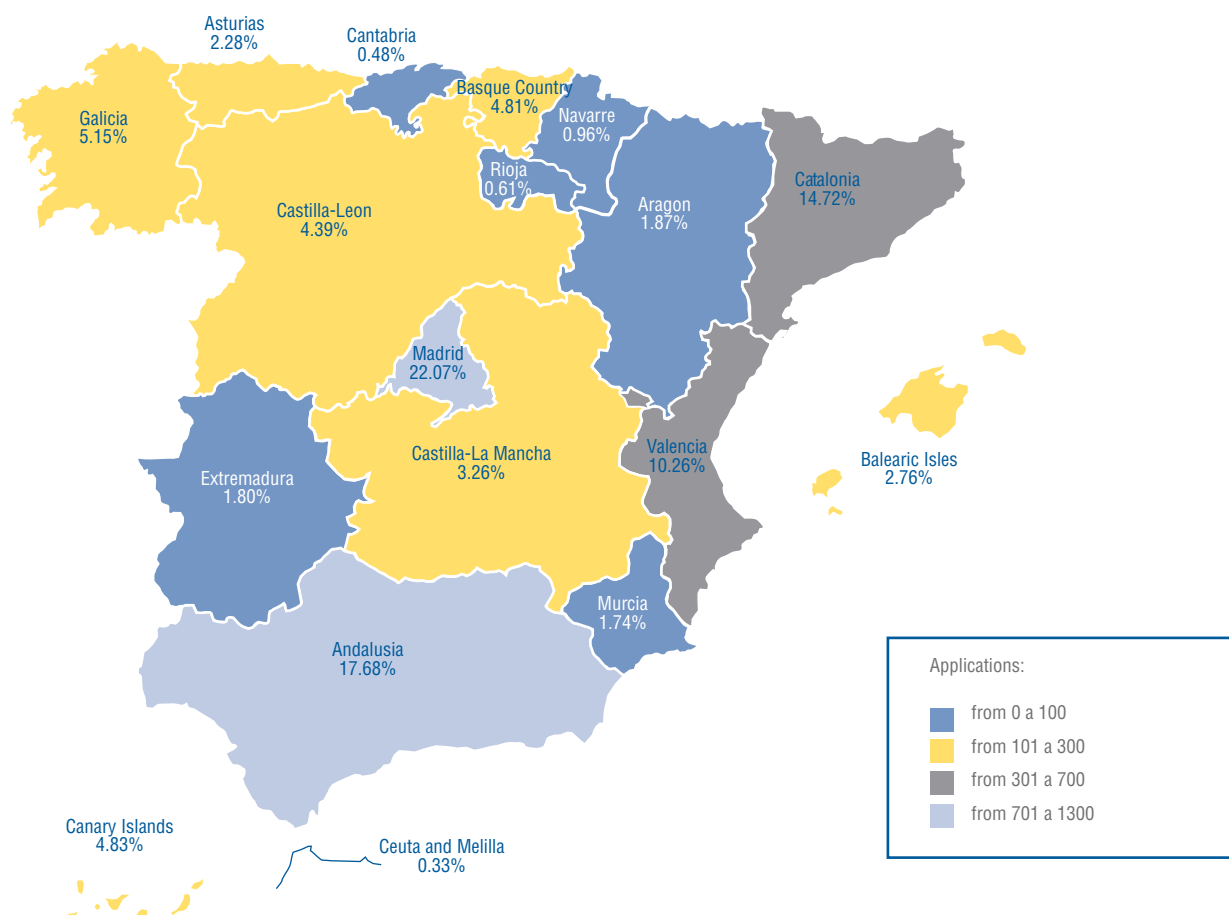
Trade Name Applications by AC, in relation to population, trade name activity - 2010							
AUTONOMOUS COMMUNITIES	APPLICATIONS			POPULATION		INVENTIVE ACTIVITY	
	NUMBER	% ANNUAL CHANGE	% OF TOTAL RESIDENTS SPAIN	NUMBER	% RESIDENTS/ TOTAL SPAIN	RATIO APPLICATIONS /1MN RESIDENTS	DEVIATION FROM AVERAGE
ANDALUSIA	813	-9.47%	17.68%	8,370,975	17.80%	97	-0.7%
ARAGON	86	-23.21%	1.87%	1,347,095	2.86%	64	-34.7%
ASTURIAS (Principality of)	105	-24.46%	2.28%	1,084,341	2.31%	97	-1.0%
BALEARIC ISLES	127	-18.59%	2.76%	1,106,049	2.35%	115	17.4%
CANARY ISLANDS	222	-7.50%	4.83%	2,118,519	4.51%	105	7.1%
CANTABRIA	22	-31.25%	0.48%	592,250	1.26%	37	-62.0%
CASTILLA-LA MANCHA	150	3.45%	3.26%	2,559,515	5.44%	59	-40.1%
