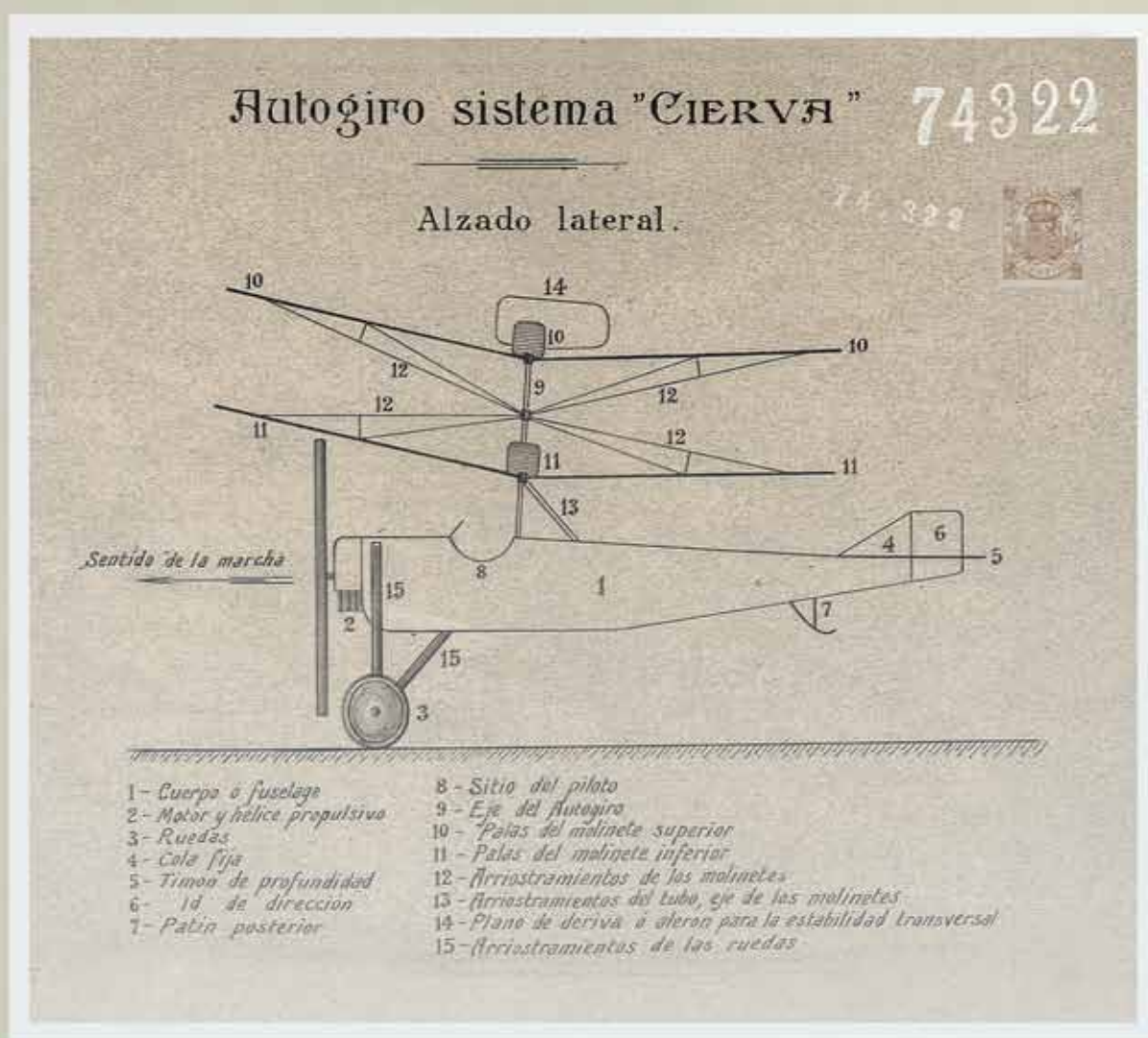


SPANISH PATENT AND TRADEMARK OFFICE

# REPORT ON ACTIVITIES 2011

INDUSTRIAL PROPERTY  
IN BUSINESS POLICY



GOBIERNO  
DE ESPAÑA

MINISTERIO  
DE INDUSTRIA, ENERGÍA  
Y TURISMO

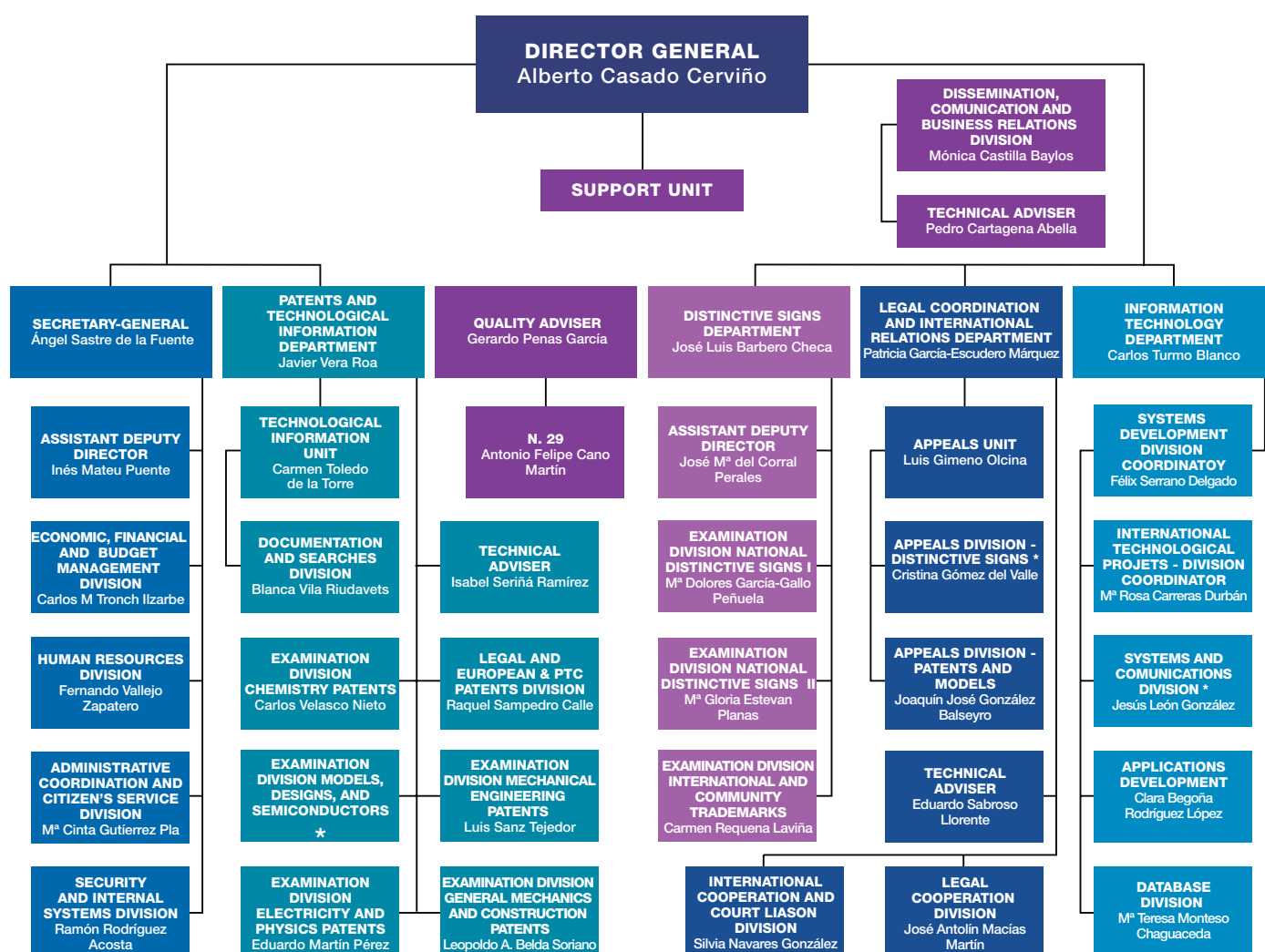


Oficina Española  
de Patentes y Marcas

## Contents

Organisational chart	3
Foreword From The Undersecretary For Industry, Energy And Tourism	4
Foreword From The Director General Of The Spanish Patent And Trademark Office	6
FOSTERING INDUSTRIAL PROPERTY	8
1. Collaborating on projects based on the use of Industrial Property (IP) as a business tool	10
2. Attendance at workshops, forums, courses and seminars - training and the needs of SMEs	14
3. Support for applicants of patents and utility models in Spain and abroad	24
4. IT update of the SPTO	30
5. Partnership Agreements with Businesses, Universities and other Organisations	43
6. Legal Coordination and International Relations	47
7. SPTO Quality Programme	60
APPENDICES	63
1. Human Resources	63
2. Financial Information	66
3. Information on Resources	68
4. Statistical data on the different types of industrial property	71
5. Monitoring of the IP Plan	86

# Organisational chart





**ENRIQUE HERNÁNDEZ BENTO**

Undersecretary For Industry, Energy And Tourism  
Chairman Of The Spanish Patent And Trademark Office

## Foreword From The Undersecretary For Industry, Energy And Tourism

I am writing these lines shortly after my appointment as Undersecretary for Industry, Energy and Tourism and Chairman of the Spanish Patent and Trademark Office, taking advantage of this opportunity to reach out to you all and to analyse the results of the past year, which will serve, no doubt, as a starting point for the project in hand and as a route map for the direction we must take.

Within the major targets that we at the Ministry of Industry, Energy and Tourism have set for ourselves, we will pay particular attention to fostering an active industrial policy to support our productive sectors, to promoting the internationalisation of our industrial and commercial assets, and to nurturing a solid business culture of creativity, image and innovation, as part of a support plan for new business ideas and for small and medium enterprises.

In the current context, all our efforts and actions should be focused on offering support to new business ideas and to SMEs, as our best hope for economic recovery.

These last few days I have been examining the efforts made by the SPTO, to identify greater synergies with other public and private bodies and to unite our aims and interests in order to offer a better service and to foster the understanding and use of Industrial Property among the productive sectors. The conclusion I have drawn is that these results follow the guidelines we wish to lay down and reinforce in this new stage, a stage of hard work, discipline and improved services.

In particular I would like to emphasise the reduction in waiting times in Industrial Property administrative work, as indicative of our major commitment to improving customer service, in both quality and quantity. Providing the services of an active, dynamic and technologically up-to-date Administration is one of our primary aims for this new period, a challenge that I am glad to see is not a new one, but one that we take up and build on.

I also consider that this Report is the best platform from which to outline, for all who work side-by-side with the Spanish Patent and Trademark Office, what I want us to do in the coming year. I want to improve efficiency, increase transparency and continue to reduce red-tape, costs and fees. These measures will all contribute to a single aim: to support Spanish companies and products, to foster innovation, to provide tools for the dynamisation and expediting of small and medium enterprises, and to consolidate the unquestionable value of Industrial Property. By these means, Spanish industry acquires a greater weight in the global business market, where defending industrial activity is key to greater competitiveness.

This Report deals not only with what we have done so far, but is also the basis for our reflection on our future activities. One way or another, both our past achievements and our future aims would be impossible without the absolute commitment of so many professionals who make our ideals possible. To all of them: thank you for all you have accomplished and will accomplish through your dedication to building a more global and competitive business environment.



**ALBERTO CASADO CERVIÑO**

Director General Of The Spanish Patent And Trademark Office

## Foreword From The Director General Of The Spanish Patent And Trademark Office

The results set down in this year's Report on Activities highlight, on the one hand, the growing importance of Industrial Property among Spanish companies and, on the other, the intensity of the work carried out by the SPTO.

In 2011, the Office handled 3527 Spanish patents and 2585 utility models, as well as taking in 18,488 European patents to be validated. Throughout the year, we had a total of 1500 European patents and 1650 PCT patents of Spanish origin. In the case of Distinctive Signs, we received 44,116 applications for Spanish trademarks, 5062 for trade names and 3485 for international trademarks, and renewed 42,409 Spanish trademarks and 2,874 trade names. And there were 1772 applications for designs. We also notably reduced waiting times for almost all Industrial Property work. To give just one example, when applications are filed correctly, the waiting time for Designs has been reduced to 3 days. This is a reduction of 94%.

The expectations we had starting out the year have been realised, mainly in the shape of two big measures: reductions in fees and waiting times, and full computerisation of all our services. To keep up with current market needs, we have to be effective and up-to-date in the management of our services. It is the users of Industrial Property procedures who benefit from us reaching our targets. And they have thanked us in the opinion polls, giving us good marks for our work.

Industrial Property strengthens business. It has financial advantages for those who make use of it, and marks the difference in the planning and implementation of industrial growth strategies. The markets call out for more new products and services, and only those countries that foster a culture of nurtured innovation, creativity and image can meet the challenge and come through stronger.

The defence of Industrial Property rights is the basis for the SPTO fight against piracy. Throughout 2011 we continued to provide information to the customs authorities and to the forces of law and order. We also saw that this issue is of great importance to the general public too, evidenced through the many queries we received.

Industrial Property is a value that is built on and strengthened day to day. This value is what has led us to reinforce our policy of making information available to small and medium enterprises, the backbone of Spanish business. Proof of this commitment are the many publications aimed at SMEs issued by the SPTO this year.

Boosting internationalisation is another of our major ongoing commitments. In this regard, in 2011 we evaluated and endorsed 2440 inventions, given industrial property protection beyond our borders through our foreign patent programme. This year, Spain held 8th place in the EU list of European patent applications, and 14th place in the world total of international PCT applications.

One accomplishment of our commitment to the defence of Spanish business abroad can be seen in the Patent Prosecution Highway agreements, signed with the Korean, Portuguese, Russian and Mexican Industrial Property offices and aimed at accelerating international patent prosecution procedures. Likewise, the 14 memoranda of understanding signed during 2010-2011 reflect the importance we place on maintaining relations between the SPTO and other international Industrial Property bodies.

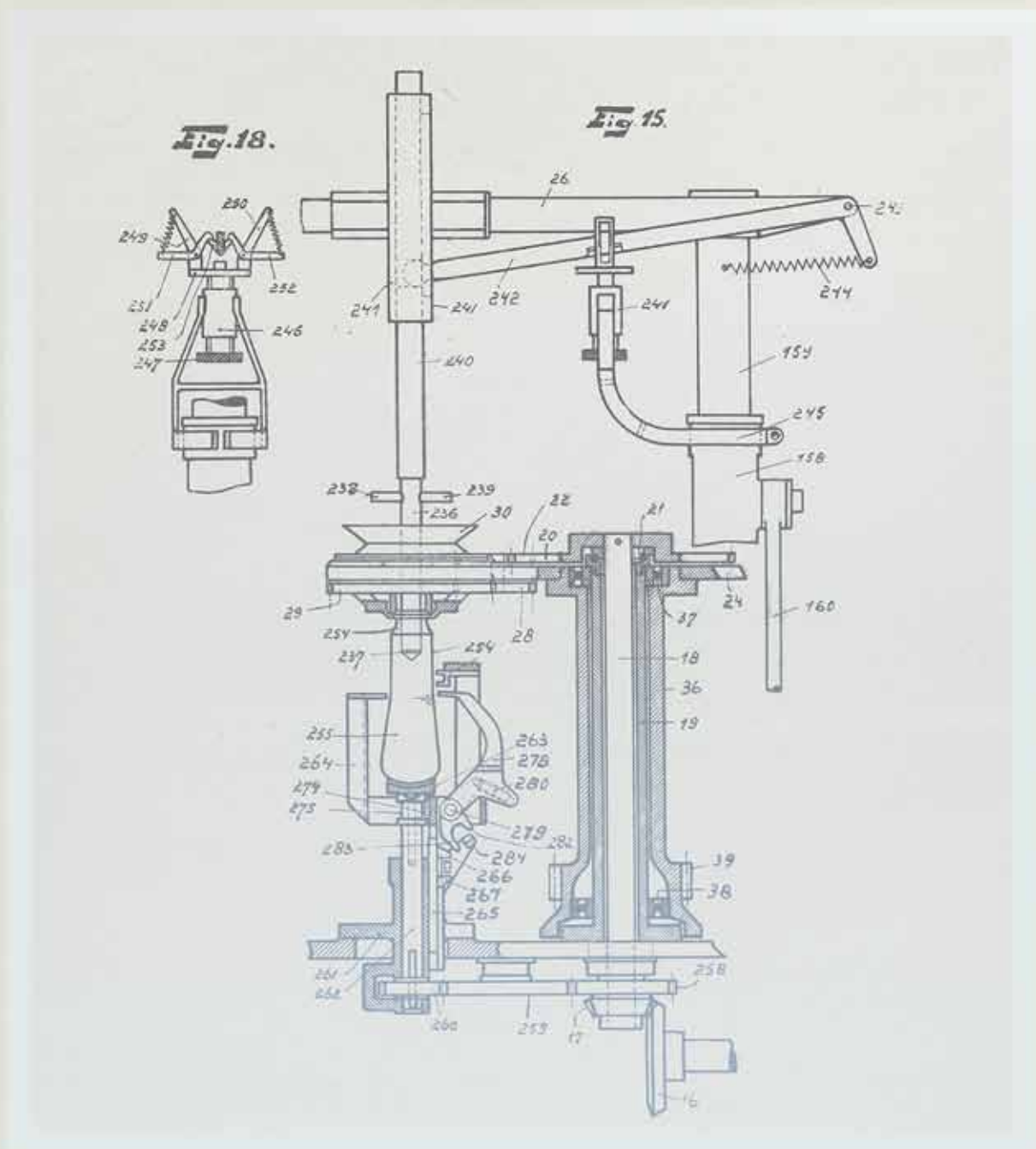
Naturally, as far as our international activities are concerned, our relations with Latin America are of major importance, with bilateral treaties with the continent's IP offices, WIPO Funds in Trust for development activities and permanent cooperation programmes such as CIBIT and the CEDDET network. This year we set up CIBEPYME, our Latin-American small and medium business platform. And Industrial Property was also present at the 21st Ibero-American Summit of Heads of States and Governments, held in Asunción, Paraguay over 28-29 October 2011, with the motto "State Transformation and Development".

In short, all these facts and figures show how Industrial Property plays an increasing role in our culture and our business model. At the same time it sets the starting point for a new stage, with improved-quality services, a greater scope of dissemination of IP, reinforced cooperation with other institutions and the firm conviction of our commitment to an innovative and dynamic market economy.

I would like to take the opportunity to thank everybody at the SPTO for their hard work and professionalism, making our aims a reality. And I also want to emphasise the responsibility and the demands we face, to defend our Industrial Property and Spanish business.

Lastly, I would reiterate that my aim for the SPTO is that it should be open to the needs of businesses and citizens who require our services, and a place where they will find the help they require to make their Industrial Property rights an essential tool for the management of their business interests.

# FOSTERING INDUSTRIAL PROPERTY



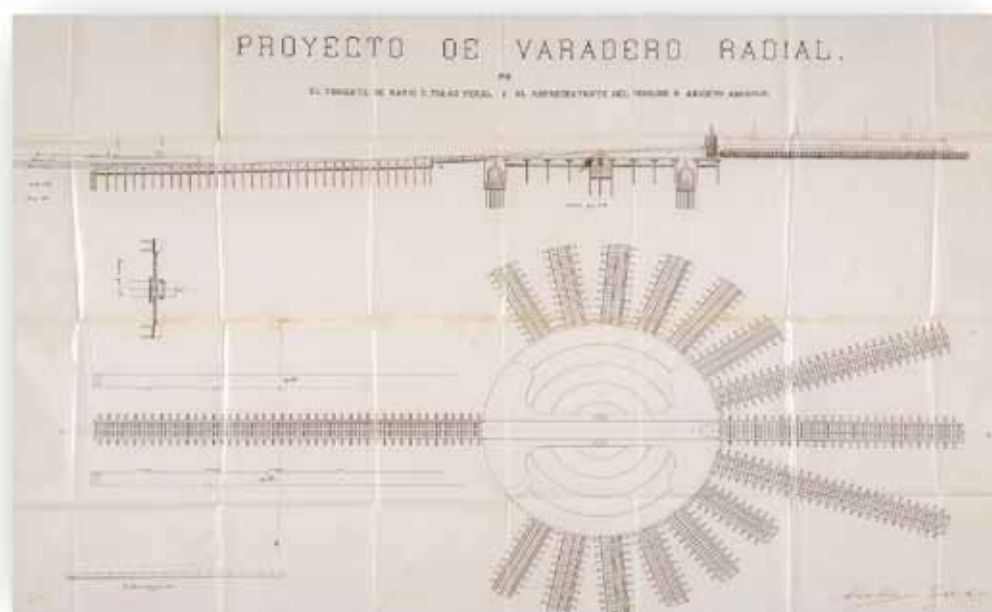
Increasing the presence and importance of Industrial Property (IP) in our business and economic culture was one of the driving aims behind the achievements of 2011. It is necessary to understand what Industrial Property is, what it means, and what it can do, so that the rights this confers play their proper role in a solid, effective business environment.

The Industrial Property protection we grant at the Spanish Patent and Trademark Office (SPTO) is vital to maintaining a competitive edge, to increasing the presence of Spanish companies in the market and to recuperating investments made in innovation.

Over the past year, our work has been based on the conviction that economic development and growth, hand-in-hand with knowledge and innovation, are only possible within a strong, flexible and streamlined Industrial Property system.

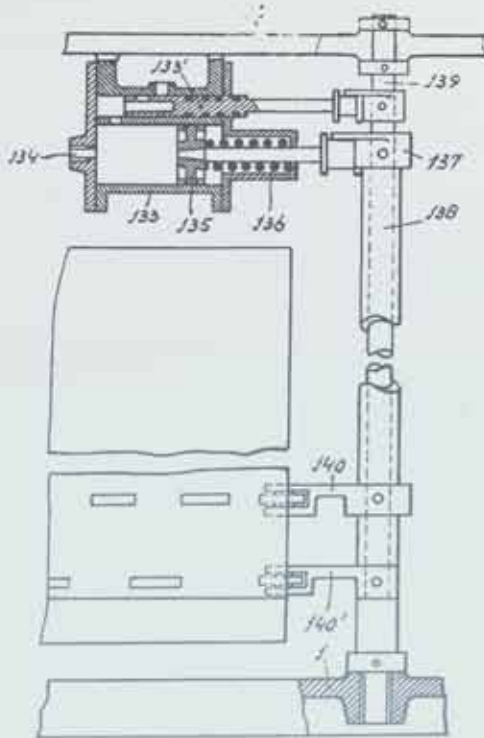
With regard to the **FOSTERING OF INDUSTRIAL PROPERTY**, we took major strides in:

1. Collaborating on projects based on the use of Industrial Property (IP) as a business tool.
2. Attending workshops, forums, courses and seminars, particularly those dealing with training and the needs of SMEs. Cevipyme.
3. Support for applicants of patents and utility models in Spain and abroad.
4. IT updating and modernisation of the SPTO. SPTO visibility on the Internet. SPTO Archive.
5. Partnership agreements with businesses, universities and other institutions.
6. Legal Coordination and International Relations. Anti-piracy. Internationalisation.
7. SPTO Quality Programme.

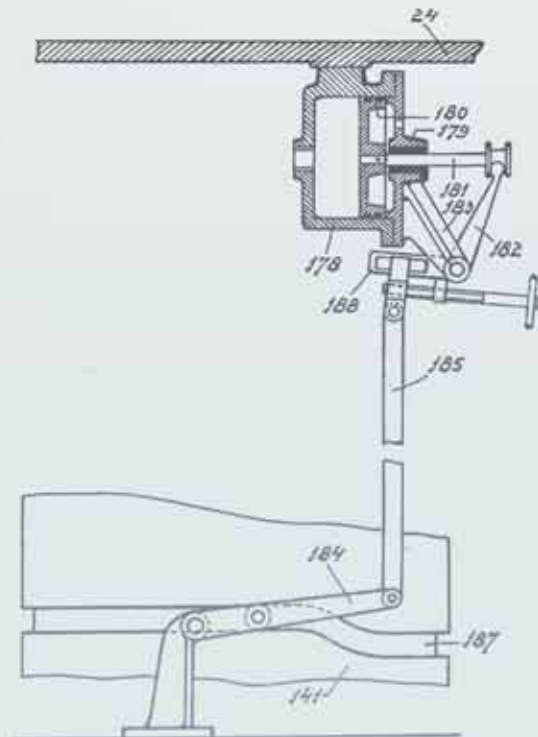


## FOSTERING OF INDUSTRIAL PROPERTY

# 1. COLLABORATING ON PROJECTS BASED ON THE USE OF INDUSTRIAL PROPERTY (IP) AS A BUSINESS TOOL



**Fig. 8.**



**Fig. 11.**

The **IPeuropAware** project to raise awareness and understanding of Industrial and Intellectual Property rights among European SME's, on which the SPTO has been a partner since it was first set up, along with another 25 stakeholders, including 20 of Europe's Industrial Property offices, the University of Alicante, Centre Henri Tudor and the Institut Européen Enterprise et Propriété Intellectuelle, and which was co-funded by the European Commission (Directorate General for Enterprise and Industry), finalised early in 2011.



Throughout the year, the SPTO put a range of initiatives into place to promote the use of Industrial and Intellectual Property among Spanish small and medium businesses, adapting several of the pilot projects run in earlier years as part of the IPeuropAware project to the national environment.

These projects included:

### **Industrial Intellectual Property Self-Diagnosis Workshop for businesses in Andalusia.**

The SPTO held an intensive training workshop in Seville for 15 specialists from the provincial delegations of the Agency for Innovation and Development in Andalusia (IDEA), as part of the launch of the DIPIA Industrial Intellectual Property Self-Diagnosis pilot project for enterprises in Andalusia, headed by IDEA's Industrial Property Division.

The aim of the pilot scheme, implemented as part of wider-ranging European Patent Office pilot re-orientation plan for the European patent information centre (PATLIB) network, of which IDEA is part, is to validate a new service to diagnose and improve IP practices among a selection of small and medium enterprises in Andalusia, using the same methods employed by the SPTO under the IPeuropAware project, on which IDEA was also involved.

The new service involves giving the selected companies a customised report on their IP activities, after a first survey visit, to be used to identify ways to make the most of said activities after only a few months.

### **Advanced workshop for SME consultants-interlocutors on Industrial Intellectual Property protection of innovation and on specific practical aspects of patent protection of inventions.**

In the last quarter of 2011, the SPTO held four advanced workshops for SME consultants-interlocutors on Industrial Intellectual Protection of innovation and on specific practical aspects of patent protection of inventions, in Badajoz, Bilbao, Pamplona and Valencia. The workshops were held in collaboration with a series of public-private consortia, set up as European Enterprise Network (EEN) 'nodes' in Spain. The workshops were a success thanks to the support of these consortia and by the management of the Network in Spain.

Each workshop was held over two days, with content developed as part of the IPeuropAware project over 2008 - 2010, and the format proved successful over the four pilot editions in 2010. The programme combined theoretical cases and practical exercises, touching on a wide range of issues dealing with the management of intellectual capital, the protection of innovations - particularly by means of Industrial Property titles, and technological monitoring using public databases and technical patent information services.

The primary aim of the workshops is to train employees of organisations which, in one way or another, advise SMEs in matters of innovation, so that they can advise and pass on the idea of protection of innovation as part of a proper intellectual capital management strategy.

In surveys held after the workshops, the students responded very positively to the training they received.

### e-learning modules

The STPO website has published two new online self-training modules on accessing patent information [http://www.oepm.es/en/informacion\\_tecnologica/modulos-Formacion.html](http://www.oepm.es/en/informacion_tecnologica/modulos-Formacion.html)

The two new modules are:

#### 1. "Patent document identification and types"

This module explains the official documents published throughout the patent granting process, how they are numbered and what codes they are given to identify them in accordance with international standards.

#### 2. "Use of patent information in R+D+i projects"

This module uses practical cases to illustrate how patent information, if used correctly, is crucial to the success of R+D+i projects.



## Inclusion of Industrial Property in University study plans

### Industrial Property in Spanish universities in the European Higher Education Area: new perspectives.

As part of the Programme for the Dissemination of Industrial Property Studies in Spanish Universities, the SPTO hosted the First National Meeting of Teachers and Industrial Property Experts at its Madrid Headquarters.

The purpose of the meeting was to share teaching experiences in implementing new university study plans and creating a repository of good teaching practices with regard to Industrial and Intellectual Property. Educational tools designed by the European Patent Academy and the European Patent Office were also showcased.



### The Carlos Fernández-Nóvoa Chair of Innovation and Industrial Property



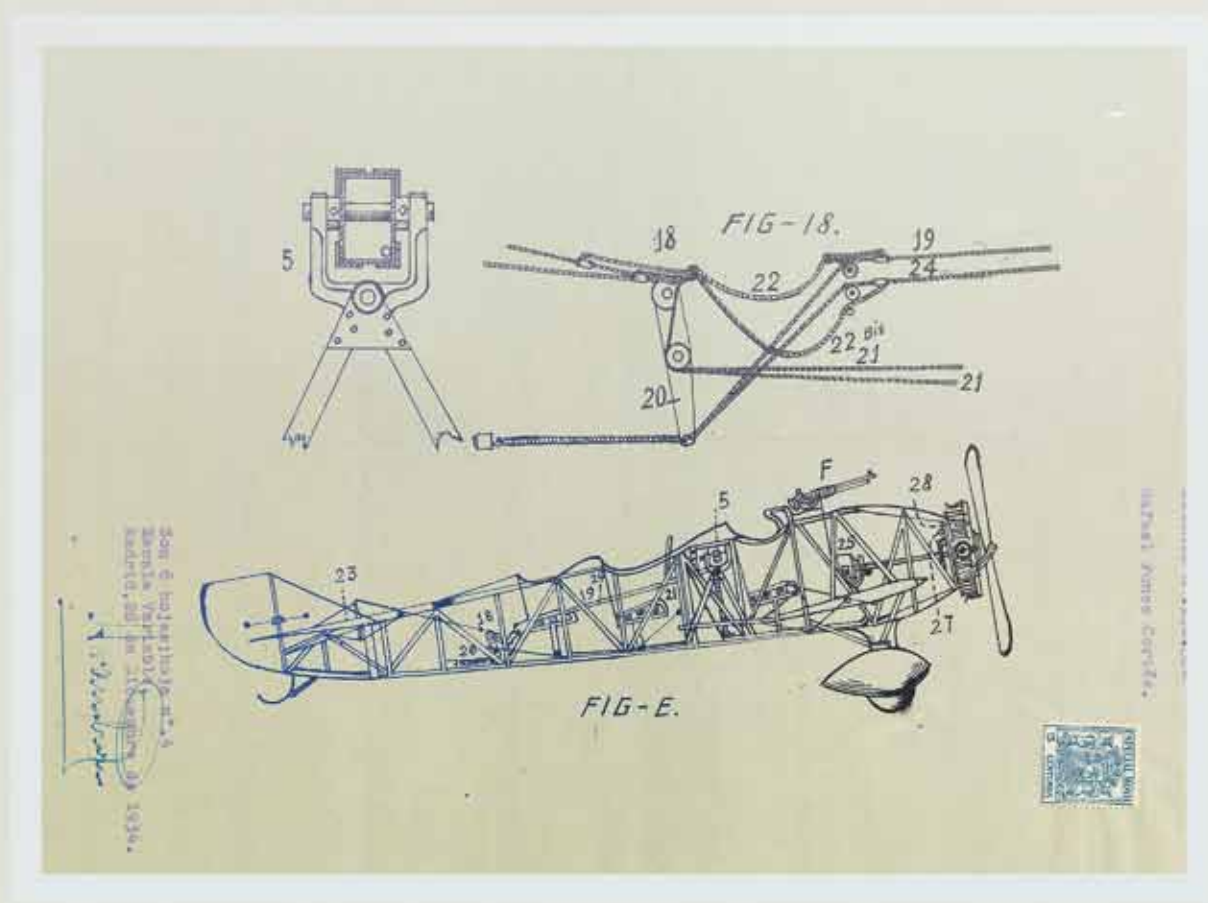
The Carlos Fernández-Nóvoa Chair of Innovation and Industrial Property was set up in 2011 by two Ministry for Industry, Tourism and Commerce agencies with a lengthy educational tradition: the School of Industrial Organisation (EOI) and the Spanish Patent and Trademark Office (SPTO).

