



**Meeting of International Authorities under  
the Patent Cooperation Treaty (PCT) :  
QUALITY SUBGROUP  
8<sup>th</sup> Informal Session**



MINISTERIO  
DE ENERGÍA, TURISMO  
Y AGENDA DIGITAL

# SPAIN



Oficina Española  
de Patentes y Marcas



**Kingdom of Spain:**  
Parliamentary  
democracy and  
constitutional monarchy

**Population:**  
46,77 millions

**Member of the  
following IP  
related  
organizations:**

- World Intellectual Property Organization (WIPO)
- European Patent Organization (EPO)
- European Union Intellectual Property Office (EUIPO)
- Programa Iberoamericano de Propiedad Industrial y Promoción del Desarrollo (IBEPI)



The Spanish Patent and Trademark Office (SPTO) is an autonomous body. It promotes and supports technological and economic development providing legal protection to Industrial Property by awarding:

- Patents
- Industrial Designs
- Trademarks

The SPTO also:

- Disseminates information on the various ways in which IP can be protected
- Represents Spain in international forums and organizations IP related



# SPTO | Historical Reference

1820: Creation  
of the Royal  
Conservatory  
of Arts and  
Crafts.

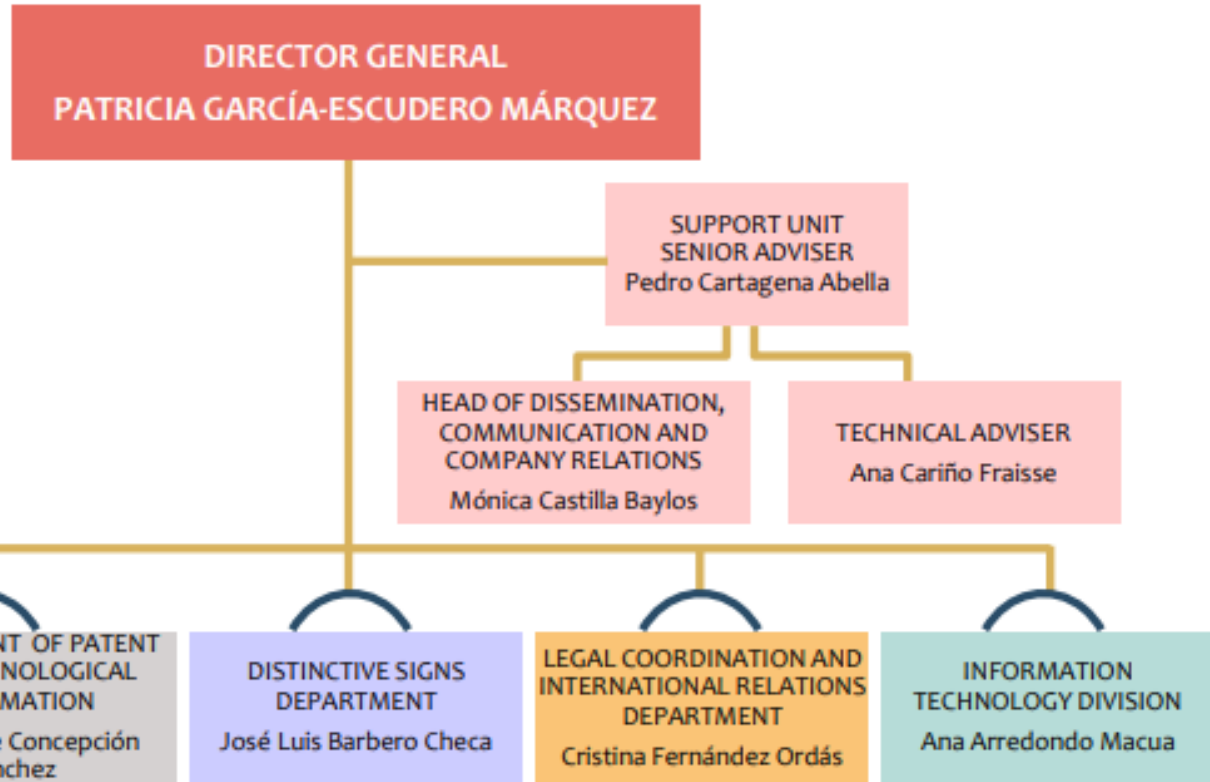
1887: Special  
Department of  
Patents,  
Trademarks  
and Industry.