CASTILLA Y LEON	202	-0.49%	4.39%	2,098,373	4.46%	96	-1.6%
CATALONIA	677	19.61%	14.72%	7,512,381	15.98%	90	-7.9%
VALENCIA	472	1.94%	10.26%	5,111,706	10.87%	92	-5.6%
EXTREMADURA	83	22.06%	1.80%	1,107,220	2.35%	75	-23.4%
GALICIA	237	-9.54%	5.15%	2,797,653	5.95%	85	-13.4%
MADRID	1,015	0.89%	22.07%	6,458,684	13.74%	157	60.7%
MURCIA (Region of)	80	-19.19%	1.74%	1,461,979	3.11%	55	-44.1%
NAVARRA(Historic Charter Community)	44	4.76%	0.96%	636,924	1.35%	69	-29.4%
BASQUE COUNTRY	221	19.46%	4.81%	2,178,339	4.63%	101	3.7%
RIOJA (LA)	28	-54.84%	0.61%	322,415	0.69%	87	-11.2%
CEUTA and MELILLA	15	25.00%	0.33%	156,613	0.33%	96	-2.1%
NOT GIVEN	0	100%	0.00%				
TOTAL	4,599	-1.96%	100%	47,021,031	100%		
AVERAGE FOR SPAIN						98	

