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# What is the SPTO?

If you have an invention, trademark, or industrial design, register it.



# What is Industrial Property?

The concept of Industrial Property refers to a set of rights that recognize their holders the legal capacity to solely and exclusively manufacture or distribute products and/or procedures (through patents, utility models, industrial designs, supplementary protection certificates, and semiconductor product topographies) and be able to uniquely identify them in the market in contrast with similar ones (through the use of trademarks and trade names).

## 01 Who grants these rights?

The legal protection granted by Industrial Property (IP) rights in **Spain** is extended by the **Spanish Patent and Trademark Office (SPTO)**, an autonomous body that forms part of the General Administration of the State and which promotes and supports technological and economic development.. It provides legal protection to all types of Industrial Property by awarding patents and utility models (inventions); industrial designs; trademarks and tradenames (distinctive signs) and rights protecting topographies of semiconductor products. It also disseminates information on the various ways in which Industrial Property can be protected.

## 02 How is Industrial Property protected?

To protect new industrial **INVENTIONS**, the SPTO grants patents, utility models, supplementary certificates of protection, and semiconductor product topographies.

**Patents** protect a new process, new device, product, or improvements or extensions thereof. How long does this kind of protection last? Twenty (20) years from the date of submission of the application, provided that the corresponding fees are paid each year to maintain it in force.

Through the use of **utility models**, industrially-applicable inventions – novel and involving new development, consisting of giving an object or a given product some configuration, structure, or composition that results in useful or practical advantage may be protected. The maximum duration is 10 years from the date of submission of the application, provided that the corresponding fees are paid each year.



**Supplementary protection certificates** are granted to extend, for a maximum of five years, the duration of patent rights relating to medicines or plant-protection products once they have expired, in order to compensate for the period during which they could not be marketed due to being subject to prior regulatory approval.

Integrated circuits, including their technical drawings, three-dimensional layout, board tracings and interconnections, are protected by **semiconductor product topographies** whose maximum duration is 10 years from the end of the year in which the design is first marketed or registered.

To protect **DISTINCTIVE SIGNS**, trademarks and trade names are granted.

Registered **trademarks** grant the right to the exclusive use of a sign to identify a product or a service in the market; and may consist of words or combinations thereof, images, figures, symbols, graphics, letters, numbers, three-dimensional forms (wrappers, packages, and so on), and even sounds.

A **trade name** is a title that gives the owner exclusive rights over the use of any sign or name used to identify a company in commercial trade. As in the case of Industrial Property titles, trade names are independent from the company names registered with the Mercantile Registry.

The protection of Distinctive Signs lasts 10 years and may be renewed indefinitely for periods of equal duration.

**SHAPE CREATIONS** are protected as industrial designs, which grant the exclusive right over the appearance of all or part of a product in reference to the characteristics of its lines, contours or shape, or ornamentation. The term of protection is five years from the time of application, which can be renewed for additional five-year terms, up to a maximum of twenty-five years.

## 03 What is Technology Intelligence?

The SPTO possesses a large **volume of technological and business information** unique in Spain for its content, since it includes full documentation on patents, utility models, industrial designs, trademarks, and trade names.

This body of information was accumulated by the SPTO over the years in its function as a registrar and is made available to all interested parties through a set of **Technological Information Services**. Apart from acting as registrar, the SPTO has the mission of disseminating this information to promote and support technological development and economic growth.

To fulfil what needs or ends are Technology Information Services normally sought?

- To determine the legal status of any application
- To assess the State of the Art in a given domain of technology
- To monitor the competitive environment with respect to ongoing developments in technology and business
- To adopt a tool enabling monitoring of technological developments
- To identify brands and signs used on the market and gauge the chances for obtaining approval of new signs
- To serve as a source of ideas to stimulate innovation and technological development

Publications, Documentary Archives, Databases and Documentary Services are the instruments through which the SPTO delivers the enormous wealth of technological and commercial information it possesses to the public.