1903:  
Industrial  
Property  
Register

1975:  
Industrial  
Property  
Register  
became an  
autonomous  
body

1992:  
Spanish  
Patent and  
Trademark  
Office.



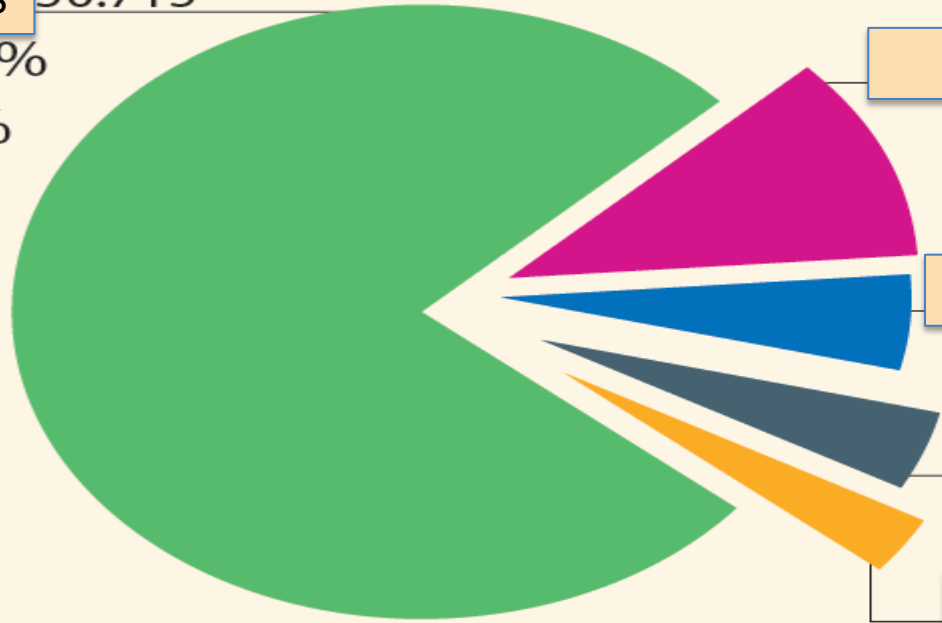


# SPANISH PATENT AND TRADEMARK OFFICE (SPTO)

## IP APPLICATIONS

TRADEMARKS 50.715

99 %  
1 %



TRADENAMES 7.745  
100 %

PATENTS 2.882  
22 % 78 %

UTILITY MODELS 2.328  
2 % 98 %

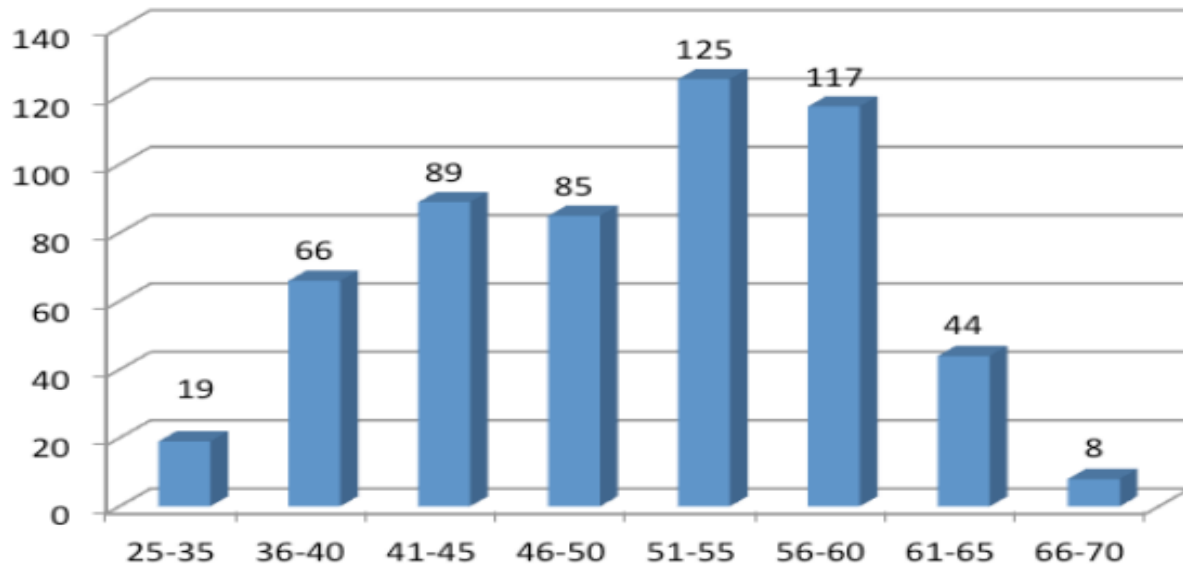
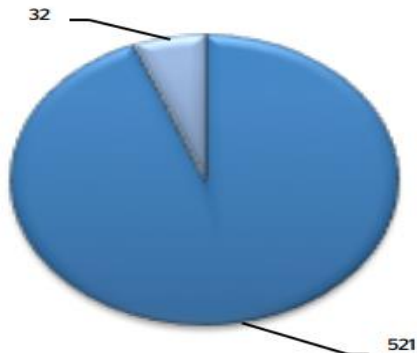
INDUSTRIAL DESIGNS 1.927  
1 % 99 %