NOTE: Population base is taken from official municipal lists of residents updated at 1 January 2009 (R.D. 1918/2010, 7 December 2009)

### Trade Name Applications by AC, in relation to population, Trade Name Activity - 2010



### Trade Name Applications by AC - 2010





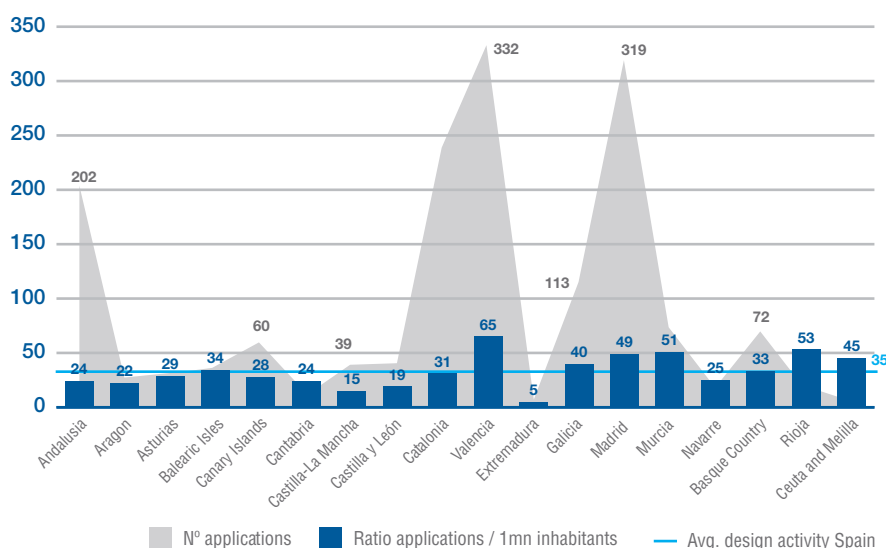
## 1.8 Industrial Design Applications by AC