The purpose of the Chair is to coordinate the many activities performed by the two agencies in the field of innovation and Industrial Property, seeking new synergies, maximising the integration and coordination of teaching and publishing activities, and establishing a joint business-academic platform.



## FOSTERING OF INDUSTRIAL PROPERTY

## 2. ATTENDANCE AT WORKSHOPS, FORUMS, COURSES AND SEMINARS - TRAINING AND THE NEEDS OF SMES



## Forum for Innovation and Patents

The Patent Innovation Forum is a think tank where the major Spanish sectors in innovation and patents come together to share experiences. At its sessions, statistical data from the SPTO are presented and matters of interest to the sector are discussed.

### “In-depth examination of the Spanish patent procedure: pros and cons”

A Patent Innovation Forum roundtable was organised by the OPTI Foundation, the Observatory for Prospective Technical Industrial Studies and the Spanish Patent and Trademark Office, to analyse the pros and cons of a possible in-depth examination of the Spanish patent granting system. It was attended by representatives from industry, universities and Industrial Property agents. The findings of the session were set down in the document “In-depth examination of the Spanish patent procedure: pros and cons”.

### “Future scenarios for Industrial Property, Horizon 2015. Current situation and factors of change for the SPTO”

This prospective study was undertaken by OPTI in collaboration with the SPTO, and deals with joint analysis and forecasting by IP experts to identify the factors of change needed to design possible future alternatives to Spain’s Industrial Property system and to create recommendations on how to position the SPTO in a changing environment.

## Second edition of the CONITEC Forum

During the year, the Higher Council for Chambers of Commerce, Industry and Navigation in Spain, in conjunction with the Spanish Patent and Trademark Office, organised the second edition of CONITEC, a forum on Technology Transfer, Innovation and Business Competitiveness, with conferences on leadership and innovation in times of crisis, collaboration between the productive world and the academic world, an international campus for excellence and practical cases of Technology Transfer.



## Annual meeting of Regional Patent Information Centres

The 2011 meeting with Regional Patent Information Centres was held in Santiago de Compostela, with the aim of discussing a range of matters of interest and exchanging experiences with regard to the functions of the Centres.



## Third-generation PATLIB centres

The EPO has launched a three-year pilot project to set up a certain number of PATLIB Centres, enabling them to establish new patent information centres.

In the case of Spain, two centres were selected: IDEA in Andalusia and ADER in La Rioja.



Patlib 2011. The Hague

## 2nd Course on European Patent Law

The SPTO, in collaboration with Strasbourg's Robert Schumann University's Centre d'Études Internationales de la Propriété Industrielle (CEIPI), the EPI (the European Patent Institute), and the EOI Business School organised the 2nd Course on European Patent Law, targeted at future Industrial Property professionals.

## Advanced course on patents: interdisciplinary modules and modules on mechanics; electronics and software; chemicals and pharmaceuticals; and biotechnology and biomedicine

A new course with four advanced modules, each corresponding to a different technical sector, aimed at those seeking a more expert understanding of the workings of the patent system. The course offered specific, up-to-date, practical information, with an international focus.

## European Qualifying Examination (EQE), practical workshop

A practical workshop to prepare for the European Qualifying Examination, held in collaboration with the University of Barcelona. 2011 saw the 6th edition of this workshop which, for the first time, offered preparatory sessions for all the topics of the exam.

## Workshop on international PCT administration, organised by the United States Patent and Trademark Office Global IP Academy

The USPTO Global IP Academy and the SPTO offered this skills-building programme on Searching and International Preliminary Examination for PCT (ISA/IPEA) International Administrations.

The course dealt with the procedures of an ISA/IPEA, as specified in Chapters 1 and 2 of the PCT, using the USPTO system as an example. The offices taking part also gave short talks on their experiences with ISA/IPEA. Within this context and at the invitation of the organisers, the SPTO outlined how inventive step in international patent applications is assessed in Europe.

## Patent Mondays

The SPTO hosted two workshops, organised by the University of Barcelona Patent Centre, to analyse and update patent-related aspects. At the sessions, known as "Patent Mondays", matters of current interest were presented and debated in depth.

## Industrial Property Administrative Management Programme (Paralegals)

In 2011, the EOI Business School and the SPTO set in motion the Industrial Property Administrative Management Programme (Paralegals), one of the activities of the Carlos Fernández-Nóvoa Chair for Innovation and Industrial Property.



The idea of the programme is to build capacity in intangible assets, patents, marks and designs, to give businesses greater access to financing and better returns on their investments in R+D+i.

### **SPTO-UIMP Summer School. “Innovation, Patents and the Internationalisation of business”.**

For five years now, the Spanish Patent and Trademark Office and Menéndez Pelayo International University have been jointly running a summer school dealing with Industrial Property. The 6th edition focused on “Innovation, Patents and Business Internationalisation”, emphasising the need to make strategic use of Industrial Property protective tools, as a factor in business differentiation and specialisation.



Students at the 2011 course

### **CEVIPYME, SME support centre for matters relating to industrial property rights management**

Under a framework agreement between the Directorate General for SME Policy, the Spanish Patent and Trademark Office and the Fundetec Foundation, in 2011 Cevipyme held several workshops on Industrial Property at the service of SMEs.

The workshops analysed the primary needs of SMEs with regard to Industrial Property processing, and CEVIPYME proved to be an effective technological solution.



Workshop in Segovia

### Courses held as part of the Latin-American partnership framework

In 2011 the SPTO and Latin-American Industrial Property offices jointly offered a range of courses on:

- Novelty and Inventive Step.
- Patentability requirements and evaluation criteria for novelty and inventive step.
- Patent management and evaluation.
- Trademark management and evaluation
- Distance course on patents, organised every year by the SPTO in conjunction with the CEDDET Foundation
- 28th Trademark Seminar for Ibero-American Civil Servants.
- Industrial Property and associated legislation on access to drugs, such as the TRIPS Agreement and the Doha Declaration.



### CIBIT Programme

The aim of the CIBIT Ibero-American Training Programme in Patent Searches and Examination is to build capacities in Ibero-American patent examiners with regard to the search methodologies used in document databases and in technological information services. In 2011 the programme featured two participants from the Cuban Industrial Property Office, two from the Mexican Institute for Industrial Property, two from the Dominican Republic Industrial Property Office and one from the Chilean Industrial Property Institute.

### Travelling seminar on the Chinese design registration system

The Spanish Patent and Trademark Office, with the Office of Harmonization for the Internal Market and the Chinese State Intellectual Property Office, organised a travelling seminar on the system in place for registering designs and models.



### Online Services User Day

The European Patent Office and the Spanish Patent and Trademark Office held an Online Services User Day, structured into a series of practical workshops, to give users hands-on experience of patent application and fee payment software, and giving assistance with practical cases.



### Meetings with the other side

A new edition of the “meetings with the other side” was held. The conviction behind these meetings is that the SPTO will operate more efficiently when its agents have a better understanding of the people for whom they are working.

The guest Spanish organisation was the Spanish Mint.

### Geneva International Inventors Fair Awards

The SPTO was present at the 39th Geneva International Inventors Fair, organised by the Swiss government, Geneva Town Hall and the World Industrial Property Organisation (WIPO) and considered the world’s most important event for inventors.

The SPTO award went to Antonio Serrano González for his invention “System for accessing swimming pools, bath tubs or bathing area, eradicating current barriers”.



### **Egética Expo-Energética**

The SPTO attended Egética Expo-Energética, the International Energy Efficiency and New Technical Solutions in Renewable and Conventional Energy Fair.

### **Alternative Vehicle and Fuel Fair**

The Spanish Patent and Trademark Office attended the Alternative Vehicle and Fuel Fair, where it distributed the Technological Vigilance literature published by the SPTO for the sector.

### **FARMAMAQ**

The Spanish Patent and Trademark Office attended the International Fair for Suppliers to the Pharmaceutical, Biopharmaceutical and Laboratory Technology Industry.

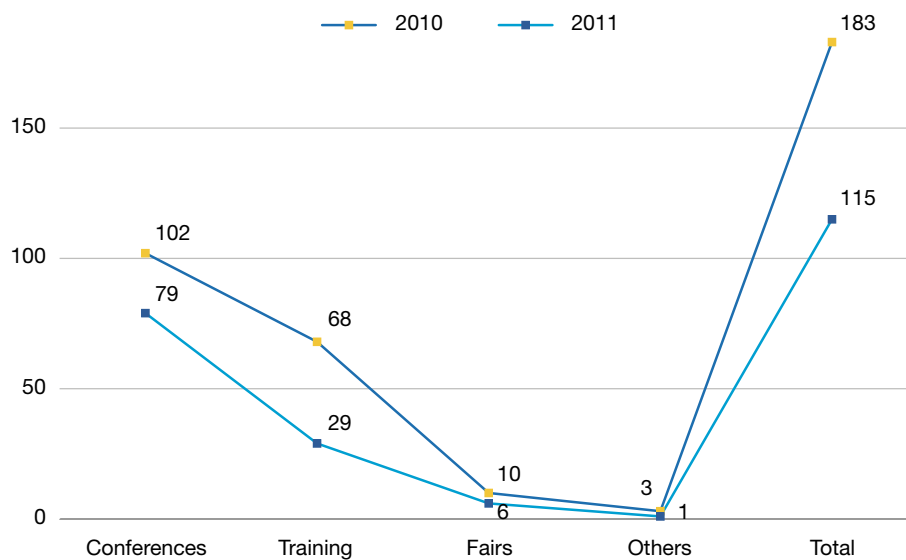
### **Miempresa**



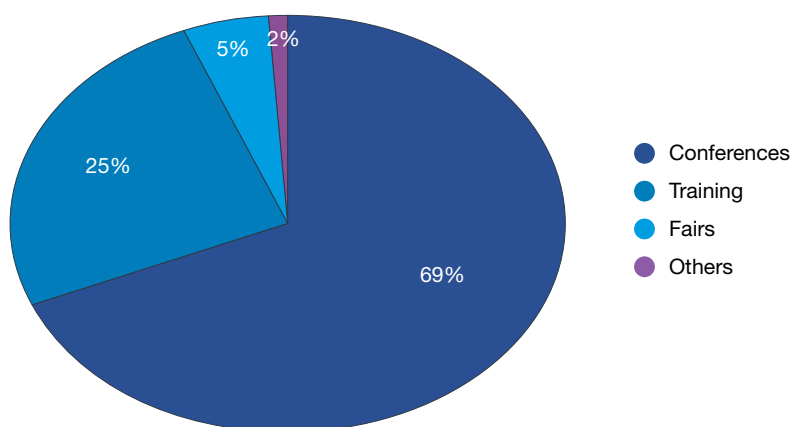
The Spanish Patent and Trademark office attended the Miempresa Fair, designed to foster the entrepreneurial spirit and support SMEs, by means of nurturing their competitiveness and continuity. SPTO agents spoke on IP management and its importance in SME policy.

The following graphs sums up their points:

### INDUSTRIAL PROPERTY DISSEMINATION ACTIVITIES 2010-2011 COMPARISON

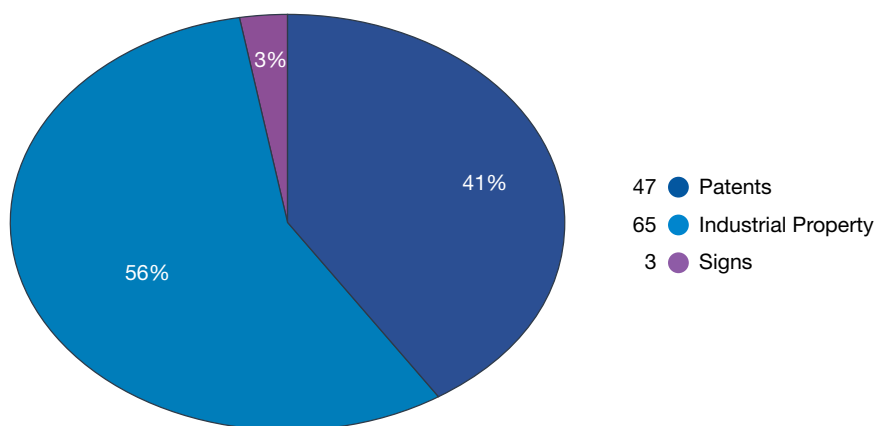


### ACTIVITIES PERFORMED IN 2011

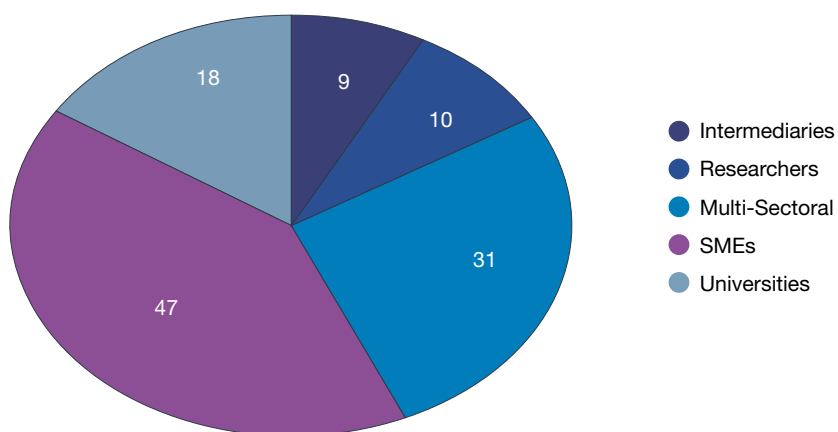


Activities performed 115

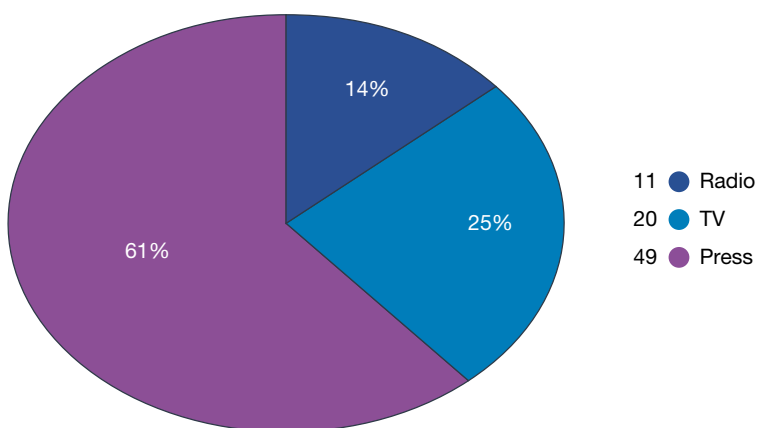
### INDUSTRIAL PROPERTY TITLE



### TARGET GROUP



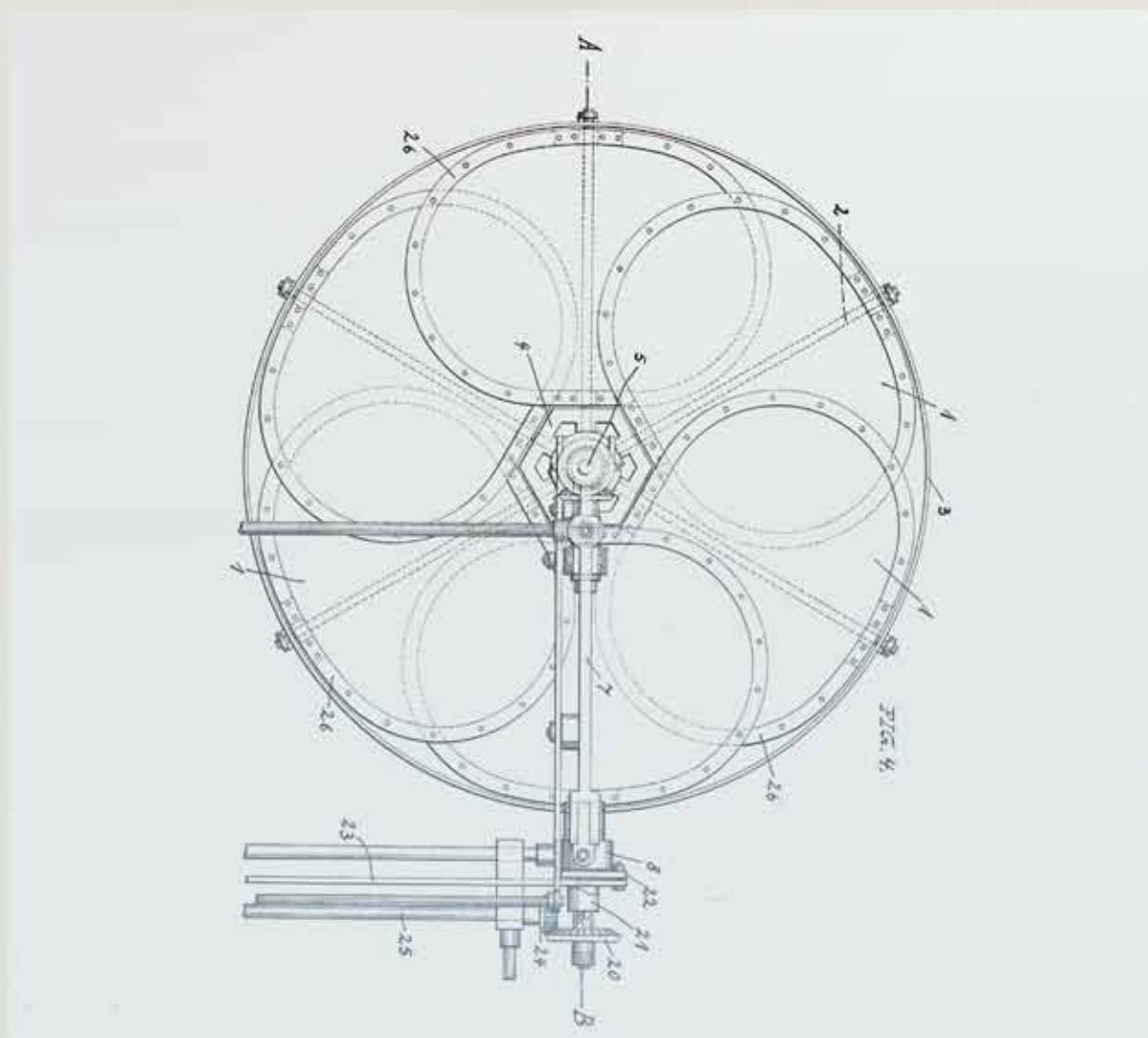
### RELATIONS WITH THE MEDIA (2011)



Total no. of relations 80

## FOSTERING OF INDUSTRIAL PROPERTY

### 3. SUPPORT FOR APPLICANTS OF PATENTS AND UTILITY MODELS IN SPAIN AND ABROAD



In 2011, for the second year in a row, a series of grants were offered for Spanish patent and utility model applications. The aim of these grants is to foster patent protection of inventions among SMEs and individuals.

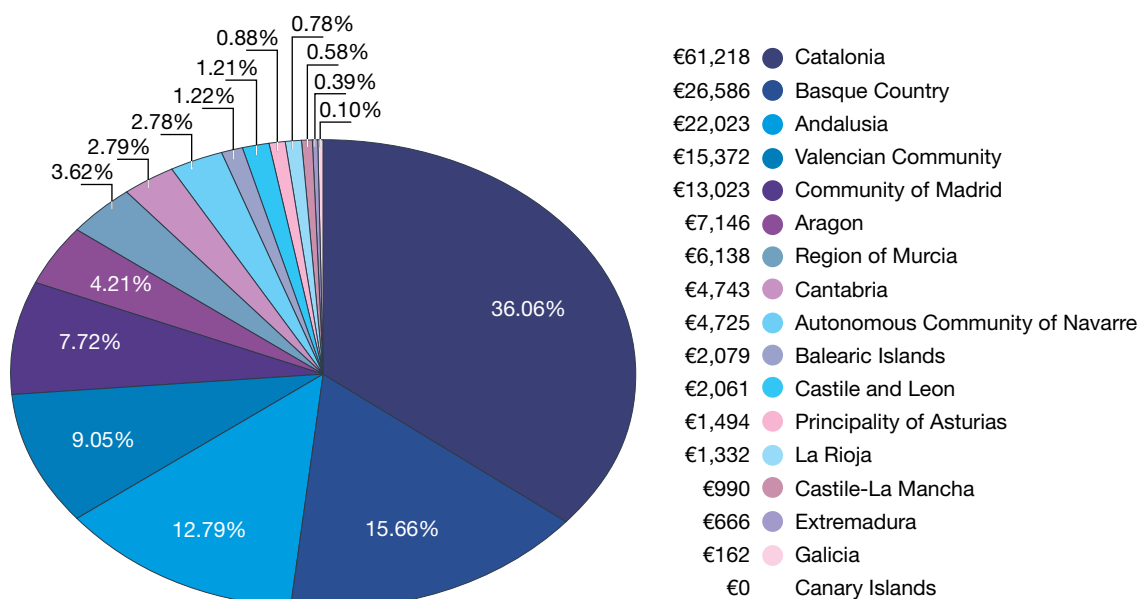
The year's grants totalled €167,346, an increase of 11.3% over the previous year. In 2011, 300 grants were awarded, corresponding to 474 inventions.

The distribution of the grants was as follows:

- SMEs 63.5%
- Individuals 36.5%.

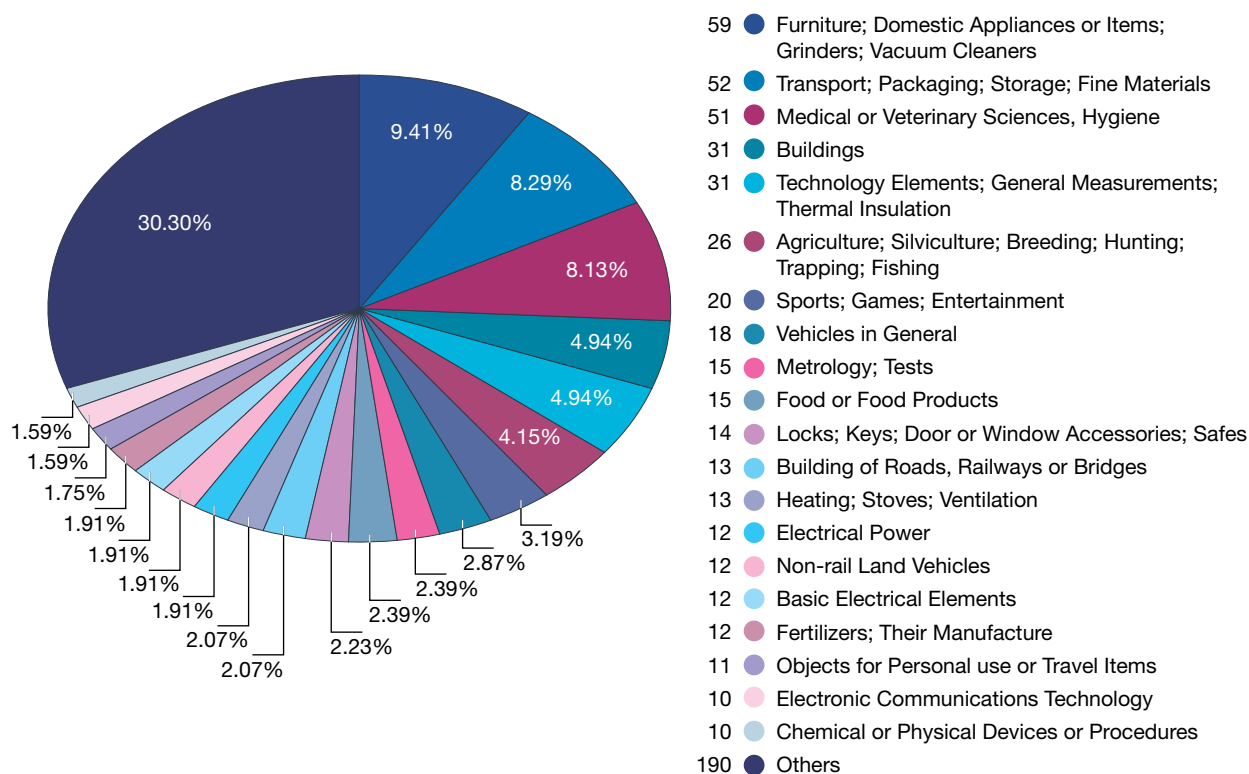
By Autonomous Communities, Catalonia takes top spot, with 36.04% of the total, followed by the Basque Country (15.65%), Andalusia (12.97%), the Valencia Community (9.05%) and Madrid (7.72%).

#### AMOUNT BY AUTONOMOUS COMMUNITIES - NATIONAL - 2011



With regard to distribution by technology sector, the results are as follows: Furniture, home fittings (9.41%); transport, packaging and storage (8.29%); medical and veterinary sciences (8.13%); construction (4.94%); technology, insulation (4.94%); rural activities (4.15%); and sports, games and entertainment (3.19%). 0.64% of all applications corresponded to what are known as “green patents”.

### NO. OF SPANISH PATENTS OR UTILITY MODELS BY TECHNOLOGY SECTORS - NATIONAL - 2011



The SPTO fosters the protection of Spanish innovation abroad, to boost Spanish technology and further its transfer.

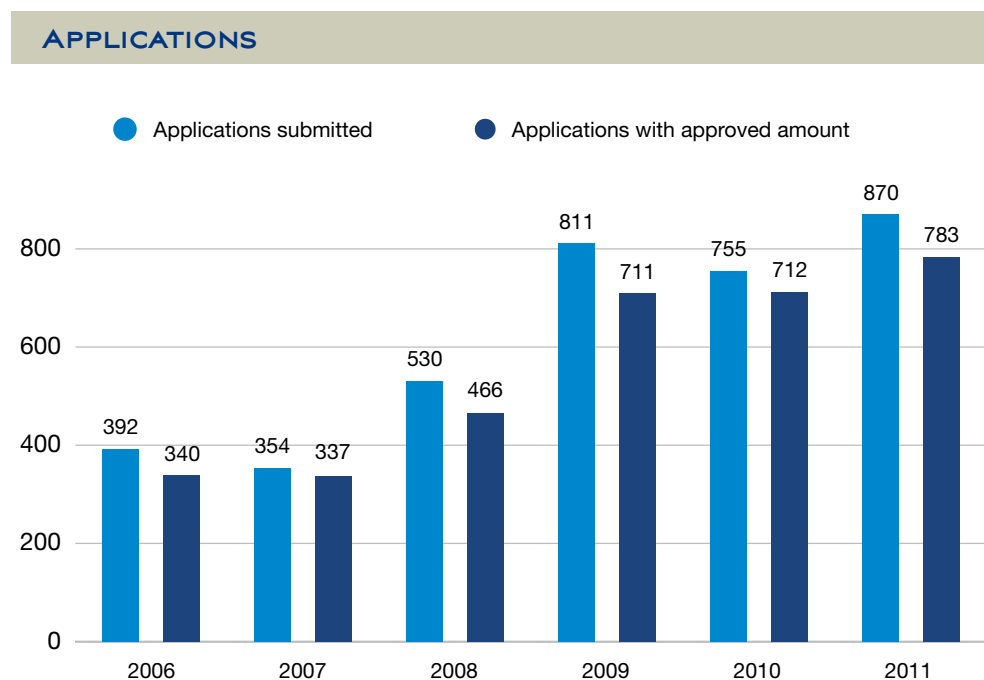
In 2011, for the sixth year in a row, a series of grants were offered for Spanish patent and utility model applications abroad.

**A total of €3,508,641.61 was allocated to these grants, 7.6% more than in the previous year.**

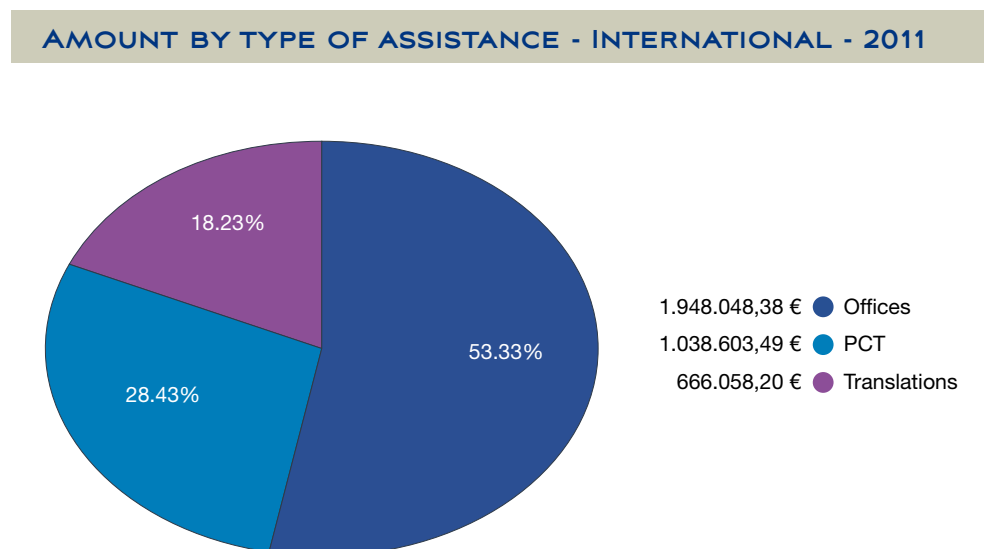
SMEs receive subsidies of up to 90% of fees and translations, with all other applicants (universities, state agencies, individuals, etc.) receiving subsidies of up to 80%.

**In the 2011 round, 783 grants were awarded, corresponding to 2440 inventions.**

Advances in applicant numbers and successful applications per year are shown in the following graph:



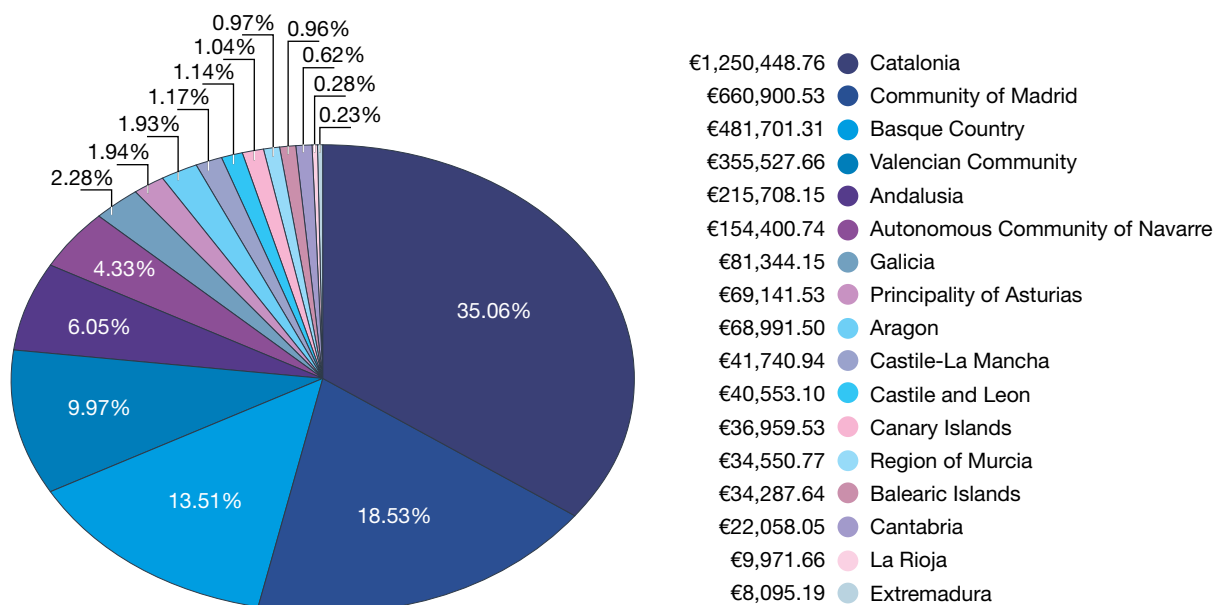
The subsidies were allocated as follows: translations, 18%; PCT procedures, 28%; and 54% for procedures before foreign and regional offices.