### 3.1 Publications

- The **Official Industrial Property Bulletin** (BOPI) contains the legal-administrative and technical information from the items processed by the SPTO: distinctive signs (volume I); patents, utility models and semiconductor topographies (volume II); and industrial designs (Volume III). It is published daily at no cost to users.
- The **International Classifications** of: Patents (IPC), Products and Services for Trademark registration (Nice), and for Industrial Designs (Locarno).
- **INFOPI**, monthly free electronic magazine, published by the SPTO since 2009 in Spanish and English.
- **Other publications**: technical, historical, statistical, and informative leaflets
- **Technology Watch Bulletins (BVTs)**: free online quarterly publications issued by SPTO patent examiners. Their purpose is to provide updates on the latest published patents, grouped by technology sector, providing timely information in condensed form for quick reading about advances and developments at the international level.

Portions of these BVTs are entirely created in-house by the SPTO, while others result from cooperation with different organisations and institutions.

#### SPTO Bulletins

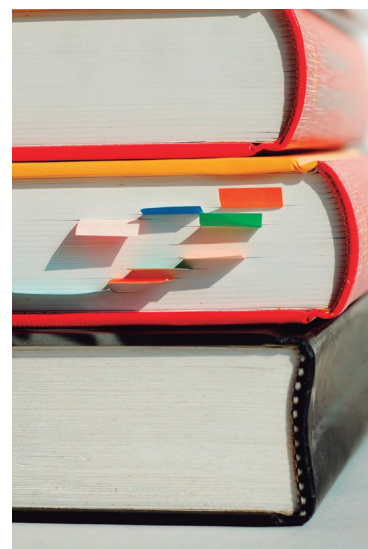
- Electric vehicles
- eDependence
- Advanced mobile services and interfaces
- Wireless sensor networks
- Smart vehicles

#### SPTO Bulletins - Technical Product-Markets

- Animal Health
- Biotechnology for Healthcare
- Biomass
- Fishing and Aquaculture
- Medical Devices

#### SPTO-WIPO Industry Bulletins

- Footwear industry
- Food industry



- Mechanical metal industry
- Plastic moulding industry

## SPTO-Portuguese National Institute of Industrial Property (“INPI”) Bulletin

- Marine energy

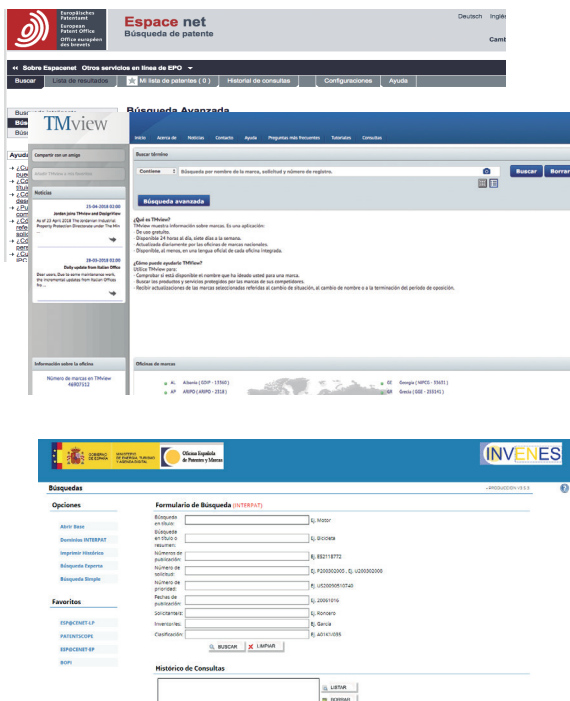
## 3.2 Documentary Archives

The Documentary Archives contain a collection of patents from several million national and foreign documents, together with bulletins and publications from a variety of countries. They can be consulted in the SPTO Technical Library, as well as by acquiring copies of individual documents and browsing and/or downloading them for free from the SPTO website.