PUBLIC SECTOR PRIVATE SECTOR



## 553 EMPLOYEES

CIVIL SERVANTS    NON CIVIL SERVANTS







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# SPTO | INTERNATIONAL RELATIONS



**World Intellectual Property Organization (WIPO)**



**European Patent Office (EPO)**



**European Union Intellectual Property Office (EUIPO)**



**EU IP Working Groups**



**Patent Prosecution Highway (PPH)**



**MoUs, Bilateral agreements**





## LATIPAT:



- Memorandum of Understanding between **WIPO-EPO-SPTO**: Project for promoting the exchange of information on patents and improving the electronic publication of patent information by Latin American Industrial Property Offices. Patent database in Spanish.

## FIT/ES:

- Trust fund created in 2004 for financing projects and activities in Latin America
- Projects: LATIPAT, Regional Seminars, Ibero-American IP Programme and development promotion, Case law database, Trademark and Patent Manuals

## SPTO-WIPO MEMORANDUM FOR COUNTRIES IN TRANSITION:

- Training activities in European and Eastern countries and ex Soviet republics.
- Specific collaboration in other areas: itinerant WIPO seminars in Spain



# SPTO CONTRIBUTION TO LATIN AMERICAN PATENT SYSTEM

## CIBIT PROGRAM

- CIBIT: Capacity-building program in patent search and technological information
- 6 months - 1 year stay at SPTO headquarters.
- Guided training in patent databases and non-patent literature
- Since 2002, more than 60 participants
- 2018, 5 participants foreseen

## DISTANCE LEARNING COURSES

- Cooperation Agreement between the SPTO and the CEDDET Foundation (e- learning Academy) for the development of Latin America, organising IP courses and seminars
  - Patent online course
  - Judges and prosecutors IP online course
  - IP experts network with more than 1,000 participants