17% of applicants used the European Patent System to cover their inventions, followed by 12% who used the PCT International Patent System channel to protect their inventions in different countries around the world. 8% of applicants extended their protection to the US, 4% to China, and 3% each to Japan, Canada, Mexico and India.

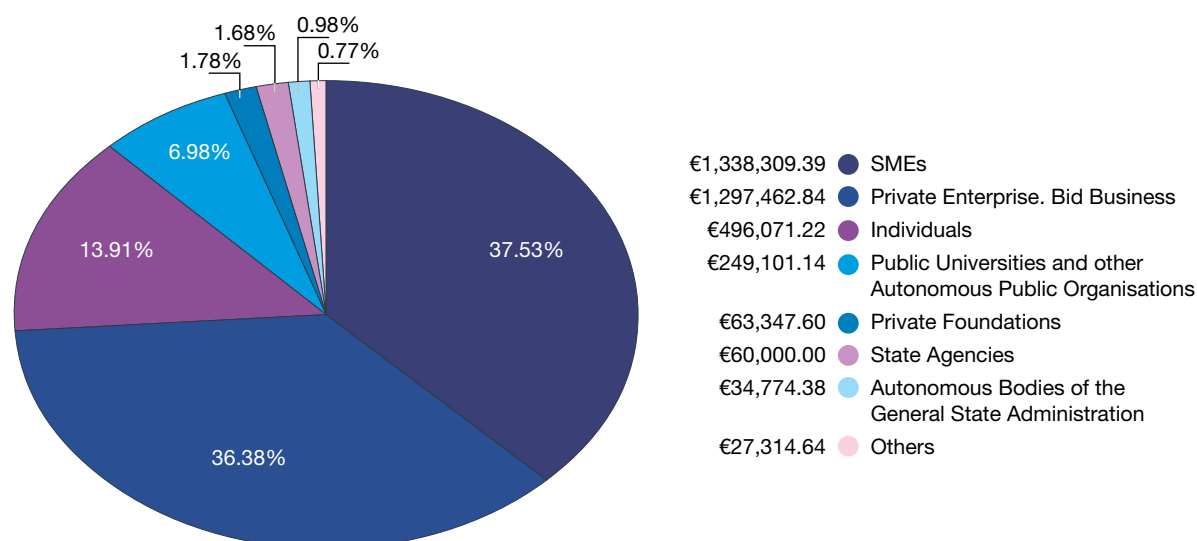
The six Spanish autonomous communities to top the list of subsidies awarded were Catalonia (35.1%), Madrid (18.5%), Basque Country (13.5%), Valencian Community (10%), Andalusia (6%) and Navarre (4.3%).

### AMOUNT BY AUTONOMOUS COMMUNITIES - INTERNATIONAL - 2011



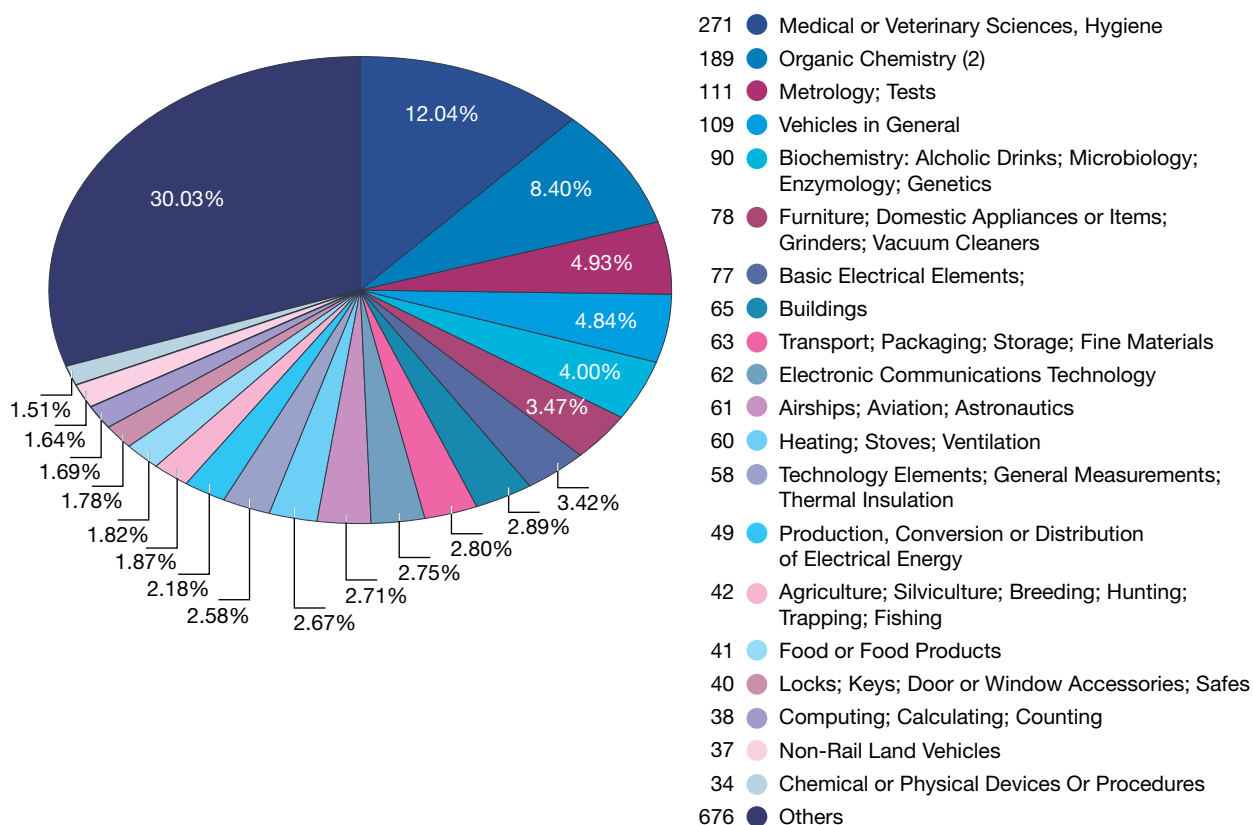
The distribution of the grants was as follows: SMEs, 37.53%; large companies, 36.38%; individuals, 13.91%; public universities, 6.98%; state agencies, 1.68%; the remaining 3.52% went to state foundations, private foundations and others.

### AMOUNT BY TYPE OF BENEFICIARY - INTERNATIONAL - 2011



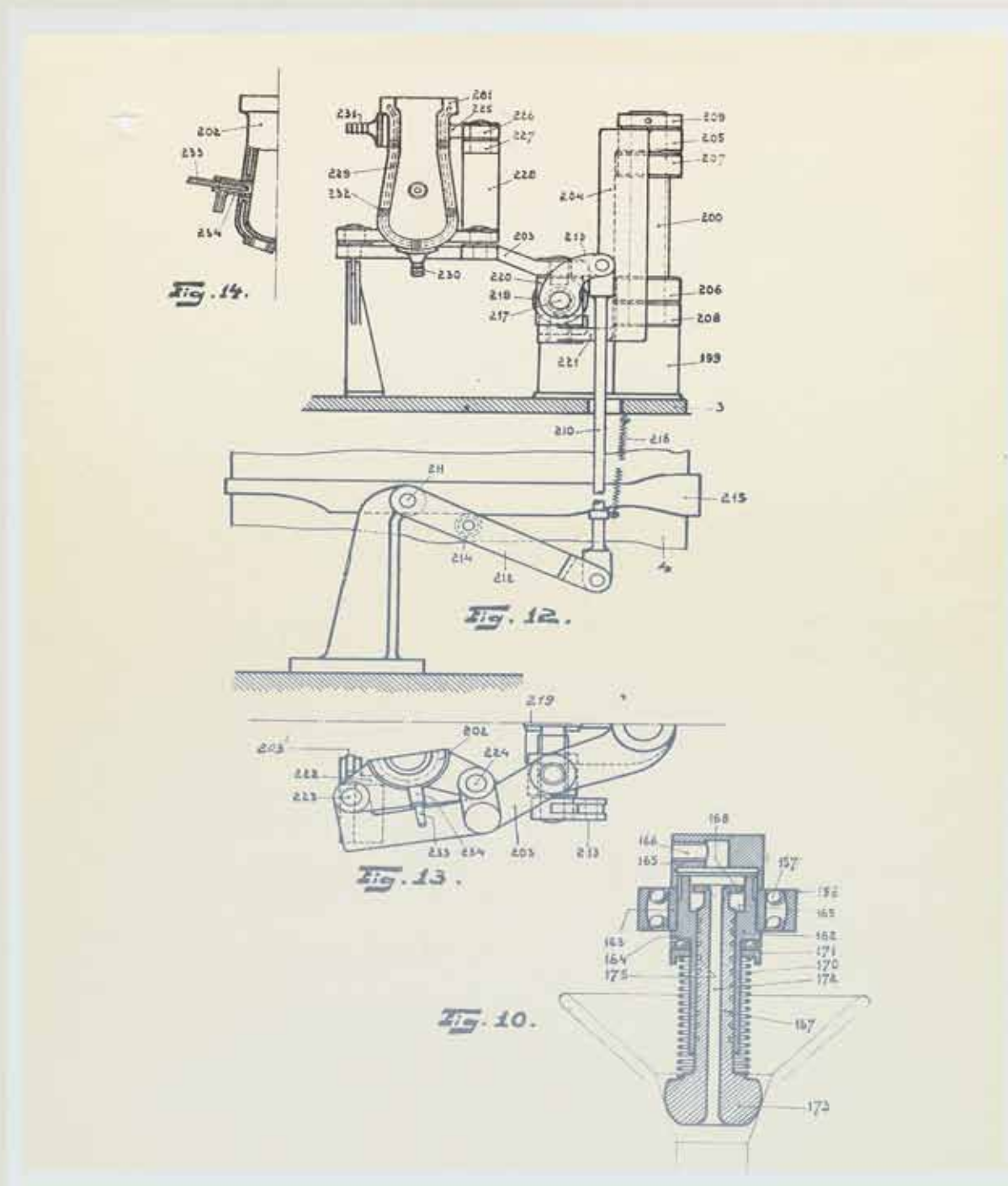
With regard to distribution by technology sector, the results are as follows: medical and veterinary sciences (12.04%); organic chemicals (8.40%); testing and metrology (4.93%); vehicles in general (4.84%); biochemicals, microbiology, enzymology, alcoholic beverages (4%); and furniture, home fittings (3.47%). 1.32% of all applications corresponded to what are known as “green patents”.

#### NO. OF SPANISH PATENTS OR UTILITY MODELS BY TECHNOLOGY SECTORS - NATIONAL - 2011



## FOSTERING OF INDUSTRIAL PROPERTY

### 4. IT UPDATE OF THE SPTO



Throughout 2011 a series of projects were put into place to streamline and simplify infrastructures, and projects already in place were consolidated. The measures are part of a drive to modernise the SPTO.

**In addition to advances in modernisation, administrative costs were also greatly reduced, due to process streamlining and the rationalisation of infrastructures.**

## e-Administration

The SPTO online Design application system became a reality in 2011.

Of particular importance are the use of the EPO eOLF system, for invention patent applications, and the SIGEM platform, for Ministry for Industry procedures.

Advances in e-administration have greatly reduced digitisation needs, allowing electronic documents created by applicants to be stored directly and information to be forwarded to management applications.



## e-Office

The SPTO has set up an e-Office, as stipulated in Act 11, for citizens to consult all e-administration services. The website was set up under SPTO Resolution of 9 March 2010, published in the Spanish State Gazette (BOE) on 16 March.

In 2011, the SPTO e-Office was up and running and responding to user queries.

## BOPI (Official Spanish Industrial Property Gazette)



In 2011, the BOPI was created electronically and published on our web without outside help for the first time. The BOPI is published in a range of formats (XML, PDF and HTML), allowing users to download data and images for their systems. There is also an advanced query service.

**The modernisation of the BOPI has involved significant savings.**

### **e-Administration Platform**

The SPTO has set up a common e-service platform to be used by all management tools. The platform controls all mail and memos sent, notifications, signatures, etc.

### **e-Publication**

In 2011, we computerised the creation of brochures using office systems, with considerable savings. In particular, the procedure for the publication of European patent validations (also the most intensive procedure) was amended, allowing applicants to submit report and claims on PDF without making later changes to the text. This greatly reduces publication costs and ensures translation integrity.

### **Payment System**

Also this year, in addition to developments in e-administration, online payments and other electronic payment formats were greatly improved. In addition to making payment by files and using the AEAT gateway, it is now possible to pay using the la Caixa platform.

**At present, over 80% of payments are made online.**

Also in 2011, a debit card payment system was put into place, to make the application system easier for late users of the system.

### **Significant improvements were made to the teller system (ALTERA) and management systems.**

### **ALFA**

The year's biggest project was ALFA, which offered a model for the computerisation for other SPTO procedures. Integrated with other systems (documents, payments, online applications, BOPI, Invenes, etc.) and with other bodies, it allows for complete processing of Invention files, without hard copy backup.

Currently, examiners no longer receive paper files and all files are managed via ALFA. Set up in 2010, significant improvements were made to ALFA in 2011 and with all its functionalities improved it now performs better.

### SITAMOD

In 2011, the Designs procedure was improved. Designs are currently granted in three days. The system was integrated with online application for designs, to be filled out directly with the information entered by the applicant.

### SITAMAR

The Sitamar platform was enriched with a file assignment system and a module for complete online processing of renewals.

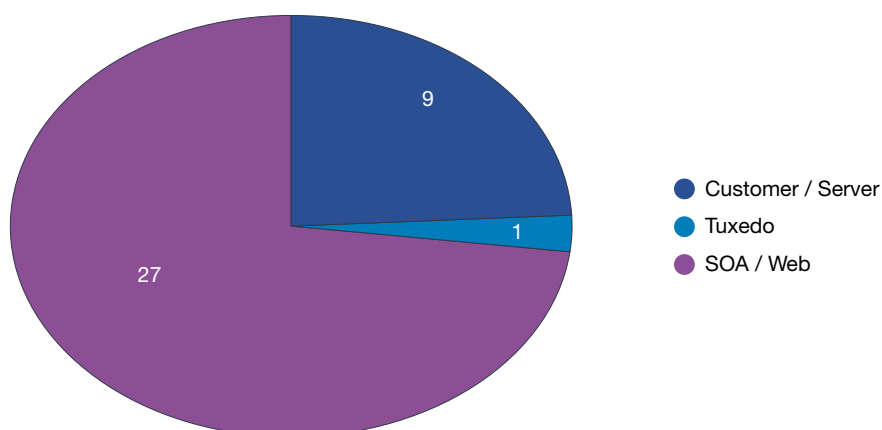
### Online Support for Resources

The BADAURE application was replaced with a new resource management application. In September 2011, the Design resource management application came online, followed by the Distinctive Sign resource management application in November.

### Help Management

The help section underwent big improvements in online management, particularly with regard to e-administration.

#### ARCHITECTURE OF SPTO BUSINESS APPLICATIONS 2011



### Distinctive signs

As part of our strategy of offering data openly, we have created web services to allow other organisations to use the trademark locator. The project was put in place in collaboration with the OHIM TMView tool, which allows users to search databases held in European Intellectual Property Offices.

## IVENES

In 2011, IVENES made it possible to examine Spanish document collections and recover full-text PDF files, in addition to using the web services created to be used by other systems. Improvements were also made to its structure, for better availability and results.



## Google Search for Spanish patents

The SPTO continued to exploit the advantage of Spanish documents: full-text information on all patents since 1986, based on Google search technology, the Page Rank algorithm, accessed using a GSA (Google Search Appliance).

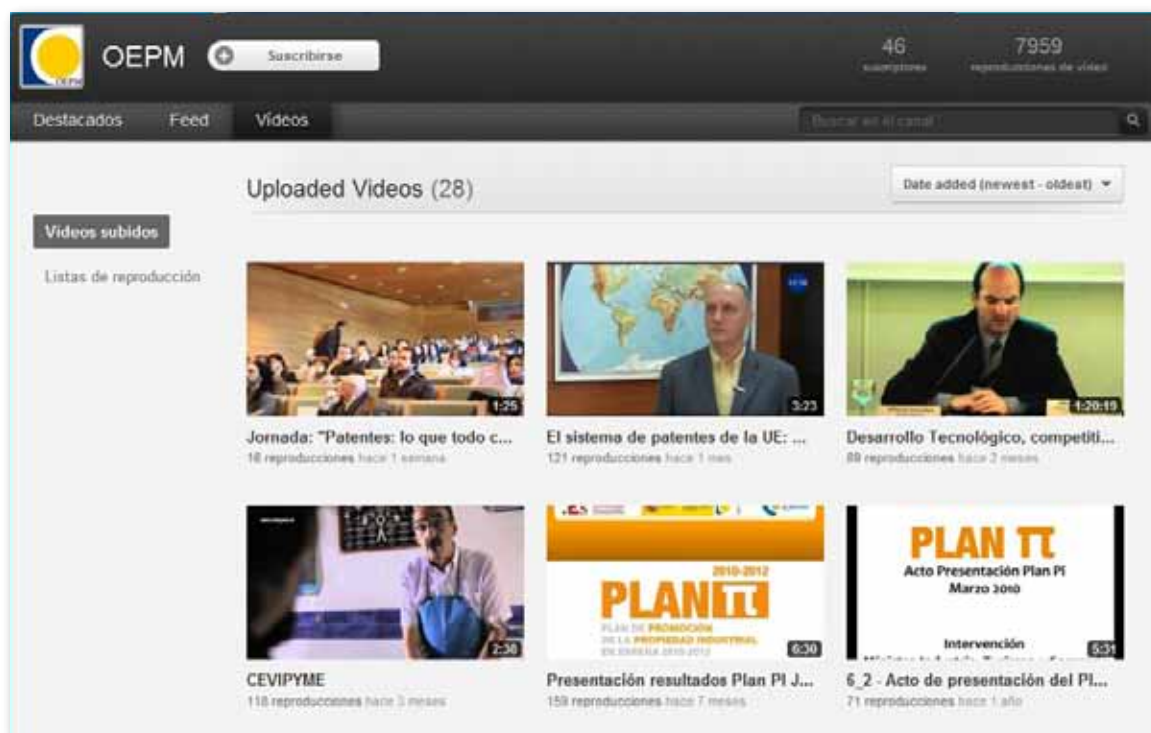
## Internet

In 2011, the SPTO launched a new website, with important new features. Based on openCMS, an open-source content manager, it has shown excellent results. Information is presented in full, allowing users to find results without undergoing complex training. It is made possible by the use of web services.

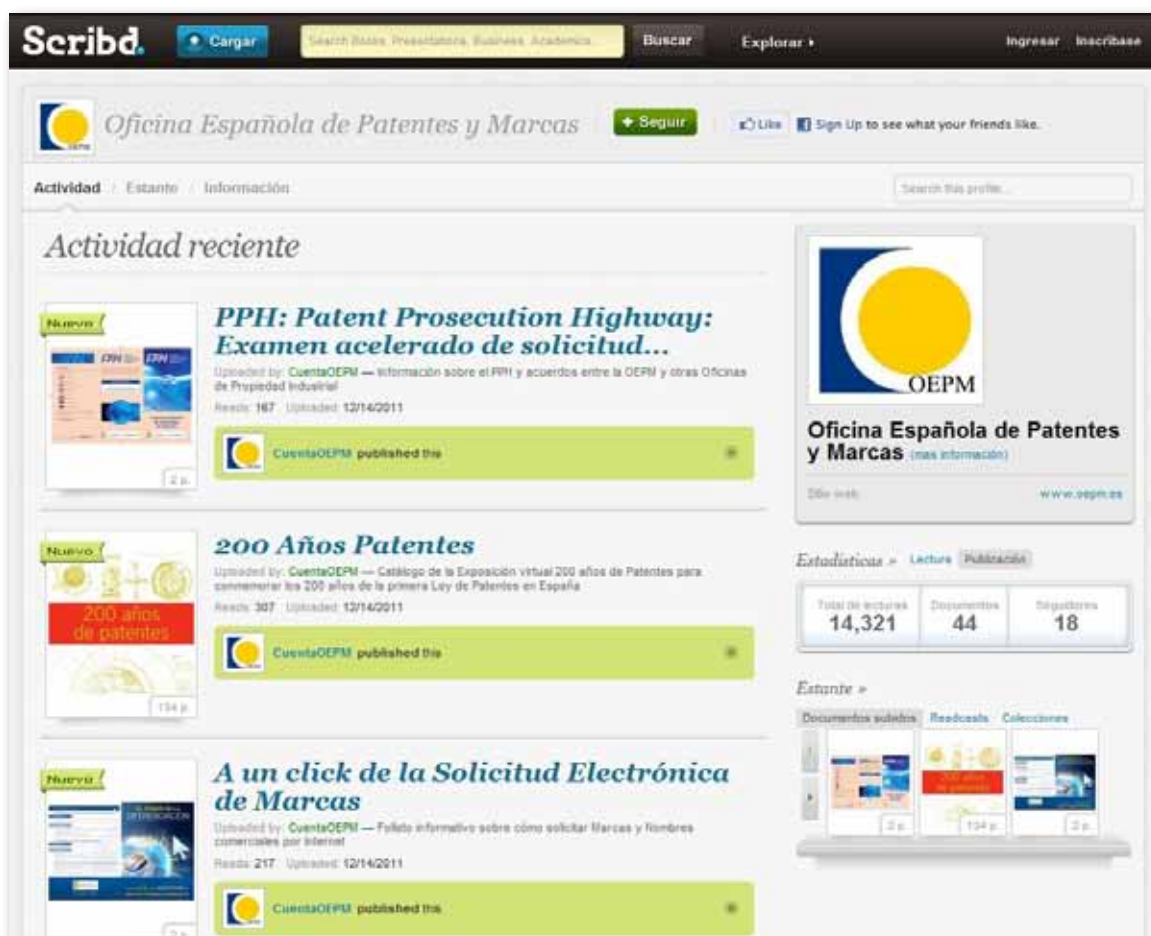
## SPTO ON THE INTERNET

In 2011 the SPTO set up an account on Scribd. CuentaOEPM gives access to leaflets, catalogues and other IP documents of interest to users.

This new Scribd account, the official SPTO channel on Youtube, (<http://www.youtube.com/user/CanalOEPM>) and the Wikipedia entry (<http://es.wikipedia.org/wiki/OEPM>) are just some of the steps taken to increase the internet presence of the SPTO.



The SPTO account on Scribd can be reached through the home page of the SPTO website <http://es.scribd.com/CuentaOEPM>



## Open-source Software

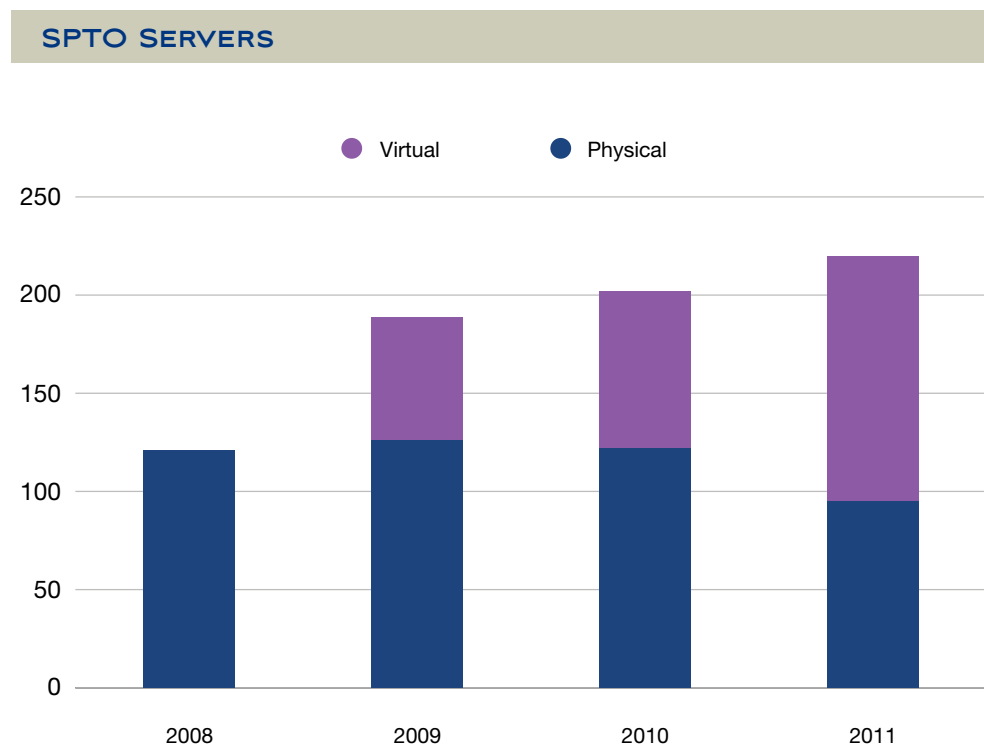
The SPTO uses open-source software, and both the website and the internet were created using free software. This leads to big savings in license fees.



## Consolidation and virtualisation

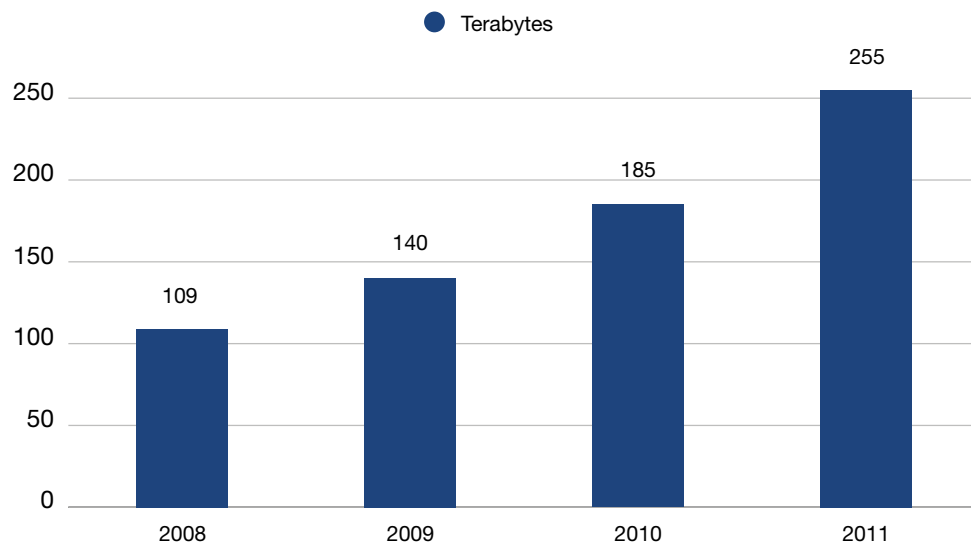
The SPTO has consolidated infrastructures, databases and servers, as part of a major project aimed at providing increased service availability, reduced risks and cost savings. The project uses up-to-date, high-availability, virtualised Blade equipment, saving almost €1 million in maintenance and energy costs.

Our fleet of servers grew to 219. This increase became necessary to cover the needs of IT projects, applications and services deployed by the SPTO: ALFA, UCM, PHOENIX, etc.



Moreover, the capacity of the corporate storage system was also increased to 250 terabytes.

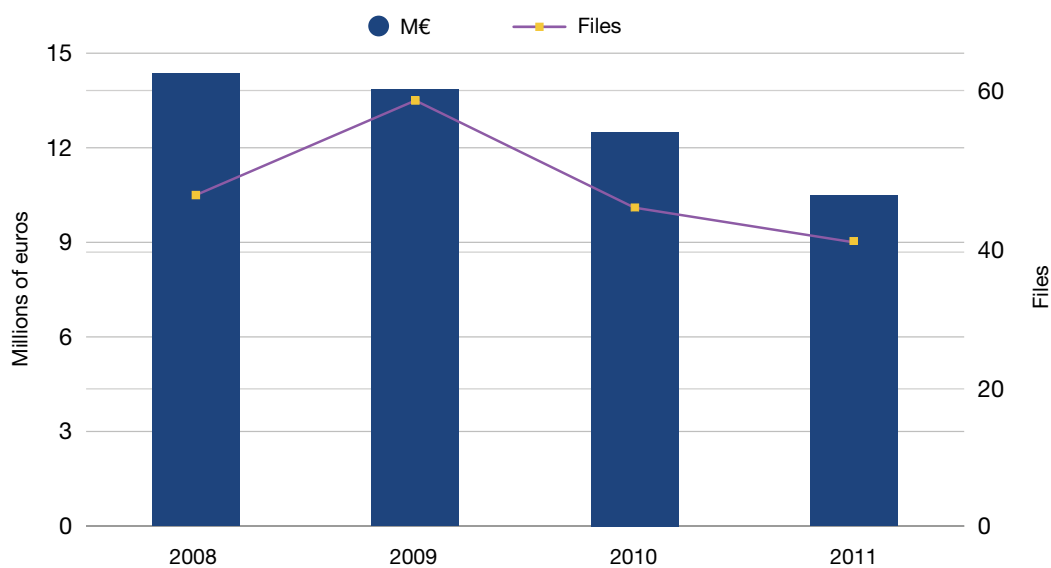
### CORPORATE STORAGE



### Procurement

Throughout 2011, procurement was marked by a progressive reduction in allocated funds, down 27% on 2008. Over this time, a total of 197 procurement files were processed, as shown on the following graph:

### IT DEPARTMENT CONTRACTS



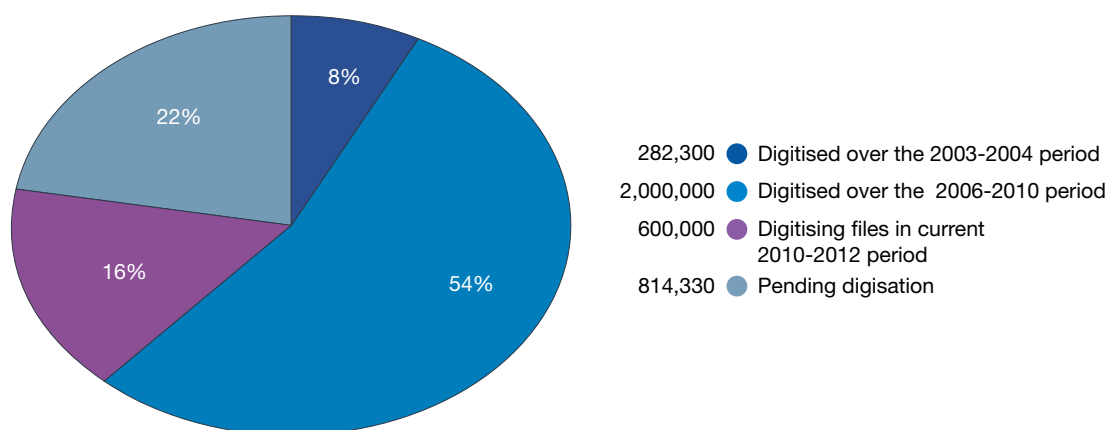
## SPTO sets up Business Patent Inventory service.

With the aim of “Disseminating the use of Industrial Property”, in accordance with Art. 57.1 of the Sustainable Economy Act, the SPTO set up the Business Patent Inventory service, giving access to the bibliographical information and current files of corporate applicants.