## 3.3 Databases

The SPTO maintains and makes a series of databases available on the INTERNET for free consultation:

- Trademark Locator
- Case file consultation: “CEO”
- Inventions in Spanish: “INVENES”
- Designs in Spanish: “DISEÑOS”
- GSA search for inventions
- Inventions in other languages: “Espacenet”
- Inventions in Spain and Latin America: “Latipat-Espacenet”
- International Patent Classification (IPC)
- Intl.Class. of Branded Products and Services (“Clinmar”)
- TMView: European Trademarks
- DesignView: European Designs
- Jurisprudence Database
- Statistics: “OPEMESTAD”



### 3.4 Document Services

The Technological and Business Information Services that the SPTO performs are subject to the payment of a **public fee**, and include the following:

- **Technological Patent Reports (ITPs):** These provide an in-depth analysis of patents and utility models published worldwide in relation to a specific question submitted by an applicant (a possible patent application or utility model, research project and/or new development, etc.); including commentary, listings of references retrieved from databases, and links to the most relevant documents.
- **Custom Technology Watch Reports:** Sent out with the desired frequency, provide information about the patents published inside and/or outside of Spain in relation to the topic defined by the interested party.
- **Retrospective Searches:** These gather and list bibliographic references to patents and utility models published within and/or outside Spain in relation to the topic defined by the applicant.
- **Search for precedents and similarities in Distinctive Signs:** This service identifies precedents and phonetic similarities among distinctive signs using the INPAMAR Database and by searching on various criteria in the CEO Database.

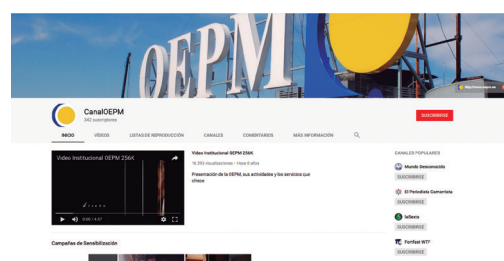
## An Office Dedicated to Excellence

In the process of modernization to become a “paperless office” that the SPTO has undergone in recent years, the effort in terms of the resources invested in developing the **Electronic Office**, from which all administrative procedures processed by the SPTO can be accessed, is worthy of note. In addition, starting in December 2013, some procedures may be paid for by credit/debit card to simplify user transactions.



## A Visible and Friendly Office

The SPTO is visible on the Internet through its presence on the Twitter and Facebook social networks, as well as on the SPTO YouTube channel, its account on Scribd and on the Patents and Trademarks Blog on madrid+d, and information provided through Wikipedia.



## What is the SPTO?

SPANISH PATENT AND TRADEMARK OFFICE

### ADDRESS

Paseo de la Castellana, 75  
28071 Madrid. ESPAÑA

### METRO/UNDERGROUND

Nuevos Ministerios

### BUSES

5-7-14-16-19-27-37-40-43-45-126-147-150-C1 y C2

### EMAIL ADDRESSES

difusion@oepm.es • informacion@oepm.es • registro@oepm.es • pyme@oepm.es

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### GENERAL INFORMATION

Tel: 902 157 530 (hours: Monday to Friday from 9:00 a.m. to 6:00 p.m.)  
(from July 1 to August 31 from 9:00 a.m. to 3:00 p.m.). Fax: 91 349 55 97

### INFORMATION

Tel.: 91 349 53 35 - 91 349 53 97 - Fax: 91 457 25 86

SME SUPPORT SERVICE: Tel. 91 349 68 22 - 91 349 55 48

ARCHIVE SHOPTWB (scanned images of sheets and items from the SPTO Historical Archive): 91 349 55 50

### PUBLIC VISITING HOURS

Registry Services Hours (1st floor):

Monday to Friday from 9:00 a.m. to 2:30 p.m. and 4:00 p.m. to 6:00 p.m. Saturdays 9:00 a.m. to 1:00 p.m.

Registry Services Hours (from July 1 to August 31):

Monday to Friday from 9:00 a.m. to 2:30 p.m. Saturdays 9:00 a.m. to 1:00 p.m.

Cashier Service Hours (La Caixa, 1st floor): Monday to Friday from 9:00 a.m. to 2:30 p.m.

Thursday from 9:00 a.m. to 2:30 p.m. and from 4:00 p.m. to 6:00 p.m. (Closed evenings from May to September, inclusive)

### WEB PAGE

[www.oepm.es](http://www.oepm.es)

NIPO (papel): 088-18-009-4

NIPO (en línea): 088-18-010-7

DL: M-4439-2018



MINISTERIO  
DE ENERGÍA, TURISMO  
Y AGENDA DIGITAL

