

ROMÂNIA



ANNUAL REPORT
STATE OFFICE FOR INVENTIONS AND TRADEMARKS

'21



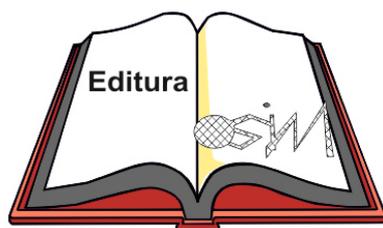
**STATE OFFICE
FOR INVENTIONS
AND TRADEMARKS**

ANNUAL REPORT

'21

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FOREWORD



Dear Readers,

*“Challenges and obstacles always arise.
What is important is to overcome them
and turn them into opportunities.”*

2021 was about challenges, as well, as it was marked by the negative effects of the Covid-19 pandemic.

This pandemic put us to test and pushed us to quickly adapt when it came to our way of working and the activities we carry on.

As Director General of the State Office for Inventions and Trademarks, it is with great honour that I now bring to your attention a summary of the most significant activities performed by OSIM in 2021.



We relentlessly strive to fulfill the mission of the State Office for Inventions and Trademarks (OSIM), while paying close attention to the optimization and modernization of the e-governing services for the citizens, the business environment as well as for other actors in Romania’s economy. These concerns gradually escalated in 2021 given the need of accelerating the digitalization of the activity and on-line services offered by OSIM.

In 2021, the data of OSIM information system were integrated in the national and international information structures on the protection of the industrial property rights.

Throughout this last year, the OSIM specialists together with our external partners have developed and modernized our organization’s web page, bringing elements of complete novelty. In addition to a modern aspect and an enhanced structure, the internet webpage has integrated many other components:

- An online portal that allows the applicants to have secure access, by authentication, to their own portfolio of industrial property objects;
- A chatbot that, upon request, automatically and interactively offers information to the visitors accessing the OSIM webpage. Thus, assistance and support are offered by defining a flow of frequently asked questions and answers specific to the industrial property field: inventions, trademarks, designs. The chatbot also includes a knowledge base the content of which is created and permanently updated by OSIM. If the answer is not available in the mentioned knowledge base, the user is transferred to a human operator;
- The virtual museum represents a new functionality of the OSIM webpage, where the visitors can see well-known trademarks recorded in the OSIM Registers as early as the inter-war period, as well as the historical Romanian patents, as if they were walking through the rooms of a museum.

While remaining in the realm of digitalization of activities and services, I would like to mention a new module dedicated to processing the files related to trademarks and designs pending in courts, in which OSIM is a party.

In 2021, the results of OSIM specialists' efforts are also reflected by the increased number of applications for registration analyzed and the property titles granted. 20602 applications for industrial property protection titles were filed with OSIM and 18085 industrial property protection titles were issued last year.

Equally in 2021, OSIM was committed to establish, observe and maintain at the highest level the integrated system which meets the requirements of the Order of the Secretary General of the Government no. 600/2018. Following external audits, the certification body confirmed that the integrated management system of OSIM fulfills the standard requirements and recommended the granting of the certificate according to ISO 27001:2013 – Information technology – Security techniques – Information security management systems and the recertification according to ISO 9001:2015 – Quality management systems.

Although the context created by the Covid-19 pandemic restrictions was not favourable to the actions for promoting the industrial property protection, the OSIM specialists were involved, in 2021 as well, in actions of dissemination of information by participation in seminars, conferences, fairs and exhibitions in the field.

OSIM values the cooperation with the international intellectual property organizations, while having an active involvement, all throughout 2021, in all the meetings held at the European Patent Office (EPO), the European Union Intellectual Property Office (EUIPO), the World Intellectual Property Organization (WIPO).

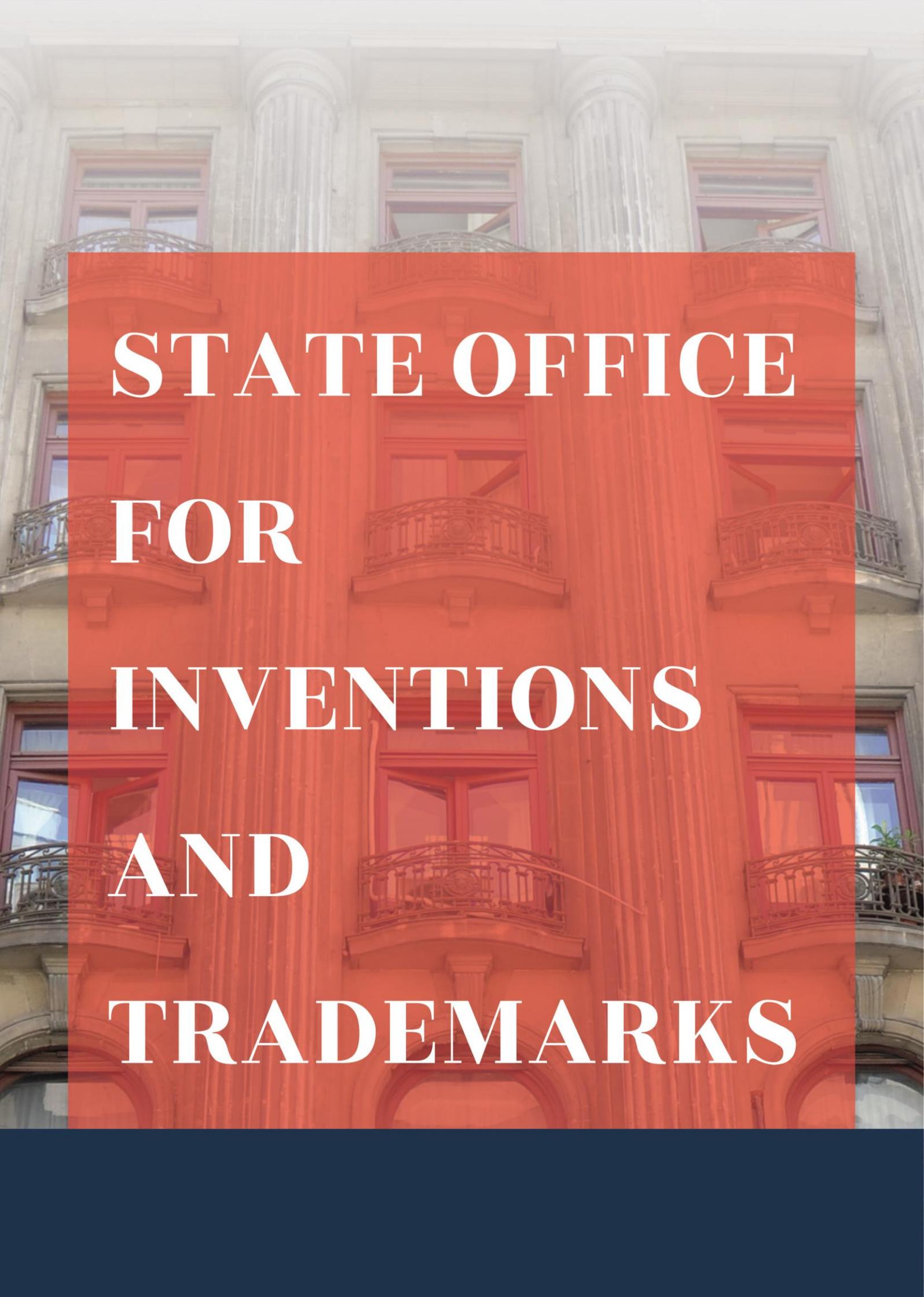
In 2021 the activity of training for the specialists of the national offices continued through courses and seminars organized by the European Patent Office (EPO), as part of the cooperation between the two organizations.

OSIM, as partner of the European Union Intellectual Property Office (EUIPO), supported and promoted the SME Fund, "Ideas Powered for Business - SME Fund", meant for enterprises wishing to develop their intellectual property strategies and to protect, both nationally and internationally, the rights resulting therefrom.

I hope that within this Report you will find information in the industrial property field to stir-up your interest, as this is the result of the efforts made by us daily.

I wish to express my gratitude and to thank all our partners and collaborators and, last but not least, OSIM staff for the involvement, enthusiasm and professionalism proven in all the activities and actions in the industrial property field.





STATE OFFICE

FOR

INVENTIONS

AND

TRADEMARKS

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INTRODUCTION





Mission

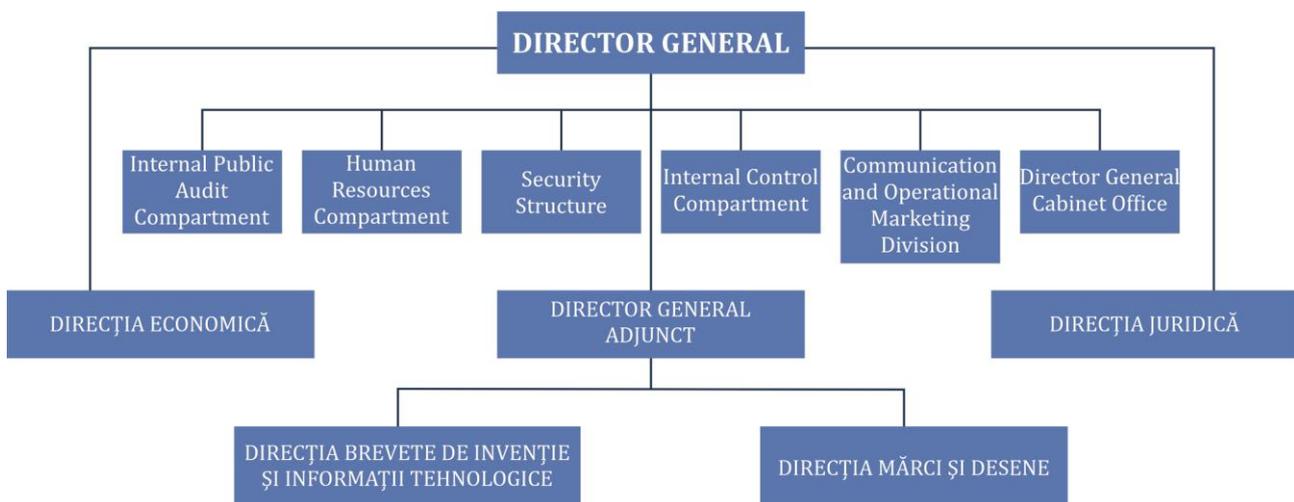
The mission of the State Office for Inventions and Trademarks (OSIM), as unique authority on the Romanian territory in the field of ensuring the industrial property protection, is to support innovation, competitiveness and profitability as economic growth factors.

OSIM provides high quality specialized services while granting industrial property titles, promoting industrial property by all available means and ensures Romania's international cooperation in accordance with the treaties, conventions and agreements in its field of activity to which Romania is a party.



Organization of OSIM

In compliance with the Government Decision no. 573/1998, as amended by the Government Decision no. 272/2020 and the Order of Minister of Economy no. 2738/2020, the organizational structure of OSIM in 2021 has been the following:

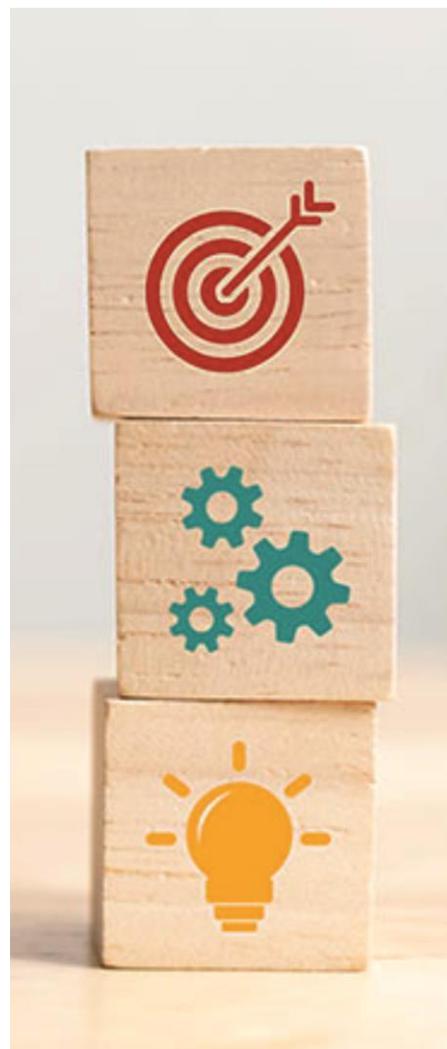




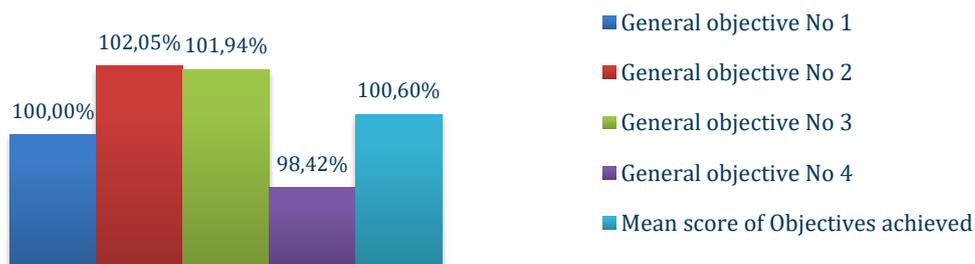
General Objectives

The general objectives that our organization had in view are the following:

1. To **establish, observe and maintain at the highest level the integrated quality management system - internal managerial control system** in accordance with the requirements of the Order of the Government General Secretariat No 600/2018 and of ISO 9001/2015.
2. To **improve the quality of the organization activities** by committing its entire staff, the main goal being to ensure a uniform protection of industrial property rights (IPR), to harmonize certain aspects IPR-specific, by creating a unique system of granting the protection titles; to provide qualified human resources and suitable technical means to meet the actual demands in the field.
3. To **support innovation, competitiveness and profitability as economic growth factor**, in compliance with the legal regulations in the industrial property field, so that OSIM as an organization may be considered an assembly of processes oriented to applicants and other stakeholders in industrial property (IP).
4. To **improve Romania's representation** at European and international level, by involvement of OSIM in decision-making processes concerning collaboration, observance and fulfillment of IP programs together with the national and international bodies in the industrial property field.



General objectives achievement degree in the reporting period



The objectives which are in direct connection with OSIM duties are completed with specific objectives which necessarily arise from horizontal cooperation with international and European bodies in this field of activity, as well as from OSIM involvement in supporting innovation and competitiveness of Romanian industry and economy through the specific industrial property rights-related aspects.



Activity of Monitoring Commission

OSIM's Commission for monitoring the internal managerial control system, hereinafter referred to as "the Commission", continued its activity.

As strategic decision, additional to the integrated management system already existing in OSIM (provisions of Order of GGS No 600/2018 as corroborated with the requirements of ISO 9001:2015), the management of the organization has decided the implementation of the Information Security Management System (SR EN ISO/IEC 27001/2013), which requires to maintain the confidentiality, integrity and availability of information by applying a process of risk management which gives the interested parties the confidence that the risks are appropriately managed. As a consequence of committing to the objective of developing the integrated management system, a series of measures and activities were required in order to achieve the set goal.



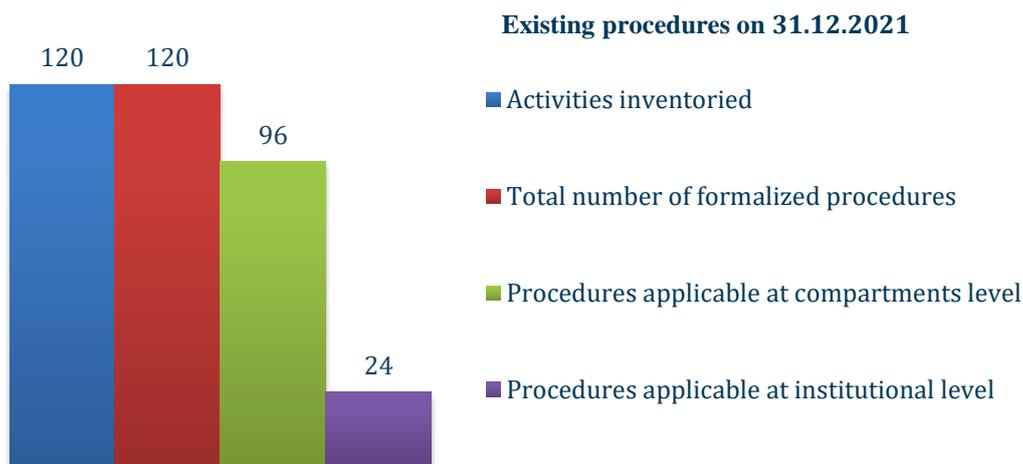
Following this decision, in September 2021, OSIM started to carry out the activities for the implementation of the information security management system and its integration within the management system already implemented in OSIM.



During the process of implementation of the information security management system, 24 system procedures and 42 operational procedures were revised and/or elaborated in order to comply with the requirements of ISO 27001:2013. Also, 5 policies and 4 information security guides were elaborated and approved, contributing to the standard implementation.



At the end of 2021, the situation of the procedures existing in OSIM is as follows:



Also, in accordance with the requirements of ISO 27001:2013 the *Policy Statement of the State Office for Inventions and Trademarks for the Integrated Management System* and the *Policy Statement of the State Office for Inventions and Trademarks for the Information Security Management System* were developed and approved. In support of the Policy Statement for Integrated Management System, the *Quality Policy Statement of the State Office for Inventions and Trademarks* was revised.

Moreover, the Monitoring Commission:

- analyzed and revised the General Objectives for 2022 and updated/elaborated specific objectives for each department;
- drafted, monitored and analyzed the Action Plan for achieving the organization general objectives;
- set performance or result indicators associated to specific objectives;
- elaborated the Program for developing the Internal Managerial Control System and ensured its monitoring and accomplishment;
- updated, in collaboration with the Risk Management Team, the risk registers and the plans for reducing risk effects;
- analyzed the elaboration of the Internal Managerial Control System development stages while ensuring updating thereof;
- analyzed the data resulting from processes and took the necessary steps for the general objectives to be accomplished;
- drafted and presented reports on the Internal Managerial Control System to higher bodies and other interested partners;
- ensured the inventory of procedural activities;
- ensured updating of formalized procedures in accordance with the legal provisions in the field (Order of GGS No 600/2018), as corroborated with the requirements of ISO 9001:2015 and ISO 27001:2013.