## GENERAL ARCHIVE AND HISTORICAL ARCHIVE OF THE SPTO

### CURRENT STATUS OF GENERAL ARCHIVE

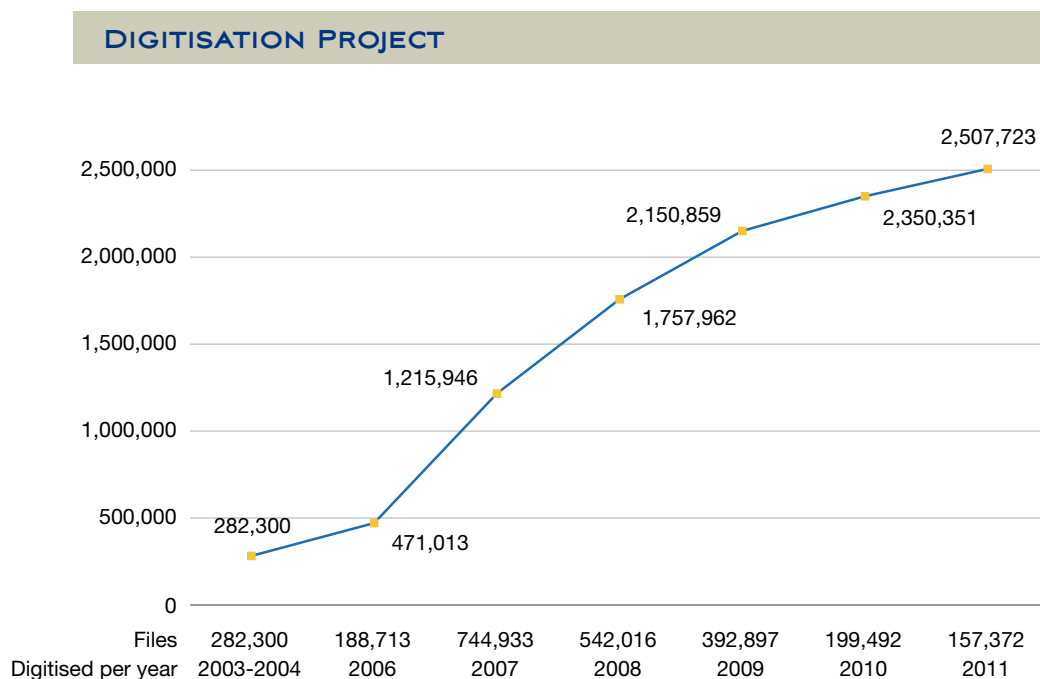


## Document custody systems

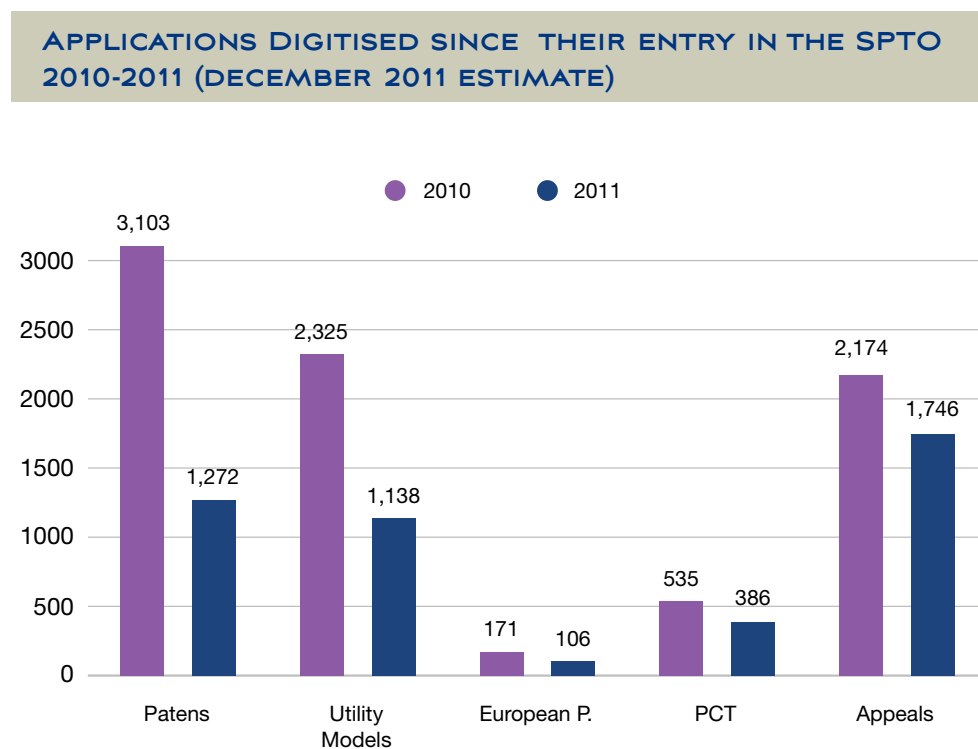
Files that are not digitised are stored in the archives of the former head office of the SPTO on calle de Panamá nº 1; once they have been digitised they are sent to the Administrative Documentation Storage Centre (CADA), managed by the Sociedad Estatal de Gestión Inmobiliaria de Patrimonio, S.A.

## Development of the digitisation project

### » Files that have been processed



### » Files being processed



## Users of the General Archive

### » Prior query archive request

**In 2011, the General Archive provided external users with a total of 1,831 already digitised files;**

in addition 780 files were digitised in response to 510 requests made in person or by e-mail and 270 requests made over electronic media for hard copy files, since copies are provided in digital format.

**The number of loans by internal users totalled 6,462 files (4,641 hard copy and 1,821 in digital format).**

### » Online query

During 2011, the necessary processes were implemented to update the portal for accessing digitised files on a daily basis; from this portal you can view “available” documents from the files of the different types of industrial property as of the date of publication of the application in the Official Industrial Property Gazette (BOPI); this service was integrated with Sitadex and Espacenet-Latipat and since October it has been directly accessible from the European Patents Office Register.

Coverage of databases:

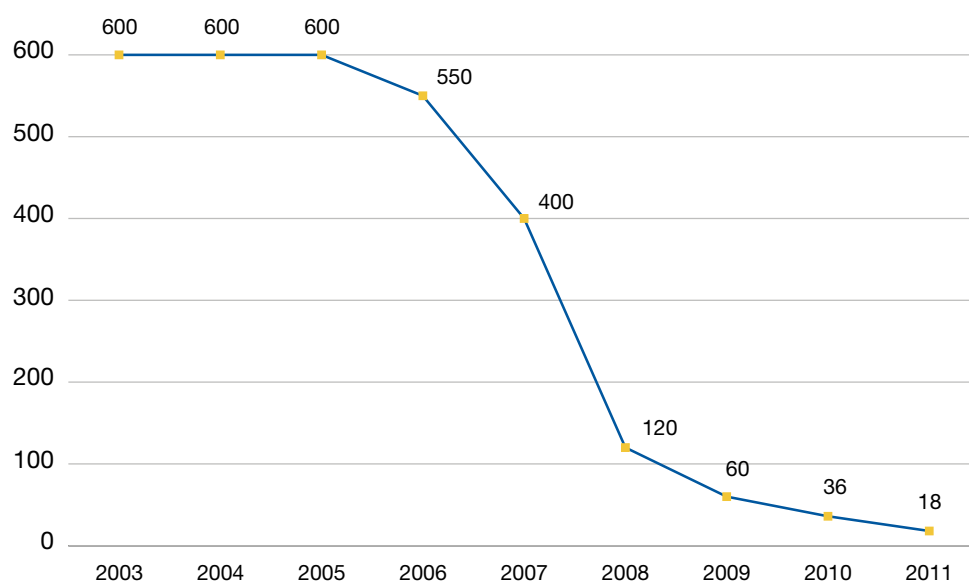
- National patents with an application date between 1940 and 1972.
- Utility models with an application date between 1940 and 1968.
- National patents and utility models from 1986 to the present date.
- European patents granted in Spain.
- National trademarks from 1878 up to April 2007 and being gradually updated to the present date.

## Countries that visit the website most

	Contries	Visits	%Visits
1	Spain (ES)	7,973	71%
2	Germany (DE)	709	6%
3	The Netherlands (NL)	423	4%
4	United States (US)	301	3%
5	France (FR)	221	2%
6	United Kingdom (UK)	210	2%
7	Italy (IT)	109	1%
8	Mexico (MX)	94	1%

Contries	Visits	%Visits
9 India (IN)	91	1%
10 Taiwan (TW)	87	1%
11 Japan (JP)	84	1%
12 Belgium (BE)	70	1%
13 Switzerland (CH)	69	1%
14 Colombia (CO)	67	1%
15 Peru (PE)	46	0%
16 Greece (GR)	42	0%
17 Argentina (AR)	40	0%

#### DEVELOPMENT OF THE REDUCTION IN LOANS OF HARD COPY FILES 2003-2011



#### The Historical Archive

As a result of the partnership between the SPTO and the Autonomous University of Madrid, the study of historical records available through the databases, which can be accessed from the Historic Website of the SPTO, has continued.

Currently, there is information on royal privileges (1826-1878), patents (1878-1939), trademarks (1861-1907) and Official Industrial Property Gazettes (1886-1965). There you can also perform geographical searches for patents and trademarks using global positioning systems provided by Google Maps.

### Users of the Historical Archive

- Researchers and to a lesser extent agents and examiners.
- Queries are free and open.
- Copies are provided in digital format.
- User profile:
  - Researchers: 97 researchers have viewed 358 files.
  - Queries by agents: 199 files.



### Virtual exhibition and Catalogue “200 YEARS OF PATENTS”.

For the celebration of the second centenary of the enactment of the first Spanish Patent Act, the Spanish Patent and Trademark Office in partnership with the Autonomous University of Madrid held the virtual exhibition titled “200 years of patents” together with an accompanying catalogue.

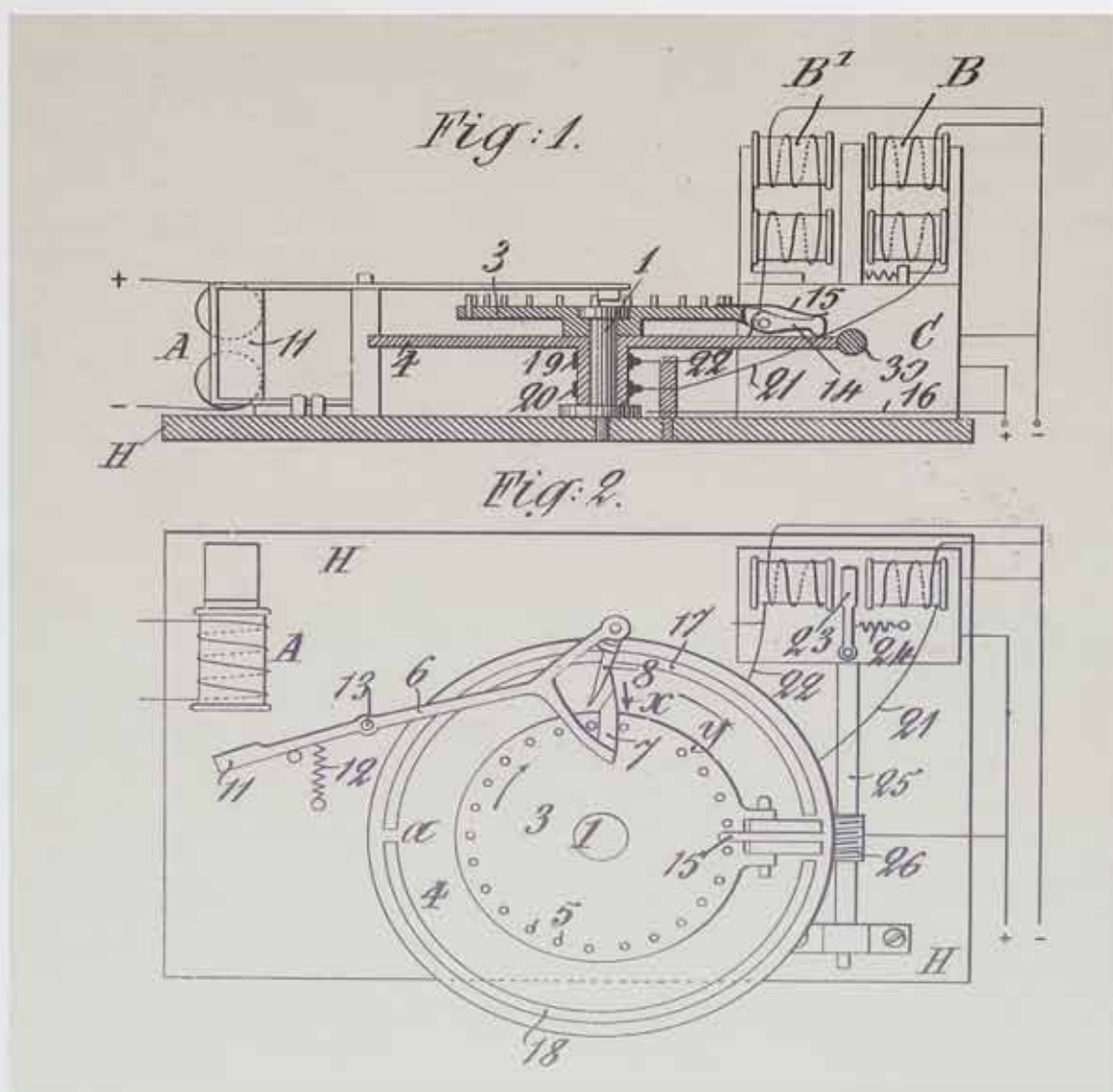
This exhibition commemorates the creation of modern industrial property in Spain with a virtual journey through various galleries, as if it were a museum.



You can access the exhibition at the following address: <http://www.exposicionesvirtuales.oepm.es>, and you can see the catalogue at: [http://www.oepm.es/es/propiedad\\_industrial/publicaciones/monografias/index.html](http://www.oepm.es/es/propiedad_industrial/publicaciones/monografias/index.html)

## FOSTERING OF INDUSTRIAL PROPERTY

# 5. PARTNERSHIP AGREEMENTS WITH BUSINESSES, UNIVERSITIES AND OTHER ORGANISATIONS



In 2011 we placed an emphasis on signing partnership agreements to bring industrial property into the Spanish business fabric. The ultimate aim of these agreements is to strengthen the use of the protection system for inventions, distinctive signs and designs by companies.

### New agreements



Signing of the partnership agreement between the Spanish Patent and Trademark Office and TELEFÓNICA S.A to provide and promote knowledge of industrial property.

Signing of the partnership agreement between the Spanish Patent and Trademark Office and the Multi-Sectoral Association of Spanish Electronics, Information and Communications Technologies, Telecommunications, and Digital Content Companies (AMETIC) concerning industrial property, with the aim of providing, promoting and encouraging knowledge and use of industrial property rights by the companies included in the association.



Signing of the partnership agreement between the Spanish Patent and Trademark Office and the Andalusian Association of Technology-Based Companies, concerning industrial property (AAEBT). This agreement aims to set out a framework for cooperation between the SPTO and the AAEBT with the aim of providing, promoting and encouraging knowledge and use of industrial property rights by the companies included in AMETIC.



Signing of the partnership agreement between the Spanish Patent and Trademark Office and Navantia, within the framework of corporate support measures, concerning industrial property. This is a partnership agreement to promote the culture of industrial property and in particular company patents, which leads to an increase in the number of patent applications and therefore greater protection of technological innovations developed in the naval sector; a sector with such a long tradition in Spain.

Signing of the partnership agreement between the Spanish Patent and Trademark Office and AFRE concerning industrial property, which falls within the framework of company support measures relating to industrial property of the Spanish Patent and Trademark Office.



**Signing of the partnership agreement between the Spanish Patent and Trademark Office and ANDEMA concerning industrial property.** This agreement is within the framework of company support measures relating to industrial property of the SPTO and aims to promote the value of trademarks and the set of the industrial property rights for companies, as a tool for competitiveness.



**Signing of the partnership agreement between the Spanish Patent and Trademark Office and the Spanish Technology Platform for Animal Health, concerning industrial property, Vet+i,** with the aim of setting out a framework for cooperation that helps to provide, promote and encourage knowledge and use of industrial property rights by Platform Vet+i. In 2011, a new quarterly Technology Watch Newsletter

on “animal health” was launched.



**Signing of the partnership agreement between the Spanish Patent and Trademark Office and REPSOL YPF S.A. concerning industrial property.** Among other activities, REPSOL will take part in the activities undertaken by SPTO to promote IP among its personnel, providing adequate publicity in the appropriate forums in which it participates and working with the SPTO to conduct specialised forums on clean technologies and to create

an annual award for “Green Patents”. One Patent Technology Report has been drawn up in accordance with the agreement.

**Signing of the partnership agreement between the Spanish Patent and Trademark Office and the Colombian Superintendency of Industry and Commerce** to implement best practices relating to industrial property between both institutions.



## Activities undertaken within the framework of existing agreements

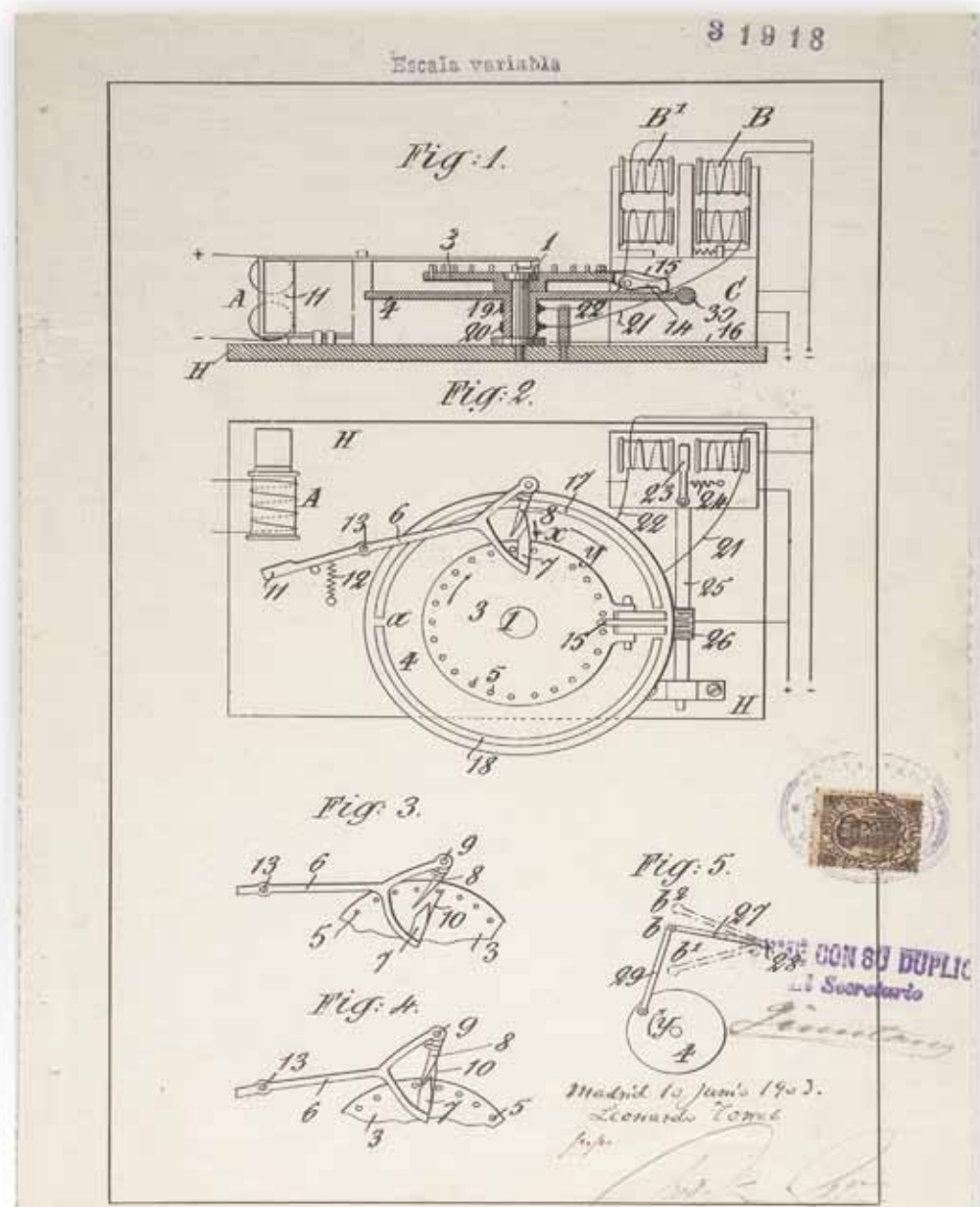
**Agreement with OPTI:** carrying out the role of Permanent Secretariat of the Patent Innovation Forum by the OPTI and jointly creating Technology Watch Bulletins in different technology industries (aquaculture, footwear, agri-food, metal-mechanical, plastics processing, renewable energies and biomass).

**Agreement with the Patent Centre of the University of Barcelona:** various courses were run.

**Agreement with CSIC:** five Patent Technology Reports were drawn up.

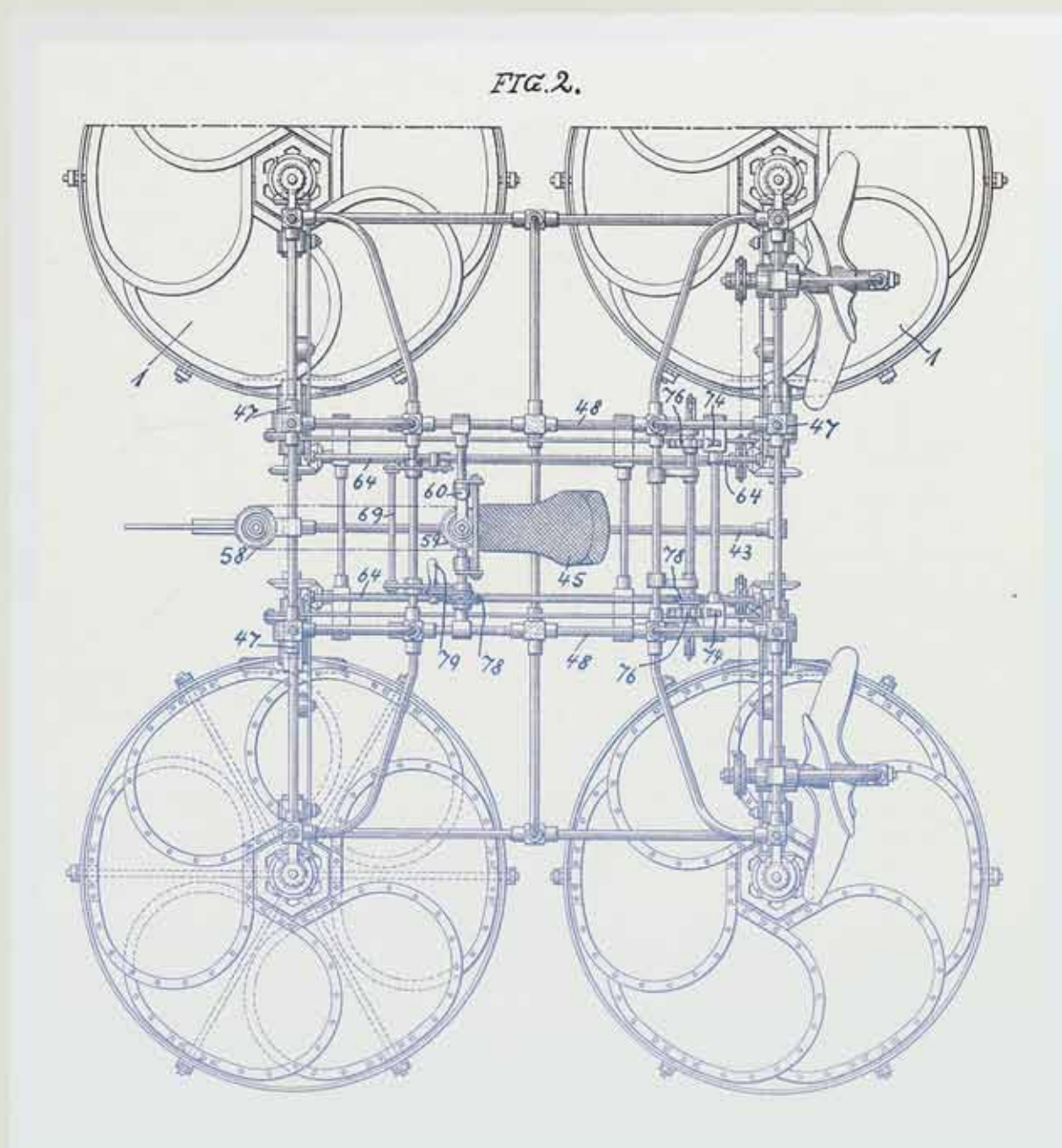
**Agreement with Navantia:** three Patent Technology Reports were drawn up in accordance with the agreement.

**Agreement with CDTI:** preparation of Technology Watch Reports on patent applications filed abroad by Spanish citizens.



FOSTERING OF INDUSTRIAL PROPERTY

## 6. LEGAL COORDINATION AND INTERNATIONAL RELATIONS



## REGULATORY ACTIVITY

### Law 2/2011 of 4 March on Sustainable Economy.

[BOE N° 55 of 2011](#)



This law includes a section, included in Chapter V (“science and innovation”) of Title II (“competitiveness”), known as “promotion of industrial property rights” (articles 57 to 59). The measures set out to achieve effective promotion of industrial property rights include the following:

- Encouraging the dissemination and use of industrial property rights; an activity in which the SPTO plays an important role.
- Changing the rates, so that at the end of 2012 the amount will have been reduced by 18% compared with the rates in force on 31 December 2009.
- Through the ministerial order proposed by the SPTO, setting deadlines for the various processes and procedures for granting and registering industrial property rights with the aim of making protection quicker and more attractive.

### Law 14/2011, of 1 June, on Science, Technology and Innovation.

[BOE N° 131 of 2011](#)



Articles 12 and 13 refer to inventions in the workplace governed by Law 11/1986, of 20 March, on Patents, but do not modify the framework that it provided for.

Article 37 provides for the dissemination of research results through open access systems. This article shall not apply when the rights over results of the research, development and innovation are protected.

Article 47 includes a list of public research enterprises of the General State Administration, which were referred to in Royal Decree 55/2002, of 18 January, on exploitation and assignment of inventions made by public research enterprises.

The Tenth Additional Provision states that, within the framework of the grant awarding procedures of the State Plan for Scientific and Technical Research, the orders establishing the framework for applying for said grants can provide for the issue of a technology report by an Industrial Property Office to assess the application.

The Second Final Provision amends section 9 of Article 20 of Law 11/1986, of 20 March, on Patents.

## ACTIVITY OF THE SPANISH PATENT AND TRADEMARK OFFICE TO COMBAT INDUSTRIAL PIRACY

### Support activities for agents involved in combating industrial piracy and for giving advice to the general public

The activities of the Spanish Patent and Trademark Office in the area of industrial piracy involve supporting the law enforcement and security forces in locating representatives of holders of industrial property rights to offer the appropriate range of actions, as applicable, as well as provide advice to individuals on how to defend and protect their industrial property rights.

### Meetings of the Inter-Sectoral Commission for action against activities that infringe industrial property rights

On 10 November 2011, another meeting of the Inter-Sectoral Commission for action against activities that infringe industrial property rights was held at the headquarters of the Ministry of Industry, Tourism and Trade, chaired by the Undersecretary for Industry, Tourism and Trade. The Commission is made up of representatives from a number of ministerial departments, the SPTO, the Consumer and User Affairs Council, the National Association for the Defence of Trademarks (ANDEMA), the CEFI Foundation and the Spanish Association for Trademark Manufacturers PROMARCA.

At this meeting the proposals for the Plan to Promote and Safeguard Industrial Property were set out, in accordance with Article 59 of the Sustainable Economy Act (LES). Promoted by the Ministry of Industry, Tourism and Trade and implemented by the SPTO, the IP Plan includes five strategic pillars, the third of which is dedicated to ensuring the protection of industrial property. This pillar includes a series of implementing measures, such as the development of rapid information services for judges, police and users, with provision for over 550 services a year; another measure is the promotion and maintenance of a website with specific information on the fight against piracy; also, the sphere of the Inter-Sectoral Commission has been strengthened for the implementation of this plan. Finally, another of the plan's measures; the creation of a database of industrial property case law, is being implemented in a very satisfactory manner.

Particular attention was given to the holding of the World Anti-Counterfeiting Day; an event that has had great importance and impact, raising awareness of the problem.

### International and Community activities

During 2011, another meeting of the European Observatory on Piracy was held in Warsaw. This basically focused on the Observatory's new regulations and its future position in the OHIM, which will undertake tasks relating to a proposal for a unified logo for the entire European Union, an investigation into consumer trends at an EU level, proposals for training in schools and universities, promotion of high profile events to recognise the value of strategies implemented by countries and companies, development of websites and implementation of awareness-raising and communication strategies in the European sphere; development of

tools at the disposal of countries to promote their own awareness-raising plans and programmes, including a communication guide and an additional study on consumer perceptions.

### Anti-piracy regulations

Community regulations: The European Commission has resumed the study of the Directive on the Enforcement of Intellectual Property Rights (Directive 2004/48/EC, of 29 April, enforcing intellectual property rights in the internal market) and the need to review it in a digital context.

### International regulations: negotiations on the ACTA Treaty

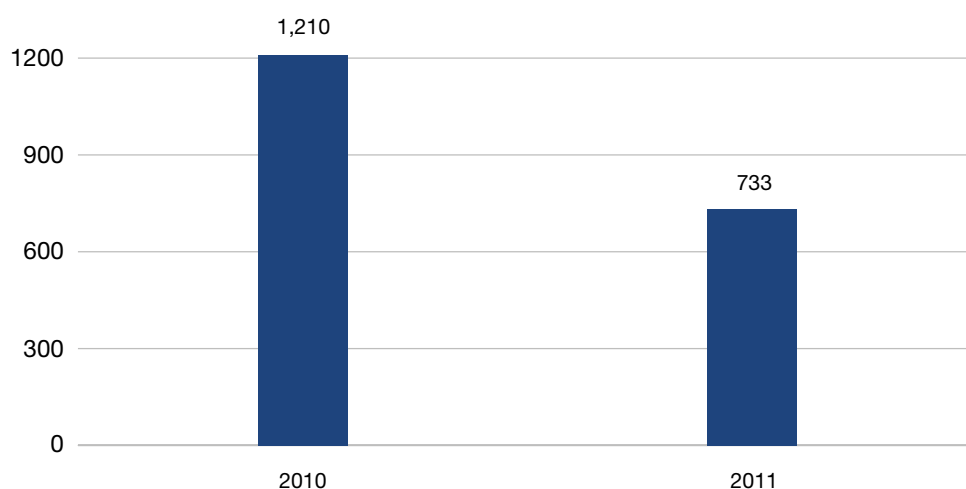
This Treaty is currently at the signing and ratification phase at the European Council. The European Parliament supported the wording of the ACTA. This agreement will have to be signed by all Member States. It is a highly complex negotiation that can be a future reference point at a multilateral forum.

### International cooperation activities

As part of the international cooperation activities relating to the training of judges and public prosecutors on industrial property, the 10th Regional Seminar on Intellectual Property for Judges and Public Prosecutors in Latin America was held from 17 to 21 October 2011 in Montevideo, Uruguay.

The annual seminar aims to promote better knowledge and protection of industrial property at an international level, as well as maintain direct relations with all the foreign bodies and organisations concerned with these matters.

