



GOBIERNO
DE ESPAÑA

MINISTERIO
DE INDUSTRIA, COMERCIO
Y TURISMO



Oficina Española
de Patentes y Marcas

TECHNICAL ASSISTANCE OF THE SPANISH PATENT AND TRADEMARK OFFICE, O.A. INTERNATIONAL COOPERATION

XXII CDIP Geneva 19-23 Nov. 2018

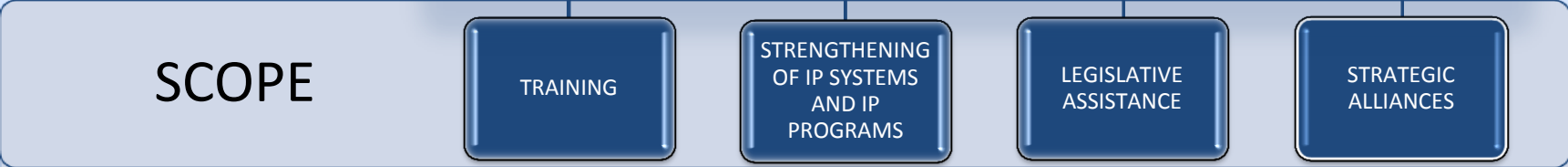
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LEGAL PROTECTION OF INDUSTRIAL PROPERTY

VASTLY EXPERIENCED IN
DIVULGATION AND DISSEMINATION OF INDUSTRIAL PROPERTY
SUPPORT FOR ENTREPRENEURSHIP
ENFORCEMENT

TECHNICAL ASSISTANCE



INTERNATIONAL PROJECTION

IN **COLLABORATION WITH INTERNATIONAL ORGANIZATIONS**

IN THE FRAMEWORK OF **BILATERAL AGREEMENTS**

SPTO Technical Assistance

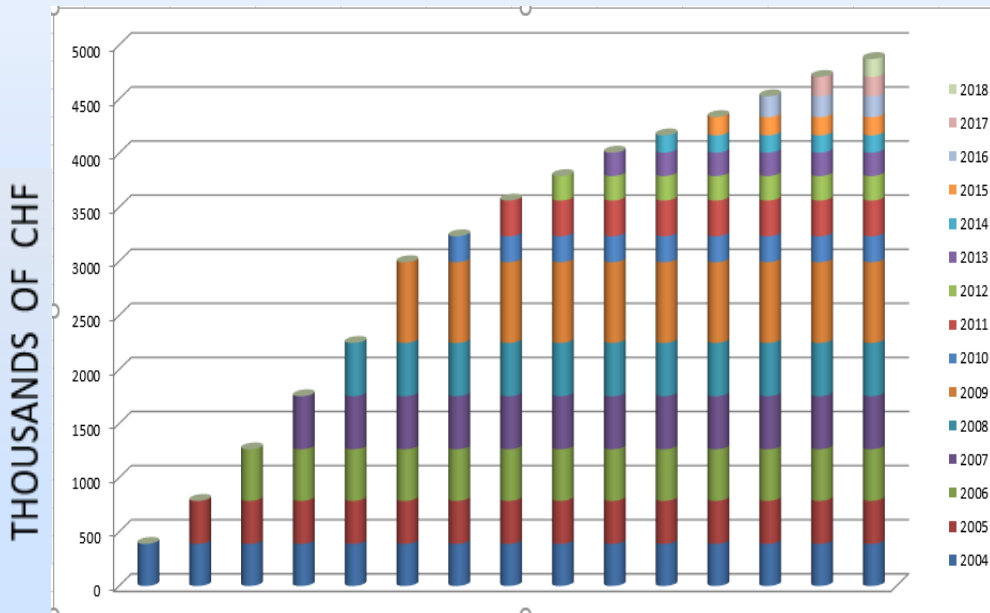
In cooperation with International and Regional Organizations



Bilateral cooperation with National Offices and IP Institutes



Spanish Fund in Trust at WIPO Cooperation Spain - Latin America (FIT / ES)



Spanish contribution TOTAL FIT (up to 2018): 4.860.645 CHF



Technical Assistance

Enhance human
resources capacities

Seminars and Regional Workshops

Latin American countries: Modernization of IP offices, Drafting of patent applications, Seminars for judges and prosecutors



Transition and developed countries: Trademarks and The Hague Convention, PCT and use of PCT, Industrial Property for SMEs



Face-to-face training programs at the SPTO

Annual course for Latin American trademark examiners

Summer IP course in Madrid

Online learning programs

E-learning program for Latin American and Spanish experts: trademarks, patents and IP courses for government officials, judges and prosecutors