In December, the management system of the organization was subject to the external audit of the Management System Certification Body QSCert, for OSIM certification in compliance with the standard SR EN ISO/IEC 27001 and the second re-certification in compliance with ISO 9001:2015.

The two external audits did not find any system nonconformity and the certification body confirmed that the integrated management system of OSIM meets the standard requirements and recommended the granting of the certificate for ISO 27001:2013 and re-certification for ISO 9001:2015.

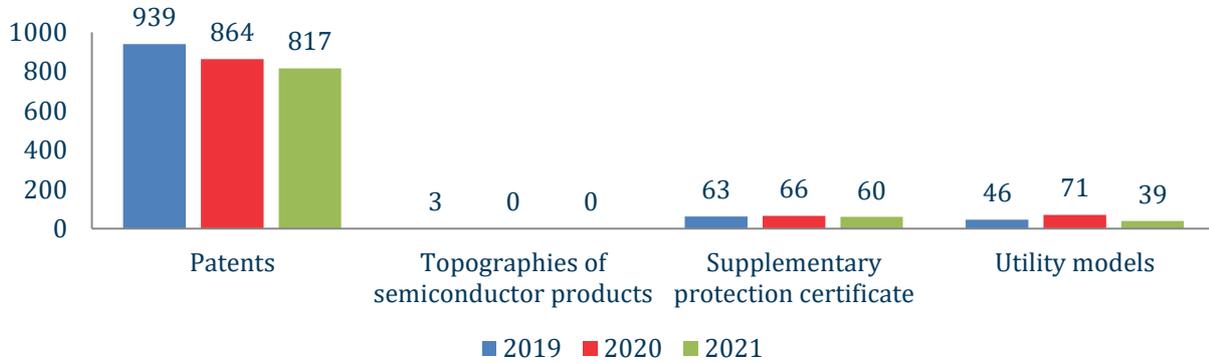
Considering all the above, we may state that, at the end of 2021, OSIM has got an integrated management system in compliance with the reference standards: *SR EN ISO/IEC 27001/2013 – Information Technology. Security Techniques. Information security management systems. Requirements integrated with ISO 9001:2015 – Quality management system. Requirements and Order of GGS No 600/2018 for the approval of the Code of internal managerial control of public entities.*





PROTECTION TITLES

Applications for CBI, TSP, SPC, CMU



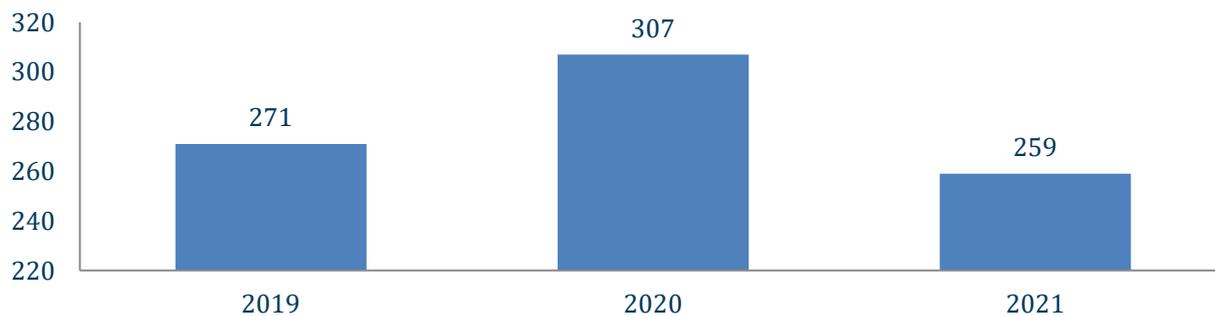
Where:

- CBI - Patent applications
- CMU - Utility Model applications
- CSP - Supplementary Protection Certificate applications
- TPS - Topographies of Semiconductor Products

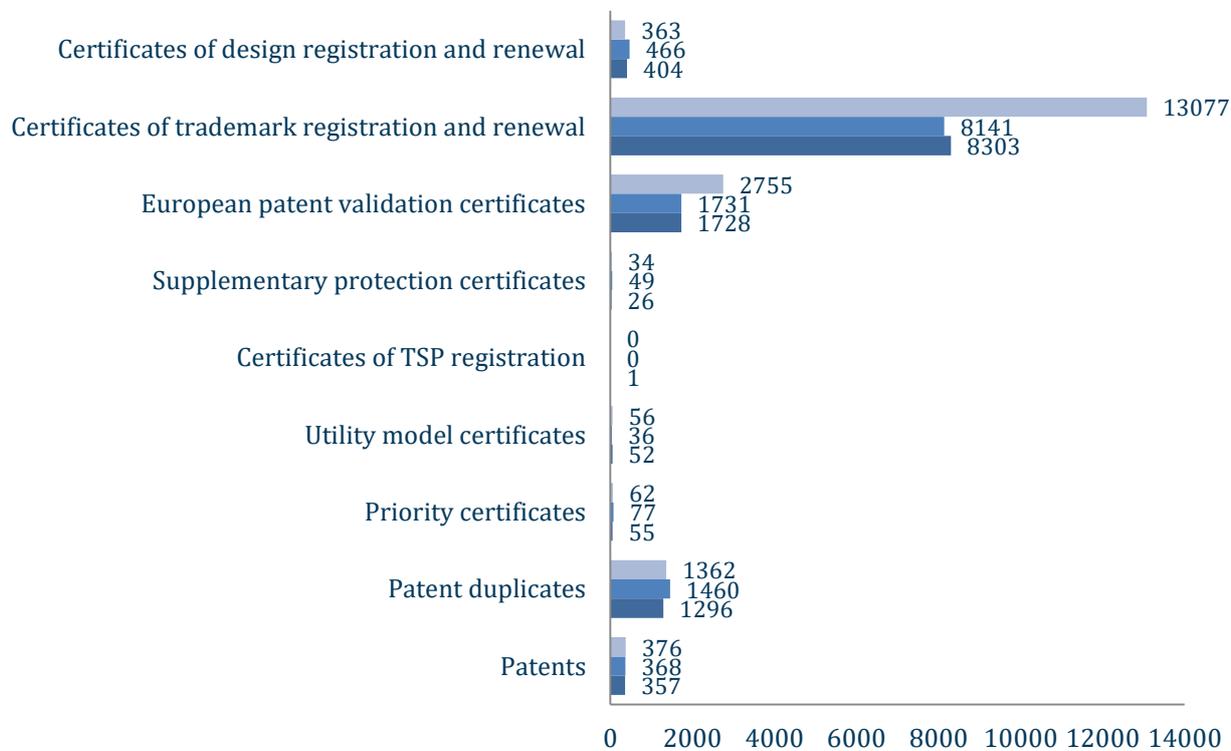
Applications for Trademark Registration



Applications for Design Registration

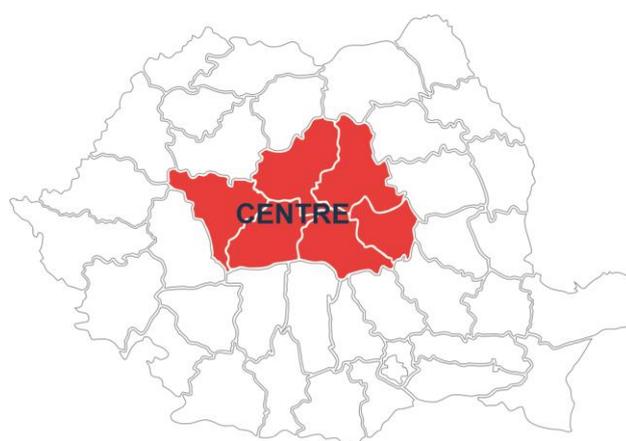


Issuance of Protection Titles



Applications for Registration by Regions and Administrative Units

Macroregion Development region County	2019			2020			2021		
	CBI	CIM	CDM	CBI	CIM	CDM	CBI	CIM	CDM
MACROREGION ONE	153	1488	32	139	1676	33	133	1835	29
North - West	95	731	12	102	839	15	94	918	14
Bihor	14	160	7	6	204	1	10	191	6
Bistrița-Năsăud	5	64	2	5	72	2	7	57	2
Cluj	68	348	1	75	409	5	63	462	2
Maramureș	3	81	1	15	73	2	11	115	1
Satu Mare	5	46	1	1	50	1	1	68	0
Sălaj	0	32	0	0	31	4	2	25	3
Centre	58	757	20	37	837	18	39	917	15
Alba	4	81	4	2	126	7	4	117	8
Brașov	29	295	8	21	322	5	17	356	1
Covasna	2	41	0	1	38	1	1	32	4
Harghita	1	78	6	1	60	2	1	51	0
Mureș	11	114	1	9	142	3	10	141	2
Sibiu	11	148	1	3	149	0	6	220	0



Where:

- CBI = Patent Application
- CIM = Application for Trademark Registration
- CDM = Application for Design Registration

	2019			2020			2021		
Macroregion Development region County	CBI	CIM	CDM	CBI	CIM	CDM	CBI	CIM	CDM
MACROREGION TWO	254	1478	27	157	1491	29	147	1420	48
North - East	120	735	10	116	736	9	109	743	15
Bacău	3	119	1	4	151	1	4	154	2
Botoșani	4	23	1	4	40	0	4	48	2
Iași	83	331	5	75	297	6	71	286	5
Neamț	5	93	0	1	90	1	7	76	3
Suceava	24	129	3	32	119	1	20	137	3
Vaslui	1	40	0	0	39	0	3	42	0
South - East	134	743	17	41	755	20	38	677	33
Brăila	1	58	2	2	48	1	1	31	0
Buzău	100	66	1	11	76	1	3	75	3
Constanța	8	374	4	12	356	2	13	351	27
Galați	23	133	6	14	141	1	17	109	1
Tulcea	1	66	4	1	48	2	2	25	1
Vrancea	1	46	0	1	86	13	2	86	1



	2019			2020			2021		
Macroregion Development region County	CBI	CIM	CDM	CBI	CIM	CDM	CBI	CIM	CDM
MACROREGION THREE	398	4891	112	424	4780	97	486	4877	86
South - Muntenia	33	581	25	48	587	24	58	621	24
Argeş	7	124	6	16	151	15	23	161	4
Călăraşi	0	36	0	1	37	1	4	42	1
Dâmboviţa	11	67	11	11	86	2	12	62	5
Giurgiu	1	27	0	0	36	0	0	34	0
Ialomiţa	2	24	0	4	22	1	3	32	2
Prahova	12	289	6	13	226	5	16	257	12
Teleorman	0	14	2	3	29	0	0	33	0
Bucharest - Ilfov	365	4310	87	376	4193	73	428	4256	62
Ilfov	101	712	20	82	803	16	105	704	10
Bucharest Municipality	264	3598	67	294	3390	57	323	3552	52



Macroregion Development region County	2019			2020			2021		
	CBI	CIM	CDM	CBI	CIM	CDM	CBI	CIM	CDM
MACROREGION FOUR	83	744	19	97	871	34	111	920	15
South - West Oltenia	38	317	8	34	330	26	55	336	6
Dolj	28	159	6	16	130	5	21	140	5
Gorj	0	39	0	4	44	16	4	40	0
Mehedinți	1	15	0	0	26	0	3	15	0
Olt	2	27	0	0	47	0	8	39	0
Vâlcea	7	77	2	14	83	5	19	102	1
West	45	427	11	63	541	8	56	584	9
Arad	4	81	2	4	101	0	11	104	1
Caraș-Severin	4	20	0	3	14	0	5	18	1
Hunedoara	11	73	6	9	72	3	10	67	1
Timiș	26	253	3	47	354	5	30	395	6



PATENTS



Within our knowledge-based society, intangible assets, the patents, in particular, have an increasingly important role from the economical point of view. In its triple quality of legal, technical and economical instrument, the patent mirrors the society innovative capacities and dynamism.

Innovation support materialized in research and development projects shall certainly involve protection of innovation results by filing patent applications based on which, following examination, patents are granted, as industrial property titles which, on the one hand, confer on their owners the exclusive right of exploitation of their inventions and, on the other hand, essentially contribute to the innovative profile of the entity that owns them, while

being a worldwide information dissemination way, due to their publication in patent databases.

It is worth mentioning that patenting is currently becoming increasingly important for small and medium-sized enterprises, which can be seen in the high number of European projects aiming at supporting innovative enterprises.

In Romania, the patent granting procedure is carried out in accordance with the Patent Law 64/1991, as republished on 19 August 2014.

According to the law, a patent is an industrial property right that confers on its owner an exclusive right to exploit the invention for a duration of 20 years, at the most. A patent can be granted for any invention having as a subject-matter a product or a process, in all technological fields, agriculture included. The technical solutions that are new, involve an inventive step and are susceptible of industrial application can be protected by a patent, the compliance with legal patentability conditions being assessed in the substantive examination procedure.

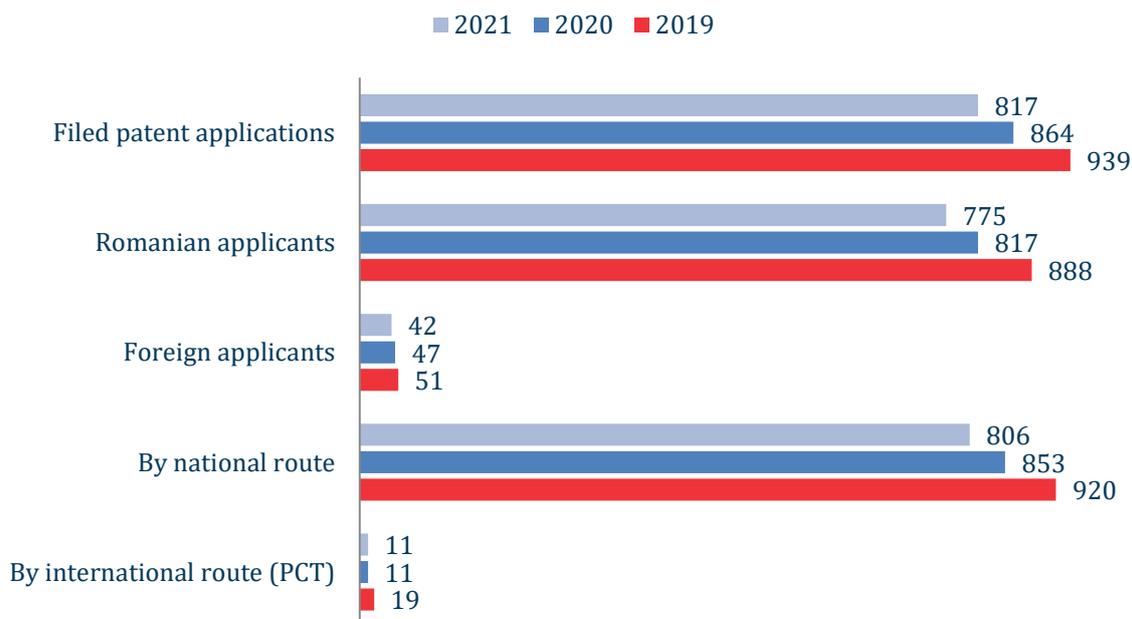
The assessment of the compliance with the above-mentioned patentability conditions in the substantive examination procedure is conducted by taking as a reference point the state of the art at the international level on the filing date or the priority date of the patent application, as the case may be, comprising technical knowledge accessible to the public worldwide.

If the invention cannot be retrieved in the state of the art and if it is not obvious for a person skilled in the art, it is deemed to be new and inventive. The patent granted by OSIM allows its owner to enjoy protection of the invention on the territory of Romania.

În 2021, 817 patent applications were filed with OSIM, of which 74 patent applications were filed by means of a secure online application which may be easily downloaded from the Internet while requiring smart-card authentication. Of the filed patent applications, 775 were filed by Romanian applicants and 42 by foreign applicants.



All the patent applications were entered in the National Register of Filed Patent Applications and the bibliographical data thereof were introduced into the OSIM database.



18 months after the date of filing the application, the invention is published by OSIM which makes the description, claims and drawings available to public and publishes the abstract and the bibliographic data in the Official Industrial Property Bulletin, Inventions Section, issued monthly.

The patent applications, as filed, were analyzed in respect of the fulfillment of the legal conditions for according the filing date and constituting the regular national filing.

All patent applications filed in 2021 were classified according to the International Patent Classification (IPC).

The applicants were sent a number of 2570 notifications upon filing, informing them on the results of the preliminary examination of their patent applications, in respect of the manner of carrying out the patenting documentation or in respect of other aspects provided for by the Patent Law no. 64/1991, as republished, in order

for them to fulfill the provisions set by the law for starting the patent application substantive examination procedure.

A number of 786 patent applications were prepared to be published.

Also, 62 certificates of priority were issued, which indicates that 62 patent applications created by Romanian inventors were filed abroad.