### COOP COMBATING COUNTERFEITING



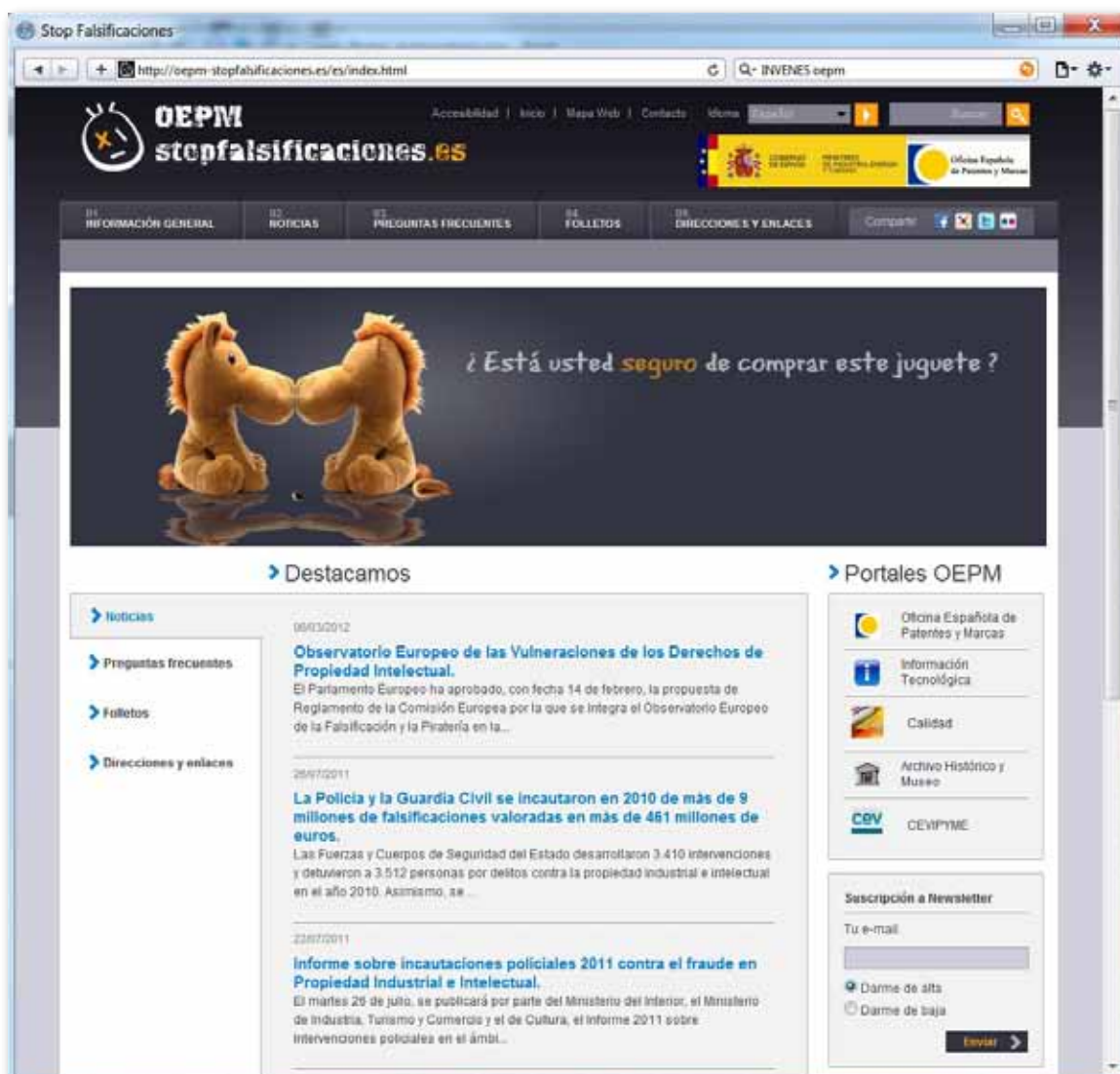
## Presentation of the Statistical Study on 2010 Raids of the Security Forces: Industrial and Intellectual Property

On 26 July 2011, the Ministry of the Interior published the Report on “Industrial and Intellectual Property Raids of the Spanish Law Enforcement and Security Forces in 2010”. Report published by the Ministry of the Interior in collaboration with the Ministry of Industry, Tourism and Trade, the Ministry of Culture and the National Association for the Defence of Trademarks (ANDEMA).

During this year, the Spanish Law Enforcement and Security Forces carried out a total of 3,410 raids relating to intellectual and industrial property rights, arrested 3,512 people and seized over 9.5 million items, valued at over 461 million euros. 46% of all raids are related to products infringing upon intellectual property rights, while the remaining 54% are related to industrial property rights.

## Other activities; updating of the anti-piracy portal

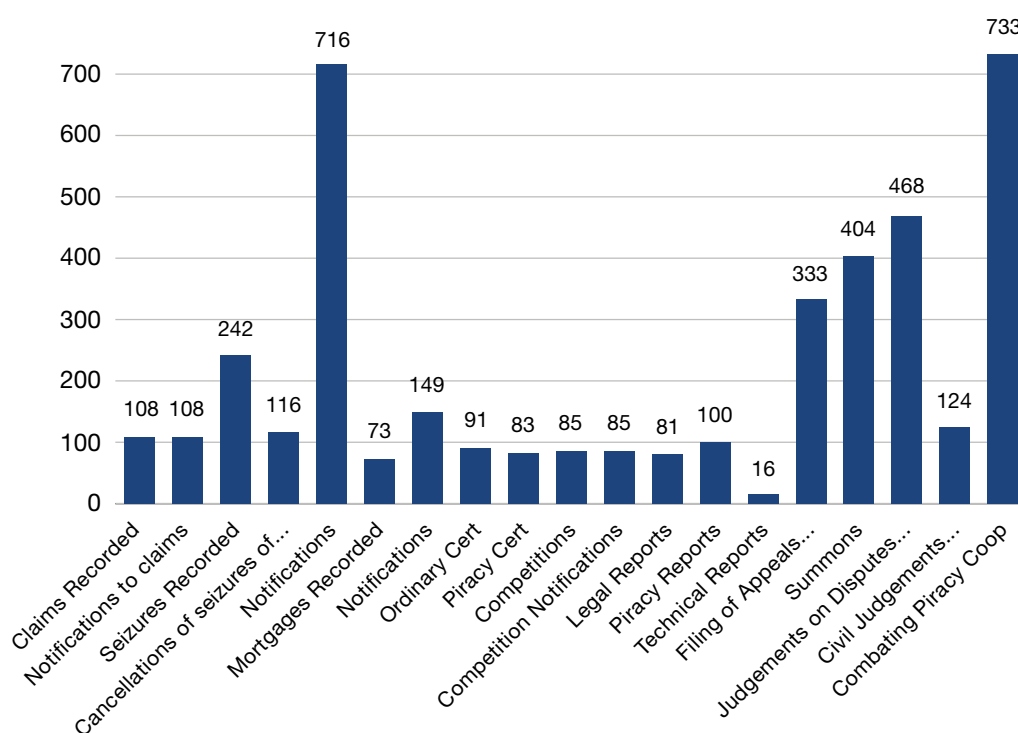
In 2011, the review of the piracy portal ([www.oepm.stopfalsificaciones.es](http://www.oepm.stopfalsificaciones.es)) was concluded. The result is a more user-friendly layout, which allows the different sections to be viewed more quickly and improves the link between its updated contents, with the option of subscribing to the Newsletter.

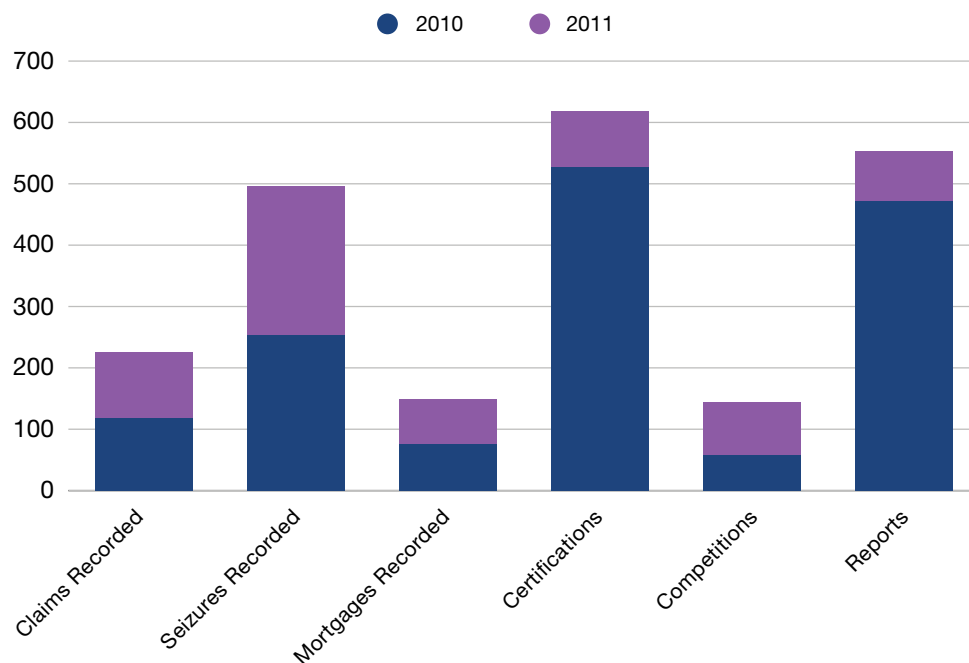


## ACTIVITY OF THE SPANISH PATENT AND TRADEMARK OFFICE IN ITS RELATIONS WITH THE JUSTICE ADMINISTRATION AND OTHER PUBLIC BODIES

### Activity of the Justice Administration Coordination Service

During 2011, the Justice Administration Coordination Service saw a significant increase in records of tenders, seizures and mortgages, compared with the maintenance of reduction in the issuing of reports and certificates and the service's other activities, as shown in the attached graphs.

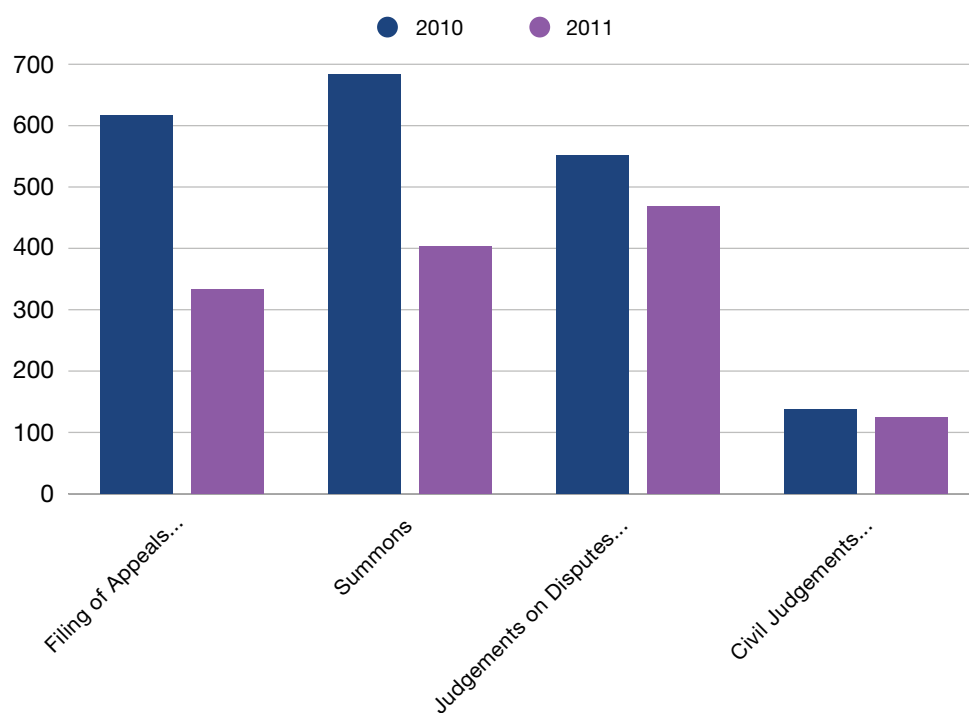




### Activity of the Justice Administration Relations Service

The increased amount of activity at this service is due to the enforcement of judgments on disputes. Furthermore, other activities were carried out, such as the serving of summons and the referral of cases to the High Courts of Justice; both of which refer to contentious-administrative proceedings.

The difference between upheld and rejected judgments, emphasises the consideration by the Courts of Correction of the decisions of SPTO.



### International Relations. Trust Fund



The Trust Fund's lines of action are agreed by the WIPO and the SPTO and every year a working schedule divided into projects and activities is set out. In 2011, the strategies that guided the projects were:

- Promotion and support of intellectual property systems in particularly sensitive areas.
- Drafting of harmonisation instruments and directives for the application and management of intellectual property.
- Cooperation in the strengthening of institutions and the training of human resources.
- Promotion and use of information technology and automation.
- Translation and dissemination of Spanish in WIPO publications.



### International Relations. European Patent Office

The Spanish Patent and Trademark Office is responsible for organising the European Patent Agent examination. The resulting qualification is issued by the EPO.

### International Relations. Visits of Industrial Property Offices to the SPTO

In the sphere of international relations, visits by other industrial property offices to the SPTO are of great importance. These visits allow opinions and experiences to be exchanged and they also useful for demonstrating working practices at the office.

These visits can be divided into two main groups:

### International Relations. Visits of Latin American Industrial Property Offices

These visits reflect the close collaborative links that the SPTO has traditionally maintained with its Latin American counterparts.

- Delegation of the Colombian Superintendency of Industry and Commerce. The main purpose of this visit was to strengthen the mutual cooperation between the Colombian Superintendency of Industry and Commerce and the SPTO. This resulted in the signing of a Cooperation Agreement between both institutions for the development of best practices in the area of industrial property.



- Cooperation meeting between the Department of Legal Coordination and International Relations of the SPTO and representatives of the European Patent Office and the World Intellectual Property Organization in relation to the Latipat project, to monitor the development of the project.
- Mexican Industrial Property Institute. The purpose of this visit was to debate the potential support that this office could provide to both the International Patent Cooperation System (CADOPAT) and Spain's involvement in the international meeting on geographical indications which will be held in February 2012 in Rio de Janeiro (Brazil). It was about the Patent Prosecution Highway (PPH), the Latin American patent cooperation programme (CIBIT) and the monitoring of the Latin American programme with a view to announcing the next meeting.
- Delegation of the Mexican Industrial Property Institute. The purpose was to provide information on the anti-counterfeiting measures being implemented in Spain, as well as the promotion and dissemination activities carried out by the SPTO on the subject of industrial property.
- Visit of the Director-General of the National Industrial Property Office of the Dominican Republic (ONAPI) and a member of the Bureau for Latin America of the WIPO to deal with issues related to carrying out industrial property-related activities following the previous two Ibero-American Summits of Heads of State.
- Visit of the Indecopi delegation (Peru) to receive training on the practical application of the Patent Cooperation Treaty (PCT).

### **International Relations. Other visits to the SPTO**

The following visits took place during 2011:

- Delegation of the Portuguese National Industrial Property Institute. The purpose of the visit was to promote cooperation between Spain and Portugal in the area of industrial property.
- Delegation of the Russian Federal Service for Intellectual Property, Patents and Trademarks (ROSPATENT). The details were prepared for the signing of a Patent Prosecution Highway (PPH) agreement between institutions.
- Delegation of the Korean Intellectual Property Office (KIPO). Signing of Patent Prosecution Highway agreement.
- Delegation of the Taiwan Intellectual Property Office (TIPO). The purpose of this visit was the signing of a Memorandum of Understanding on international cooperation between the two offices.

### **International Relations. Memorandums of Understanding**

The purpose of memorandums of understanding between industrial property offices, in addition to strengthening relations between the signing institutions, is to protect and promote industrial property rights, through mutual cooperation based on the exchange of information, best practices and various training activities, sharing experiences to the mutual benefit of both parties.

**In 2011, seven new memorandums were signed between the SPTO and other industrial property offices:**

## Memorandums with Latin America

- With the Colombian Superintendency of Industry and Commerce.
- With the Brazilian National Industrial Property Institute.
- With the Cuban Industrial Property Office.

## Memorandums with other countries and organisations

- Bilateral Cooperation Agreement between the European Patent Office (EPO) and the SPTO concerning IP in Latin America.
- Memorandum of Understanding between the Taiwan Intellectual Property Office and the SPTO.
- Memorandum of Understanding between the State Intellectual Property Office of the People's Republic of China and the Spanish Patent and Trademark Office.
- Memorandum of Understanding on Cooperation between the SPTO and the Korean Intellectual Property Office.

## Internationalisation Patent Prosecution Highway (PPH)

This bilateral instrument, based on the exchange of information between the participating offices, avoids the duplication of efforts in the examination of patent applications, meaning patents can be granted and examined more quickly.



Four agreements were signed in 2011:

- With the Portuguese National Industrial Property Office (INPI).



- With the Russian Federal Service for Intellectual Property, Patents and Trade-marks (ROSPATENT).



- With the Korean Intellectual Property Office (KIPO).



- With the Mexican Industrial Property Institute (IMPI).



With the aim of appropriately promoting the importance of this tool for internationalisation, the following conferences were held in 2011.

- Conference on the Patent Prosecution Highway (PPH) at the Spanish Patent and Trademark Office, in collaboration with the European Patent Office (EPO) and the World Intellectual Property Organisation (WIPO). This was attended by several international representatives, from American and Portuguese patent offices and the organisation JETRO.
- Patents as a tool for the internationalisation of companies. During 2011, the SPTO organised a series of conferences on internationalisation and patents in different Spanish cities. Organised in collaboration with the Regional Industrial Property Information Centres.



Conference in Murcia

### **Holding of IMEX (Impulso Exterior) 2011**

The Spanish Patent and Trademark Office attended IMEX 2011; an international business and enterprise fair and a forum for both Spanish and foreign entrepreneurs to meet, aimed at small and medium-sized enterprises involved in the internationalisation process.

Its primary objective is to promote business abroad and make an active contribution to company growth, improved competitiveness and success in third markets, providing the broadest knowledge of business opportunities in international markets in order to do this. For this edition Brazil was the guest country.

### **2011 Industrial and Technology Summit**

Brings together three events of particular interest for Spanish companies and their internationalisation: Subcontracting, Automation and Transmet.

In 2011, the SPTO attended this meeting, which took place in Bilbao. It is considered to be a platform to assist the SME, and it has established itself as an essential tool for industry and technology, since it brings together all sectors and activities from these areas into a single fair.

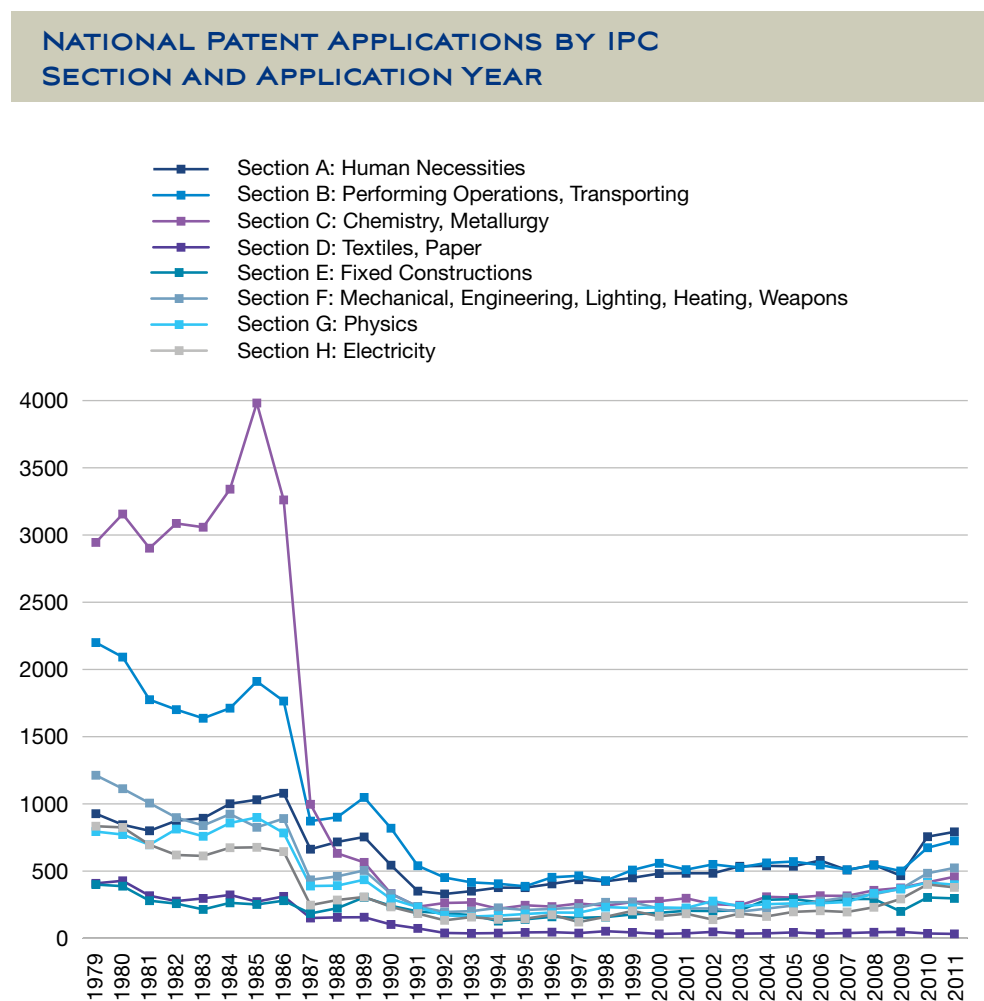


The SPTO implements an important quality programme, which reflects both the commitments it has undertaken in its collaboration with international institutions and the commitment of the management of this office, conscious of the importance of tackling new challenges and improvement processes.

The 2011 Quality Programme had the following structure:

## 1. Monitoring of processes and the SPTO's Strategic Plan

- Drafting of monthly reports on the SPTO's IP Plan.
- Maintenance and design of an SPTO balanced scorecard.
- Application of foresight studies on the entry of industrial property applications.
- Drafting of tailored sectoral studies and reports: Historical Series (Development Trademarks, Patents and Utility Models since 1979); requests from other countries.
- Maintenance and design of the IP Plan website with news, statistics and forums.



## 2. Quality function deployment at the SPTO.

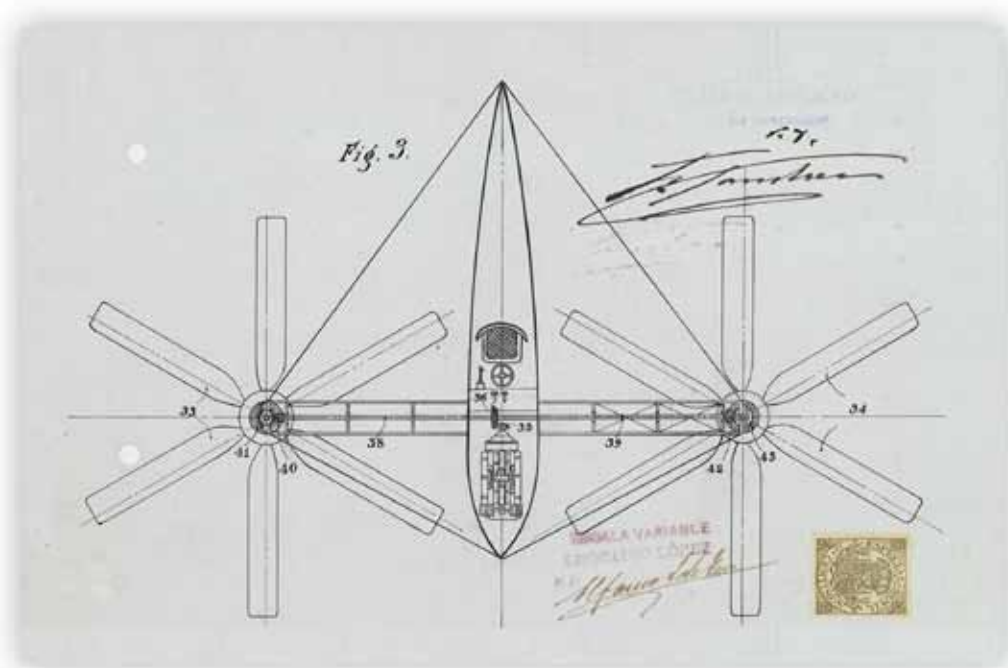
- Renewal of the ISO 9001:2008 quality certification for the PCT Procedure, Information Technology, National Trademarks and Industrial Designs, as well as certification for the UNE 166006:2011 EX standard for the Search Service Technology Watch System.



- Extension of the scope of our quality system to include the process for National Trademark and Trade Name Renewal.
- Improvement proposals in collaboration with the involved departments, to continue with the scaled extension to the entire SPTO.
- Evaluation of services: satisfaction survey for industrial property agents.
- Publication of the monograph “Industrial Property Rights and Global Competitiveness” in the “Industrial Economy” magazine of the Ministry of Industry, Energy and Tourism.

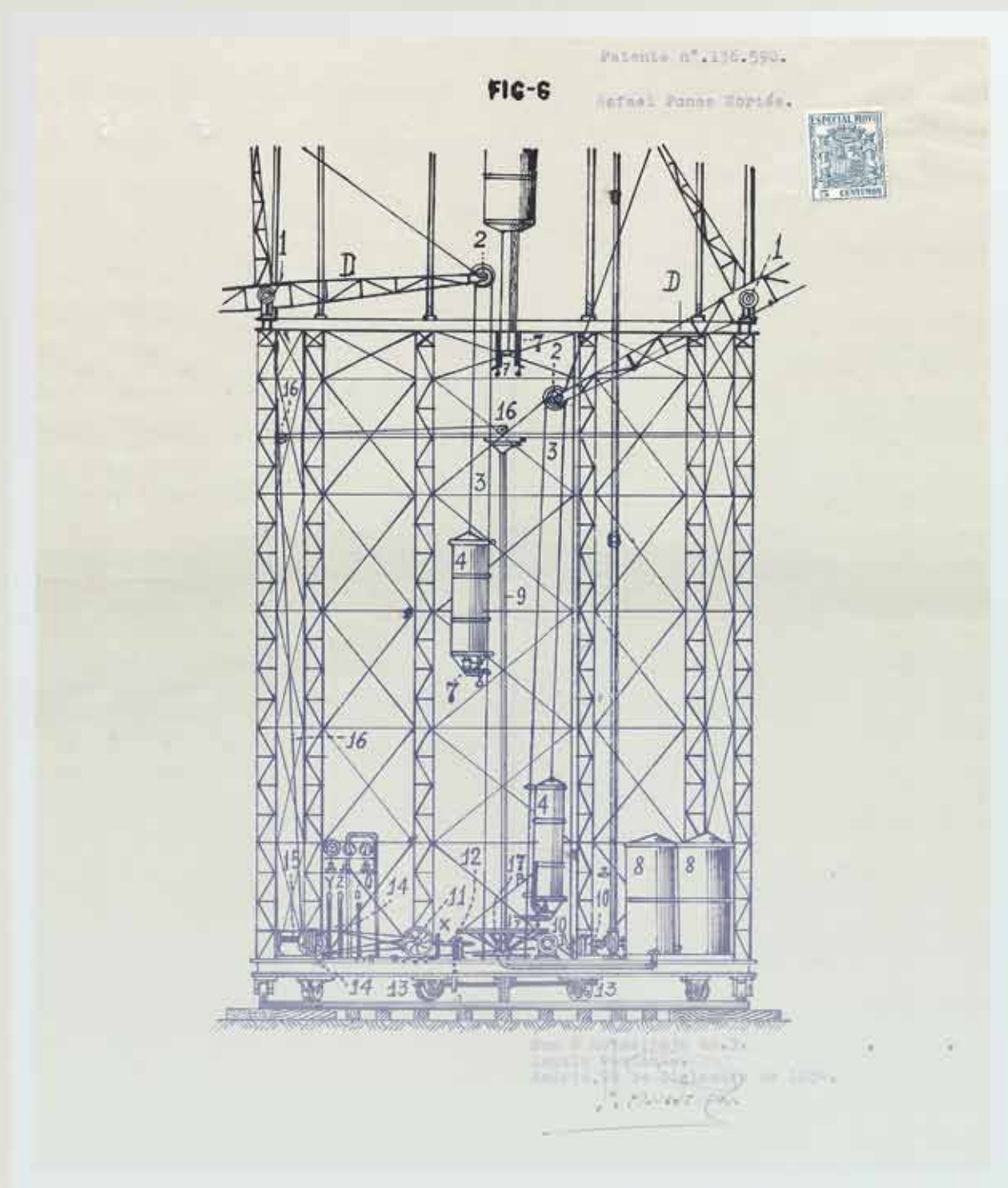
### 3. International activities

- Participation in the PCT-WIPO quality group.
- Conference on Strategic Planning and Quality in Latin American Industrial Property Offices in collaboration with the WIPO and AECID in Cartagena, Colombia (November 2011).
- Participation in the AENOR working group for the international review of the Standard 166006:2011 on Technology Watch and the Environment.
- Meeting of the working group of large-scale users of patent information. Maas-tricht, October 2011.