Technical Assistance

Patent examiners Exchange



20 patent examiners have visited the SPTO since 2013



Office Marocain de la Propriété
Industrielle et Commerciale

2015: 2 SPTO patent examiners at the OMPIC
2016: 2 OMPIC examiners at the SPTO



2016: 2 STPO patent examiners at ILPO



2011, 2012 y 2013:
2 examiners at SPTO



2011: 2 patent examiners at the SPTO

BEST CASE

Multilateral Cooperation

SPTO, WIPO, EPO and IP National Offices

XVII Seminar on Intellectual Property for Latin American judges and public prosecutors (sept. 2018)



Since 2002, more than 300 Latin American judges and public prosecutors has been trained

On a yearly basis, 20-25 judges and public prosecutors from the Latin America region discuss with international experts IP related legal issues

Objectives:

To provide updated information and capacity-building in the fields of patents, trademarks, and copyright, according to the level of knowledge and responsibilities of the Latin American judges

To create a trainers network that facilitates direct relations between judges and prosecutors who have responsibilities in IP issues

BEST CASE

Bilateral Cooperation

SPTO and IP National Offices

LATIN AMERICAN CAPACITY BUILDING PROGRAM in patent search and technological information



De izda a dcha Patricia Domenichini (Argentina), Victoria Gómez Sardiñas (Cuba), Nelson Cruz Tapi (Perú) y Rubén Soto Pérez (México)

CIBIT PROGRAM since 2002, funded by the SPTO

Training at the SPTO of patent examiners and officials of Latin American national offices. 6 - 24 months

Tutored training in patent search (patent and non-patent databases) and technological information

+ 80 officials from Latin American IP Offices

Year 2018:

4 participants from Argentina, Mexico, Cuba and Peru

Technical Assistance

Strengthening IP system and IP management

Quality Manuals

Working Group of WIPO, STPO and receiving offices (RO) experts of Latin America to develop quality procedures and good practices.

Trademark and Patent Manual

Trademark Manual: Central American countries and the Dominican Republic

Patent Manual: Central American countries and the Dominican Republic

- **Harmonization**
- **Access to Information**
- **Access to Knowledge**
- **Transparency and legal certainty**

Technical Assistance

Strengthening regional cooperation programs

LATIPAT



IBEPI Programa Iberoamericano
de Propiedad Industrial



Energía Eólica I

Boletín
Iberoamericano
Información Tecnológica

BEST CASE

Multilateral Cooperation: SPTO, WIPO, EPO, National Offices Patent Database PROJECT: Latipat



Memorandum of Understanding between **WIPO-EPO-SPTO** on the Project for promoting exchange of information on patents and improve electronic patent publications in 19 Latin American countries



LATIPAT

Free patent database in Spanish and Portuguese , guidance database in Spain, Portugal and Latinamerican countries. More than 3 million of bibliographic data and more than 1.7 million images.



LATIPAT Espacenet
Búsqueda de patentes

Development Plan:

A new portal (www.latipat.org) integrated in the EPO search system (Espacenet) and with access from WIPO database (Patentscope) and the SPTO database (Invenes)



Technical Assistance

Legislative Technical Assistance

Case Law Data Bases

Training Activities

Law transposition Counselling

Legislative Technical Assistance

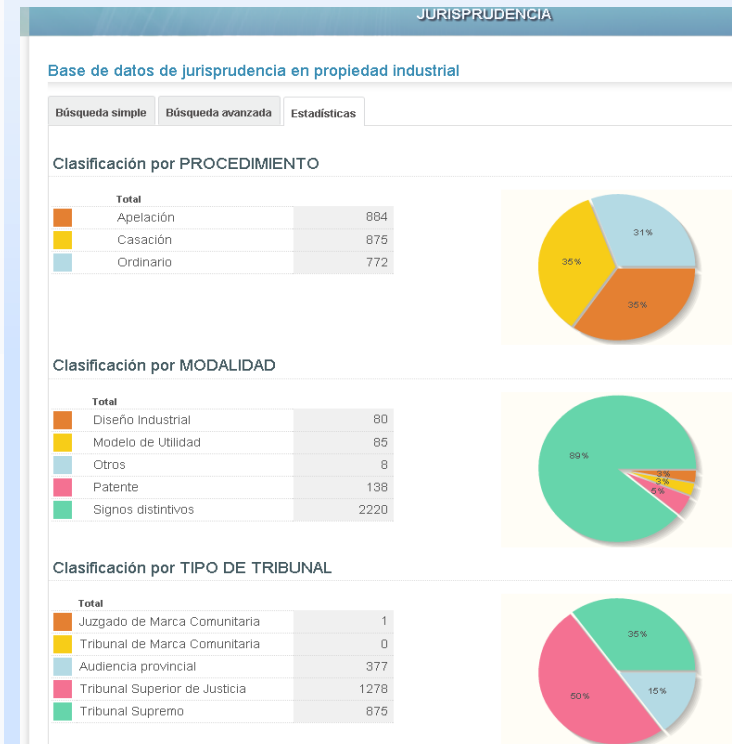
Case Law Data Base

OBJECTIVES

- To facilitate **law interpretation** and to promote the use of uniform criteria in granting of IP rights
- To increase **legal certainty** and to reduce the number of controversies
- To allow **free knowledge** and access to information

DATA BASE CONTENTS

- **Administrative and Court ruling decisions** concerning **IP rights**
- **Targeted**, not comprehensive: **relevant** decisions



Legislative subject matter

Assistance to Turkey

EU TAIEX program :Spain - Turkey

TAIEX is the Technical Assistance and Information Exchange instrument of the **EU** for the approximation and enforcement of EU legislation as well as facilitating the sharing of best practices.