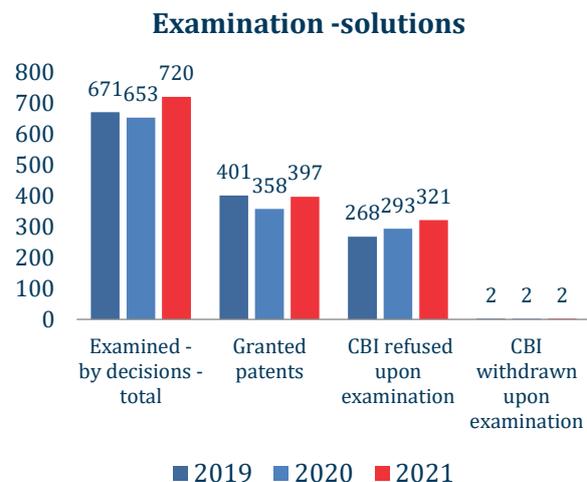
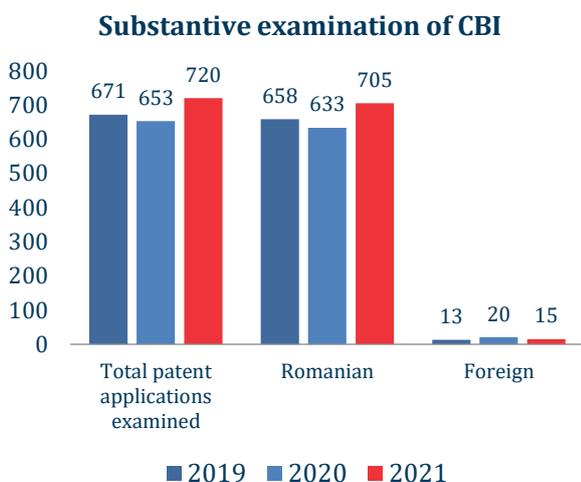
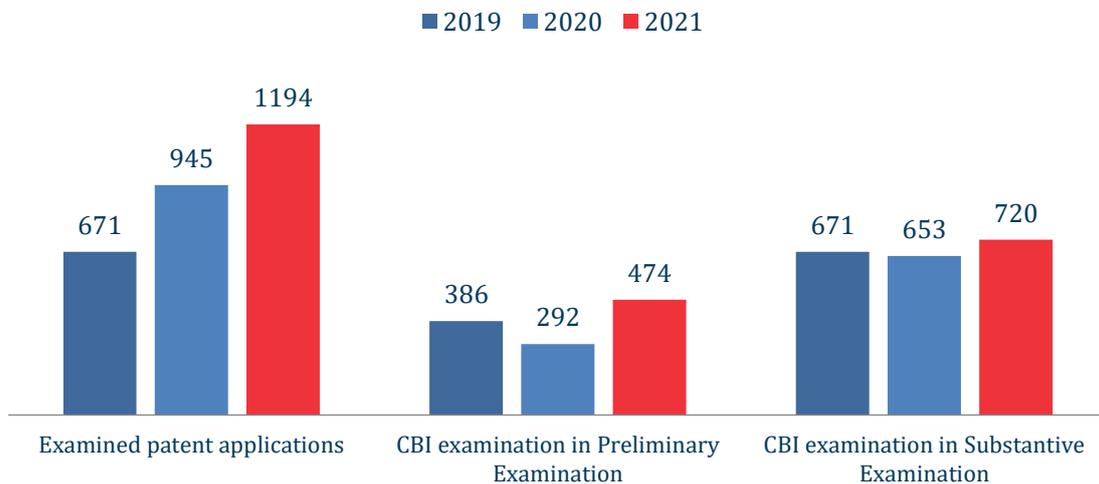
The preliminary examination procedure was completed in 2021 in respect of 762 applications that were transferred to the substantive examination and 471 applications which were refused or deemed to be withdrawn.



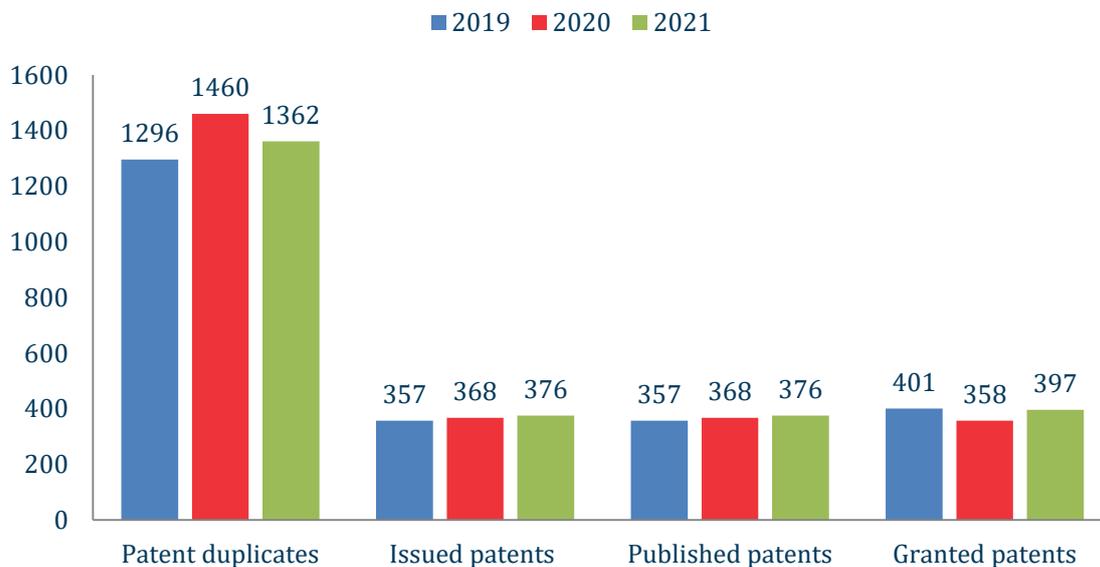
The substantive examination procedure involves a series of activities, such as:

- searching the prior art in the relevant field, by using the EPOQUE application of the EPO and the RO-Patent Search database;
- drawing up search reports for each patent application;
- examining the patentability conditions: novelty, inventive step and industrial applicability, and sending the results of the analysis to the applicant;
- elaborating the technical examination report and upholding the same before the Examination Board with a view to making a decision in respect of the application concerned.

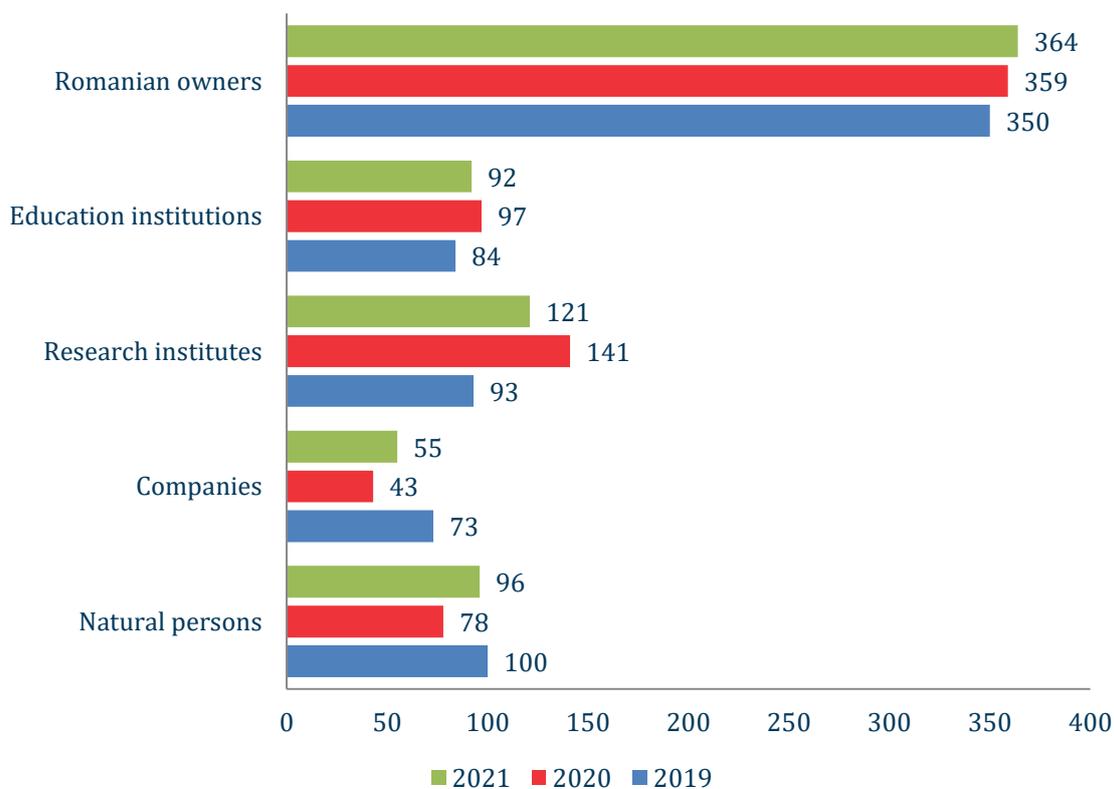
720 patent applications filed by both Romanian and foreign applicants underwent substantive examination, of which 397 ended by decisions to grant the patent, 2 were withdrawn and 321 were refused.



A number of 376 patents were issued in 2021, of which 364 to Romanian owners and 12 to foreign owners.



Issued patents, by categories of Romanian owners



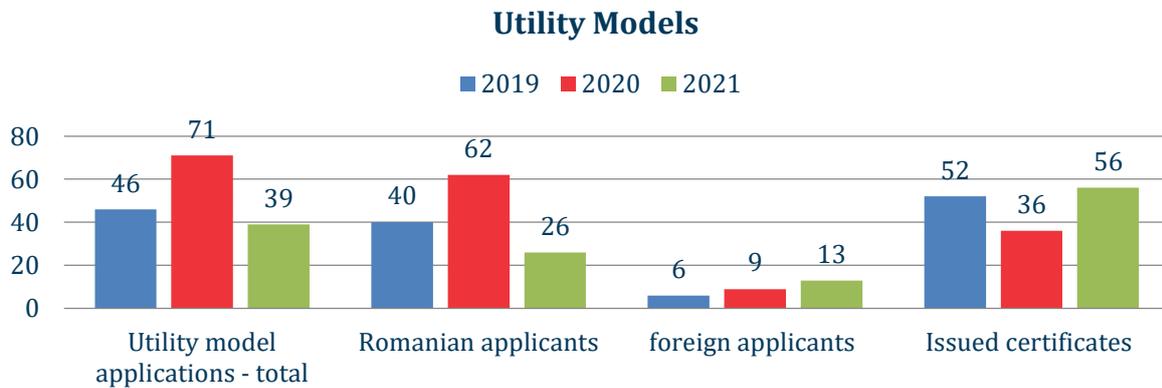


Utility models

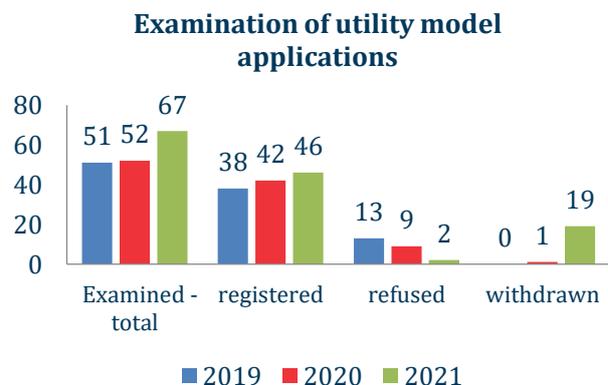
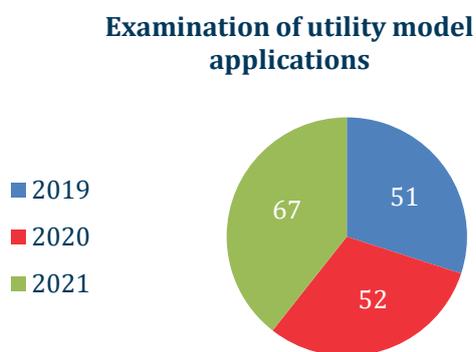
Beside the patent, the utility model represents a faster way of protecting the inventions, the registration procedure of which is established by the Law 350/2007 on utility models. This is why the utility model may be a strategic means for start-up SMEs.

In 2021, 39 applications for utility models were filed, 26 of which belong to Romanian applicants and 13 to foreign applicants. A search report was drawn up for 46 utility model applications and sent to the applicant.

56 utility model certificates were issued, as follows: 48 certificates were issued to Romanian owners and 8 to foreign owners.



Following the examination of the fulfillment of the legal requirements, the Examination Board made 46 decisions to register the utility model, 2 refusal decisions and 19 withdrawal decisions.





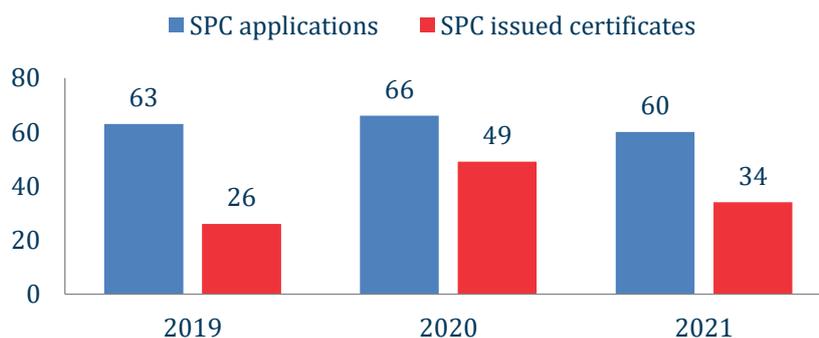
Supplementary Protection Certificates (SPC)

As a consequence of Romania's accession to the European Union (EU), three Community Regulations entered into force, namely regulations concerning the protection of medicaments, of paediatric products and of plant protection products, based on which SPCs are granted following an examination procedure.

In 2021, 60 SPC applications were filed with OSIM. 7 requests for the extension of the duration of the certificate for paediatric products were filed, as well.

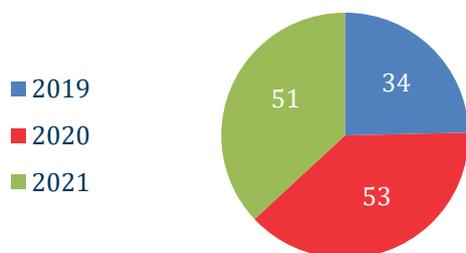
28 supplementary protection certificates and 6 extensions of SPC duration were issued in 2021.

Supplementary Protection Certificate (SPC)



After examining the fulfilment of conditions for granting the certificate, in accordance with the European Regulations, the SPC Examination Board made 41 decisions concerning SPC applications and 10 decisions concerning the applications for the extension of the certificate duration.

Examination of SPC Applications



Substantive Examination of SPC Applications





Filing Applications for Protection Abroad

Patent applications may be filed abroad, in one or several States, either by national route (directly to the patent offices of the State on the territory of which protection is sought), or by regional or international route, under the provisions of the Patent Cooperation Treaty. In the last two cases, the application may be filed with OSIM.

In this context, 17 international applications were filed, by Romanian applicants, with OSIM as a Receiving Office under the Patent Cooperation Treaty (PCT) and 80 European patent applications were filed with OSIM acting on behalf of the European Patent Office (EPO).

The mentioned 80 European patent applications were filed, in a ratio of about 90%, by foreign legal persons.

Of the 17 international applications filed with OSIM as a Receiving Office, 15 applications were filed by Romanian natural persons and 2 by Romanian universities.

Such distribution shows that the Romanian society has limited resources as regards the transfer of new Romanian technologies abroad, as well as that the implementation of the Order 117/26.07.2017 for approving the Instruction for supporting Romanian inventions abroad has failed to reach its goal of facilitating Romanian technology transfer.



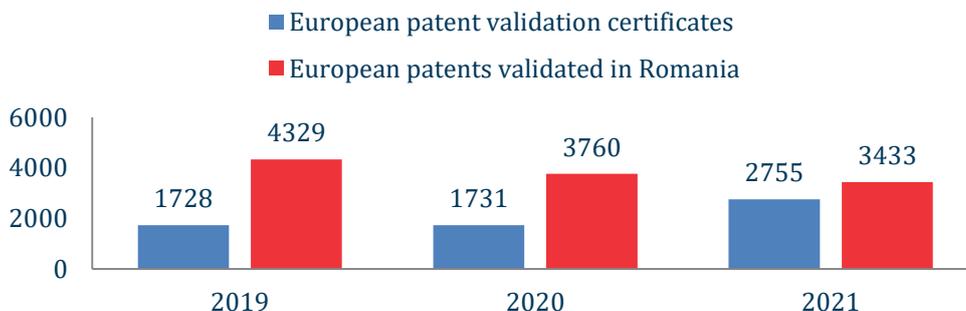
European Patents Recognition in Romania (validation)

European patents granted by the European Patent Office (EPO) under the European Patent Convention (EPC) may be recognized on the territory of Romania, subject to compliance with the provisions of the Law 611/2002 on Romania's accession to the European Patent Convention. For a European patent recognition (validation) in Romania, its owner is supposed to file with OSIM the Romanian translation of the European patent accompanied, among others, by a request for its publication, and to pay the translation publication fee and the patent maintenance fees.

In 2021, 3433 requests for publication of European patent translation were filed with OSIM, 3185 of which were filed online, by means of a secure online application which may be easily downloaded from the Internet while requiring smart-card authentication. The bibliographical data thereof were entered into the OSIM electronic database.

A number of 2755 certificates for recognition of European patents effects in Romania were issued.

European Patents



In the course of the year, the applicants were sent a number of 7198 notifications for remedying the drawbacks ascertained in the patent applications upon filing, and OSIM data base was updated in respect of 119136 European patents which do not produce effects in Romania, for the purpose of communicating the legal status of these patents to EPO.

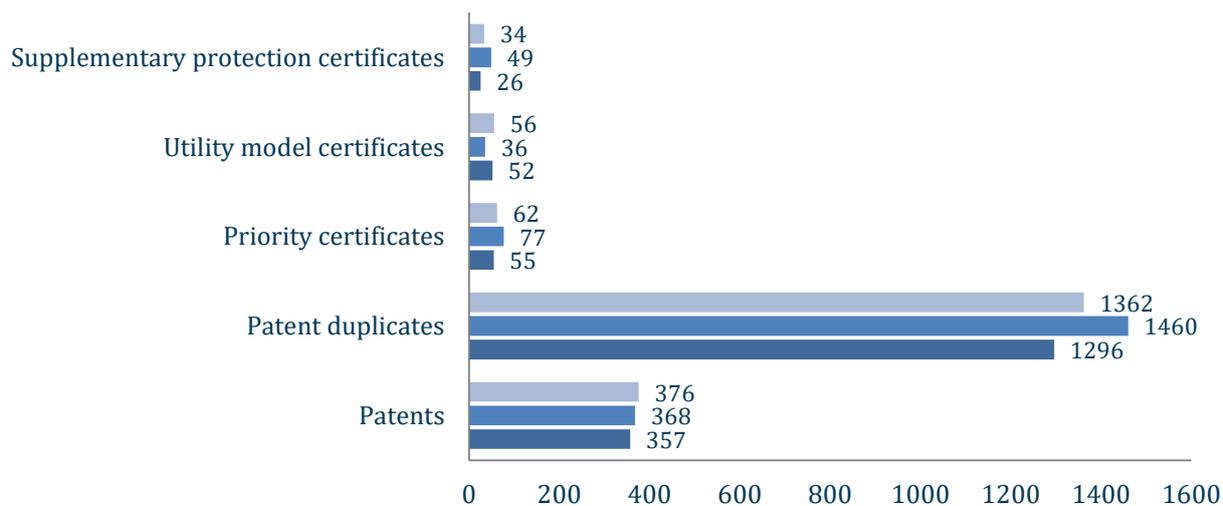


Administering the National Patent Patrimony

OSIM administered 27264 protection titles in force, of which 25346 are European patents validated in Romania.