### Industrial Design Applications by AC in relation to population, design activity - 2010

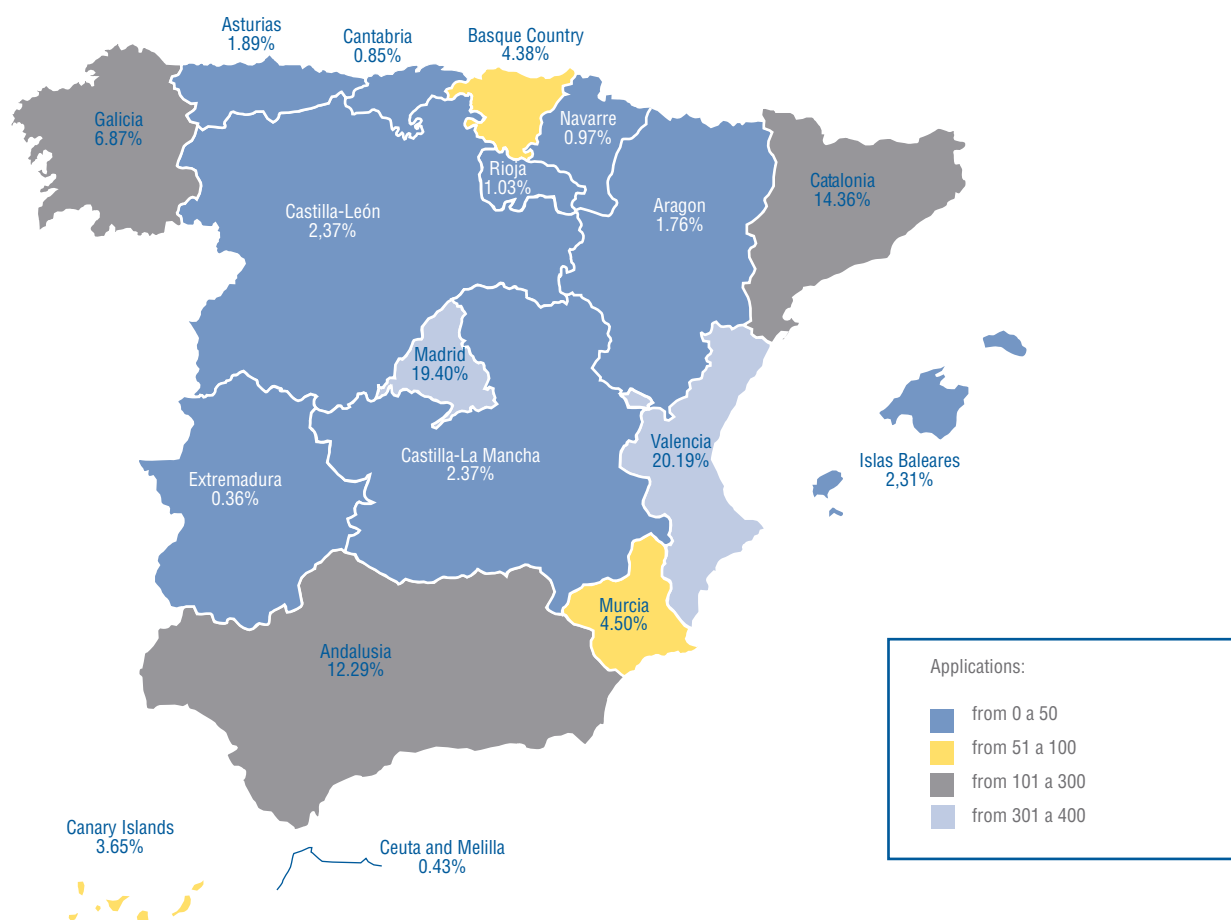
AUTONOMOUS COMMUNITIES	APPLICATIONS			POPULATION		INVENTIVE ACTIVITY	
	NUMBER	% ANNUAL CHANGE	% OF TOTAL RESIDENTS SPAIN	NUMBER	% RESIDENTS/ TOTAL SPAIN	RATIO APPLICATIONS /1MN RESIDENTS	DEVIATION FROM AVERAGE
ANDALUSIA	202	51,88%	12,29%	8.370.975	17,80%	24	-31%
ARAGON	29	3,57%	1,76%	1.347.095	2,86%	22	-38%
ASTURIAS (Principality of)	31	29,17%	1,89%	1.084.341	2,31%	29	-18%
BALEARIC ISLES	38	2,70%	2,31%	1.106.049	2,35%	34	-2%
CANARY ISLANDS	60	15,38%	3,65%	2.118.519	4,51%	28	-19%
CANTABRIA	14	7,69%	0,85%	592.250	1,26%	24	-32%
CASTILLA-LA MANCHA	39	-22,0%	2,37%	2.559.515	5,44%	15	-56%
CASTILLA Y LEON	39	34,48%	2,37%	2.098.373	4,46%	19	-47%
CATALONIA	236	12,38%	14,36%	7.512.381	15,98%	31	-10%
VALENCIA	332	9,57%	20,19%	5.111.706	10,87%	65	86%
EXTREMADURA	6	0,0%	0,36%	1.107.220	2,35%	5	-85%
GALICIA	113	61,43%	6,87%	2.797.653	5,95%	40	16%
MADRID	319	21,29%	19,40%	6.458.684	13,74%	49	41%
MURCIA (Region of)	74	29,82%	4,50%	1.461.979	3,11%	51	45%
NAVARRRE(Historic Charter Community)	16	-11,11%	0,97%	636.924	1,35%	25	-28%
BASQUE COUNTRY	72	46,94%	4,38%	2.178.339	4,63%	33	-5%
LA RIOJA	17	-37,04%	1,03%	322.415	0,69%	53	51%
CEUTA and MELILLA	7	75,0%	0,43%	156.613	0,33%	45	28%
NOT GIVEN	0	-100%	0,00%				
<b>TOTAL</b>	<b>1.644</b>	<b>19,39%</b>	<b>100%</b>	<b>47.021.031</b>	<b>100%</b>		
<b>AVERAGE FOR SPAIN</b>						<b>35</b>	