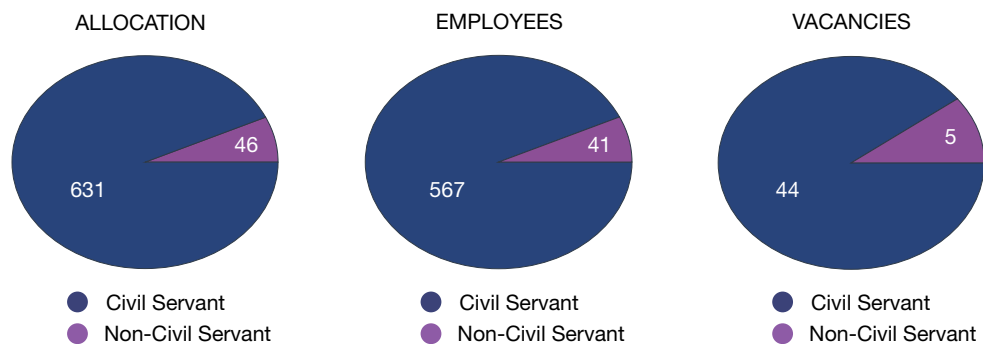


## APPENDICES

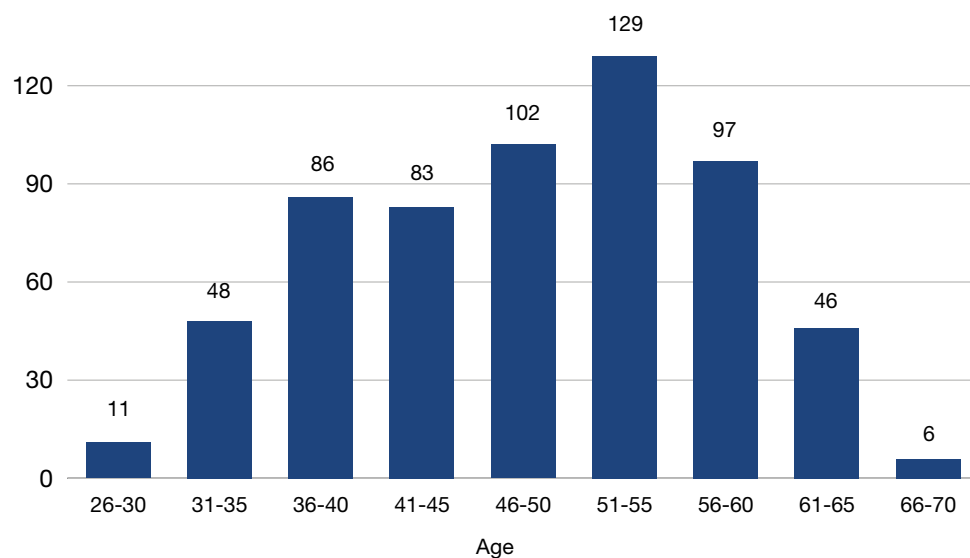
# 1. HUMAN RESOURCES



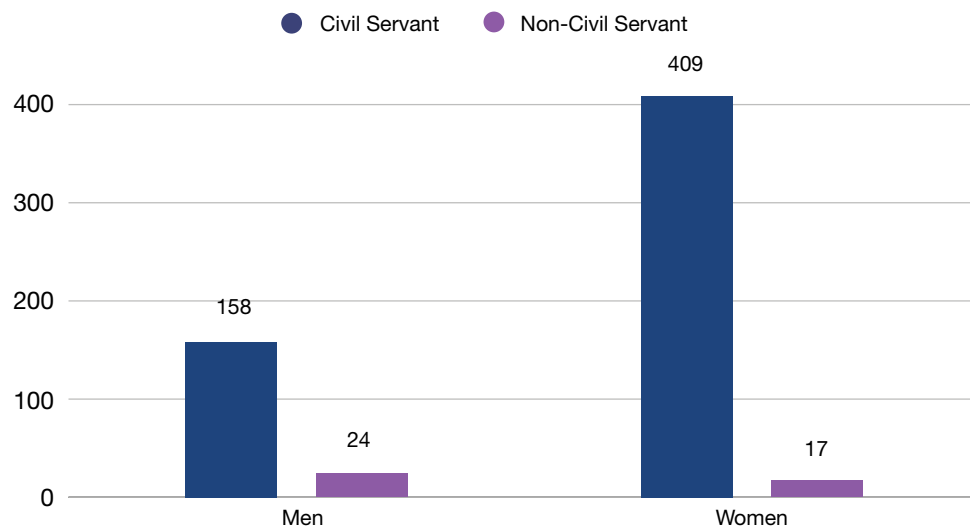
## SPTO GENERAL HUMAN RESOURCES REPORT



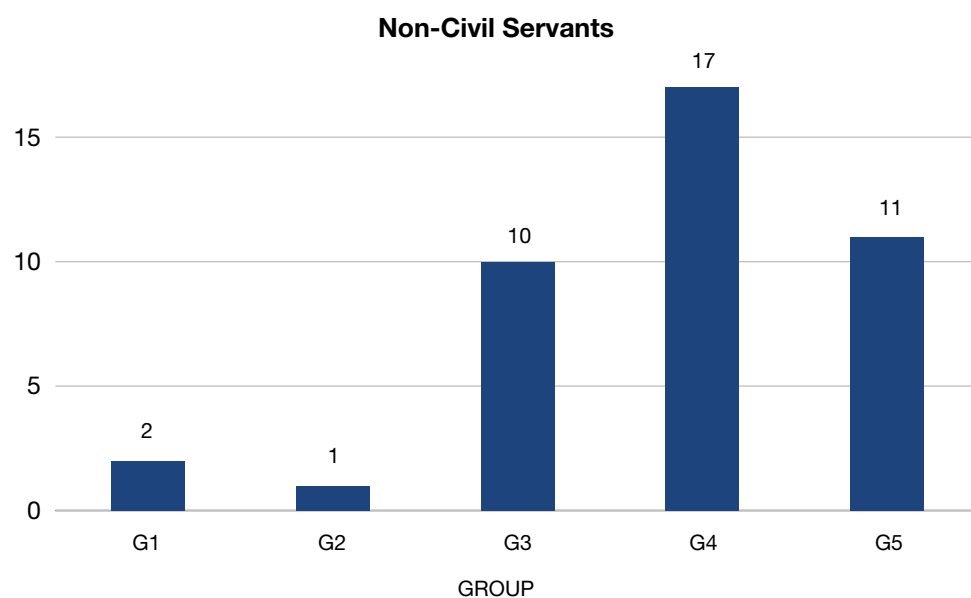
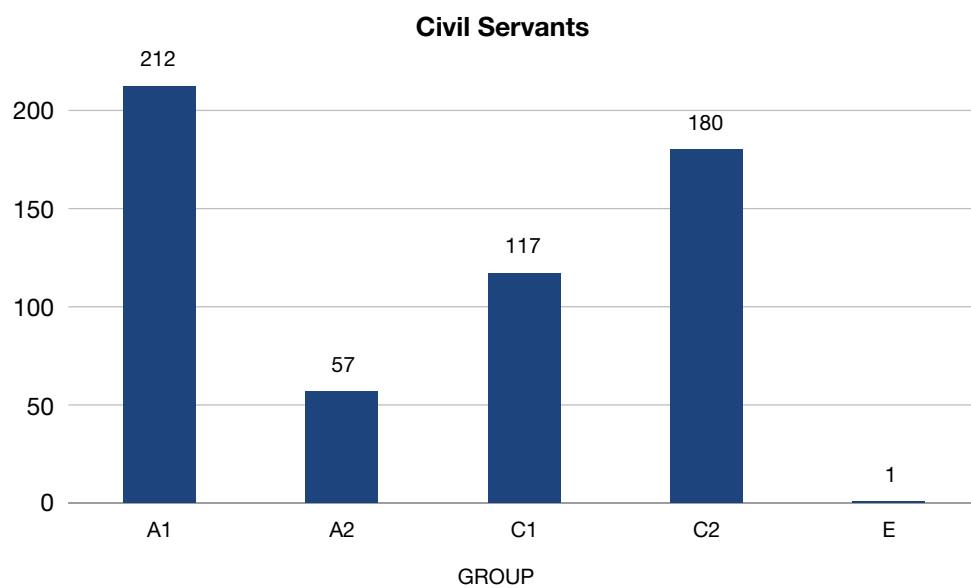
## AGE PYRAMID



## DISTRIBUTION BY GENDER OF OCCUPIED POSTS

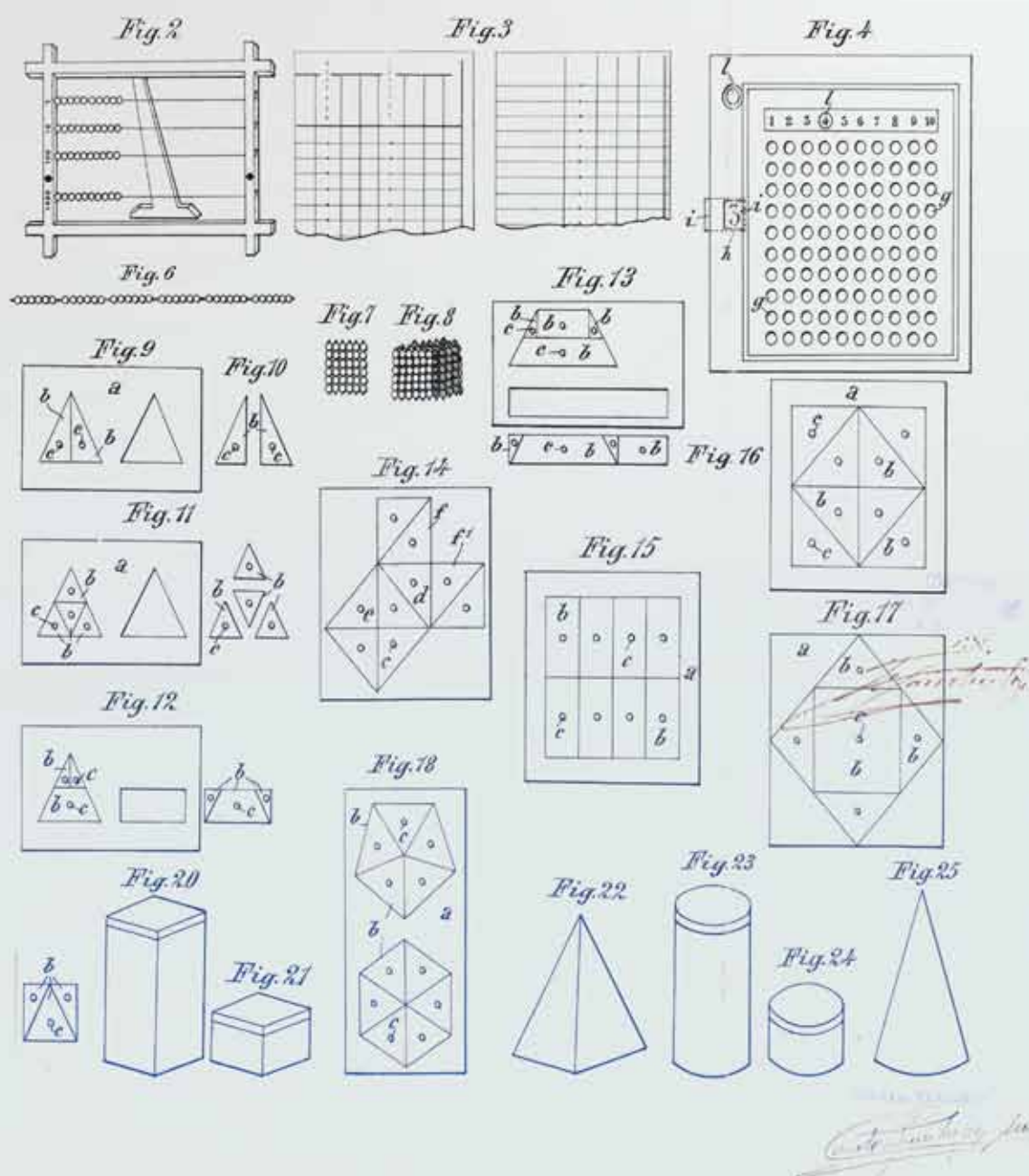


### DISTRIBUTION BY GROUPS OF OCCUPIED POSTS

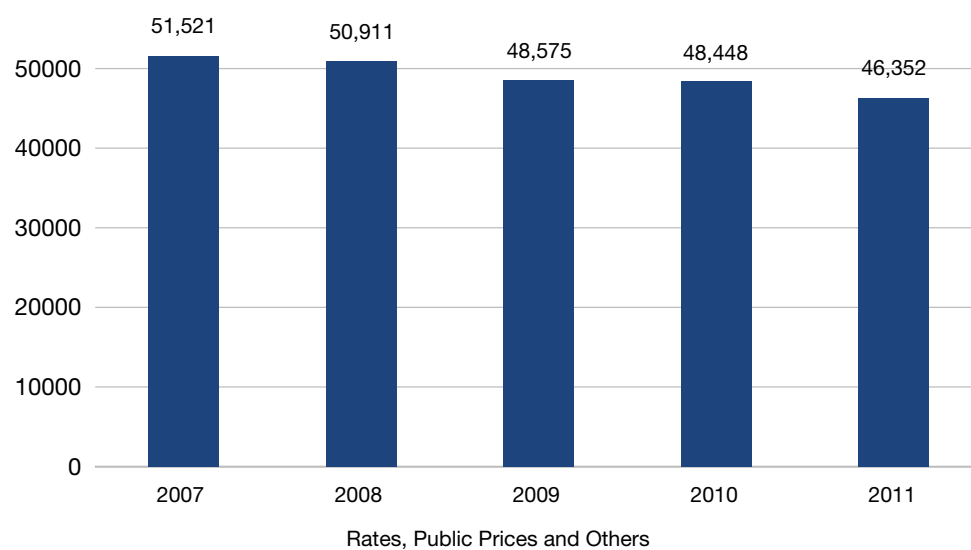


## APPENDICES

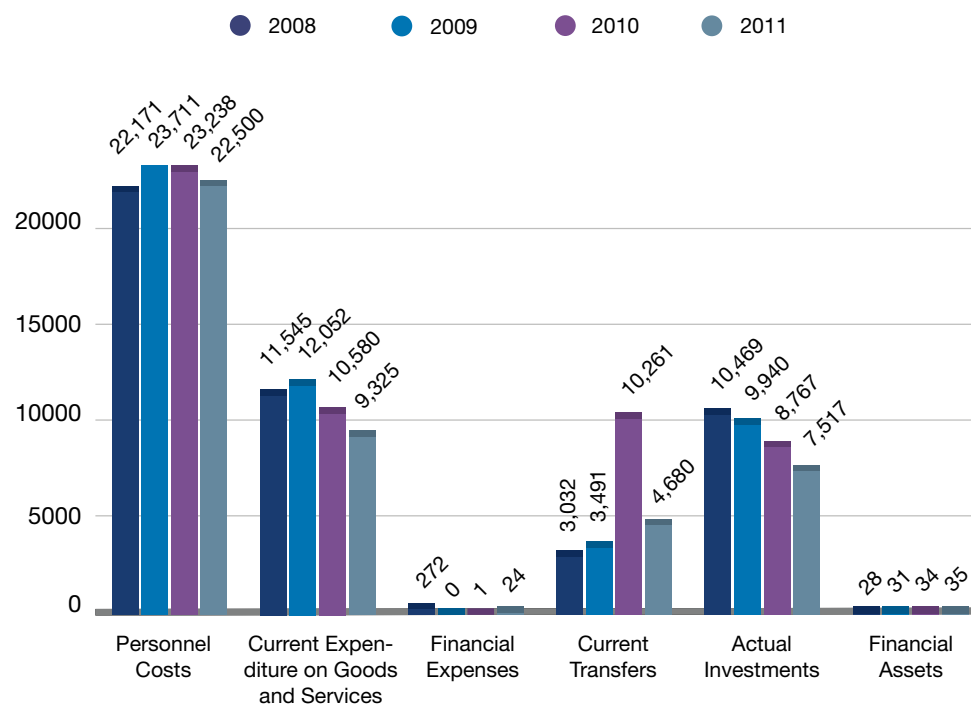
## 2. FINANCIAL INFORMATION



### DEVELOPMENT OF REVENUE YEARS 2007-2011 (IN THOUSANDS OF €)

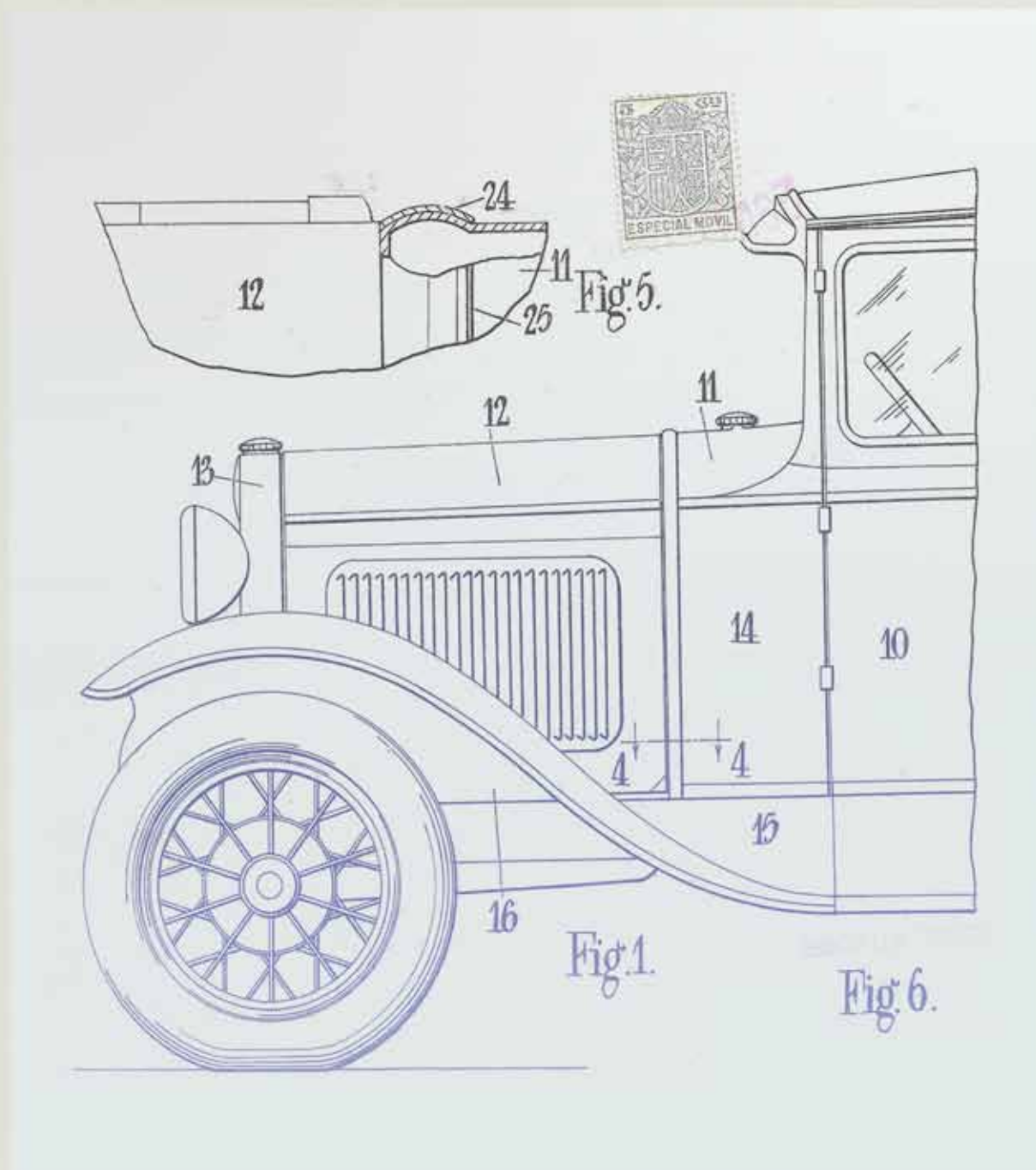


### COMPARISON OF COSTS BY CHAPTERS YEARS 2008, 2009, 2010 AND 2011 (IN THOUSANDS OF €)

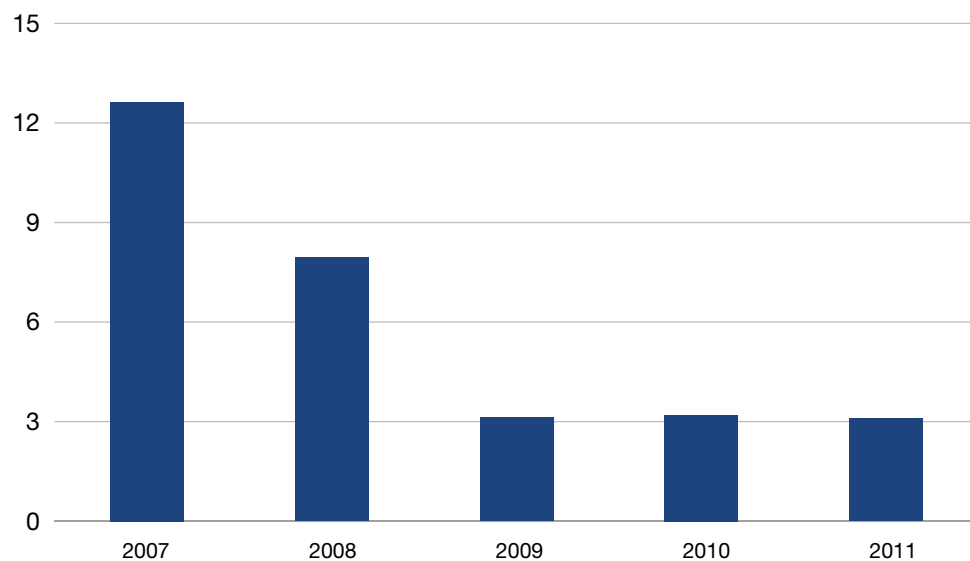


## APPENDICES

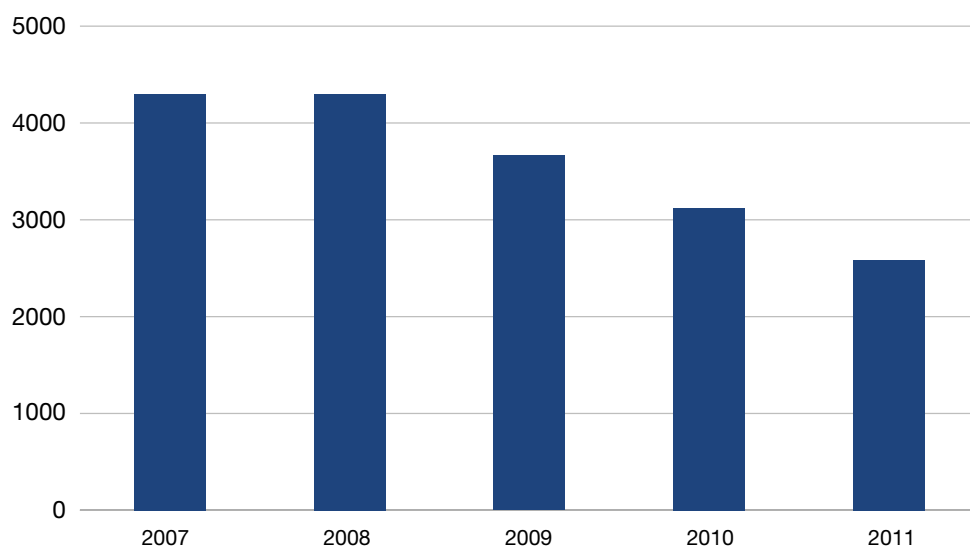
### 3. INFORMATION ON RESOURCES



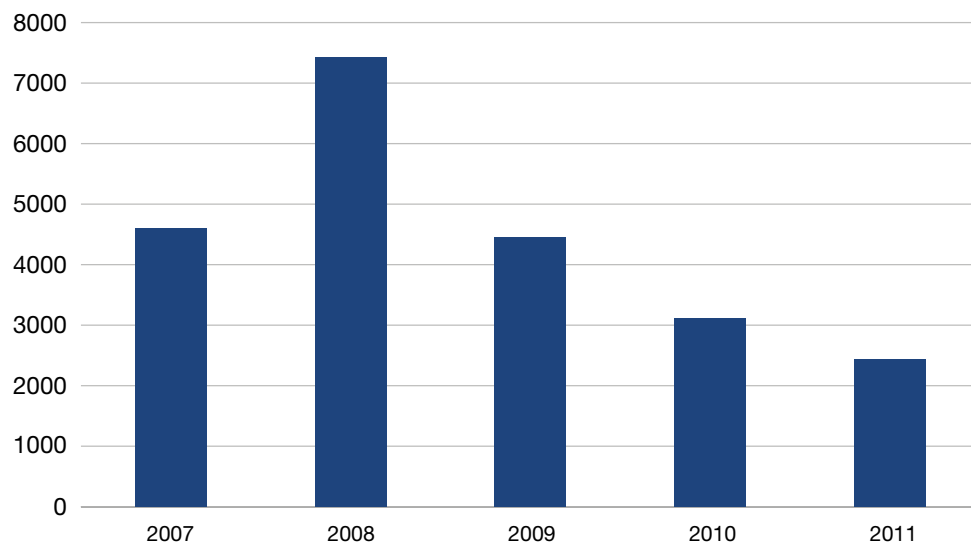
### AVERAGE RESOLUTION TIME MOUNTHS



### FILING OF APPEALS

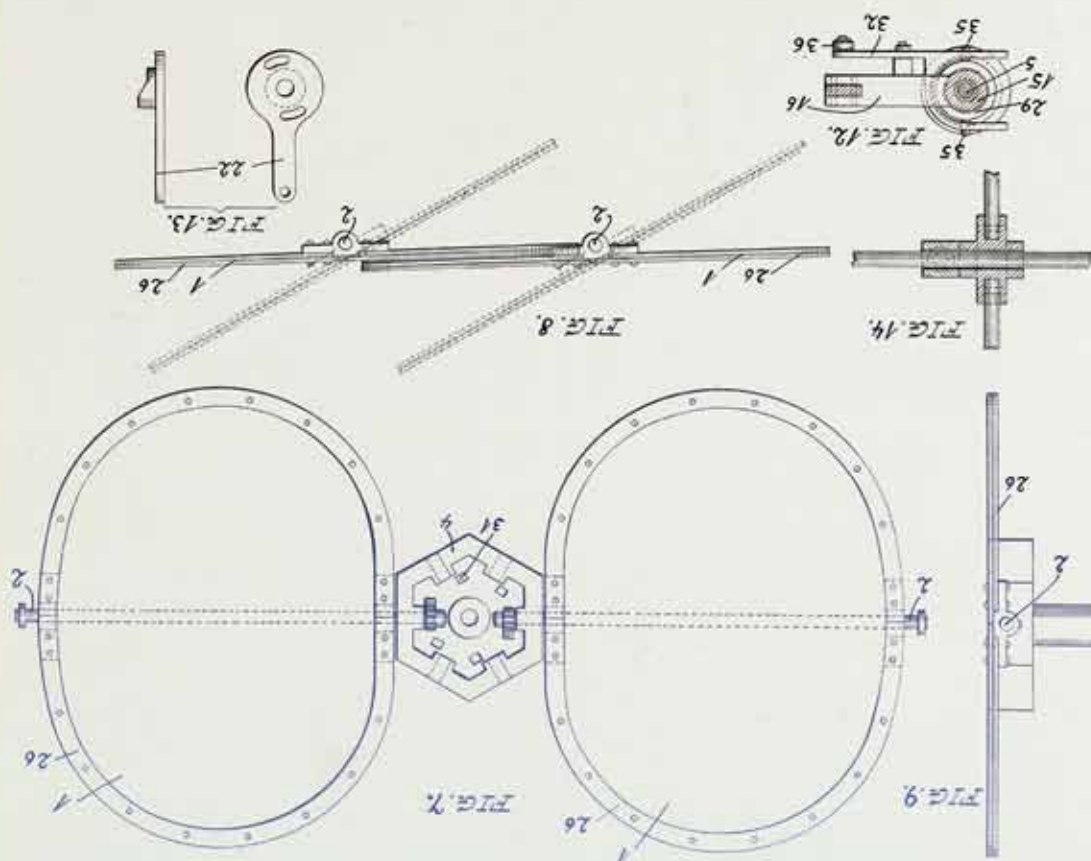


## APPEAL DECISIONS



## APPENDICES

# 4. STATISTICAL DATA ON THE DIFFERENT TYPES OF INDUSTRIAL PROPERTY

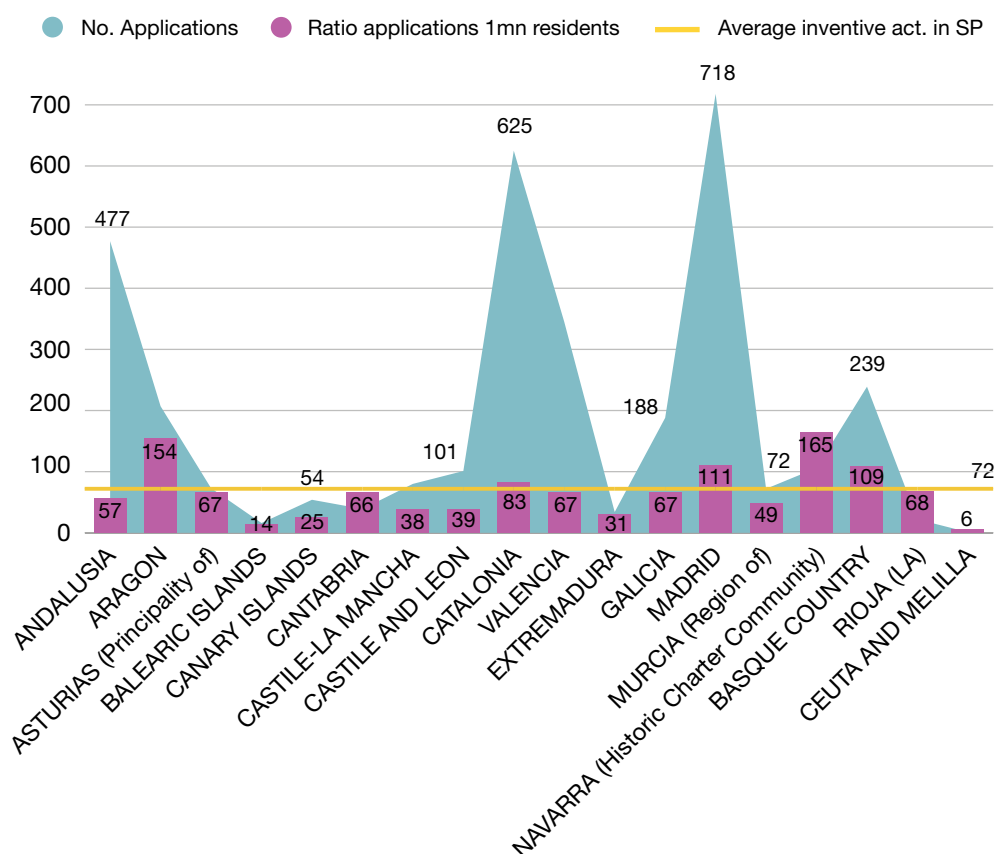


## Inventive Activity of Patents. Map by Autonomous Community

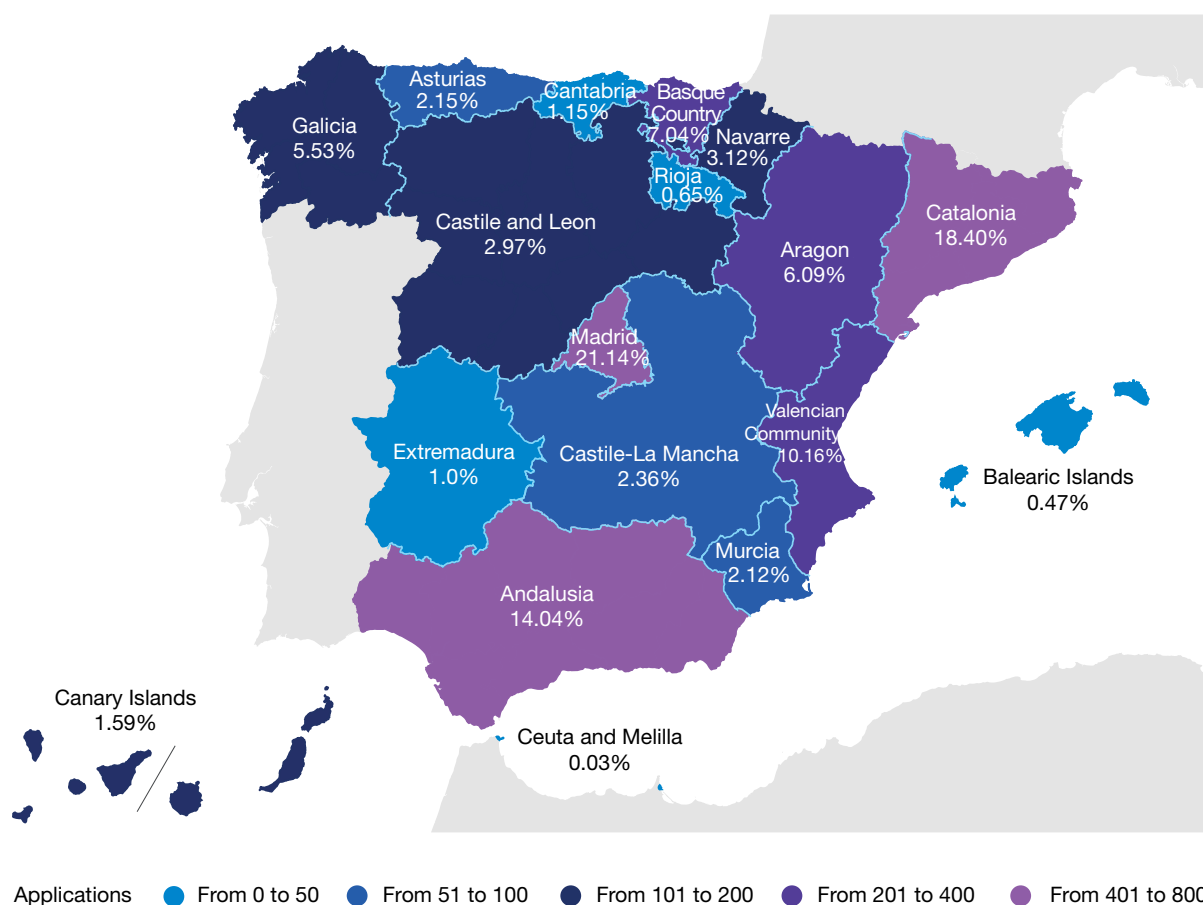
PATENT APPLICATIONS BY AC, IN RELATION TO POPULATION;  
INVENTIVE ACTIVITY - 2011

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	477	5.07%	14.04%	8,424,102	17.85%	57	-21.3%
ARAGON	207	-10.39%	6.09%	1,346,293	2.85%	154	113.6%
ASTURIAS (Principality of)	73	69.77%	2.15%	1,081,487	2.29%	67	-6.2%
BALEARIC ISLANDS	16	-23.81%	0.47%	1,113,114	2.36%	14	-80.0%
CANARY ISLANDS	54	-5.26%	1.59%	2,126,769	4.51%	25	-64.7%
CANTABRIA	39	-9.30%	1.15%	593,121	1.26%	66	-8.7%
CASTILE-LA MANCHA	80	9.59%	2.36%	2,115,334	4.48%	38	-47.5%
CASTILE AND LEON	101	-6.48%	2.97%	2,558,463	5.42%	39	-45.2%
CATALONIA	625	-0.48%	18.40%	7,539,618	15.98%	83	15.2%
VALENCIA	345	-14.18%	10.16%	5,117,190	10.84%	67	-6.3%
EXTREMADURA	34	-20.93%	1.00%	1,109,367	2.35%	31	-57.4%
GALICIA	188	-3.09%	5.53%	2,795,422	5.92%	67	-6.6%
MADRID	718	-9.34%	21.14%	6,489,680	13.75%	111	53.7%
MURCIA (Region of)	72	-8.86%	2.12%	1,470,069	3.12%	49	-32.0%
NAVARRA (Historic Charter Community)	106	-14.52%	3.12%	642,051	1.36%	165	129.3%
BASQUE COUNTRY	239	12.74%	7.04%	2,184,606	4.63%	109	52.0%
RIOJA (LA)	22	-33.33%	0.65%	322,955	0.68%	68	-5.4%
CEUTA AND MELILLA	1	0%	0.03%	160,852	0.34%	6	-91.4%
NOT GIVEN	0	-100%	0.00%				
<b>TOTAL</b>	<b>3,397</b>	<b>-4.04%</b>	<b>100%</b>	<b>47,190,493</b>	<b>100%</b>		
<b>AVERAGE FOR SPAIN</b>						<b>72</b>	