940 changes of legal status of patent applications and patents were also entered and published, 857 of which were changes in the legal status of validated European patents. Also, 2170 cases of loss of patent owners' rights were published, of which 1320 related to owners of validated European patents.

Issuance of protection documents in field of patents



	Patents	Patent duplicates	Priority certificates	Utility model certificates	Supplementary protection certificates
2021	376	1362	62	56	34
2020	368	1460	77	36	49
2019	357	1296	55	52	26

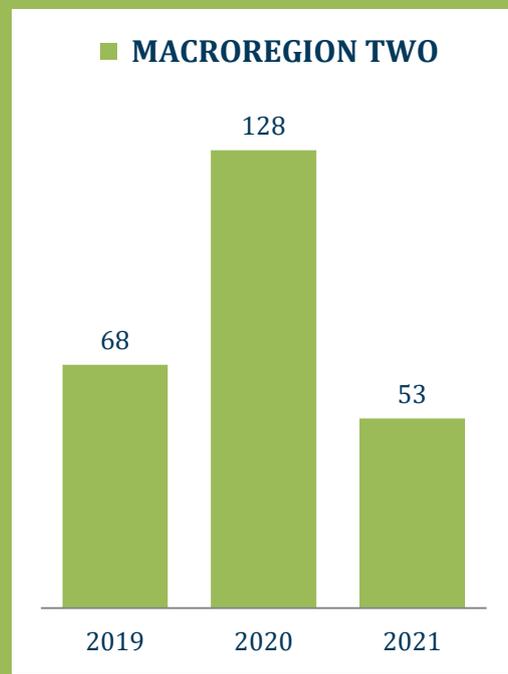
Issued patents, by categories of Romanian owners

Macroregion Development region County	2019	2020	2021
MACROREGION ONE	60	120	76
North-West	30	60	49
Bihor	1	6	6
Bistrița-Năsăud	2	7	2
Cluj	23	28	32
Maramureș	3	8	8
Satu Mare	0	5	1
Sălaj	1	6	0
Centre	30	60	27
Alba	0	5	0
Brașov	17	22	15
Covasna	0	5	0
Harghita	4	9	2
Mureș	5	10	5
Sibiu	4	9	5

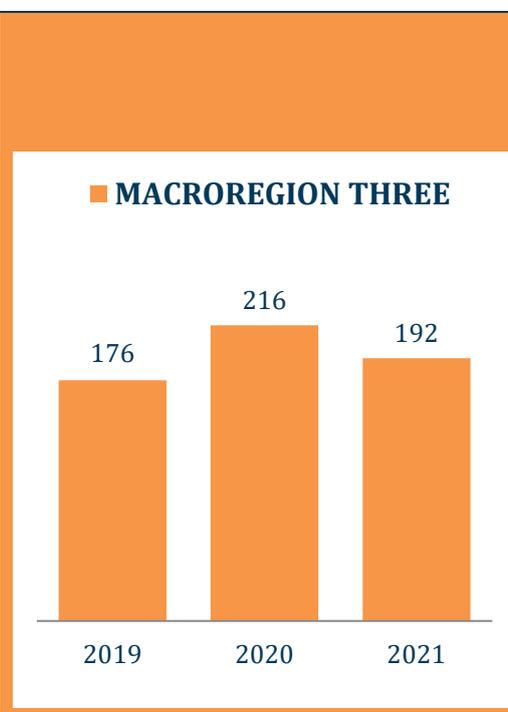
MACROREGION ONE

Year	Number of Patents
2019	60
2020	120
2021	76

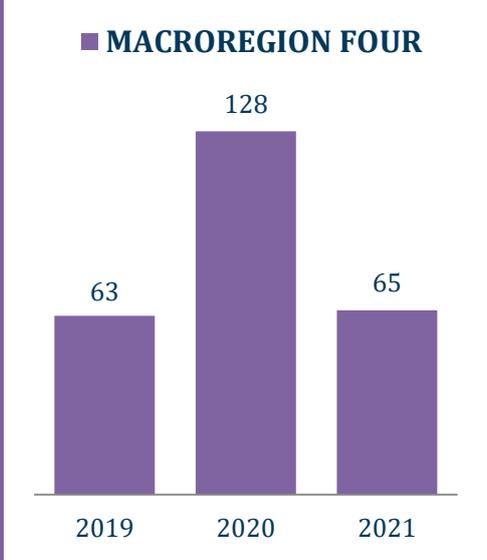
Macroregion Development region County	2019	2020	2021
MACROREGION TWO	68	128	53
North - East	58	88	44
Bacău	8	13	0
Botoşani	0	5	0
Iaşi	32	37	34
Neamţ	2	7	1
Suceava	16	21	9
Vaslui	0	5	0
South - East	10	40	9
Brăila	0	5	0
Buzău	1	6	2
Constanţa	4	9	3
Galaţi	4	9	4
Tulcea	1	6	0
Vrancea	0	5	0



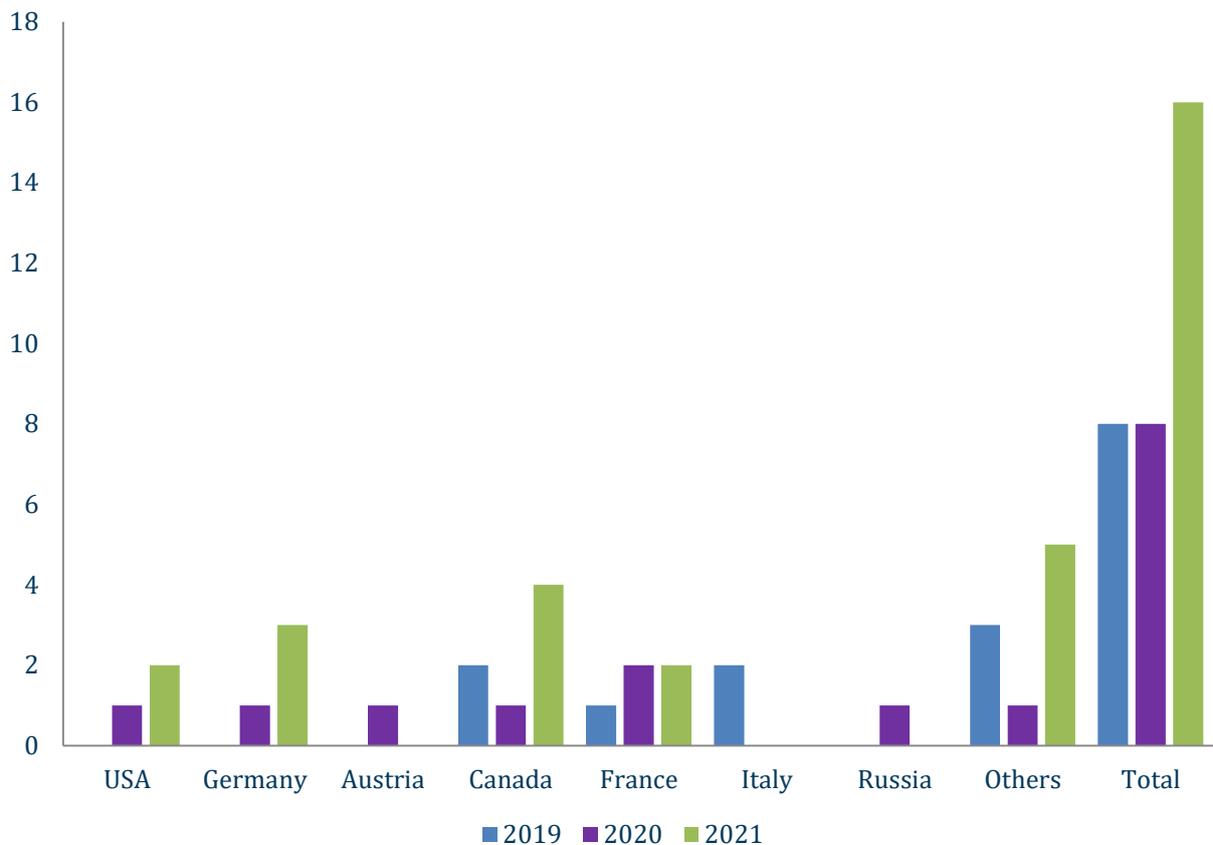
Macroregion Development region County	2019	2020	2021
MACROREGION THREE	176	216	192
South - Muntenia	16	46	17
Argeş	2	7	1
Călăraşi	0	5	2
Dâmboviţa	5	10	5
Giurgiu	0	5	0
Ialomiţa	0	5	1
Prahova	9	14	8
Teleorman	1	6	1
Bucharest - Ilfov	160	170	175
Ilfov	24	29	44
Bucharest Municipality	136	141	131



Macroregion Development region County	2019	2020	2021
MACROREGION FOUR	63	128	65
South - West Oltenia	38	83	42
Dolj	6	11	5
Gorj	0	5	1
Mehedinți	0	5	1
Olt	2	7	2
Vâlcea	5	10	10
West	25	45	23
Arad	0	5	0
Caraș-Severin	1	6	2
Hunedoara	3	8	3
Timiș	21	26	18



Issued patents, by the owner's country of residence



Trademarks and Designs



The protection of the industrial property rights (trademarks, industrial designs) has a high importance, its goal and finality being to protect the human intelligence product and, at the same time, to ensure the benefit reflected upon the consumers by using said product.

The rights conferred by the protection of trademarks and industrial designs is one of the basic leverage of the economic, social and cultural development of the nation.

The trademarks and the industrial designs are intangible assets which contribute to the increase of a business value, making it better known and contributing also to its value increase on the market.

The Trademark and Design Directorate is the specialized directorate of OSIM that deals with the examination of trademarks, geographical indications and designs applications.

The organizational structure of said Directorate is the following:



The Trademark Division carries out the activity of examination and registration of trademark applications by virtue of the Law 84/1998, as republished, and it is headed by a Head of Division, subordinated to the Director of the Directorate.

The organizational structure of the Trademarks Division at the reporting date is the following:

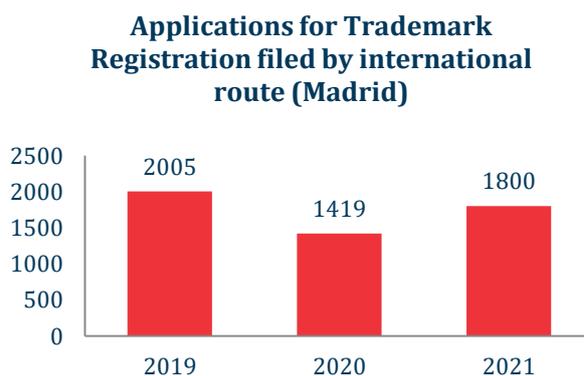
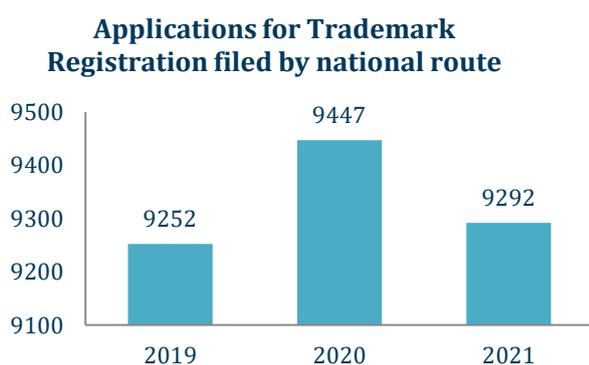
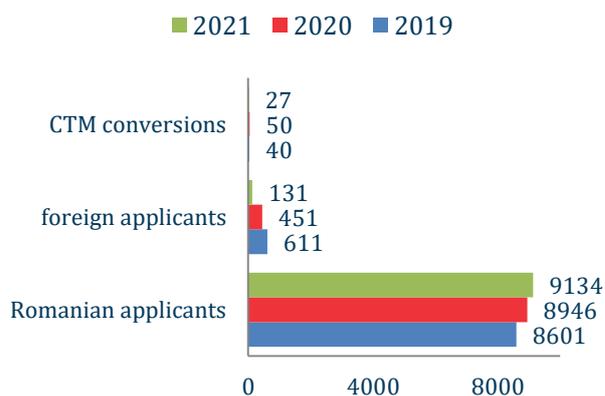
- the Trademark Preliminary Examination Bureau which carries out activities concerning the preliminary examination of trademark applications filed by national route and the constitution of the regular filing, according to the law. It is headed by a Head of Bureau subordinated to the Head of Division and comprises two compartments:
 - the Compartment for Constituting the Regular Filing and Publishing the Applications;
 - the Compartment for Classification, Renouncement, Refusal;
- the Compartment for Examination of Distinctive Signs (with attributions in the examination of trademark applications for absolute grounds) under the coordination of the Head of Division;
- the Compartment for Examination of Trademark Oppositions (with attributions in the examination of relative grounds within the framework of opposition examination) under the coordination of the Head of Division;
- the Compartment for Examination of International Applications (with attributions in the examination of trademark applications filed by international route) under the coordination of the Head of Division.

In 2021, Trademark registration application examination flow sheet was changed according to the new provisions required by the trademark law in force.

The activity of preliminary examination of the trademark applications for registration is carried out by the Trademark Preliminary Examination Bureau, while the activity of substantive examination of the trademark applications for registration is carried out by three distinctive compartments, namely: the Compartment for Examination of Distinctive Signs, the Compartment for Examination of Trademark Oppositions and the Compartment for Examination of International Applications.

Registered/Renewed Trademarks

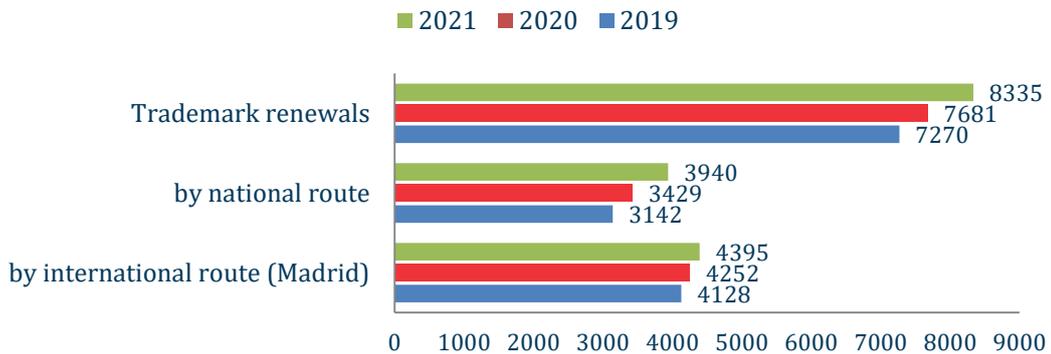
In 2021, 11092 applications for trademark registration were filed, of which 9292 by national route and 1800 by international route.



8335 requests for trademark renewal were filed, 3490 of which are requests for renewal filed by national route and 4395 filed by international route.

Also, 571 oppositions to the publication of trademark applications were filed.

Trademark Renewals



Starting from 2022, the Trademark Division shall implement the Implementing Regulations to the Law 84/1998, as republished, law representing the transposition of the Directive (EU) 2015/2436 in the national legislation.

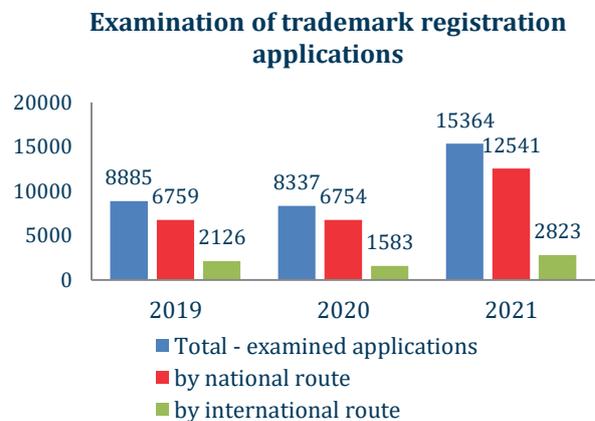
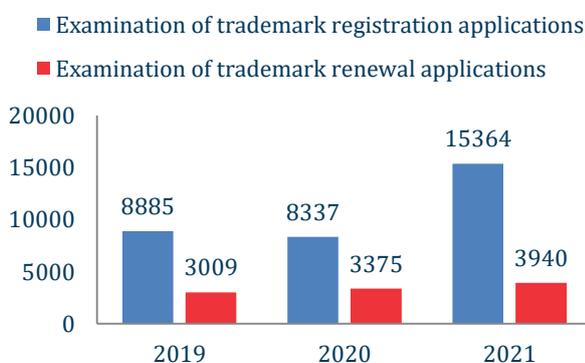
As every European Union Member State, Romania has taken necessary steps to align trademarks examination procedures, aiming at applying common practice in the field.



Examination of Trademark Registration Applications

In 2021, 9292 trademark applications were subjected to preliminary examination and 15364 trademark applications for registration to substantive examination, of which 12541 examined files included applications filed by national route and 2823 applications filed by international route. 4395 applications for renewal of protection granted by registering the trademarks internationally were also examined.

Examination of applications involving absolute grounds was conducted while taking into account the provisions of Art. 5 of the Law No.84/1998 on trademarks and geographical indications, as republished.



In 2021, besides the preliminary examination of trademark applications, a number of 798 paid search services were conducted, they relating to 3166 trademarks and answers regarding said search services were drawn up and sent to the customs authorities, police, law courts etc., the number of such requests being continuously increasing.