NOTE: Population base is taken from official municipal lists of residents updated at 1 January 2010 (R.D. 1612/2010 of 7 December 2010)

### Industrial Design Applications by AC in relation to population, design activity - 2010



## Industrial Design Applications by AC - 2010



## 1.9 Top 10 Industrial Design - 2010

Top 10 Industrial Design Applicants - 2010		
RANKING	RESIDENTS	NON-RESIDENTS
1	ANGEL TOMAS, S.A.	APOTHECARY PRODUCTS INC.
2	YIQUN CHEN, YIQUN	BURGER KING CORP.
3	CREACIONES GAVI, S.L.	C&S TECHNOLOGY CO., LTD.
4	LAMINEX GRANADA, S.A.	CLIMABANHO LDA
5	KEJUN CHEN, KEJUN	CODAP COLA DAIRY PRODUCTS, S. P. A.
6	BOYS TOYS, S.A.	ENERGY KOREA INC
7	TELEVES, S.A.	FU GANG CO., LTD.
8	URBAN SQUARE, S.L.	HEXE DISTRIBUCION, S.L
9	LUNEDI EUROPA, S.L.	LG HAUSYS, LTD.
10	PASCO INVERSIONES, S.L.	NIFCO INC.

## 1.10 Applications for sup. Protection certificates - 2010

Years	Total	▲ (+/-) Annual	Plant protection	%	Drugs	%
2010	44	-25,4%	4	9%	40	91%

### 1.11 Trend in PCT Applications 2000-2010

Trend in PCT Applications, 2000-2010		
YEARS	PCT of Spanish origin	PCT in national phas*
2000	519	86
2001	616	95
2002	719	79
2003	788	92
2004	823	87
2005	1.127	90
2006	1.202	101
2007	1.294	102
2008	1.390	121
2009	1.564	91
2010**	1.550	121

\* Includes patents and utility models

\*\* Provisional figures

### 1.12 European Patent Applications - 2000-2010

European Patent Applications - 2000-2010	
YEAR	EUROPEAN OF ES ORIGIN
2000	525
2001	582
2002	603
2003	695
2004	846
2005	972
2006	1.101
2007	1.286
2008	1.327
2009	1.258
2010 *	1.370

\* Figures for 2010 are provisional

### 1.13 Trend of Patent Technical Reports done in the Spto

Trend of Patent Technical Reports done in the Spto											
YEARS	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	(+/-) ANUAL 2010/2009
International Search Reports (ISR) (PCT Worldwide Procedure)	562	722	751	768	857	939	1.080	1.240	1.238	1.413	14,14%
Reports on the State of the Art (RSA) (National procedure)	2.423	2.216	2.432	2.335	2.397	2.263	2.227	2.427	2.881	3.018	4,76%
Patent Technological Reports (Preliminary Reports on Patentability)	334	345	411	483	391	505	435	418	346	325	-6,07%
Preliminary Examination Reports* (National procedure)	1	17	175	221	222	211	194	210	223	319	43,05%
<b>TOTAL</b>	<b>3.320</b>	<b>3.300</b>	<b>3.769</b>	<b>3.807</b>	<b>3.867</b>	<b>3.918</b>	<b>3.936</b>	<b>4.295</b>	<b>4.688</b>	<b>5.075</b>	<b>8,26%</b>

### 1.14 Trend in Industrial Property Applications - 2000-2010

Trend in Industrial Property Applications - 2000-2010											
IP Categories	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
National Patents	3.111	2.904	3.055	3.081	3.100	3.252	3.352	3.439	3.783	3.712	3.676
Utility Models	3.212	3.142	3.103	3.000	2.901	2.853	2.814	2.657	2.662	2.545	2.623
Industrial Designs	3.644	3.661	3.472	2.386	1.804	1.890	1.588	1.525	1.414	1.529	1.662
National Trademarks	87.769	78.441	69.743	53.989	54.777	56.414	58.643	57.833	49.750	42.437	43.364
Trade names	4.229	4.168	4.940	4.162	3.928	5.130	6.449	6.750	5.865	4.694	4.602



# PLAN TT

## MONITORING OF PLAN FOR PROMOTION OF INDUSTRIAL PROPERTY IN SPAIN 2010-2012

## 2. Monitoring of Plan TT

### 2.1 Core strategic lines of Plan PI

CORE LINES	DEFINITION
Stimulus of IP	Increase the use of IP by Spanish business, strengthening its place at the centre of corporate and social culture
Internationalisation	Foster the use of IP as a tool for Spanish companies to enter international markets
Protection and Security	Ensure the effectiveness and enforceability of IP rights
Green IP	Promotion, protection and profitability of investments in new technologies to combat Climate Change.
Management excellence	Strengthen the services of the SPTO as an efficient agency that injects dynamism into IP activities and their dissemination

### 2.2 Objectives subject to special monitoring

#### Plan PI Targets 2012

- 01 Place Spain amongst 10 top EU countries with most national patents and utility models per R&D&i spending in Europe
- 02 More than 100,000 companies participating in actions of the Plan
- 03 Place Spain amongst 10 top EU countries in European patents and amongst top 15 in world in PCT patent applications
- 04 Increase average yearly trademark applications in Spain from 1,100 to 1,225 and average annual patent applications from 84 to 90 per 1 million residents
- 05 A 15% reduction in time it takes to grant patents, 80% for trademarks (direct) and 80% in designs (direct) to bring them to 12 months, 5 months and 72 months, respectively
- 06 Fees for all IP categories to drop by 18%, with further 15% reduction for those that use online procedures
- 07 More than 15,000 subscribed users to the SPTO network 2.0



