



EIC NEWSLETTER

STAKEHOLDERS

- Yuhor – a blend of tradition and the modern
- Systematic approach to co-operation among institutions enforcing intellectual property rights

EDUCATION

- The new Patent Law
- Amendments to the Law on Copyright and Related Rights

INFORMATION

- Applications in 2011
- News

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Headline

The Education and Information Centre two years on

The Intellectual Property Office of the Republic of Serbia has been home to the Education and Information Centre for the past two years. Set up under the European Union IPA project, the Centre enjoys the full support of the European Patent Office.

In 2011 alone, as many as 72 workshops on different topics were held for 2 500 participants across Serbia. The experts at the Centre addressing the audience at these events pointed out the significance of protecting intellectual property so that companies can be more competitive and promote their products in local and foreign markets. The Centre has been represented at all major innovation fairs and exhibitions in Serbia.

The 30 workshops aimed at academics at universities and institutes placed particular emphasis on the benefits of searching global patent databases at any stage of scientific research, as well as the need for protecting the results of scientific research before their publication.

The training programme for institutions dealing with the prevention of piracy and counterfeiting consisted of two levels, basic and advanced. It was implemented in the form of 14 workshops organised in the second half of last year.

The workshops were delivered by lecturers from the Intellectual Property Office and foreign institutions, as well as by representatives of right holders – i.e. the companies Procter & Gamble, Nike and Beiersdorf. The programme focused on the analysis of different examples from practice, and stressed the need for co-operation between different authorities and with right holders.

Following the model adopted by other European intellectual property offices, the Centre has developed a special service called intellectual property pre-diagnosis, which has been remarkably well received by more than 20 companies in different sectors of industry. The service has been

designed to meet the requirements of small and medium-sized companies and large systems alike. Here are just some of the companies that were provided with the service by the Centre in 2011: Juhor (Jagodina), Metalac (Gornji Milanovac), BIP (Belgrade), Foodland (Belgrade) and Jugoterm (Merosina).

The above overview, as well as a number of other activities (international conferences, regular open days and the like), go to show that the Education and Information Centre is a valuable resource for the Intellectual Property Office in its endeavour to contribute to the development of a competitive knowledge-based economy in Serbia. ■



Interview

Marinko Ukropina, SGS Belgrade

The Intellectual Property Office receives the ISO 9001:2008 certificate

What is the practical significance of having the ISO 9001:2008 conferred on a government authority like the Intellectual Property Office?

Quality system certification is intended primarily for market-oriented organisations, so it is all the more significant when it is awarded to a government authority like the Intellectual Property Office. But we regard it as more than a form of validation: certification also serves as a pointer to the road we should be taking. Let us take for example the Government of Macedonia, which needed the certificate to qualify for funds from the European Union. The certification process there, which led to it being awarded with the certificate by SGS Belgrade in 2011, contributed to the establishment of a transparent system of public management oriented towards providing services based on fully defined business processes, including a controlled method for their management.

The certification of the Intellectual Property Office implies defining a method for supplying products and defining responsibilities and authorities, including the provision of measurable and valid data. The implementation of this project has been greatly facilitated

by the commitment of the staff. The management of the Intellectual Property Office has demonstrated its readiness to ensure the socially responsible operation of the organisation guided by the mission of developing its human resources and the knowledge of its personnel. Certification of public administration authorities is not only a matter of prestige, but rather a commitment to continuous monitoring and upgrading of the system.

How do you assess the benefits of the certified User Services System of the Intellectual Property Office, and what is the role of SGS as a certifying authority?

The certification screening conducted by SGS inspectors has confirmed that the Intellectual Property Office's quality system is in line with the international standard, which prioritises the needs of service users. The certificate obliges the Intellectual Property Office to apply and develop specific procedures, thus enhancing its business operation and process management. It also has to ensure a systematic measuring of the satisfaction level of its service users in its area of responsibility, i.e. the procedures for the grant of patents, petty patents and national trade marks.

SGS, a reputable body listed on the stock exchange, monitors the implementation of the certified quality system. Our certificate is renewed if everything is in order. It is very important for us that the certificates are valid and that they actually reflect the facts, this being the basis for developing the confidence that service users have in the Intellectual Property Office. ■





Yuhor – a blend of tradition and the modern

The Yuhor Company bases its business success on a blend of tradition and modern trends in the meat processing industry.

Over the past 110 years, Yuhor has constantly invested in state-of-the-art technology and production standards. This means not only producing a safe and high-quality product, but also co-operating with reputable social institutions, which has proved to be extremely significant in upgrading business operation practices. Considering that Yuhor provides a broad range of products, the majority of which are manufactured on

the basis of original recipes, co-operation with the Intellectual Property Office has been a natural choice for it.