➤ **Cooperation fields:**

- Counselling on EU law transposition into its national laws and on further use.
- Training of Turkish judges on current european context in the field of protection and implementation of IP rights

➤ **Activities implemented:**

- Training by a SPTO expert in Industrial Property Rights
- Visit of 6 Turkish Supreme Court judges at the SPTO, trained on the fight against Intellectual Property infringement and good practices



Technical Assistance in legislation and enforcement to Ukraine

EU Twinning program: SPTO -SIPSU

Twinning Program is a cooperation program funded by the **EU** between Public Administrations of the Member States and neighboring countries.

- **Strengthening the protection and enforcement of Intellectual Property rights in Ukraine (2014 -2016)**
- **Cooperation areas:**
 - to narrow differences between Ukrainian and UE legislations in the IP field
 - to strengthen the administrative capacity of Ukraine IP Office (SIPSU)
 - to strengthen the professional skills of IP stakeholders in the application of the legislation (State inspectors, examiners, judges, customs officials)
- **Implemented activities:**
 - training seminars for patent, design and trademark examiners
 - seminars on enforcement of IP rights for customs, prosecutors and police officers
 - recommendations on Ukrainian IP legislation
 - visits of ukrainian stakeholders to the SPTO and the EUIPO
- **Results assessment**



Technical Assistance

Strategic Partnership

Exchange of
knowledge
Forum

Multisector Forum of Innovation and Technology
TRANSFIERE ARGENTINA 2018 promoting networking
among the stakeholders of the Biotechnology, ICT,
Energy and Sustainable Development, Agribusiness ...
economic strategic sectors



**LA TRANSFERENCIA DE TECNOLOGÍA,
“EL MOVIMIENTO DE LA INVESTIGACIÓN
Y EL DESARROLLO HACIA EL MERCADO”
NECESARIO PARA QUE NUESTRO DESARROLLO TECNOLÓGICO
Y SOCIAL AVANCE**



By the networking has been held at the center of the event, to increase in total more 5.500 reuniones de trabajo entre representantes del ámbito empresarial, académico y científico-investigador de más de 5.300 grupos representados y 1.700 entidades públicas invitadas.

Technical Assistance

Strategic Partnership (EUIPO)

Capacity building
activities

Regional Workshops Exchange of information, knowledge and experiences related to the work of the **European Intellectual Property Network (EUIPN)**



Seminar "Innovation, Business and Intellectual Property" aimed at Latin American entrepreneurs, focussing on innovative SMEs and /or exporters with the support of the **National Offices , Chambers of Commerce or Professional Associations**



Technical Assistance: EUroclima+

EUROCLIMA+ is a program funded by the European Union to offer technical assistance in the field of climate governance in Latin America

The SPTO assists the INPI Brazil in this program

- **Assessment & Design phases** (Rio de Janeiro, June 2018)
 - Assessing needs and assist in IP issues
 - Designing future activities (IP & Climate Change)

- **Implementation phase** (Rio Janeiro, Sept. –Nov. 2018)
 - 2 training sessions for 30 patent examiners (INPI BR) about patent examination of Climate Change Mitigation Technologies

- **Final evaluation** (December 2018)



Technical Assistance Methodology



- Assess needs in order to identify priority actions:
- Define objectives and activity category (ex: training activity)
- Define a project team/responsible from the SPTO
- Send a mission to the country to examine location, facilities, IP Knowledge, risks...
- Assessment report



- Prepare a detailed **working plan** to implement already defined activities:
 - Define roles, local team, timeline, deadlines, costs, human resources
 - Prepare a technical assistance program (training activity) and logistics
- Define risks, challenges and progress indicators
- Prepare a communication plan



- Provide training material tailored to their needs
- Implement the activity in the country (training activity by SPTO experts)



- Follow up of the activity and evaluate results based on objectives
- Evaluation report at the end of each phase (preparatory, development, implementation)
- SPTO final evaluation report:
 - Best practices, achievements, lessons learned
 - Propose improvements and future actions
- Participants evaluation: questionnaires



THANK YOU

MORE INFORMATION:

departamento.coord-inter@oepm.es (Madrid)

Permanet Mission of Spain to the United Nations Office (Geneva)

Permanet Mission of Spain European Union (Brussels)



Oficina Española de Patentes y Marcas, O.A. (OEPM)

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