## 2.3 Monitoring of Plan PI (Core line 1: Stimulus of IP)

### Targets

- Place Spain amongst 10 top EU countries with most national patents and utility models per R&D&i spending in Europe <sup>01</sup>

Situation in 2008: Ranked 12th.

2010 Result: Spain climbs to 10th in number of patents and utility models per R&D spending.

\* Countries selected based on having R&D spending of more than €370 mn and more than 350 patents filed by residents (WIPO criterion).  
Figures for R&D in Greece are from 2007

- Ratio of Trademarks (1225) and Patents (90) per one million inhabitants. <sup>04</sup>

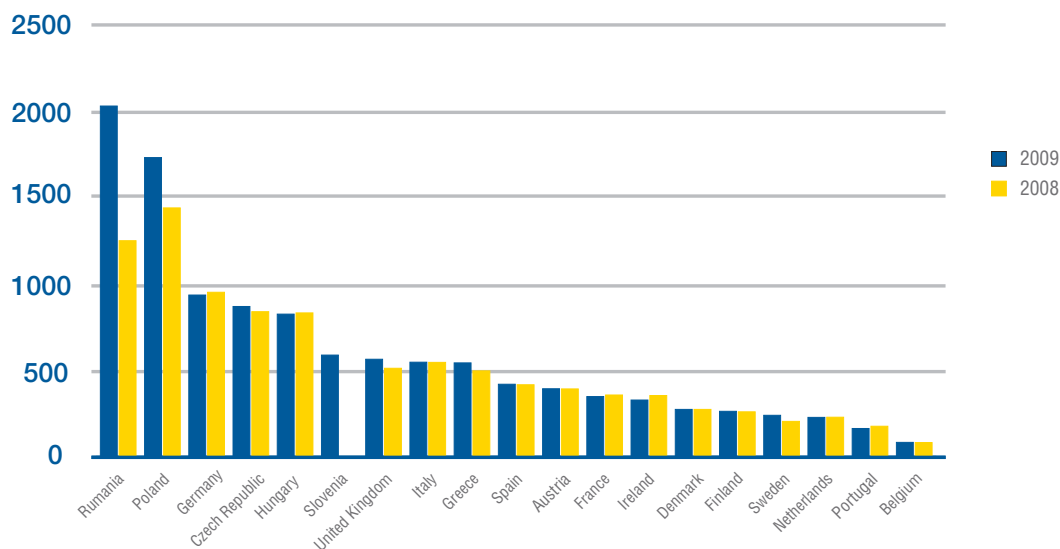
Situation in 2008: Trademarks: 110; Patents: 84

2010 Result: Trademarks: 933; Patents: 82

- Fees will drop by 18% with respect to 2009. Further decrease of 15% for those that use online procedures. <sup>06</sup>