Examination of Oppositions

In 2021, 430 oppositions were filed to be settled by the Opposition Examination Board, by national route, of which 245 were accepted, 139 were refused, 37 were withdrawn by the opponent and 9 were lacking object/cancelled.

The Opposition Examination Board for Trademarks settled 52 oppositions filed against the registration of international trademark applications.

The number of oppositions refused and withdrawn shows that the applicants for industrial property titles, in this case trademarks applicants, understand the importance of trademark protection, which, for the Trademarks and Geographical Indications Division, stands as a permanent challenge as to observe the legal time limits and to grant the protection titles in accordance with the legal provisions in force.

The significant number of oppositions withdrawn shows that the owners of earlier rights understand and observe the similarity assessment as well as the assessment of identity of signs filed for registration as compared with the goods and services to which they relate.

As every European Union Member State, Romania has taken necessary steps to align trademarks examination procedures, aiming at applying common practice in the field.

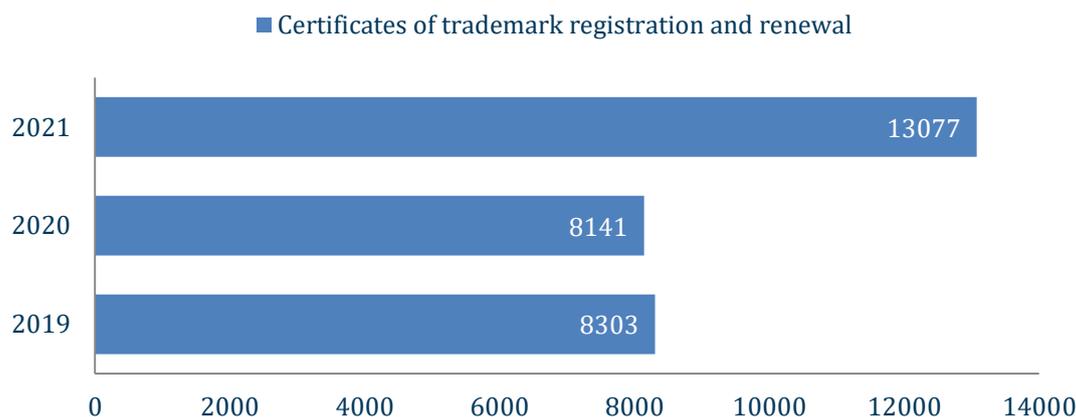
In the course of the year 2021, the applicants or representatives thereof requested changes to be recorded, including minor changes of the representations/limitations of the list of products/services of the trademarks whose registration is sought and subjected to substantive examination.



Issuance of Trademark Certificates

In 2021, 13077 protection titles were issued, of which 8114 certificates of first registration and 4930 renewal certificates, and also 33 trademark certificate duplicates.

In the course of the year 2021, 51 priority certificates were requested and issued.



Requests for Recording Transfers of Rights and Changes in the Legal Status

As regards the requests for recording transfers of rights, 1546 requests for recording such transfers representing assignments, mergers and licenses were filed in 2021.

In the course of the year 2021, applicants, owners or representatives thereof requested changes in legal status to be recorded, from applicants'/owners' address changes to minor trademark changes; consequently, 4399 such changes were requested.

4712 notifications of procedure conclusion relative to trademarks were sent, according to Article 32 of the Law no. 84/1998, as republished, which represents a new procedure established by the version of the law entered into force in 2020 and 398 decisions of taking note of the trademark owner's renunciation/loss of rights were issued.





Designs

In 2021 the Design, Documentary Search and Issuance of Protection Titles Division carried out the activity of registration, examination and issuance of protection titles in the field of design in accordance with the provisions of Law 129/1992, as republished, being under the direct coordination of the Director of the Trademark and Design

Directorate, while conducting documentary search in the field of design and documentary search in the field of trademarks, as well.

Moreover, the division carries out activities concerning the post-examination procedures in the field of trademarks, under the Law 84/1998, as republished.

From the organizational point of view, the division consists of:

- the Compartment for Examination of Designs (with attributions in preliminary examination, settling oppositions, substantive examination and drawing up experts opinions upon request by the Design Board of Appeal or the Legal Division) under the coordination of the Head of Division;
- the Compartment for Documentary Search in the Field of Designs and Trademarks (it conducts documentary search in the field of designs and trademarks for the public and by request from the Legal Division of OSIM and other public bodies: National Authority for Consumer Protection, Police, Customs, Prosecutor's Office, law courts, insolvency companies, bailiff's offices, notary offices etc.) under the coordination of the Head of Division;
- the Bureau for Issuance of protection titles, changes in the legal status, renewals of designs and trademarks (it carries out activities in the field of design and trademark post-examination procedures and draws up various papers and statistics) headed by a Head of Bureau subordinated to the Head of Division.

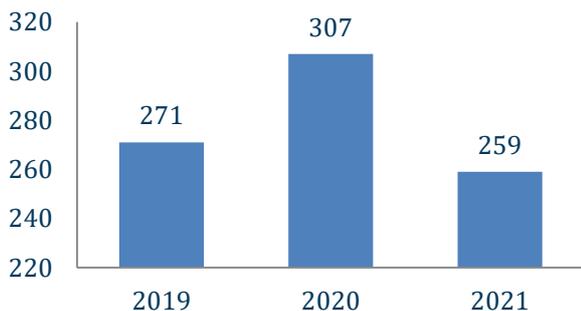
The rights in designs can be acquired by the registration and the issuance of a registration certificate under the conditions set out by the Design Law 129/1992, as republished.

The object of an application may be registered insofar as it constitutes a design, it is new and has individual character.

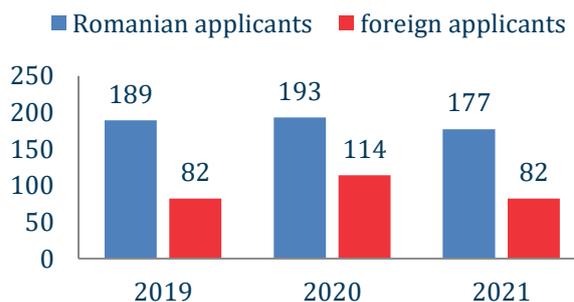
Designs determined exclusively by a technical function, technical drawings, graphic representations which cannot be typographically reproduced and those that have a purpose and appearance contrary to public order and morality cannot be registered.

In 2021, 824 designs (contained in a number of 259 applications for design registration) with 2742 graphic representations were filed. Of the total number of design applications filed for registration, 151 were simple applications, with 442 graphic representations, the remaining 108 filed applications being multiple applications, including 673 designs and 2275 graphic representations (a multiple application contains more than one design, each of them having more views).

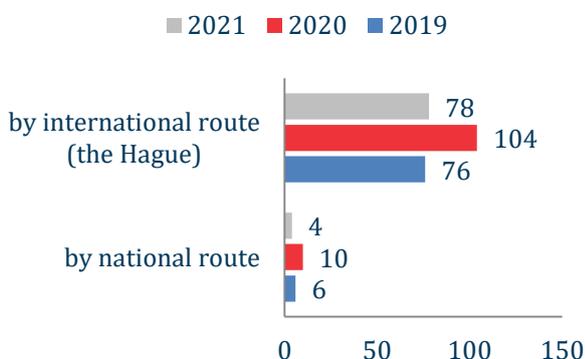
Applications for design registration



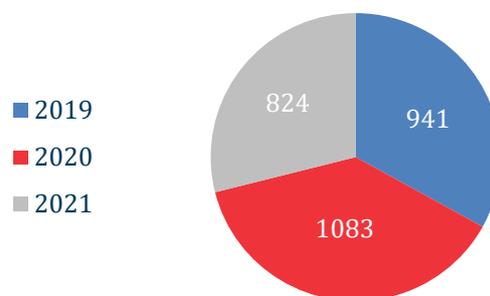
Applications for design registration



Applications for design registration - foreign applicants



Designs contained in applications for registration

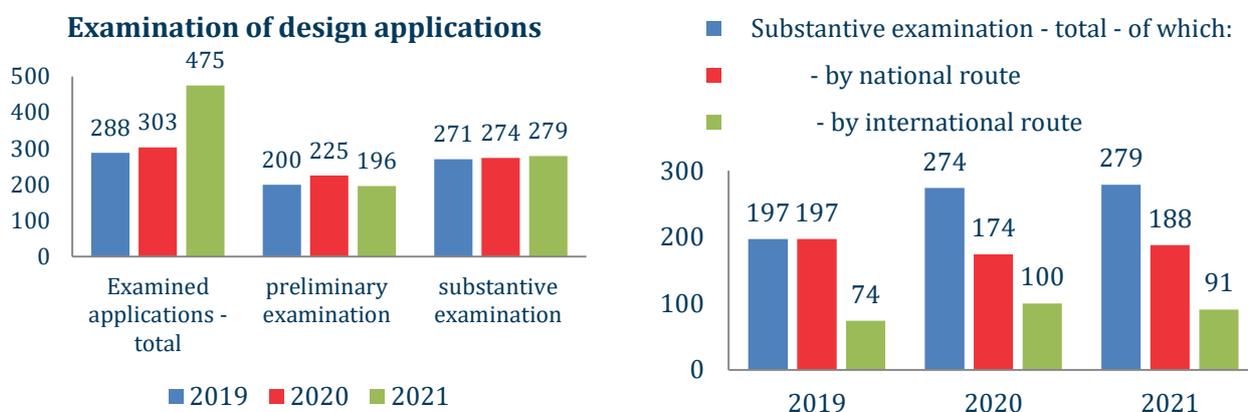


The total number of designs which underwent preliminary examination in 2021 was 417, which included 655 graphic representations, comprised in 196 applications for design registration.

A number of 2558 designs with 2731 graphic representations contained in 247 applications for registration were published.

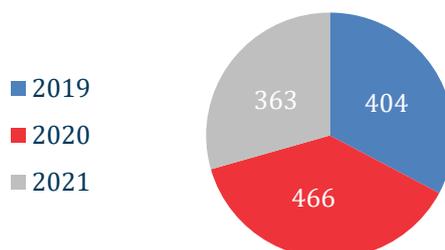
3 oppositions were filed in 2021 and the Opposition Examination Board for designs solved 4 oppositions, as 1 opposition has been filed in 2020. Another opposition settlement is adjourned up to the case settlement in court.

Substantive examination was performed in respect of 885 designs with 3089 graphic representations contained in 279 applications for registration, of which 188 were filed by national route and 91 by international route.



363 protection titles were issued, of which 165 were registration certificates and 198 were renewal certificates.

Issued certificates for designs



664 procedures were carried out as post-examination procedures, of which:

- a number of 83 changes in the legal status of design applications were published, as follows: 28 transfers of rights and 55 other types of changes (changes of headquarters/address of applicant/owner/representative, representative change/recordal/renunciation);
- mentions of reinstatement in respect of 31 protection certificates were recorded and published;
- a number of 542 holders' losses of rights for failure to pay the legal fees as well as 8 decisions of law courts were published;
- 55 answers (experts' opinions/searches) relating to a number of documentary searches were carried out upon request by the Legal Division (concerning cases pending in courts, answers to official letters from Police Department or bailiffs offices) and Appeal Division.

In 2021, the same as the preceding years, OSIM specialists took part in the following projects developed by EUIPO:

Within the framework of Project 1.2.5. “Quality Standards”, the Design, Documentary Search and Issuance of Protection Titles Division summarized and periodically transmitted to EUIPO both its own performance indicators and the indicators received from the Trademarks Division and the Appeals Division.

In 2021, design examiners were also involved in activities within “Back Office” and “Front Office” projects, where they performed database check-up and tested the criteria contained in the database and made proposals for database improvement.

Within the framework of CP 7 “Harmonization of Product Indications” OSIM specialists continued to carry on the activity for approval of proposals concerning product indications within the tool resulting from the project DesignClass.

ECP1 “OSIM Front Office Implementation” requirements were analyzed and discussed along with EUIPO representatives.

Check-ups were performed and observations were sent regarding:

- ECP3 script “Decision Desktop”;
- ECP3 ALP “IMAS”;
- ECP5 “Capture and Store Historical Files”.



Appeal Procedure



In OSIM, the activity of examination of applications for industrial property protection titles is carried out at two decisional levels:

- examination and;
- appeal.

The appeals are settled by Boards consisting of 3-5 members who are specialists in the Appeal Division within the Legal Directorate and in the Patents and Technological Information Directorate.



Activity of the Inventions, Trademarks and Designs Boards of Appeal

The Inventions Board of Appeal within the Appeal Division had to solve in 2021 a number of 15 appeal files, of which 3 appeals had remained unsolved from the preceding years and 12 were filed in 2021.

Of these 15 cases, 12 are appeals regarding inventions and 3 are appeals regarding utility models.

Of the total number of cases, 10 were solved in 2021 and 5 remained to be solved next year.

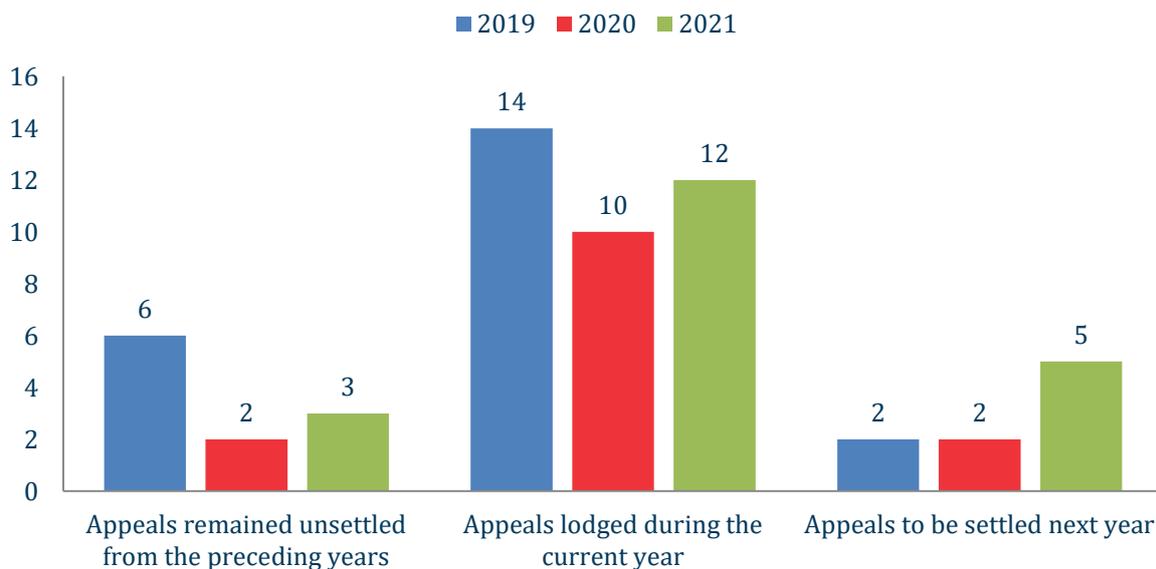
The Inventions Board of Appeal within the Legal Division had one appeal relating to a decision made in the preliminary examination to be solved in 2021.

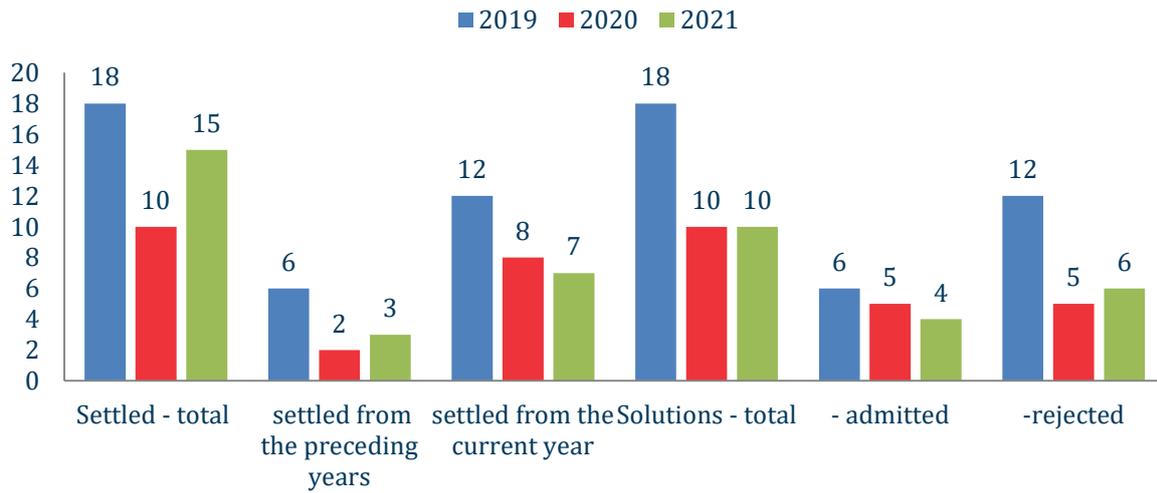
The Trademarks Board of Appeal within the Appeal Division had to solve, in 2021, 445 appeals, of which 193 were appeals that had remained unsolved from the preceding years and 252 appeals were filed in 2021. Of the total number of cases, 294 were solved in 2021 and 151 remained to be solved in the next year.

The Designs Board of Appeal within the Appeal Division had no appeals to solve as no appeals were lodged in 2021 or remained unsolved from the previous years.