Note: Population base is taken from official municipal lists of residents updated on 1 January 2011 (R.D. 1782/2011, 16 December 2011)



## PATENT APPLICATIONS BY AC - 2011



## TOP 10 PATENT APPLICANTS - 2011

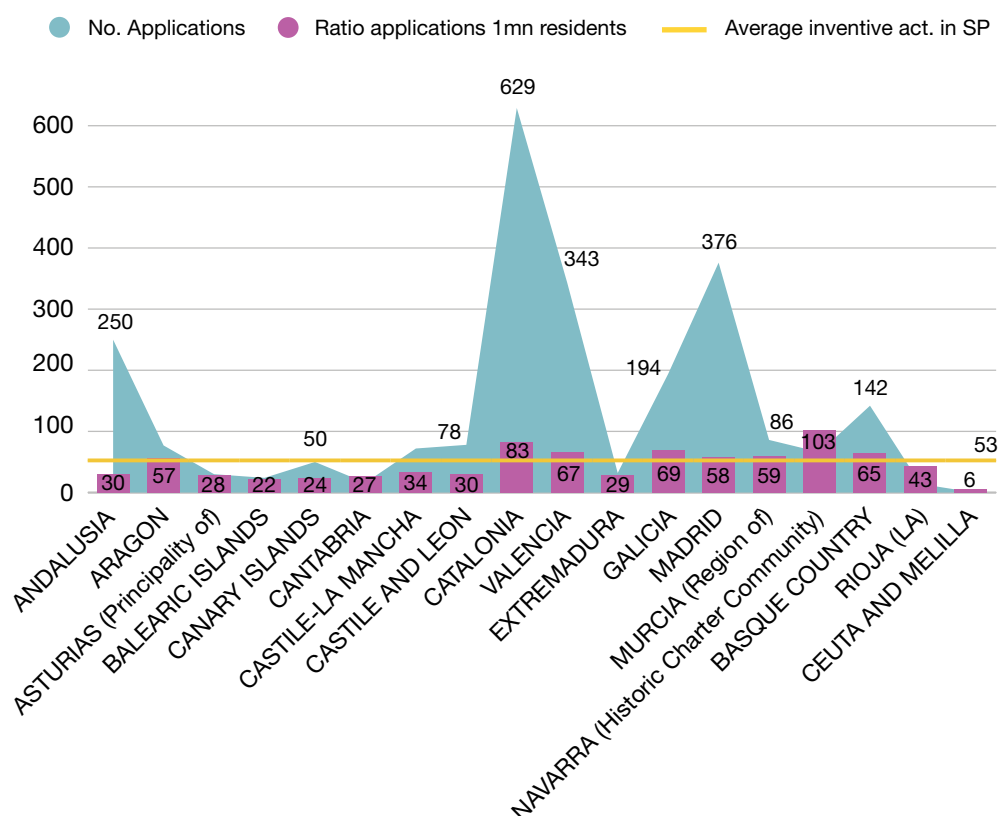
Ranking	Residents
1	Spanish Higher Council for Scientific Research
2	BSH Electrodomesticos España, S.A.
3	Telefónica, S.A.
4	Polytechnic University of Madrid
5	Polytechnic University of Catalonia
6	University of Seville
7	Muñoz Saiz, Manuel
8	Gamesa Innovation & Technology, S.L.
9	Airbus Operations, S.L.
10	Andalusian Health Service

## Inventive Activity of Utility Models. Map by Autonomous Community

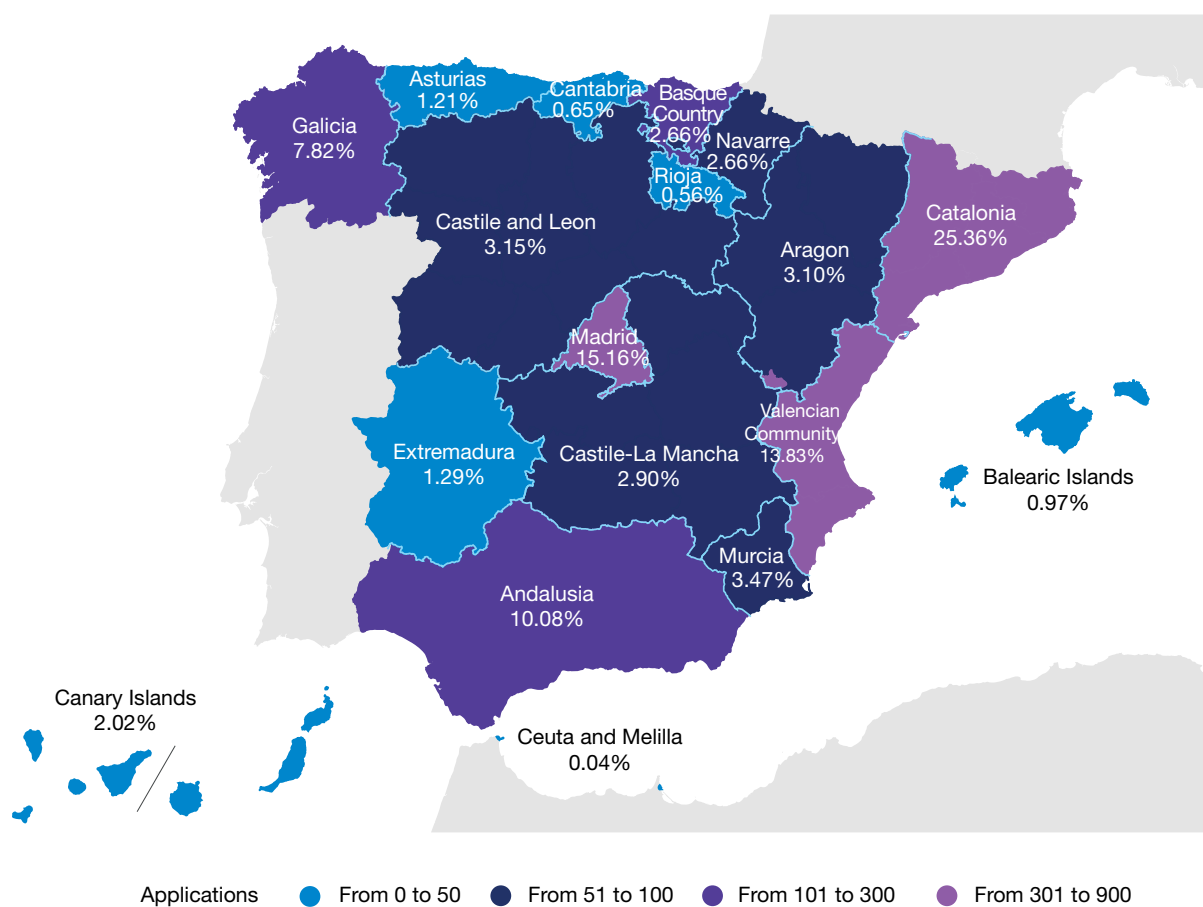
## UTILITY MODEL APPLICATIONS BY AC, IN RELATION TO POPULATION; INVENTIVE ACTIVITY - 2011

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	250	7.30%	10.08 %	8,424,102	17.85%	30	-43.5%
ARAGON	77	-29.36%	3.10 %	1,346,293	2.85%	57	8.8%
ASTURIAS (Principality of)	30	-14.29%	1.21 %	1,081,487	2.29%	28	-47.2%
BALEARIC ISLANDS	24	-20.00%	0.97 %	1,113,114	2.36%	22	-59%
CANARY ISLANDS	50	-13.79%	2.02 %	2,126,769	4.51%	24	-55.3%
CANTABRIA	16	-27.27%	0.65 %	593,121	1.26%	27	-48.7%
CASTILE-LA MANCHA	72	12.50%	2.90 %	2,115,334	4.48%	34	-35.2%
CASTILE AND LEON	78	-15.22%	3.15 %	2,558,463	5.42%	30	-42.0%
CATALONIA	629	-5.41%	25.36 %	7,539,618	15.98%	83	58.7%
VALENCIA	343	-12.50%	13.83 %	5,117,190	10.84%	67	27.5%
EXTREMADURA	32	10.34%	1.29 %	1,109,367	2.35%	29	-45.1%
GALICIA	194	71.68%	7.82 %	2,795,422	5.92%	69	32.1%
MADRID	376	-2.59%	15.16 %	6,489,680	13.75%	58	10.2%
MURCIA (Region of)	86	30.30%	3.47 %	1,470,069	3.12%	59	11.3%
NAVARRA (Historic Charter Community)	66	-4.35%	2.66 %	642,051	1.36%	103	95.6%
BASQUE COUNTRY	142	8.40%	5.73 %	2,184,606	4.63%	65	23.7%
RIOJA (LA)	14	0.00%	0.56 %	322,955	0.68%	43	-17.5%
CEUTA AND MELILLA	1	100%	0.04 %	160,852	0.34%	6	-88%
NOT GIVEN	0	100%	0.00 %				
<b>TOTAL</b>	<b>2,480</b>	<b>-1.27%</b>	<b>100 %</b>	<b>47,190,493</b>	<b>100%</b>		
<b>AVERAGE FOR SPAIN</b>						<b>53</b>	

Note: Population base is taken from official municipal lists of residents updated on 1 January 2011 (R.D. 1782/2011, 16 December 2011)



## UTILITY MODEL APPLICATIONS BY AC - 2011



## TOP 10 UTILITY MODEL APPLICANTS 2011

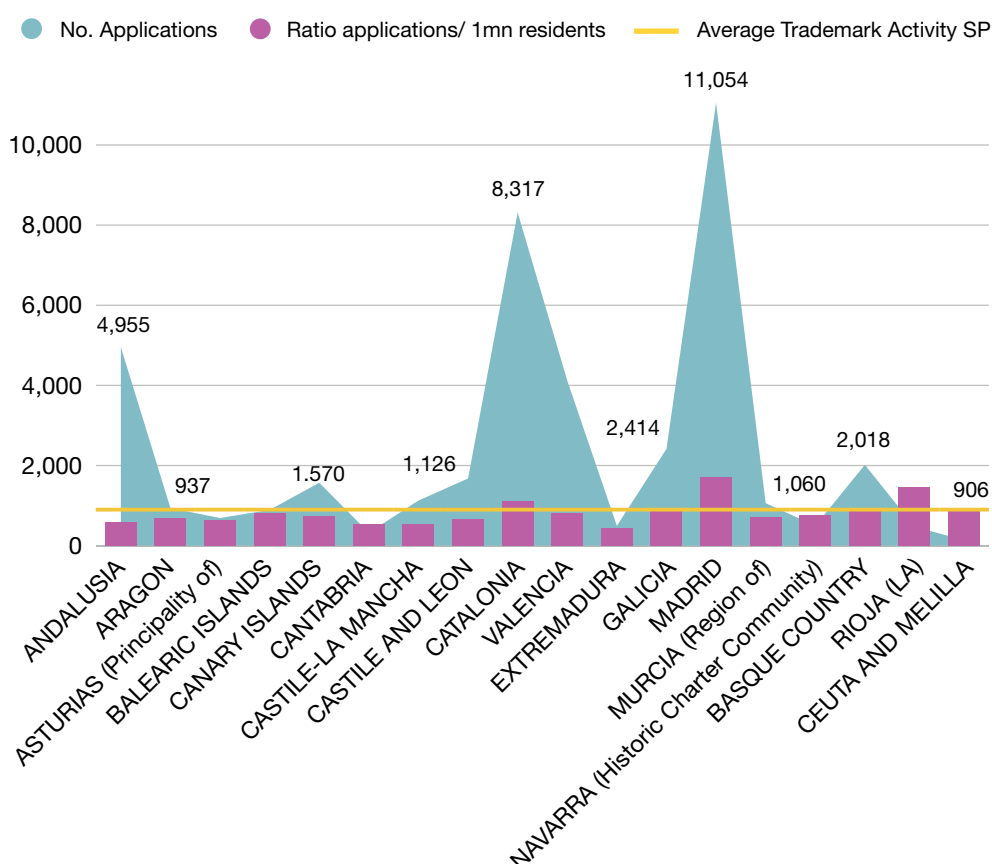
Ranking	Residents
1	Seat, S.A.
2	Viejim Inversiones, S.L.
3	Benkoguisane, S.L.U
4	Teivad Gestion, S.L.
5	Beguisa Deco, S.L.
6	Rodríguez Jañez, Ramón
7	Andalusian Health Service
8	Federal Signal Vama, S.A.
9	Bertholina, S.L.
10	IUNCI, S.L.

## Trademark Activity: Map by Autonomous Community

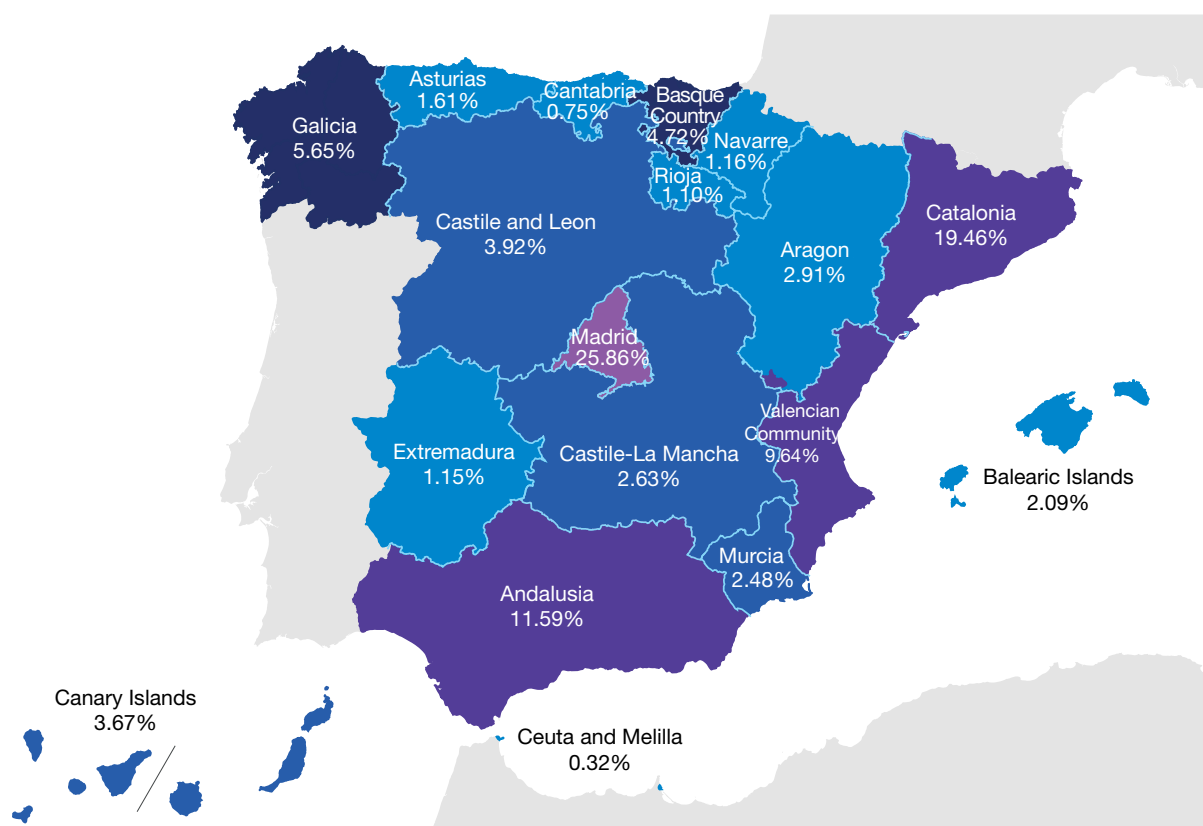
## TRADEMARK APPLICATIONS BY AC, IN RELATION TO POPULATION; TRADEMARK ACTIVITY - 2011

AUTONOMOUS COMMUNITIES	APPLICATIONS			POPULATION		TRADEMARK ACTIVITY	
	Number	% Annual Change	% of Total Residents Spain	Number	% Residents/ Total Spain	Ratio applications /1mn residents	Deviation from average
ANDALUSIA	4,955	3.70%	11.59%	8,424,102	17.85%	588	-35.1%
ARAGON	937	-0.64%	2.19%	1,346,293	2.85%	696	-23.2%
ASTURIAS (Principality of)	690	-2.54%	1.61%	1,081,487	2.29%	638	-29.6%
BALEARIC ISLANDS	892	1.71%	2.09%	1,113,114	2.36%	801	-11.5%
CANARY ISLANDS	1,570	7.83%	3.67%	2,126,769	4.51%	738	-18.5%
CANTABRIA	322	-1.23%	0.75%	593,121	1.26%	543	-40.1%
CASTILE-LA MANCHA	1,126	-8.01%	2.63%	2,115,334	4.48%	532	-41.2%
CASTILE AND LEON	1,676	9.26%	3.92%	2,558,463	5.42%	655	-27.7%
CATALONIA	8,317	-1.81%	19.46%	7,539,618	15.98%	1,103	21.8%
VALENCIA	4,119	2.62%	9.64%	5,117,190	10.84%	805	-11.1%
EXTREMADURA	493	16.00%	1.15%	1,109,367	2.35%	444	-50.9%
GALICIA	2,414	7.24%	5.65%	2,795,422	5.92%	864	-4.7%
MADRID	11,054	1.11%	25.86%	6,489,680	13.75%	1,703	88.0%
MURCIA (Region of)	1,060	10.07%	2.48%	1,470,069	3.12%	721	-20.4%
NAVARRA (Historic Charter Community)	496	-2.17%	1.16%	642,051	1.36%	773	-14.7%
BASQUE COUNTRY	2,018	9.14%	4.72%	2,184,606	4.63%	924	2.0%
RIOJA (LA)	471	9.79%	1.10%	322,955	0.68%	1,458	61.0%
CEUTA AND MELILLA	138	74.68%	0.32%	160,852	0.34%	858	-5.3%
<b>TOTAL</b>	<b>42,748</b>	<b>2.4%</b>	<b>100%</b>	<b>47,190,493</b>	<b>100%</b>		
<b>AVERAGE FOR SPAIN</b>						<b>906</b>	

Note: Population base is taken from official municipal lists of residents updated on 1 January 2011 (R.D. 1782/2011, 16 December 2011)

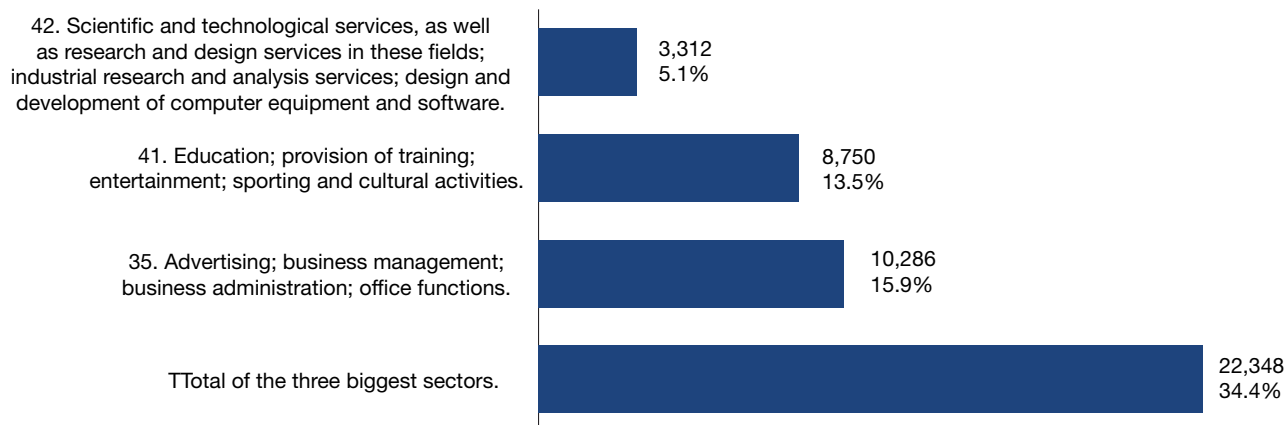


## TRADEMARK APPLICATIONS BY AC - 2011



Applications ● From 0 to 10000 ● From 1001 to 2000 ● From 2001 to 4000 ● From 4001 to 10000 ● From 10001 to 25000

## TECHNICAL SECTORS WITH LARGEST NUMBER OF TRADEMARKS PRESENTED IN 2011



## TOP TRADEMARK APPLICANTS - 2011

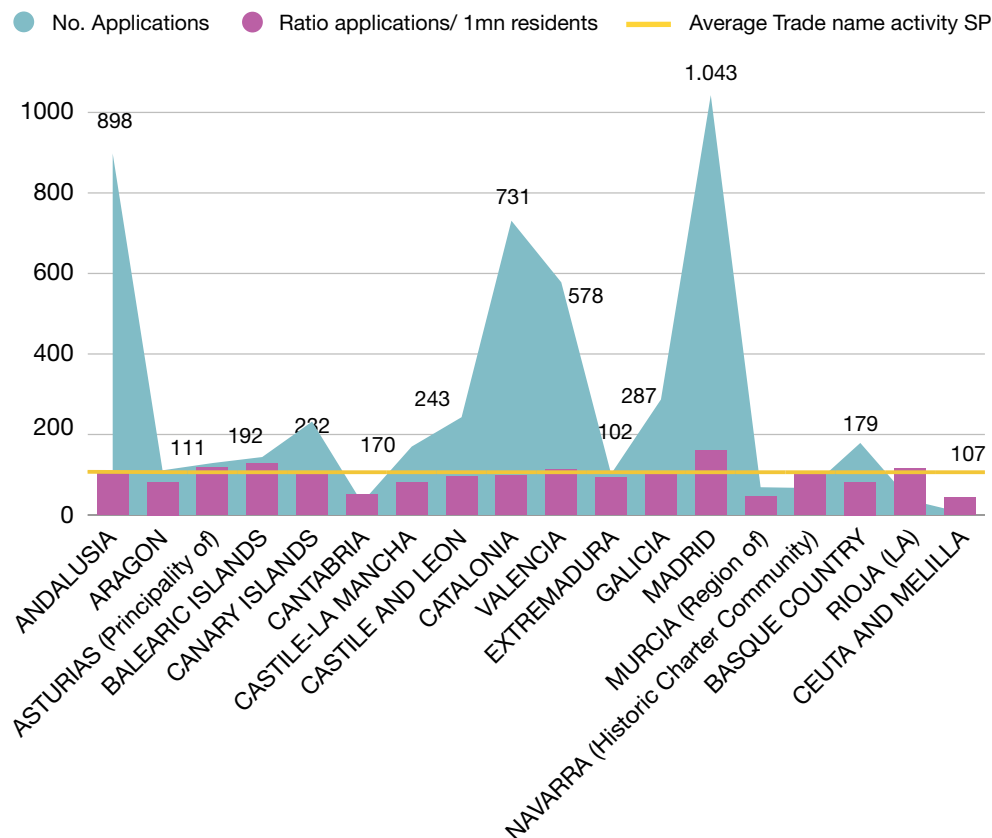
Ranking	Residents
1	Bankia, S.A.
2	Arafarma Group, S.A.
3	Arbora & Ausonia, S.L.U.
4	Caixa d'Estalvis i Pensions de Barcelona
5	Telenet Central Logistica, S.A.
6	Corp. Radio y Televisión Española, S.A.
7	Antena 3 de Televisión S.A.
8	Bestmark Product, S.A.
9	Spanish Electric Industry Association (UNESA)
10	Hijos de Antonio Juan S.L.
11	University of Las Palmas de Gran Canaria

## Trade Names Activity. Map by Autonomous Community

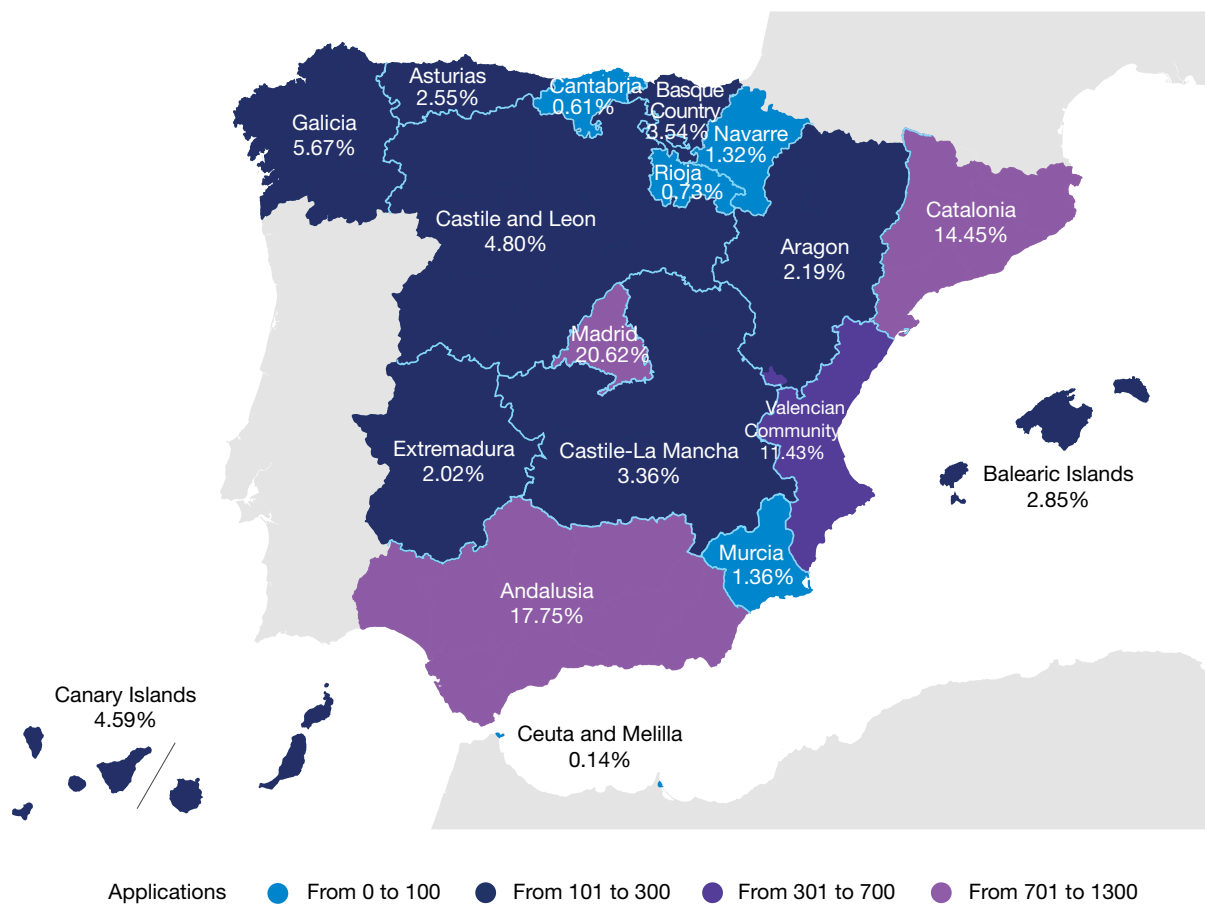
## TRADE NAME APPLICATIONS BY AC, IN RELATION TO POPULATION; TRADE NAME ACTIVITY - 2011

AUTONOMOUS COMMUNITIES	APPLICATIONS			POPULATION		TRADEMARK ACTIVITY	
	Number	% Annual Change	% of Total Residents Spain	Number	% Residents/ Total Spain	Ratio applications /1mn residents	Deviation from average
ANDALUSIA	898	10.46%	17.75%	8,424,102	17.85%	107	-1%
ARAGON	111	29.07%	2.19%	1,346,293	2.85%	82	-23%
ASTURIAS (Principality of)	129	22.86%	2.55%	1,081,487	2.29%	119	11%
BALEARIC ISLANDS	144	13.39%	2.85%	1,113,114	2.36%	129	21%
CANARY ISLANDS	232	4.50%	4.59%	2,126,769	4.51%	109	2%
CANTABRIA	31	40.91%	0.61%	593,121	1.26%	52	-51%
CASTILE-LA MANCHA	170	13.33%	3.36%	2,115,334	4.48%	80	-25%
CASTILE AND LEON	243	20.30%	4.80%	2,558,463	5.42%	95	-11%
CATALONIA	731	7.98%	14.45%	7,539,618	15.98%	97	-10%
VALENCIA	578	22.46%	11.43%	5,117,190	10.84%	113	5%
EXTREMADURA	102	22.89%	2.02%	1,109,367	2.35%	92	-14%
GALICIA	287	21.10%	5.67%	2,795,422	5.92%	103	-4%
MADRID	1,043	2.76%	20.62%	6,489,680	13.75%	161	50%
MURCIA (Region of)	69	-13.75%	1.36%	1,470,069	3.12%	47	-56%
NAVARRA (Historic Charter Community)	67	52.27%	1.32%	642,051	1.36%	104	-3%
BASQUE COUNTRY	179	-19.00%	3.54%	2,184,606	4.63%	82	-24%
RIOJA (LA)	37	32.14%	0.73%	322,955	0.68%	115	7%
CEUTA AND MELILLA	7	-53.33%	0.14%	160,852	0.34%	44	-59%
NOT GIVEN	0						
TOTAL	5,058	9.98%	100%	47,190,493	100%		
AVERAGE FOR SPAIN						107	

Note: Population base is taken from official municipal lists of residents updated on 1 January 2011 (R.D. 1782/2011, 16 December 2011)



## TRADE NAME APPLICATIONS BY AC - 2011



## TOP TRADE NAME APPLICANTS - 2011

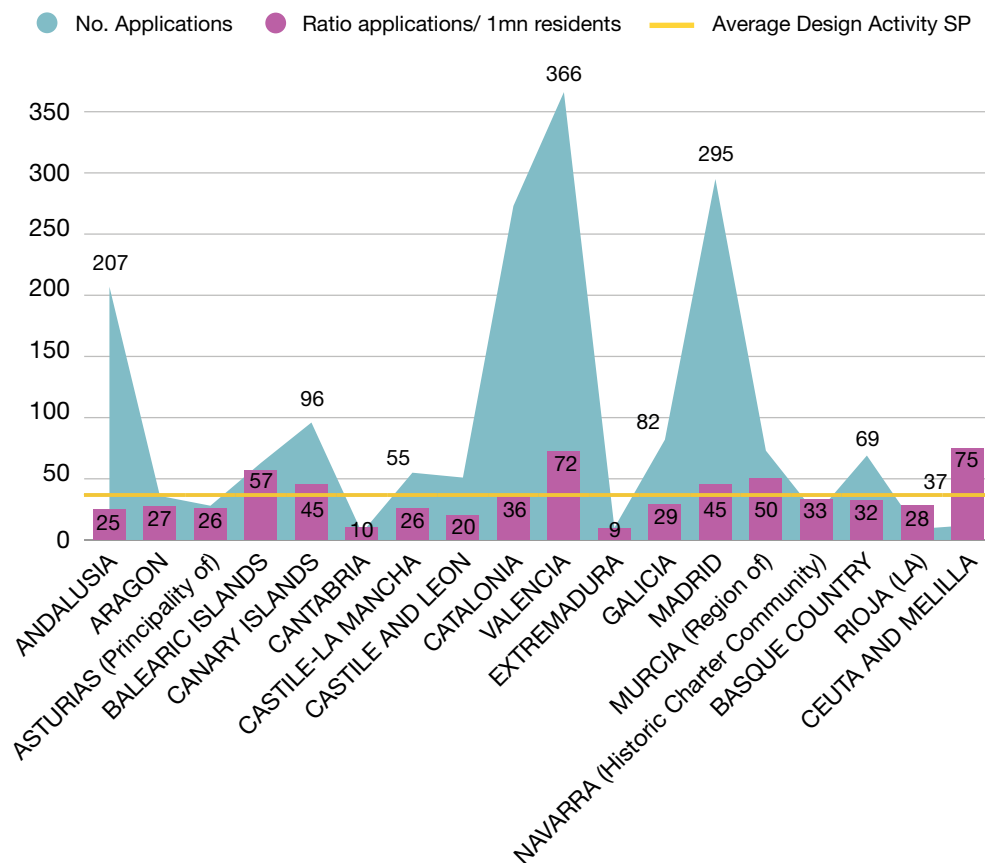
Ranking	Residents
1	Carreras Lara, Francisco Jose
2	DX Computer, S.L.
3	Auto Katti, S.L.
4	Iguazu Trading 2000, S.L.
5	Pozo Tome, Begoña
6	Avelino Vegas, S.A.
7	Corpotación Pikel, S.L.
8	Gomez Borrallo, Juan José
9	González Gallego, Francisco Carlos
10	Proyectos y Obras Pabisa, S.A.
11	Leo Management Group, S.L.