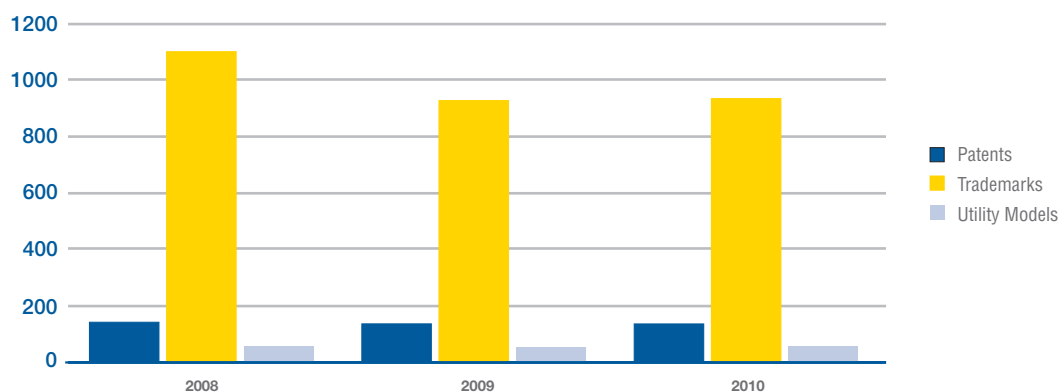
2010 Result: Reduction of fees for all IP, categories; more than 18% in patents and industrial designs, 18% average for trademarks. Additional cut of 15% for telematic processing.

**Total National Patents and Utility Models per R&D spending**



Objective subject to special monitoring ■

### Applications for Patents, Utility Models and Trademarks per 1 mn inhabitants



	Fees 2009	Fees 2010	Fees 2011
<b>Distinctive Signs</b>			
Trademark or trade name appl. Per Class	154,38	154,38	138,94
Trademark or trade name appl. 2nd Class	142,03	100,00	90,00
<b>Patents and Utility Models</b>			
Application claim for deposit or restoration	91,69	80,00	72,00
<b>Industrial Design</b>			
Reg. Appl.: Additional Designs Same Appl.	90,85	80,00	72,00

- **More than 100,000 companies will have participated in actions of the Plan** 02

2010 Result: 179,379

(Subsidies 1,091; electronic applications 74,600; Subscriptions to Bulletin 101,291; Attendance at Conferences 2,391)

- **Signing of 8 agreements with innovating enterprises**

2010 Result: 2 new collaboration agreements

Airbus-EADS

Navantia

3 being prepared

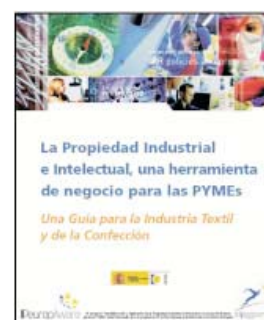
- **TARGET: Production of sector guides**

2010 Result: 4 sector IP guides (Footwear, Textile; Furniture; Leather and Furs)

- **Target: 15% increase in visits to SPTO portal**

Situation in 2008: 80,510,431 visits

2010 Result: 98,109,095, 25% more than 2009





## 2.6 Monitoring of Plan PI (Core line 4: Green IP)

### Targets

- More than 3000 users of Technology Watch Bulletin for the green sector  
2010 Result: 4086 subscribers

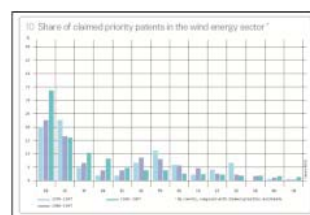
- 20% of patent applications in green IP sector use CAP fast-track procedure

2010 Result: In last quarter of 2010, 23% of CAP fast-track applications were for green technologies

- Spain ranked amongst EU top 5 in European and PCT patent applications for green IP

Position in 2008: ranked 8th in wind energy

2010 Result: Latest international figures released show Spain is ranked 5th as country or origin (priority) for wind energy patent applications



## 2.7 Monitoring of Plan PI (Core line 5: Management excellence)

### Targets

- More than 50,000 users of SPTO online tools <sup>07</sup>

2010 Result: 74,600 electronic applications

- 15% of patents, 80% of trademarks and 80% of designs granted in less than 12 months, 5 months and 72 hours <sup>05</sup>

2010 Result: 4.76% patents; trademarks 89% and designs 76%

- Expansion of Quality System

Quality System 2008: PCT

2010 Result: Certification of Distinctive Signs, Designs, Technological Information and PCT departments

- Simplification of certification for foreign patent applications

2010 Result: Target met



Objective subject to special monitoring ■

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