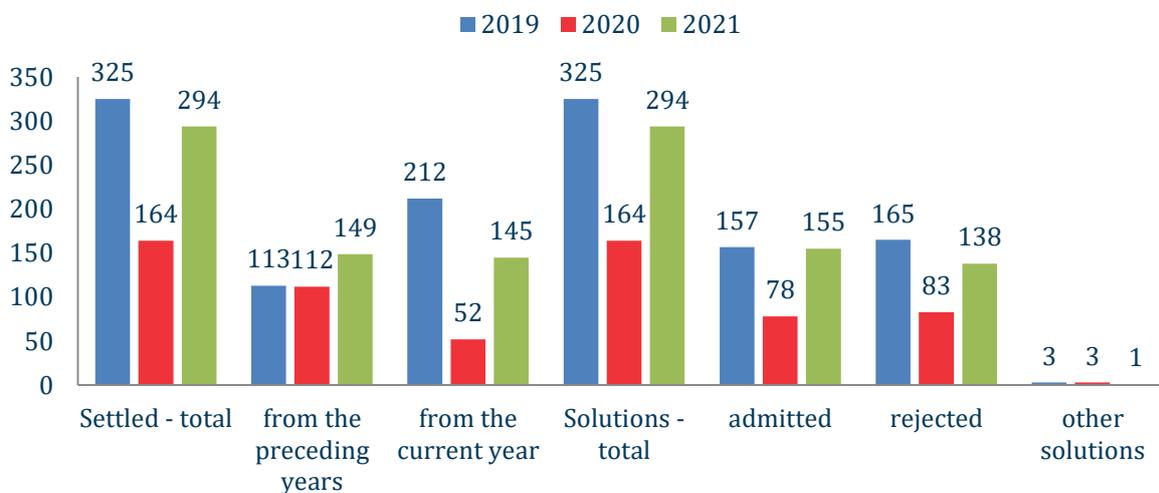
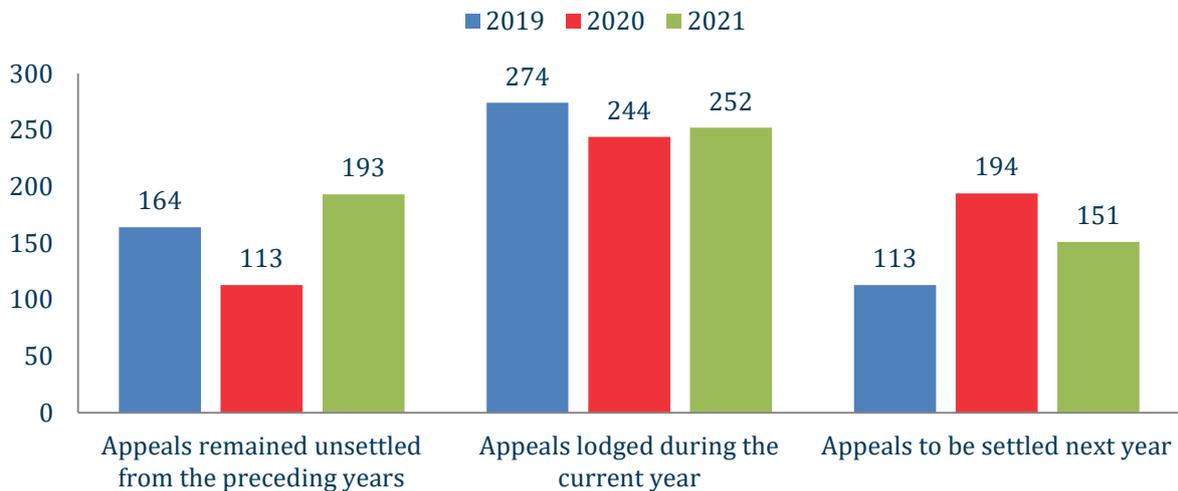
The specialists of the Appeal Division answered 656 internal/external petitions entrusted to them for settling.

Appeals lodged with the Inventions Board of Appeal

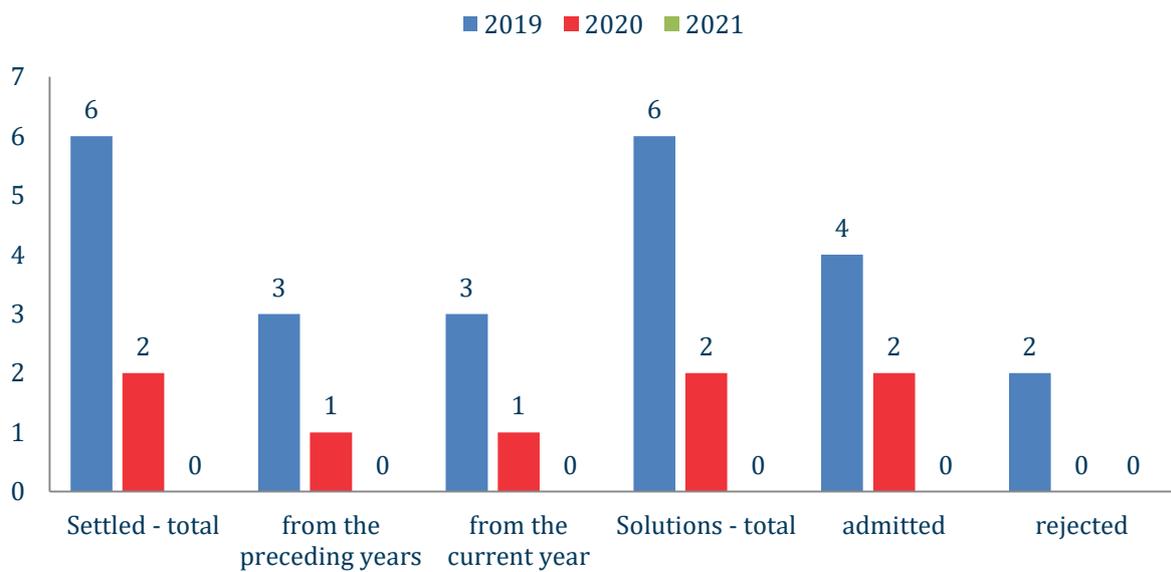
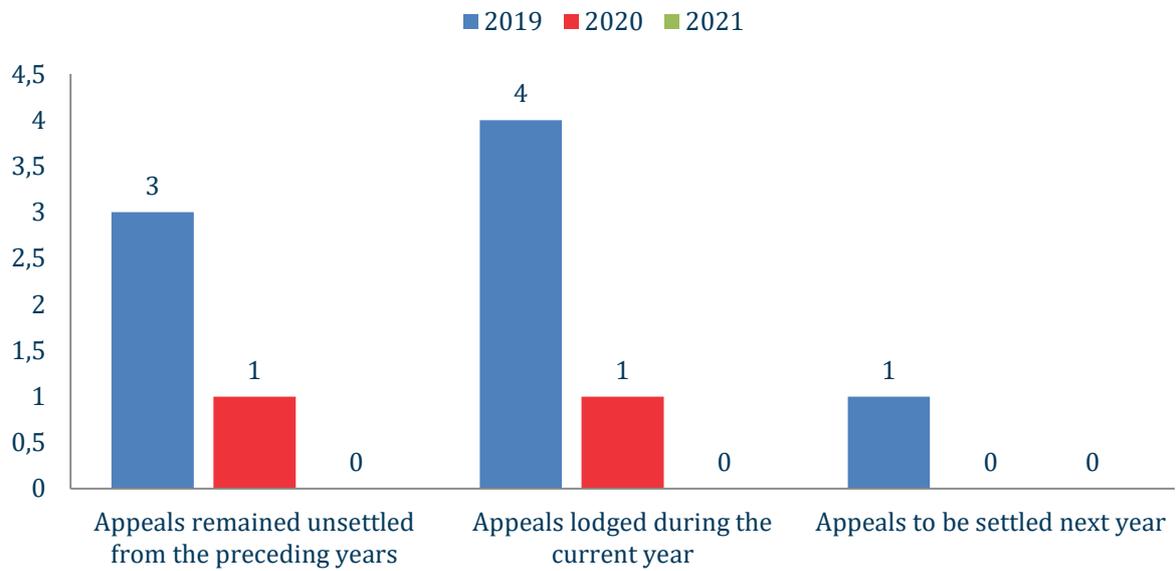




Appeals lodged with the Trademarks Board of Appeal



Appeals lodged with the Designs Board of Appeal



Legislative Activity



The Draft Government Decision for approving the Implementing Regulations to the Law No 84/1998 on Trademarks and Geographical Indications, as republished, was drawn up at OSIM level and submitted to the Ministry of Economy to sign it as co-initiator, in order for it to undergo the interinstitutional advice process before advising Ministries. Given the context of the multiple changes that occurred at the level of the Romanian Government during 2021, the advice process is to be resumed during 2022.



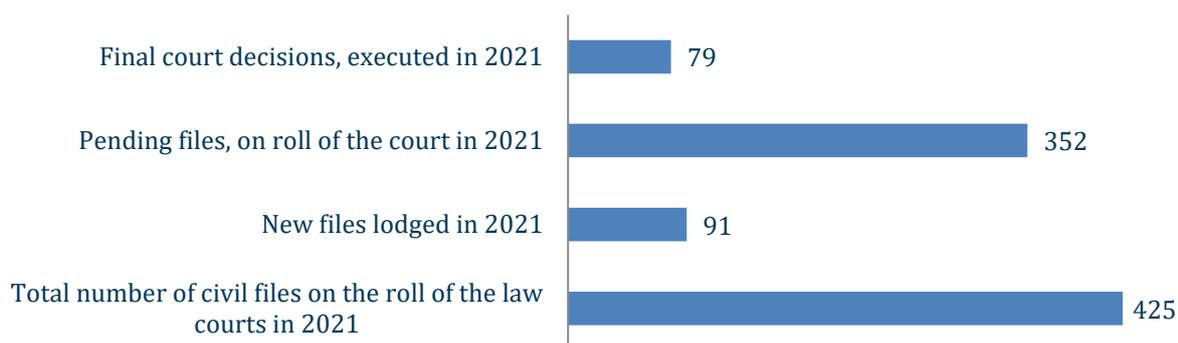
OSIM Representation before Law Courts

In all cases in which OSIM was summoned as a party, both representation and defense of OSIM interests before the law courts were ensured, based on the documents of the case and the technical opinions provided by the specialized directorates/divisions.

OSIM appeared before the courts in court-hearings while observing the legal time limits for submitting and upholding counter-statements, objections to expert reports, written conclusions, filing the documents required by the courts for case judgement, etc.

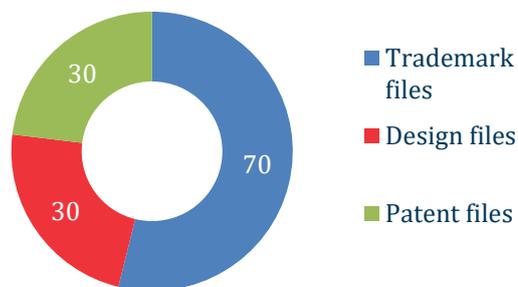
Between 01.01 and 31.12.2021, 79 final decisions were executed and in 65 cases we won in court (82.7% of cases).

Situation of litigations pending in courts in 2021:



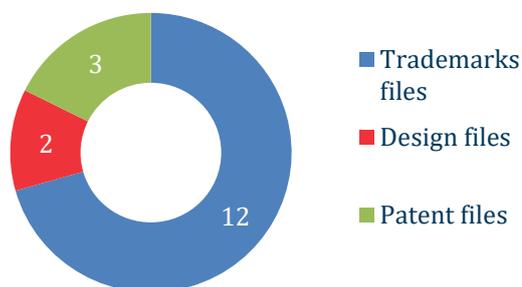
The situation of requests made by criminal investigation bodies concerning legal search in respect of granted industrial property protection titles in 2021 and of requests by other authorities, as shown by Legal Division records is the following:

- Criminal investigation files in respect of which legal search was performed concerning protected industrial property rights, upon request by Police bodies;

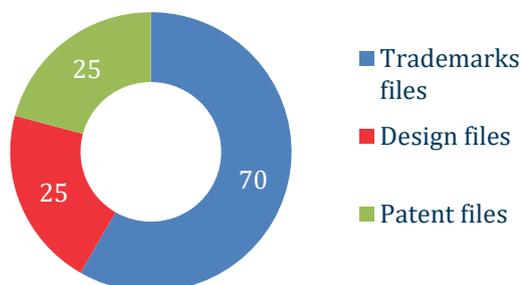


As from May 2017, the data concerning the legal status of the trademarks protected on the territory of Romania are transmitted, upon request by Police bodies, by the Trademarks Division.

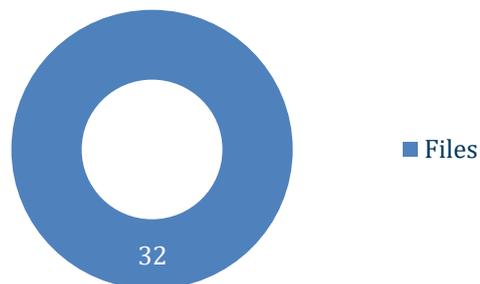
- Search files upon request by other institutions: law courts, ministries, natural persons and legal entities;



- Analysis and documentation concerning foreclosure measures, upon request by bailiffs;



- Answers to letters from national authorities, other than criminal investigation bodies.



International Cooperation Activity



Cooperation with WIPO

As a member of WIPO, a specialized agency of the UN, Romania continued in 2021 to participate, online, in the sessions of the Assemblies of the Member States of WIPO and other governing bodies of the Unions administered by WIPO, in the meetings of standing committees and working groups in specialized fields of industrial property.



In the framework of bilateral cooperation with WIPO, the Annual Seminar concerning the Hague System for the International Registration of Industrial Designs was held, in virtual system, in May, covering current aspects of the system, with OSIM examiners as the target audience, and

the 4th edition of the Regional Conference “Intellectual Property in the Digital Economy for SMEs. Knowledge of the field: commercial and legal aspects for video game developers”, took place in September, organized by WIPO, ORDA and OSIM.

Trademark examiners also participated in the online IP Course, organized by WIPO in collaboration with the National Chinese IP Office, in the regional seminar concerning the Online Services of the Madrid System, in working groups regarding the evolution of the Madrid System and the evolution of The Hague System.



European Patent Organization (EPO)

With regard to Cooperation with the Member States of the organization, the EPO has launched in 2021 the Strategic Plan which intends and provides for an intensification of the cooperation activity. Participation in cooperation initiatives has been defined in bilateral agreements drawn up on the basis of a standard model between the EPO and the national offices of the Member States. In support of national offices, the EPO has designed a portal - Single Access Portal - which has provided the opportunity for national office staff and other interested parties to interact with the EPO and have access to user manuals and technical documentation for the creation of bilateral agreements.

The instrument that provides the framework for cooperation between OSIM and the EPO is the Bilateral Cooperation Agreement, which was signed in December 2021 and ensures the continuation of joint activities for a period of two years (2022-2023).

The Bilateral Cooperation Agreement includes the participation of OSIM experts in certain working groups, the participation of a number of patent examiners in training activities offered by the EPO, the participation in language training courses, the participation in the working group within the project Convergence of Practices for which OSIM received the invitation to participate.

Cooperation with EUIPO

In 2021, the bilateral cooperation activity between OSIM and the European Union Intellectual Property Office focused mainly on improving the functionalities of the electronic systems developed within the cooperation activity, namely the online trademark and design filing system, as well as the internal application for administering the procedure for examination and registration of trademark and design applications.

Thus, the implementation of the module dedicated to the processing of files concerning trademark and design cases pending before the courts in which OSIM is a party and the module for processing trademark applications filed internationally and of registered trademarks filed internationally in which Romania is designated state, respectively, was completed.

New features, such as new search criteria or mail management, have also been introduced.

At the same time, it is worth mentioning the participation of OSIM examiners in defining and implementing projects on convergence of common practices for the examination of trademarks and designs, which ensures transparency, legal certainty and predictability for the benefit of both national offices and users.

OSIM has supported and promoted the SME Fund project, a grant scheme launched by EUIPO and the European Commission to help small and medium-sized enterprises in the European Union to gain access to their intellectual property rights. The project is aimed at companies wishing to develop their intellectual property strategies and protect their IP rights at national, regional or European level. This way, they were able to obtain a 50% reduction in fees for trademark and design applications, up to a limit of 1500 Euros.



On 28 October 2021, a webinar regarding the legislative changes in the trademark application procedure was organized in collaboration with EUIPO, in the context of the transposition of the EU Directive concerning trademarks into national legislation.

The top-management of OSIM ensured the participation in the decision-making reunions of EUIPO, respectively the Management Board and the Budget Committee as well as in some conferences organized by EUIPO, e.g. Europe Design Award Ceremony.



European Affairs

In fulfilling Romania's obligations as an EU Member State, in 2021, OSIM carried out online activities in the field of European affairs regarding industrial property issues, such as:

- OSIM's participation in the Intellectual Property Working Groups set up at the level of the European Commission and the Council of the European Union in the framework of which the common position of the EU delegation and Member States is established for WIPO reunions or documents containing Council conclusions on WIPO reunions Intellectual Property Policy are discussed;

- OSIM's participation in the Informal Meeting concerning IP Support for SMEs.

Industrial Property Protection Promotion Activity



OSIM specialists took part, in 2021, in 27 industrial property protection promotion actions consisting of seminars, conferences, round tables, fairs and exhibitions. Besides these actions, thematic works, statistic and synthesis studies of high importance for OSIM decisional process were elaborated within the specialized OSIM Division.

A seminar which took place online, on 28 May 2021, was organized together with the Regional Center - PATLIB Craiova. The topics related to Romanian patents and their citation in databases, the peculiarities of patents applied in industry and the protection of industrial property through trademarks and designs were addressed during the seminar. The aim of the chosen topic "Romanian patents and their citation in databases" was to demonstrate that the granted patents are cited in international databases, the same as the articles published in journals are cited.

Also, on 25 November 2021, a seminar with the topic “Filing of Industrial Property Rights at the National Level” was held, organized in online format by the North-East Regional Development Agency, together with the State Office for Inventions and Trademarks. The main objective of the seminar was to disseminate information in the field of industrial property, nationally. OSIM experts gave presentations on the application process, namely the filing of industrial property rights in the three areas of interest: Inventions, Trademarks, Designs.

Among the events held during the year, it is worth mentioning the Seminar on the Transposition of the EU Trademark Directive into national legislation, which also took place online on 28 October 2021. The event was organized by the European Union Intellectual Property Office (EUIPO) together with the State Office for Inventions and Trademarks where the news as well as the advantages brought by the new EU Trademark Directive were presented.