## Design Activity. Map by Autonomous Community

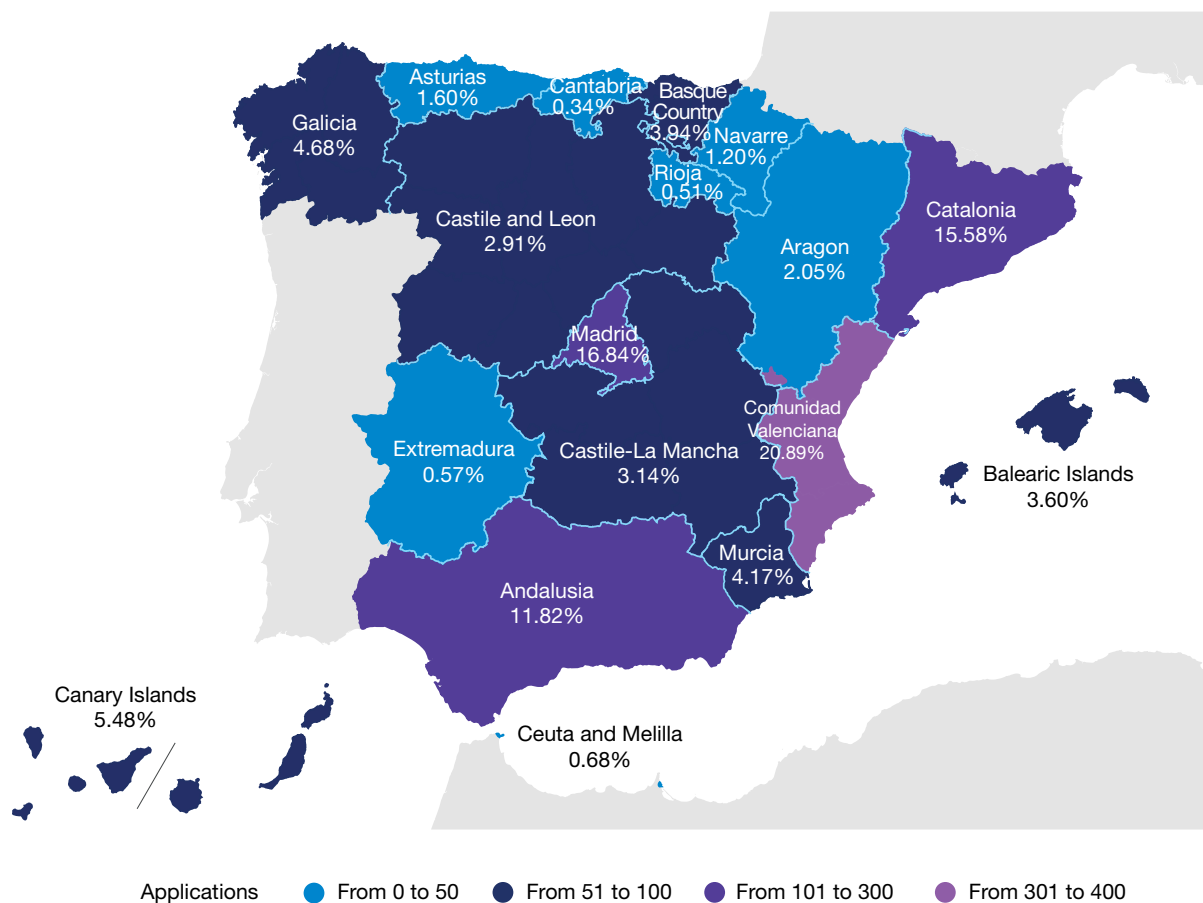
## INDUSTRIAL DESIGN APPLICATIONS BY AC IN RELATION TO POPULATION; DESIGN ACTIVITY - 2011

AUTONOMOUS COMMUNITIES	APPLICATIONS			POPULATION		TRADEMARK ACTIVITY	
	Number	% Annual Change	% of Total Residents Spain	Number	% Residents/ Total Spain	Ratio applications /1mn residents	Deviation from average
ANDALUSIA	207	2.48%	11.82%	8,424,102	17.85%	25	-34%
ARAGON	36	24.14%	2.05%	1,346,293	2.85%	27	-28%
ASTURIAS (Principality of)	28	-9.68%	1.60%	1,081,487	2.29%	26	-30%
BALEARIC ISLANDS	63	65.79%	3.60%	1,113,114	2.36%	57	52%
CANARY ISLANDS	96	60.00%	5.48%	2,126,769	4.51%	45	22%
CANTABRIA	6	-57.14%	0.34%	593,121	1.26%	10	-73%
CASTILE-LA MANCHA	55	41.0%	3.14%	2,115,334	4.48%	26	-30%
CASTILE AND LEON	51	30.77%	2.91%	2,558,463	5.42%	20	-46%
CATALONIA	273	15.68%	15.58%	7,539,618	15.98%	36	-2%
VALENCIA	366	5.78%	20.89%	5,117,190	10.84%	72	93%
EXTREMADURA	10	66.7%	0.57%	1,109,367	2.35%	9	-76%
GALICIA	82	-27.43%	4.68%	2,795,422	5.92%	29	-21%
MADRID	295	-3.28%	16.84%	6,489,680	13.75%	45	22%
MURCIA (Region of)	73	-1.35%	4.17%	1,470,069	3.12%	50	34%
NAVARRRE (Historic Charter Community)	21	31.25%	1.20%	642,051	1.36%	33	-12%
BASQUE COUNTRY	69	-4.17%	3.94%	2,184,606	4.63%	32	-15%
RIOJA (LA)	9	-47.06%	0.51%	322,955	0.68%	28	-25%
CEUTA AND MELILLA	12	71.4%	0.68%	160,852	0.34%	75	101%
NOT GIVEN	0	-100%	0.00%				
<b>TOTAL</b>	<b>1,752</b>	<b>6.57%</b>	<b>100%</b>	<b>47,190,493</b>	<b>100%</b>		
<b>AVERAGE FOR SPAIN</b>						<b>37</b>	

Note: Population base is taken from official municipal lists of residents updated on 1 January 2011 (R.D. 1782/2011, 16 December 2011)



### INDUSTRIAL DESIGN APPLICATIONS BY AC - 2011



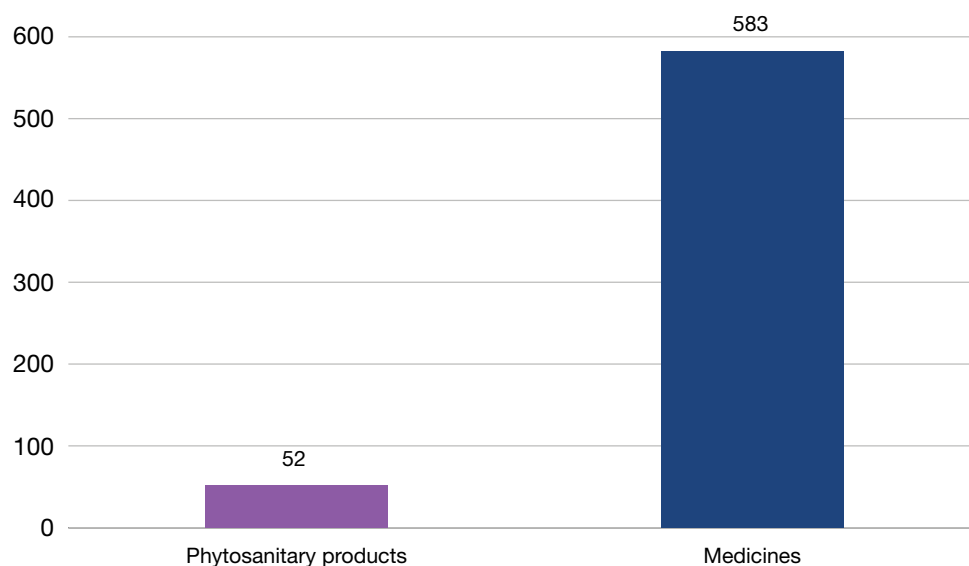
### TOP INDUSTRIAL DESIGN APPLICANTS, 2011

Ranking	Residents
1	MTNG Europe Experience, S.L.U
2	Echegaray Fornés, Martín Emilio
3	Artex Trading S.A.
4	Lunedi Europa 2008, S.L.
5	Ros Lasierra, Juan Antonio
6	Boys Toys, S.A.
7	Cejas Barreto, Jesus Domingo
8	Creaciones Gavi, S.L.
9	Wintor, S.L.
10	Angel Tomas, S.A.

### Supplementary Protection Certificates

#### APPLICATIONS BY TYPE

Years	Total	Phytosanitary products	%	Medicines	%
1998-1999	83	4	5%	79	95%
2000	35	4	11%	31	89%
2001	49	2	4%	47	96%
2002	36	4	11%	32	89%
2003	23	6	26%	17	74%
2004	30	5	17%	25	83%
2005	47	5	11%	42	89%
2006	42	5	12%	37	88%
2007	74	4	5%	70	95%
2008	59	4	7%	55	93%
2009	58	2	3%	56	97%
2010	43	4	9%	39	91%
2011	56	3	5%	53	95%
<b>Total</b>	<b>635</b>	<b>52</b>	<b>8%</b>	<b>583</b>	<b>92%</b>



#### DEVELOPMENT OF PCT APPLICATIONS, 2000-2011

Years	PCT of Spanish origin	PCT at national phase*
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	1,772	121
2011**	1,650	111

\* Include patents and utility models

\*\* Provisional data

## EUROPEAN PATENT APPLICATIONS, 2000-2011

Year	European of SP origin
2000	525
2001	582
2002	603
2003	695
2004	846
2005	972
2006	1,101
2007	1,286
2008	1,324
2009	1,263
2010	1,436
2011 *	1,500

\* Data from 2011 are provisional

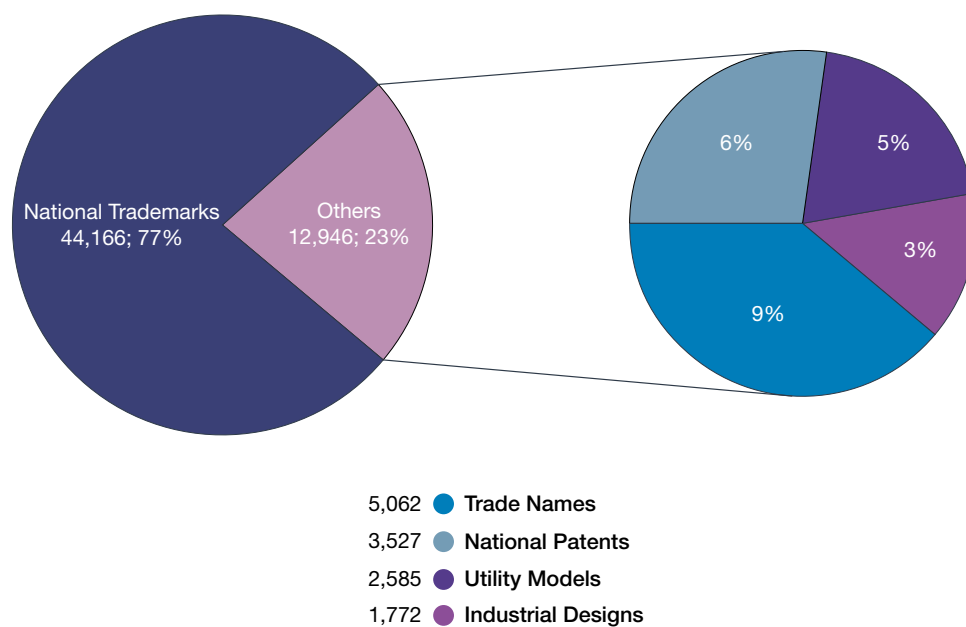
## TREND OF TECHNICAL PATENT REPORTS DONE IN THE SPTO

Years	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	▲ (+/-) ANUAL 2011/2010
International Search Reports (ISR) (PCT Worldwide Procedure)	562	722	751	768	857	939	1,080	1,240	1,238	1,409	1,296	-8.02%
State of the Art Reports (RSA) (national procedure)	2,423	2,216	2,432	2,335	2,397	2,263	2,227	2,427	2,881	3,029	2,863	-5.48%
Patent Technological Reports (Preliminary Reports on Patentability)	334	345	411	483	391	505	435	418	346	325	365	12.31%
Preliminary Examination Reports* (national procedure)	1	17	175	221	222	211	194	210	226	284	338	19.01%
<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>4,691</b>	<b>5,047</b>	<b>4,862</b>	<b>-3.67%</b>

## TREND IN INDUSTRIAL PROPERTY APPLICATIONS - 2000-2011

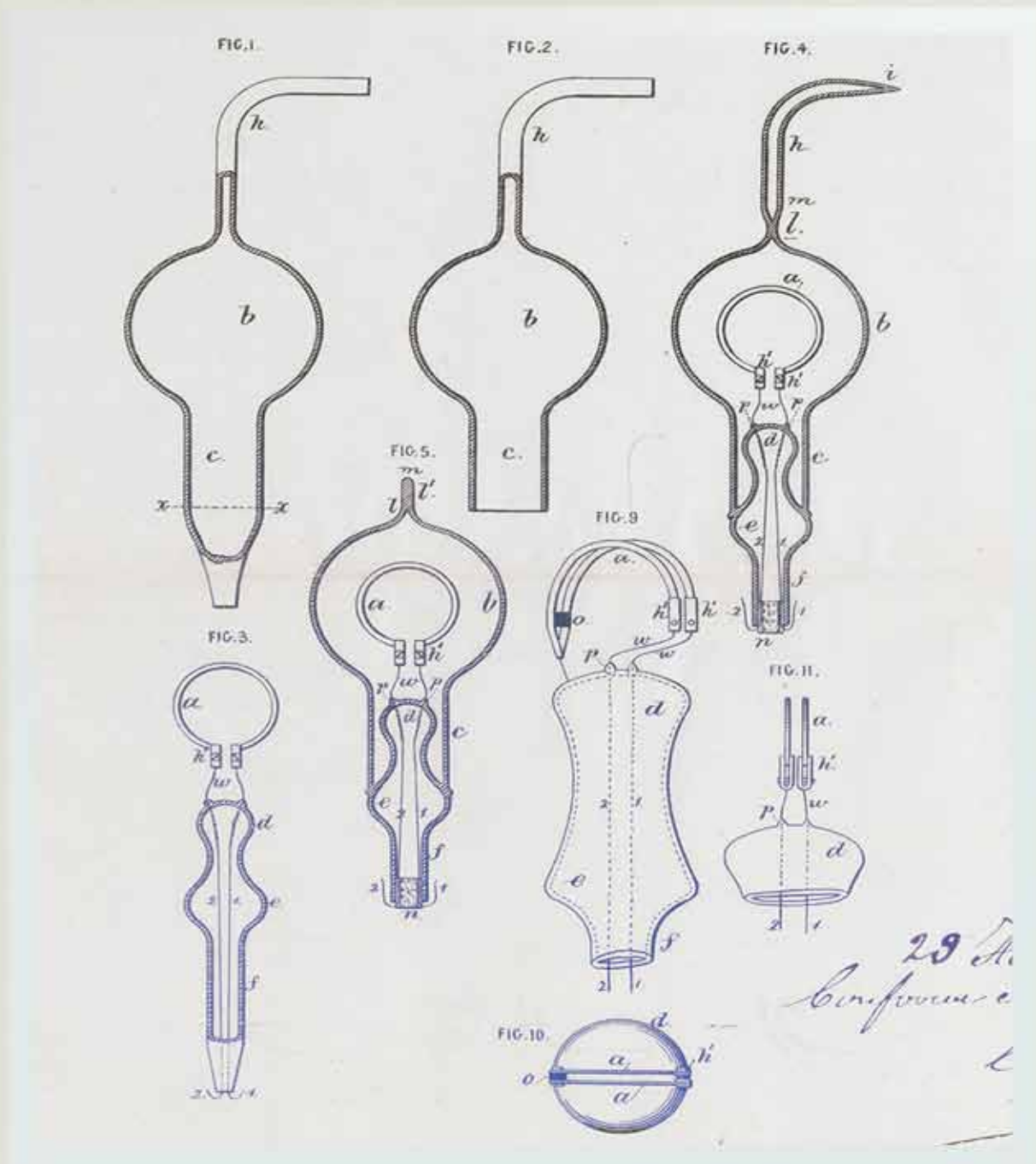
PI Categories	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
National Patents	3,111	2,904	3,055	3,081	3,100	3,252	3,352	3,439	3,783	3,712	3,669	3,527
Utility Models	3,212	3,142	3,103	3,000	2,901	2,853	2,814	2,657	2,662	2,545	2,629	2,585
Industrial Designs	3,644	3,661	3,472	2,386	1,804	1,890	1,588	1,525	1,414	1,529	1,662	1,772
National Trademarks	87,769	78,441	69,743	53,989	54,777	56,414	58,643	57,833	49,750	42,437	43,364	44,116
Trade Names	4,229	4,168	4,940	4,162	3,928	5,130	6,449	6,750	5,865	4,694	4,602	5,062

## APPLICATIONS FOR TYPES OF IP IN 2011



## APPENDICES

# 5. MONITORING OF THE IP PLAN



### Strategic pillars:

- **Promotion of IP.** To increase the use of IP by Spanish companies, strengthening the business and social culture surrounding it.
- **Internationalisation.** To increase the use of IP as a tool for Spanish companies to access international markets.
- **Protection and security.** To ensure the effectiveness of IP rights.
- **Green IP.** Promotion, protection and profitability of investments in new technologies to combat climate change.
- **Management excellence.** To promote the SPTO services as an efficient and organisation and a catalyst for IP activities and their dissemination.

### TARGETS PLAN 2012

1. To place Spain among the top 10 EU countries in terms of national patents and utility models by expenditure on R&D&I in Europe.
2. Over 100,000 companies will take part in some of the Plan's actions.
3. To place Spain among the top 10 EU countries in terms of national patents and among the top 15 in the world in terms of PCT patent applications.
4. To increase the average number of trademark applications in Spain from 1,100 to 1,225 and the average number of patent applications from 84 to 90 per million inhabitants.
5. To reduce the periods for granting by 15% for patents, 80% for trademarks (direct) and 80% for designs (direct) to bring them under 12 months, 5 months and 72 hours, respectively.
6. The rates for all types of IP will be reduced by 18%. In addition, there will be a 15% reduction for using electronic media.
7. There will be over 15,000 users subscribed to the SPTO 2.0 network.

## Promotion of industrial property

### Targets

- » **Spain must be among the top 10 EU countries in terms of patents and utility models by expenditure on R&D in Europe.**

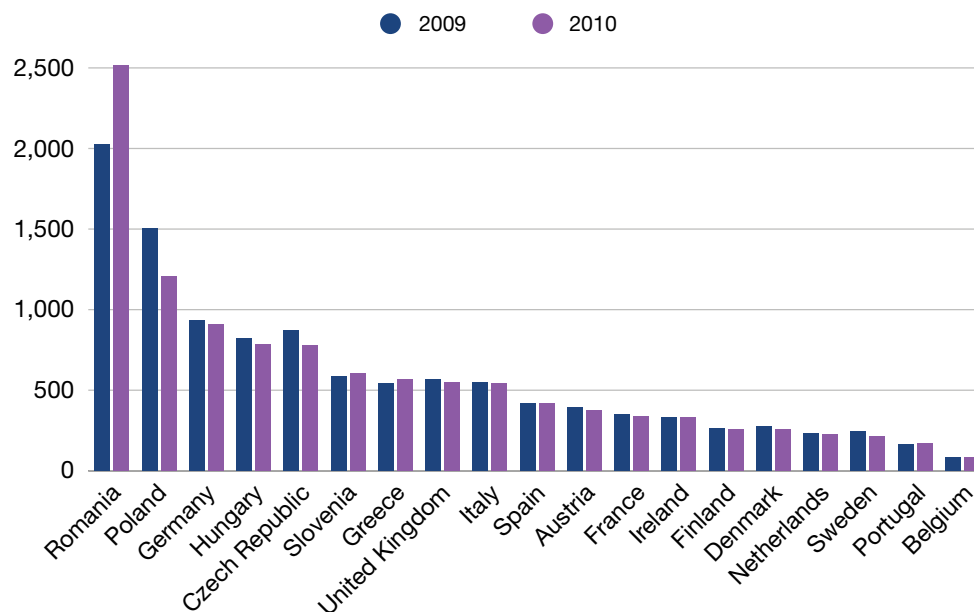
Situation as at 2008: 12th position.

**2011 results:** Spain is placed in 10th position in terms of the number of patents and utility models by expenditure on R&D.

\* The countries were selected based on the fact that they have over 370 million euros of expenditure on R&D and over 350 applications submitted by inhabitants (WIPO Criterion).

The latest data on R&D from Greece are from 2007.

### TOTAL PATENTS AND UTILITY MODELS BY EXPENDITURE ON R+D

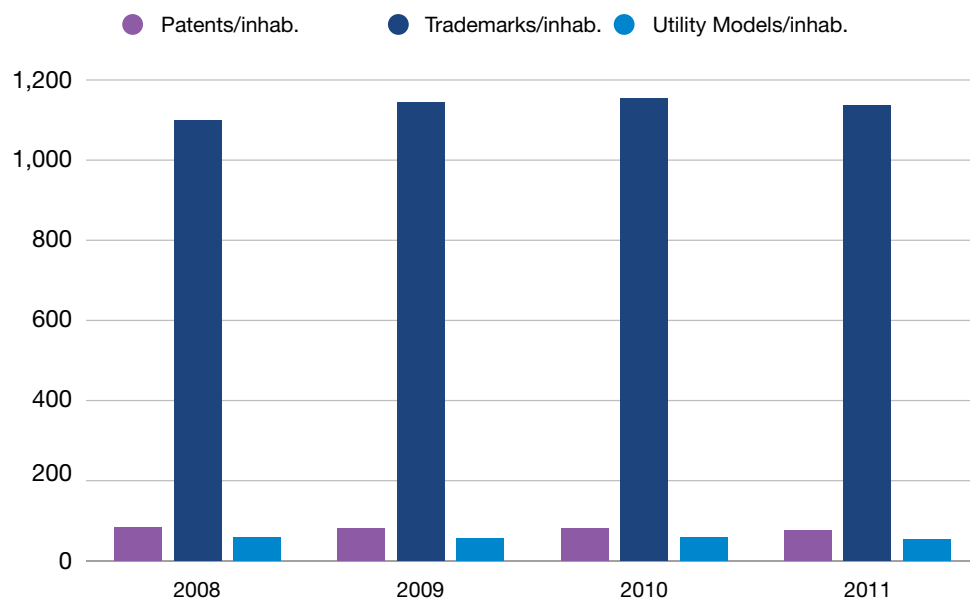


### » Average number of Trademarks (1225) and Patents (90) per million inhabitants

Situation as at 2008: Trademarks: 1100; Patents: 84

2011 results: 1137; Patents: 77

### PATENT, UTILITY MODEL AND TRADEMARK APPLICATIONS PER MILLION INHABITANTS



- » **The rates will drop by 18% compared to the rates in force in 2009. There is an additional reduction of 15% for using electronic media.**

**2011 results:** A reduction in all rates, over 18% for patents and industrial designs, an average of 18% for trademarks. An additional reduction of 15% for using electronic media.

	Fees 2009	Fees 2010	Fees 2011
<b>Distinctive signs</b>			
App. Trademark or trade name. By class	154.38	154.38	138.94
App. Trademark or trade name. Second class	142.03	100.00	90.00
<b>Patents and utility models</b>			
Reinstatement or margin call application	91.69	80.00	72.00
<b>Industrial design</b>			
App. Registration: additional designs within the same application	90.85	80.00	72.00

- » **Over 100,000 companies will have taken part in the plan's actions**

**Situation as at 2010:** 179.379

(grants 1,091; electronic applications 74,600; newsletter subscriptions 101,291; conference attendees 2,391)

**2011 results:** 187.293

(grants 870; electronic applications 76,262; newsletter subscriptions 97,901; conference attendees 12,260)

- » **Preparation of sector guides**

**Situation as at 2010:** Preparation of 4 IP sector guides (Footwear; Textiles; Furniture; Leather)

**2011 results:** Target met in 2010

- » **Increase of 15% in visits to the SPTO website**

**Situation as at 2008:** 80,510,431 visits.

**2010 results:** 98,109,095 visits, 25% more than in 2009

**2011 results:** 75,595,411\* visits

\*provisional data

## Internationalisation

### Targets

- » **Over 5,000 companies will have requested internationalisation grants**

Situation as at 2010: 755 companies have requested grants

2011 results: an additional 646 companies have requested grants

- » **Spain must be among the top 10 EU countries in terms of European patents and among the top 15 in terms of PCT.**

Position in 2008: 12th in European patents and 16th in PCT.

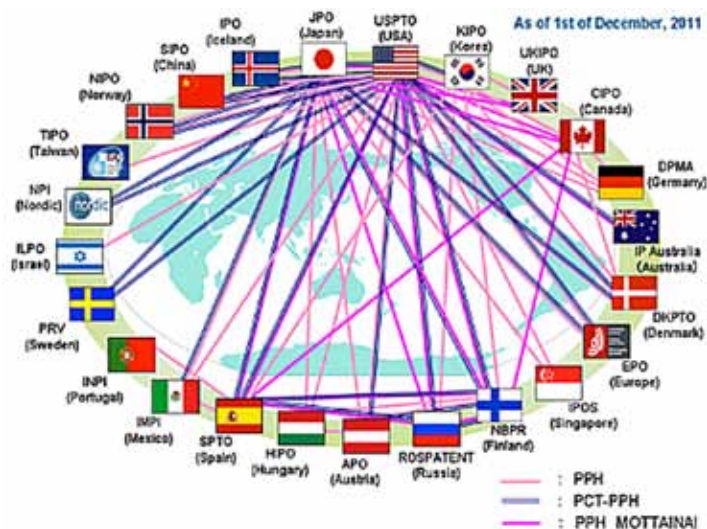
2011 results: 11th in European patents (2010 data) and 15th in PCT applications (2011 data).

- » **Signing of 9 bilateral agreements with national patent offices from other countries to acquire protection for Spanish patents abroad.**

Situation as at 2010: 4 agreements signed (PPH) with the United States, Japan, Canada and Finland.

2011 results: an additional 4 agreements signed with South Korea, Portugal, Russia and Mexico.

### PPH NETWORK



- » **To increase the SPTO's role in the PCT**

Situation as at 2010: increase of 18% in the number of Spanish PCT applications.

2011 results: decrease of 0.21% in the number of Spanish PCT applications.

## Strengthened legal security and protection

### Targets

- » **Awareness-raising activities in 50 towns, each with more than 100,000 inhabitants.**

Situation as at 2010:

- One campaign carried out.
- A new campaign in preparation.

2011 results: 2 campaigns have been prepared



- » **Over 2200 visits per month to the anti-piracy website**

Situation as at 2010: 1694 per month

2011 results: 1559 per month

- » **Creation and maintenance of a case law database**

Situation as at 2010: preparation and implementation of a case law database containing over 2000 judgements.

2011 results: maintenance of the database with 2500 judgements introduced together with the commitment to keep it updated (with a 2 month time lag).



- » **Over 550 rapid information services per year for judges, public prosecutors, police officers and customs officers.**

Situation as at 2010: 1920 services

2011 results: 644 services

## Green Industrial Property

### Targets

- » **Over 3,000 users of the Technology Watch Newsletter from the green sector.**

Situation as at 2010: 4,086 subscribers

2011 results: 2,059 subscribers

- » **20% of patent applications in the green IP sector follow the accelerated patent grant programme (CAP).**

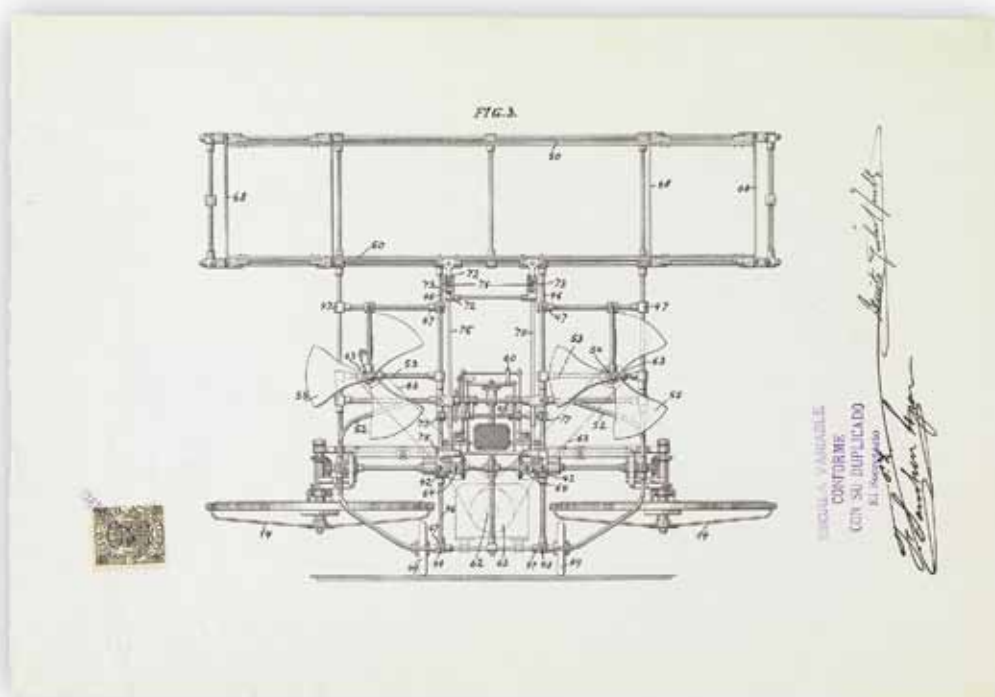
Situation as at 2010: In the final quarter of 2010, 23% of CAP applications are for green technologies.

2011 results: In 2011, 16.50% of CAP applications are for green technologies.

- » **Spain must be among the top 5 EU countries in terms of European patent applications and PCT applications from the green sector.**

Situation as at 2008: 8th position in wind energy.

2011 results: In the latest international results, Spain is in 6th place as a source country (priority) of wind energy patent applications.



## Management excellence

### Targets

- » **Over 50,000 users of the SPTO's online tools**

Situation as at 2010: 74,600 electronic applications

2011 results: 76,262 electronic applications

- » **15% patents, 80% trademarks and 80% designs will be granted in less than 12 months, 5 months and 72 hours.**

Situation as at 2010: patents 4.76%, trademarks 89% and designs 76%

2011 results: patents 12.63%, trademarks 82.30% and designs 81.5%

- » **Expansion of the quality management system.**

Quality systems in 2008: PCT

Situation as at 2010: Certification department Distinctive Signs, Designs, Information Technology and PCT.

2011 results: Audits of Distinctive Signs, Designs, Renewals of Distinctive Signs, Technology Watch Systems and PCT carried out successfully. ISO 9001:2008 standard implemented in all aforementioned types and also ISO 166006:2011 standard in Technology Watch Systems.

- » **Simplification of certificates for applying for patents abroad.**

Situation as at 2010: Met

2011 results: Target met in 2010



## SPANISH PATENT AND TRADEMARK OFFICE

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