Intellectual property (IP) diagnostics has enabled Yuhor to get a clear picture of all the aspects of IP and to define the roads it should be taking to exploit this asset. This diagnostic analysis has also provided impetus for further innovations.

Market competition, especially competition from major meat processors from the European Union which



are expected to appear on the local market after the impending tariff liberalisation, makes it essential to conduct a detailed analysis and improve each segment of the company's activities. But Yuhor is not the only company looking to the future: IP is a topic that will be of ever greater interest to local companies in the near future. ■

Vera Despotovic, Senior Adviser for Co-ordination and Promotion of Intersectoral and Regional Co-operation in Market Surveillance, in the Market Inspectorate Sector of the Ministry of Agriculture, Trade, Forestry and Water Management

Systematic approach to co-operation among institutions enforcing intellectual property rights

The complexity and scope of activities relating to the identification and prevention of intellectual property rights infringement call for ongoing co-operation among the competent authorities and co-ordination of their activities.

Hence, the Strategy for the Development of Intellectual Property in the period 2011 to 2015 provides for the establishment of a co-ordination body to manage the enforcement activities performed by several public administration authorities.

A conference on the establishment of the co-ordination body was held at the Education and Information Centre of the Intellectual Property Office in Belgrade on 6 December 2011. It was an opportunity for intellectual property rights enforcement authorities in the Republic of Serbia to learn about the experiences of Great Britain and Denmark, as well as about the Croatian co-ordination model.

The conference was organised within the framework of the EU project "Support for the Establishment of the Education Information Centre of the Intellectual Property Office of the Republic of Serbia". Under this project, a study visit and exchange of experiences in intellectual property rights enforcement was organised by and between the market inspectors of the Ministry of Agriculture, Trade, Forestry and Water Management of the Republic of Serbia and the staff of the Trading Standards in the United Kingdom. During the visit, which took place in December 2011, particular attention was paid to teamwork, the available databases and the use of data from such databases for action planning and reporting. During a joint visit

to a business entity, the participants were shown how co-operation works in practice among a team of staff, whose responsibilities carry a degree of authority, and who achieved better efficiency through teamwork.

The teamwork presented is an example of good practice introduced in line with the business operation model, which efficiently protects other aspects of public interest with regard to the prevention of counterfeiting and piracy.

It is planned to establish the co-ordination body, to which the representatives of all the authorities responsible for intellectual property rights enforcement in the Republic of Serbia will contribute, in 2012. This body will enhance information sharing, the harmonisation of work plans, integration and monitoring of the results in general, and the management of other activities contributing to the more efficient enforcement of intellectual property rights. ■





Branka Totić, Director,
Intellectual Property Office of the Republic of Serbia

The new Patent Law

The Patent Law, which took effect on 4 January 2012, is the result of a thorough review of the practical aspects of implementation of the former law and the need to improve certain provisions, as well as the need for further harmonisation of the law with international treaties, such as the Patent Law Treaty and the regulations of the European Union and the World Trade Organization.

The Law is new in several respects. The most significant change is the requirement to deliver a prior art report in the patent grant procedure, based on which the applicant is able to estimate his prospects of acquiring a patent before paying the fees for substantive patent examination. This then enables him to decide whether or not to apply for a patent abroad. Another change is that an applicant is entitled to file an action for petty patent infringement only if he can prove that the patentability requirement has been met. In practice this means submitting the appropriate certificate so that civil legal protection can be exercised.

The Law now also obliges the court to stay the proceedings instituted on the basis of an action for the infringement of rights deriving from a patent application, until the coming into force of the Intellectual Property Office's decision on that patent application. This precludes the possibility of a judgment being pronounced on an infringement of rights that have not yet been granted. In such a case, the Intellectual Property Office is authorised to examine the patent application in an urgent procedure. Also, a patent application may be examined in an urgent procedure at the request of the



Market Inspectorate and the Customs Authorities in the event of a customs detention procedure or surveillance on the grounds of an infringement of the rights deriving from that patent application. Like other laws in the field of industrial property, this law has introduced the right of appeal against decisions issued by the Intellectual Property Office relating to patents and petty patents, thus enabling a more efficient protection of the rights of clients, as well a reduction in the workload of

the Administrative Court.

The Law regulates the procedure for filing patent applications with effect beyond the territory of the Republic of Serbia, in accordance with the European Patent Convention and the Patent Cooperation Treaty, having been harmonised with EU patent regulations. It is designed to speed up the granting of the status of candidate for EU membership. ■

Vladimir Maric, Assistant Director,
Intellectual Property Office of the Republic of Serbia

Amendments to the Law on Copyright and Related Rights

The end of December last year saw the adoption of the Law on Copyright and Related Rights, which, compared to the former situation, provides better and more complete protection of the interests of holders of copyright and related rights in Serbia.