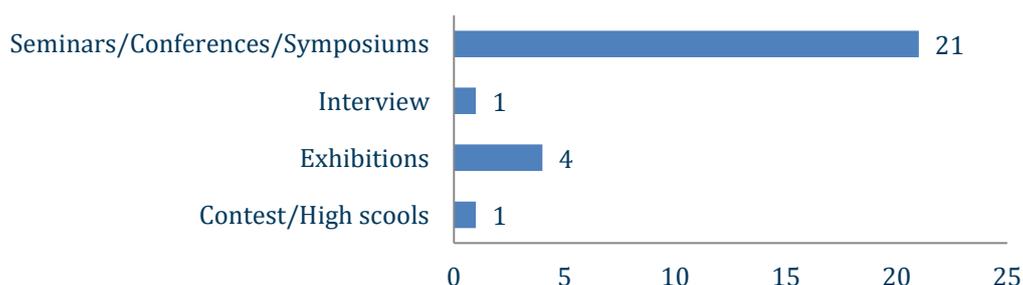
During 2021, the specialists of the Division participated in a series of exhibitions of invention among which we mention:

- International Exhibition of Student Innovation and Research Cadet INOVA, 6th Edition, 2021, online;
- International Exhibition of Research, Innovation and Inventions, PRO INVENT 19th Edition, Cluj-Napoca, online;
- International Specialized Exhibition (ISE) INFOINVENT 2021, 17-20 November 2021, Chişinău;
- International Trade Fair of Furniture, Equipment and Accessories - BIFE SIM, ROMEXPO, Bucharest;
- International Fair of Products and Equipment in the Field of Agriculture, Horticulture, Viticulture and Animal Husbandry - INDAGRA, ROMEXPO, Bucharest.

The exhibition "The Power of History" took place during 2021, at the National Museum of Romanian Literature, in Bucharest, and at the Teleorman County Museum, in Alexandria, in collaboration with OSIM.

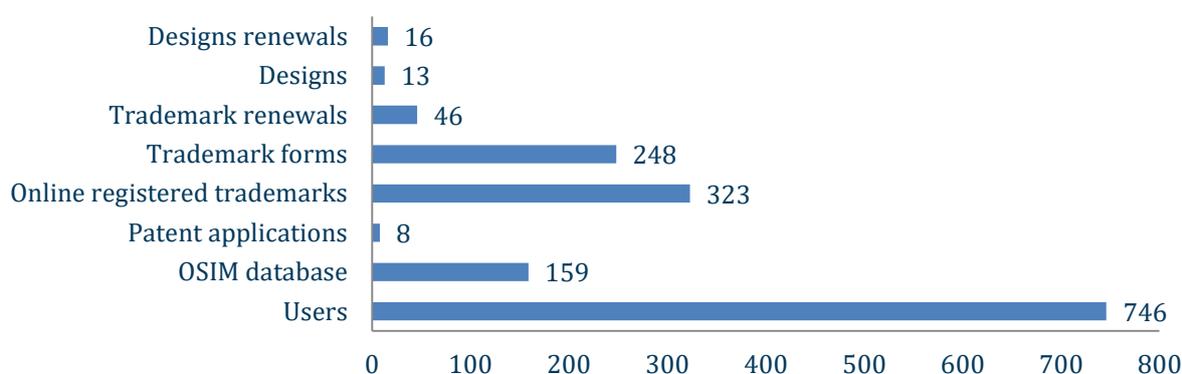
2021 was an atypical year in terms of conducting promotional activities, due to restrictions imposed by the authorities, and many actions scheduled to be carried out in physical format were postponed/canceled. The specialists of the Division participated in the actions and activities related to the promotion of the IP field (seminars, webinars, conferences, contests, etc.), carried out in online format.

Territorial IP Promotion 2021



At the OSIM Reading Hall, 746 persons were lent specialized assistance consisting of information on how to file the applications in the field of inventions, trademarks and designs.

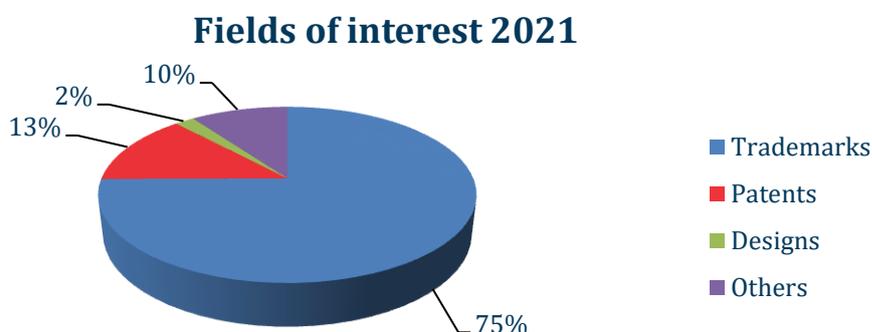
Requests in the Reading Hall 2021



A number of 10382 applications for protection titles belonging to all industrial property fields were filed with the IP Applications Filing Bureau.

The Registry Bureau registered a number of 68655 incoming documents and 37592 outgoing documents.

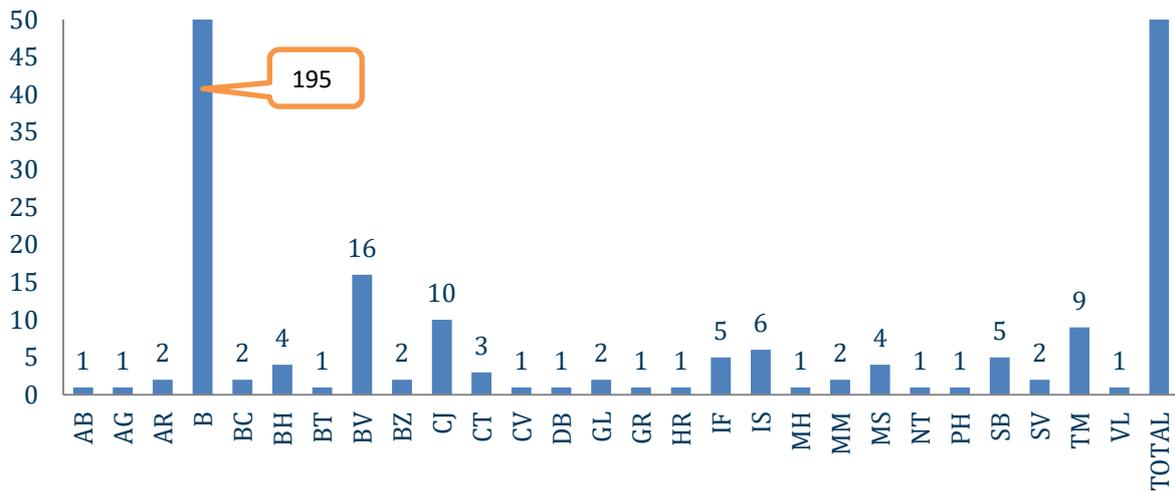
The Public Relations Compartment promptly and professionally answered any request for information, both by phone or e-mail and at the OSIM headquarters. Thus, 14953 requests were answered thereby, 75% of which were in the field of trademarks, as shown in the graph below:



This year, the same as in the preceding years, the statistics needed for the Creativity Trophy were carried out in 4 counties in collaboration with the Chambers of Commerce and Industry.

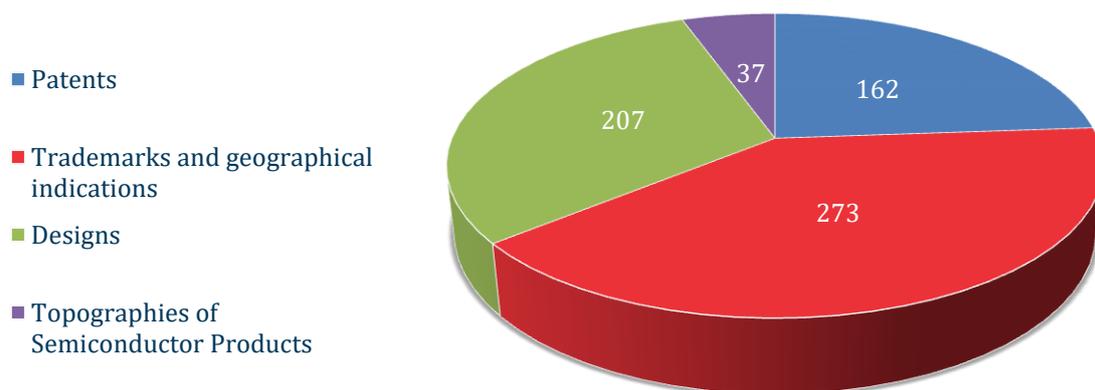
Industrial property attorneys, CNCPIR members, in December 2021, by counties

Industrial property attorneys, certified as CNCPIR members, by counties



In 2021, in Bucharest, 195 industrial property attorneys out of a total of 280 attorneys were registered in the National Chamber of Industrial Property Attorneys.

Industrial property attorneys by field of industrial property





Activity of Regional Centres for Industrial Property Protection Promotion (PATLIB)

The Regional Centres of OSIM are established by virtue of Art. 14 (1) of the Government Decision No 573 of 7 September 1998 (as updated) on the organization and functioning of the State Office for Inventions and Trademarks, which stipulates: “The State Office for Inventions and Trademarks may support the activity of regional centres in the field of industrial property by lending technical assistance, consultancy and endowing them, in accordance with the legislation in force”. The Regional Centres are territorial entities attached to local institutions from which they benefit by financial support, premises with office supplies and personnel, while OSIM provides them with support in the field of staff training and with all the publications of OSIM.

The establishment of Regional Centers was aimed at promoting the industrial property protection importance across the country, at disseminating public information on industrial property and at raising awareness of local communities on this field. The centres operate within the framework of local host-institutions, based on Collaboration Conventions concluded with OSIM, for jointly setting the objectives, as well as the duties and obligations of each party.

The first six Regional Centers were set in 1999, after having analyzed the offers from various public institutions and private companies all over the country. The selection process preferred the institutions able to contribute to the education of youth and, generally, to a quick and correct information of the local business environment. The first

centres were hosted by two universities, the University of Braşov and University of Craiova, by the Chambers of Commerce and Industry of Bacău, Constanţa and Oradea and the SMEs Development Centre of Baia Mare.

They were followed in 2001 by eight more Regional Centres, within the Chambers of Commerce of Bistriţa, Brăila, Galaţi, Suceava and Timișoara, the University Gheorghe Asachi of Iași, the SME Association of the county of Covasna, with a subsidiary in Odorheiu Secuiesc, in the county of Harghita, and of the Association of Inventors of Romania, having its headquarters in Târgu Mureş.

In 2010, the Technical University of Cluj-Napoca and the University Lucian Blaga of Sibiu became hosts for two new Regional Centres. Then, in 2015, the seventeenth Regional Centre was established within the University of Piteşti.

In 2018, the Regional Centre of Galaţi which had initially been hosted by the Chamber of Commerce and Industry of Galaţi was taken over by the University Dunărea de Jos of Galaţi.

The Regional Centres of Romania are components of the European Network of Regional Centres - PATLIB which includes 330 centres, thereby ensuring the European integration of intellectual property promotion.

The main goal of the Regional Centres is to promote the industrial property protection and the services provided by OSIM across the Romanian territory.



Other activities of the Regional Centres concern the provision of services, such as: documentary search, technical assistance lent to applicants, within their Reading Halls, training on database utilization, evaluation of the economic potential of inventions and development of industrial property strategy, presenting lectures on industrial property protection in seminars, round tables, fairs organized in the respective regions as well as courses of initiation in the industrial property field, in particular in the case of Centres hosted by universities.

Of the industrial property protection promotion events organized in 2021, in which OSIM participated along with the Regional Centres, we mention the 5 international PATLIB seminars and an international PATLIB conference, held online, organized by EPO, attended by representatives of the Regional Centres and specialists from the national offices.

Moreover, the Regional Centres participated in industrial property knowledge dissemination by taking over, via OSIM, the studies carried out by the European Observatory, to post them on their Internet and social media network pages.

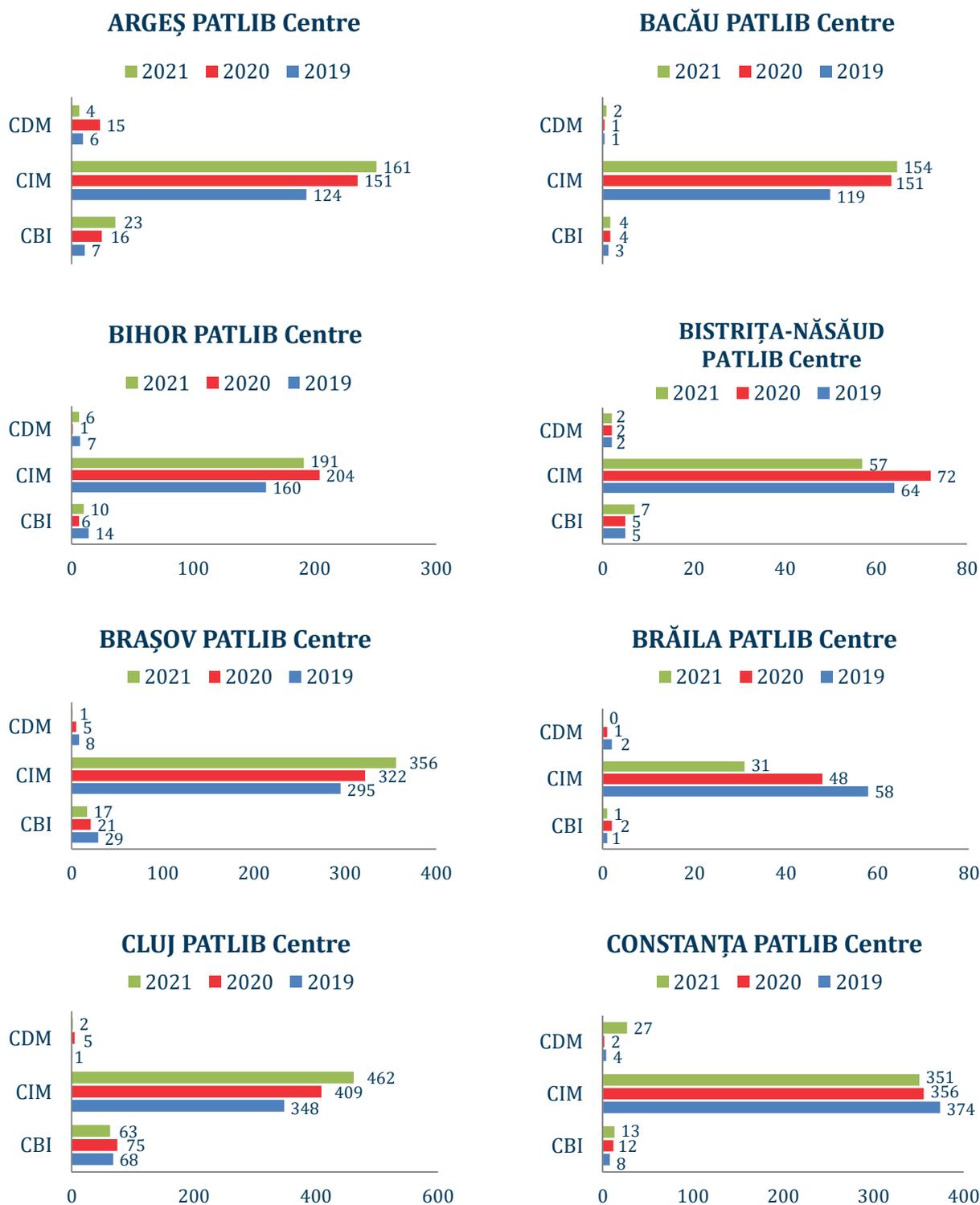
The activity of industrial property protection promotion carried out by representatives of the Regional Centres is reflected in the growing interest of companies, SMEs in particular, and of academic environment and research institutes for the access to the public data bases, as well as to services of evaluation of the economic potential of industrial property, for establishing developing strategies.



