

Country Report - Romania

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wipo-PPO-KIPO Eastern european REGIONAL forum
On Using Intellectual property (IP) PANORAMA
for Building Capacity of SMALL AND MEDIUM-SIZED ENTERPRISES (SMES) for Strategic
INTELLECTUAL PROPERTY Management

Warsaw, April 2, 2009



A NECESSARY PARTNERSHIP

Romanian Patent Office – SMEs

The main tasks of RPO are:

- taking an active part to the working out of the national strategy in the field of the industrial property protection in Romania;
- implementing the governmental policy in this field;
- working out legislative proposals specific to this field, having in view the harmonization with the provisions of international agreements to which Romania is a party;
- granting the protection titles in the field of industrial property protection on the national territory.

In Romania today there are about 600 thousand SMEs, some of them being characterized by a special flexibility and capacity of adapting to the new.

Romanian Patent Office shall channel the efforts for the dissemination of information among those enterprises that do not protect their industrial property or that infringe the rights of other right holders, by not knowing the legislation, thereby bringing prejudices to the innovative system.

It is necessary to promote efficient legal notions concerning the industrial property protection among the managers through all the information means available.

An important way of informing is represented by the Regional Centres network consisting of 14 centres, two of them being housed by SME Associations (ASIMCOV) – Covasna and CDIMM-Maramureş).

Defense of IP rights is performed by the activity of the public institutions with specific attributions (Ministry of Justice, Prosecuting Magistracy, National Authority for Consumer Protection, Police, Customs), institutions with which RPO concluded collaboration protocols.

An important role played the Collaboration Protocol between the General Directorate for SMEs within the Ministry of SMEs, Commerce and the Business Environment and the State Office for Inventions and Trademarks, said protocol being signed in March 2004 upon RPO initiative.

The objectives pursued by the collaboration between the two institutions are the following:
! rendering the Romanian business environment familiar to the provisions of the legislation concerning the intellectual property protection in general and the industrial property in particular;

! enhancing the dissemination of information, stimulating and rendering flexible the information fluxes in the industrial property field

! stimulating the application of patents and employing the registered trademarks in the SMEs activity, based on the evaluation of intangible assets.

The main actions performed based on this partnership were:

- the translation of WIPO brochures: Making a Mark, Inventing the Future, Looking good, What is intellectual property? (with a view to developing publications with specialized technical information);
- seminars, conferences destined to SMEs (for knowing the industrial property system);
- developing the consulting capacity within the business Centres attached to the territorial Chambers of Commerce and Industry;
- developing the SME services (for creating and disseminating novel technologies with a view to promoting new products and services);
- creating groups of lecturers organizing in the country seminars related to the novel things occurred in connection with the industrial property (for example the utility model and the envelope Soleau);
- reduction of the patenting fees for SMEs (up to 80% reduction depending on the rate of turnover);
- reduction of the fees for research-development services;
- program "InovIMM" for SMEs: by means of the Division for Documentary Analysis and Syntheses there are offered services specially dedicated to the application of new technical solutions- innovation solutions, innovation studies, studies concerning the innovative tendencies of a company.

In September 2008, based on the collaboration partnership with the General Directorate for SMEs (DGIMM), the State Office for Inventions and Trademarks elaborated a new **Action Plan for supporting the SMEs** with regard to IP field. The purpose of this plan is that of rendering the SMEs in Romania aware of the importance of industrial property protection and the importance of including the IP management as element in the development strategy of the company.

The actions provided in this plan are:

1. Creating a microsite dedicated to SMEs within RPO web site
2. Creating external information dissemination points in order to support the enterprises
3. Integrating the electronic filing of the trademark applications into the SME network

4. Consolidating the collaboration with other institutions whose activity is connected to the SMEs activity.
5. Promoting, by the available means, the financing programs for supporting the SMEs
6. Elaborating and distributing specific leaflets and brochures destined to SMEs
7. Participation of the RPO specialists in SMEs fora
8. Periodical workshops
9. Dissemination of information in collaboration with the Regional Centres and other intermediates for the dissemination of IP information into the training programs, seminars, their publications, links from their sites.
10. Programs of visits in enterprises (PreDiagnosis)

On the initiative of DGIMM, in January 2009 there started the collaboration with a view to defining a **National program for increasing SMEs competitiveness by innovation of products and services launched on the market.**

This program is meant to support innovation in SMEs in Romania by granting a financial support for the registration of patents, utility models, trademarks or of other industrial property products, as well as of the necessary consultancy packet.

Following to the discussions and correspondence between the two partners, in the first instance there were established the stages for running the program and the costs that could be eligible.

- a) Stage I – organizing and carrying on general and specialized training courses in the industrial property field for the Program beneficiaries – company managers or the persons responsible for IPD;
 - Acquisition of the Romanian Industrial Property Bulletin and of the Romanian Industrial Property Review

- a) Stage II – financing the costs related to the fees for services relating to:
 - i) Prediagnosis (for identifying within the company the technical solutions created and developed by the own forces and for establishing a protection strategy thereof by a protection title);
 - ii) Documentary search in the field of interest;

iii) Specialized consultancy granted by the attested IP attorneys (with a view to drawing up the necessary technical documentation for obtaining an industrial property protection title)

b) Stage III- financing the costs related to the necessary fees for obtaining an industrial property protection title from RPO.

All these steps and actions are included in the National Strategy in the IP field for 2009-2013, which is now being elaborated.

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