The most significant amendments to the Law on Copyright and Related Rights relate to the limitations on copyright. In circumstances where social interests call for the suspension of the monopolies of authors and related rights holders, the Law has limited copyright by allowing the use of an author's work without his/her licence and without paying copyright fees. One such limitation provides for the reproduction of copies of published works without the author's licence and

without paying any copyright fees if such a work is involved in a current event which is being reported on in the public domain.

Also, the amendments to the Law specify the possibility of performing or presenting works of authorship in their entirety for the purpose of educational instruction, examinations, or scientific research work, provided such works have been published, and the above activities are for non-commercial purposes. The same applies to the public performance or presentation of published works at school events, for instance plays or concerts. The only condition is that the performers do not receive any remuneration for their work.

The amendments to the Law allow the reproduction of an author's work without his/her permission, or

payment of authorship fees if what is concerned is the reproduction of a text in the form of a whole book, unless copies of the book have been out of stock for at least a year.

This is intended to prevent the widespread practice of copying books, particularly textbooks and other professional literature, which has been seriously undermining the economic interests of authors and academia.

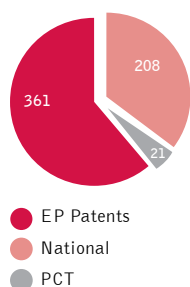
These amendments also regulate the *droit de suite*, the protection of the database, as well as other issues in the area of copyright and related rights. You can consult the amendments to the Law on Copyright and Related Rights on the website of the Intellectual Property Office under "Legal Regulations". ■

Daniela Zlatic-Sutic, Head of the EIC,
Intellectual Property Office of the Republic of Serbia

Applications in 2011

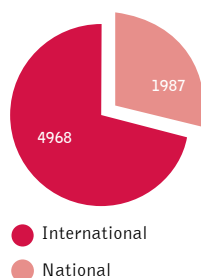
The Intellectual Property Office of the Republic of Serbia has noted minor fluctuations in the number of applications filed for the protection of certain intellectual property rights in 2011, compared to the 2010 figures. The number of patent applications filed directly to the Intellectual Property Office was 590, compared to 579 in 2010. There was an increase in the number of European patent applications – 361 compared to 250 the year before, while 2011 marked a drop in the number of national applications, the figure being 208 (in 2010: 313). There were only 71 petty patent applications (in 2010: 101).

Structure of patent applications in 2011

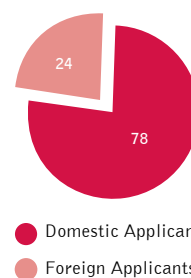


During the course of 2011, the total number of trade marks applied for in Serbia was 6 955, of which 4 968 (in 2010: 4 927) were international applications and 1 987 were national (in 2010: 2161). Resident applicants filed 1 135 national trade mark applications and non-resident applicants filed 852.

Structure of patent applications in 2011



Structure of national industrial design applications in 2011



Of 102 industrial design applications, 19 were multiple applications with 82 designs, making up 165 designs in total. Until 1 December 2012, the number of international applications filed for the Republic of Serbia on the basis of the Hague Agreement was 233.

In 2011, 312 copyrighted and related rights works were deposited, two of the depositors being non-residents, and five of the deposited works being related rights works. In that same period, four applications were filed for the registration of appellations of origin while two applications referred to the grant of the status of authorised user of registered appellations of origin or geographical indications.

News

Nikola Radovanovic, Adviser,
Intellectual Property Office of the Republic of Serbia

The best technological innovation

At the final of the Best Technological Innovation 2011 competition held at the RTS studio in Kosutnjak, the jury-selected winner was the Multifunctional Machine – Berry Harvesting Combine submitted by the “The Harvesters” team. In addition to berry harvesting, this machine invented by the three-strong team from Novi Sad – Srbobran Petrovic, Mirko Urosevic and Milan Dojcinovic – also screens the fruit and packages it.



Training for the Military Technical Institute researchers

Late in January, the Education and Information Centre organised three workshops for three groups of researchers from the Military Technical Institute. The workshops were attended by approximately 50 researchers. The main topic was patent protection, with particular emphasis on the new Patent Law. The workshops also discussed the basics of the patent system and the drafting of patent applications. Another workshop was organised at a later stage on searching patent documents via the Espacenet patent database.

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Education and Information Centre



The Intellectual Property Office of the Republic of Serbia