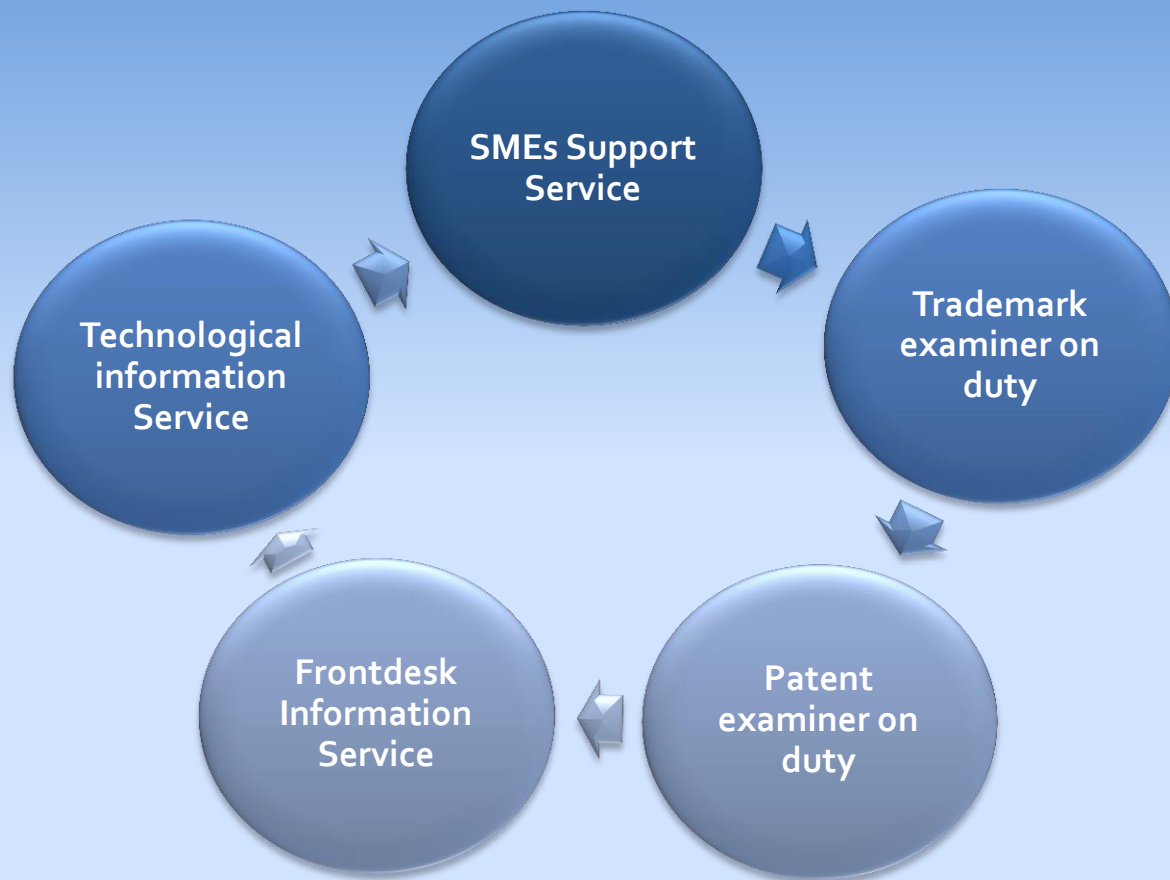


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# SPTO: INFORMATION SERVICES



Oficina Española  
de Patentes y Marcas



**New Spanish Patent Law – Act 24/2015, of 24 July – entered into force on 1 April 2017. It equated the Spanish Patent legislation with the international law and strengthened the Spanish National Patent System.**

## Main changes

- The **granting procedure** is changed to a single procedure with a **prior examination of novelty and inventive step**.
- The new system **reduces administrative charges and speeds up procedures**.
- Fee reduction up to a 50% for application, patent search and examination for certain entrepreneurs, SMEs and universities.
- **The regulation on “compulsory licences” is simplified.**
- **Supplementary Protection Certificates (SPC)** are expressly included .
- SPTO is now competent for **the promotion and development of mediation and arbitration.**



**1993- SPTO APPOINTED  
AS ISA**

**2001- SPTO APPOINTED  
AS IPEA**

**2018- SPTO EXTENDED AS  
ISA/IPEA**

**1989- SPAIN JOINED  
THE PCT**

**1995- SPTO ACTING  
AS ISA**

**2003- SPTO ACTING  
AS IPEA**

- The SPTO was the first ISA/IPEA accepting PCT applications in Spanish
- The SPTO, from the beginning, met all substantive requirements for being a PCT International Authority. This included, for example, a Quality Management System, which the PCT system has implemented in recent years.
- The SPTO is competent for international applications filed at the following receiving Offices: Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Peru and Spain.



## LATEST PCT NEWS IN SPAIN

- Appointment as ISA/IPEA extended for 10 years
- English accepted for international search and for international preliminary examination (and, of course, Spanish)
- Promotion of electronic exchanges of information between offices:
  - PCT Paperless Project with EPO
  - e-Search Copy with IB, MX, CL, PA, PE.. (and more to come)







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