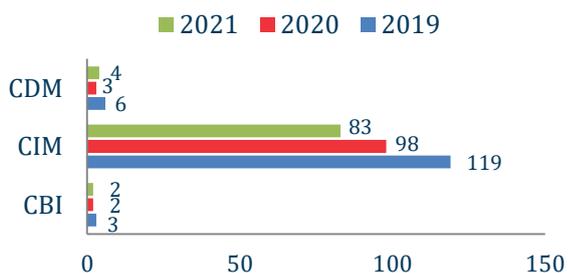
REGIONAL CENTRES

Applications distributed by administrative units

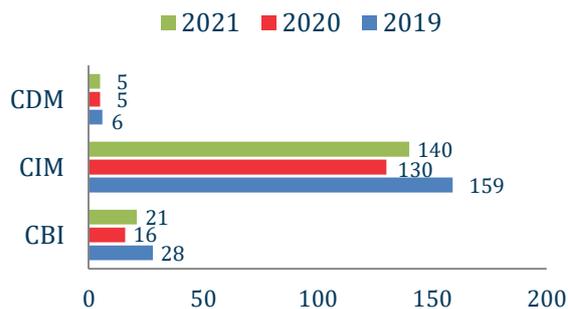
Unde: CBI – Patent applications; CIM – Applications for trademark registration;
CDM – Applications for design registration



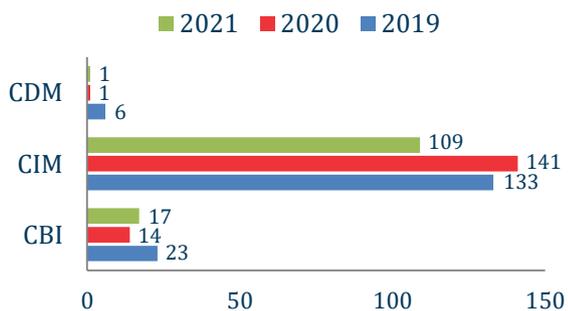
COVASNA/HARGHITA PATLIB Centre



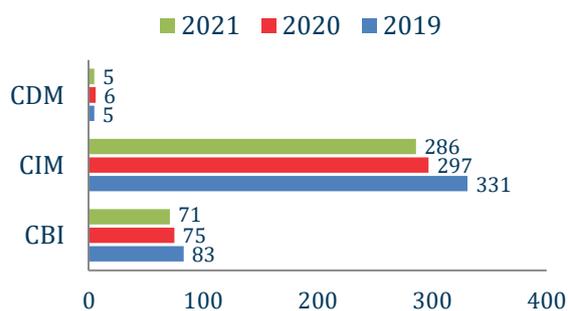
DOLJ PATLIB Centre



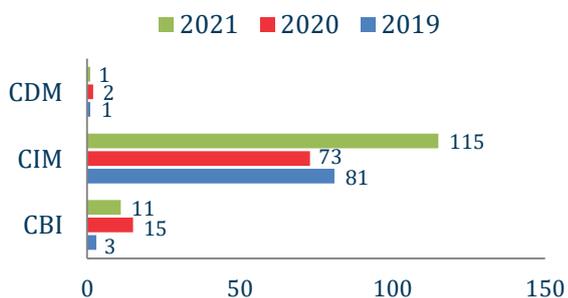
GALAȚI PATLIB Centre



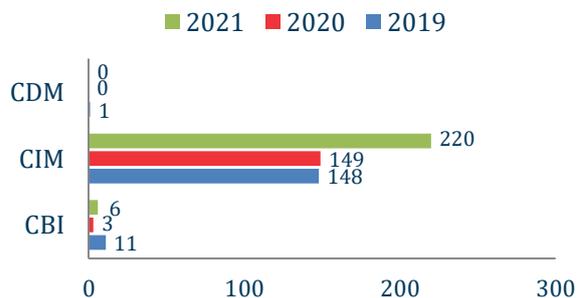
IAȘI PATLIB Centre



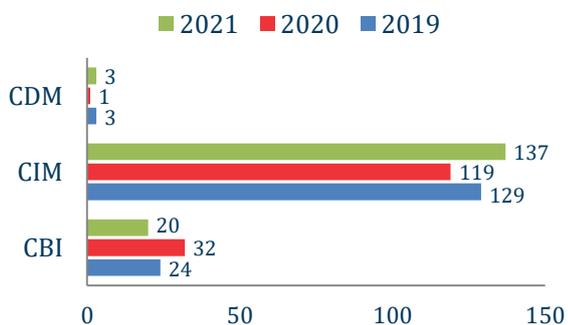
MARAMUREȘ PATLIB Centre



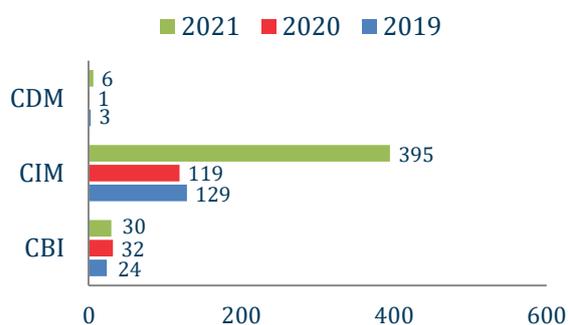
SIBIU PATLIB Centre



SUCEAVA PATLIB Centre



TIMIȘ PATLIB Centre



Services Provided to Our Clients



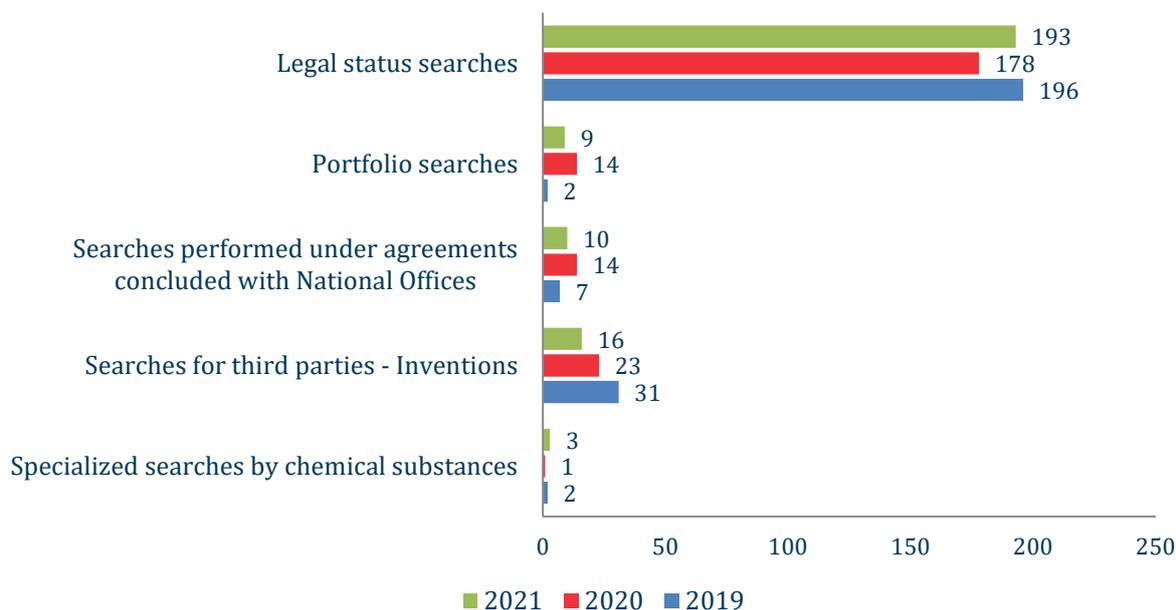
Services in the field of inventions

Based on the Addendum to the Memorandum of Understanding on cooperation in the field of industrial property concluded between OSIM and the Intellectual Property Offices of Slovenia and Macedonia, 10 search reports with written opinion on patentability were carried out in the reference year.

During the same year, 6 theme searches and 10 searches with opinion on novelty were carried out for Romanian third parties, upon order, in patent data bases and non-patent literature, in specialized technical fields, such as mechanics and electrical engineering-electronics.

The range of services was completed by a number of 193 legal status communications referring to national patents, European patents and SPC.

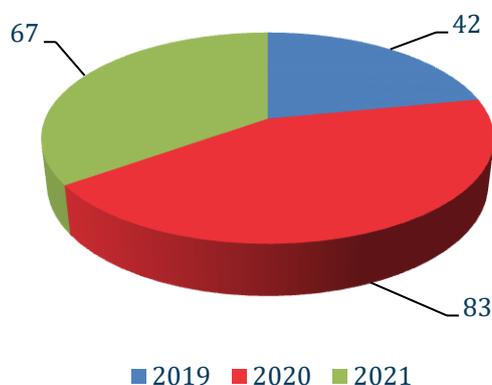
Services in the field of inventions



“Idea Envelope” Service

Established in 2008, with a view to storing and keeping safely, under non-public conditions, documents containing ideas of creations in various fields, which cannot be protected under the

current industrial property laws or copyright and related rights law, the “Idea envelope” service scored a number of 67 requests in 2021.





Services in the field of trademarks

In accordance with the provisions of Law No 84/1998, as republished, and of OSIM Order No 4/2021, OSIM carried out, upon request from the interested persons, 833 searches regarding the existence of identical or similar earlier rights, right holders' or representatives' portfolios, the legal analysis of trademark status, documentary search conducted at short time intervals or periodically.

Moreover, 404 searches were performed under the Cooperation Agreement OSIM-EUIPO.

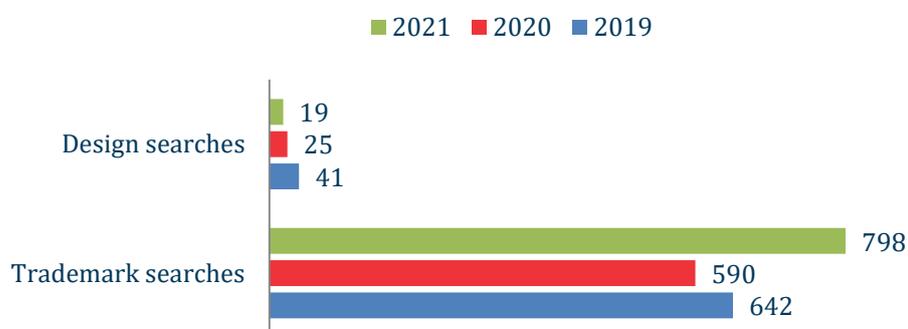


Services in the field of designs

Documentary search in the field of designs is conducted under the provisions of the Design Law 129/1992, as republished, and of the Order of the Director General of OSIM No 80/01.08.2018, that regulate the tariffs for said activity.

In 2021, 56 requests for documentary search were submitted and 19 paid documentary searches were carried out.

Services in the field of trademarks and designs



Publishing House, Translations, Archives and Internal Managerial Control Division

In 2021, the Publishing House, Translations, Archives and Internal Managerial Control Division, comprised 3 compartments with distinct activity, led directly by the Head of Division.

The organizational structure of the Division, at the reporting date, is the following:

1. Publishing House - Translations Compartment;
2. Archives Compartment;
3. Internal Managerial Control Compartment (ensuring the Technical Secretariat of the Internal Managerial Control System Monitoring Commission).



The general policy of the State Office for Inventions and Trademarks (OSIM) in the field of publishing the information in its own field of activity has always been oriented towards improving the system of information dissemination within the national and international social-economic environment. In order to facilitate the carrying out of this task, OSIM has got its own publishing house - OSIM Publishing House® - authorized by the Ministry of Culture since 1993. The main activity thereof is to edit and print, in accordance with G.D. No 573/1998 on the organization and functioning of the State Office for Inventions and Trademarks, as amended, the OSIM publications, i.e.:

- Official Industrial Property Bulletin (BOPI) with its four sections:
 - Inventions (with its three annexes relating to Utility Models, Supplementary Protection Applications and Certificates, Applications and Certificates of Extension of the Supplementary Protection Certificates Duration);
 - Trademarks and Geographical Indications;
 - Designs;
 - European Patent Applications and Patents with effects in Romania under the Law 31/1997;
- patent specifications;
- OSIM Annual Report in two languages (Romanian and English).

In the reference year, 12 monthly issues were edited and published for each of the four BOPI sections, amounting to 23978 pages.

In the same reporting period, the translation staff provided translation for 10 Search Reports with written opinion on patentability for the IP Offices of Slovenia and Macedonia, the English translation of technical texts (patent applications, patents, utility models) in respect of 2038 patent documents which were entered into the Common Software database for Patents and the Patent Search database, respectively; they also provided the Romanian version revised of the International Patent Classification for 2021, classes A-H, amounting to about 2072 pages.

OSIM publications are carried out in both the classic printed version (paper version) and in electronic format and are distributed as CD or online/FTP, and all the sections of BOPI are posted on the OSIM website, under the heading Publications.

Currently existent promotional publications were updated and printed. For better informing the public concerned, the OSIM Publishing House® section of the official OSIM webpage www.osim.ro hosts the information brochures.

The division also carried out the design, layout and printing of posters, roll-ups, diplomas and other materials needed within the events organized by our organization.

A total number of 650560 pages were printed in our typographic workshop, 77 meters (plotter) and 675 CDs/DVDs were written; as far as the bookbinding/finishing activity is concerned, both manual bookbinding/finishing activities (calico board covers/jackets) and mechanical bookbinding/finishing activities (stitching, spiral binding, laminate binding) were carried out, amounting to 4981 units.

Moreover, 876 publications were sent to subscribers and other customers, 690 publications being sent to the National Library of Romania - Legal deposit.

The Publishing House, Translations, Archives and Internal Managerial Control Division prepares and exchanges data corresponding to the specifications of patent applications, patents and utility models, on a monthly basis, under the conventions concluded between OSIM and other national offices or prestigious companies, such as: EPO, WIPO, AGEPI a.s.o., while observing the international standards in the field and the data structures recommended by/agreed with our external partners.

1145 documents were sent to AGEPI, while a number of 1838 documents amounting to 14783 pages were selected and processed by OCR for the EPO, within the project "Quality at source." 6429 RO-EP files were verified and sent to the EPO, totaling 391956 pages.

Within the framework of the project EPC4 - Language Check (OSIM-EUIPO), an expert of the Publishing House-Translations Compartment provided the translation of verbal elements of EU trademarks that have a meaning in Romanian while providing, where appropriate, information/explanations for a number of 93200 trademarks.

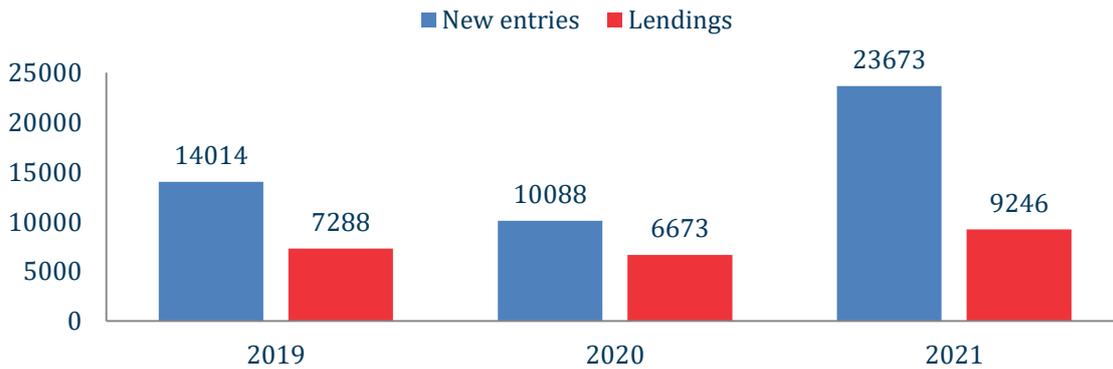


Activity of OSIM Archives

The same as in the preceding years, in 2021 a special importance was given to the digitization of documents, so that the activity of setting up electronic archival units for trademarks continued. 11383 files were scanned within the Division, totaling a volume of 810855 pages.

Regarding the management of OSIM's documentary funds, the staff of the Archives Compartment made available to colleagues from the specialized divisions of OSIM 9246 archival units for which 461343 pages were certified and took over from the specialized divisions 16618 new archival units and 9040 returned units.

Also, this team reconditioned 349 files, 145 damaged folders were changed, 1815 boxes were made for the new entries and 25658 archival units were classified.



Within the National Patent Collection, 1874 new entries were entered in the registers (patent applications, patents and utility models).

Periodically, specialized publications were sent to the National Library of Romania and the Metropolitan Library, in order to distribute them in the territory. Also, all the sections of the Official Industrial Property Bulletin were sent to the partner county libraries, via FTP, on a monthly basis.



Activity within the Technical Secretariat of the SCIM Monitoring Commission

In 2021, the Technical Secretariat of the Monitoring Commission prepared the meetings of the Commission, proposed the risk profile and the risk tolerance limit, based on the Risk Register at OSIM level and sent the approved Plan of Measures on the management of significant risks to the structures concerned, for implementation.

It also prepared the Synthesis of the results of the self-assessment, as provided in Annex no. 4.2 of the Order of the Secretary General of the Government (OSGG) no. 600/2018 for the approval of the Code of internal managerial control of public entities, by centralizing the information from the self-assessment questionnaires, as signed and transmitted by the heads of the departments at the first management level, it elaborated Chapter II of the Centralized Report regarding the stage of implementation and development of the internal managerial control system (Annex no. 3 of OSGG no. 600/2018).

At the same time, it assessed the structural compliance of the new or revised system procedures and operational procedures with the provisions of OSGG no. 600/2018 or with the internal regulations; also, all the system and operational procedures, corrective and improvement actions at the institution level were recorded, based on the data transmitted by the heads of departments at the first management level and the Commission documents were recorded, stored and archived.

Also, within the Technical Secretariat of the Monitoring Commission were centralized, at institutional level, the action plans for achieving the general objectives of the institution, as submitted by the departments, and the development stages of SCIM, and the documents related to the semester and annual data analysis submitted by the OSIM departments were received and registered, with a view to preparing the analyses performed by the management.

Ensuring the IT&C System



By virtue of the G.D. No 573 of 7 September 1998, as republished, on the organization and functioning of the State Office for Inventions and Trademarks, the activities meant to ensure the operation of the information technology and communications system are incumbent upon the *Information Technology and Communications (IT&C) Division*, as set in the new organizational chart.

The IT&C Division aimed to meet the following specific objectives, derived from the general objectives of the State Office for Inventions and Trademarks - as updated in 2021:

- Modernization of the OSIM information system:
 - Making available to the public the new OSIM website, for beta testing. The elements of absolute novelty present in this new site, apart from the improved appearance and structure, are the following : Online portal, Virtual Museum, Chatbot;
 - Launching in production the module dedicated to the processing of files on cases related to trademarks and designs pending before the courts, in which OSIM is a party. This module is integrated into the Back Office system for Trademarks and Designs;
 - Completion, through the cooperation with EUIPO, of the high level analysis of the complex module, also integrated in the Back Office system for Trademarks and Designs, for the processing of trademark applications filed by international route to which Romania is the country of origin, and of trademarks registered by international route in which Romania has been designated state, respectively;
 - Within the project "Strengthening the capacity to implement and evaluate public strategies/policies coordinated by the State Office for Inventions and Trademarks and the Ministry of Economy" - code MySMIS 127610, the contract for services for the development of an integrated software application was concluded, said application intended to allow: the possibility of online payment (by card) of fees in the field of IP, the development of a module for improving interaction and communication of external users with OSIM, the implementation by adapting to the OSIM requirements of the WIPO Office Suite system.
- Integration of OSIM IT system information into national and international IT structures:
 - The IT&C Division ensured a correct and timely transfer of data to TMVIEW, DSVIEW and ESPACENET and also provided the technical conditions for data transfers to EPO and WIPO.
- Reducing the time for access to information, by increasing the accuracy and availability of data in the OSIM IT system:
 - The IT&C Division ensured the technical conditions for this objective to be met; in 2021 there were less major incidents than in 2020. It was ensured the increase of the degree of computerization and of availability of information as regards the IP data managed by OSIM.
- Ensuring the increase of awareness in Romania, regarding the role of industrial property and improving the way of disseminating industrial property information:
 - The IT&C Division has timely and accurately updated the OSIM website, implemented new versions for the online Registers and completed the required statistics.
- Increasing the degree of compliance with ISO 9001: 2015, ISO/IEC 27001: 2013 and SCIM within the IT&C Division:
 - The IT&C Division had an important contribution to the re-certification of OSIM according to ISO 9001: 2015 in 2021;

In order to obtain the ISO/IEC 27001: 2013 certification in 2021, the IT&C Division requested and carried out an independent IT security audit in order to identify possible vulnerabilities and critical points in the OSIM IT system (both in terms of hardware and software) and then, based on the audit recommendations, make the necessary remedies.

Human Resources

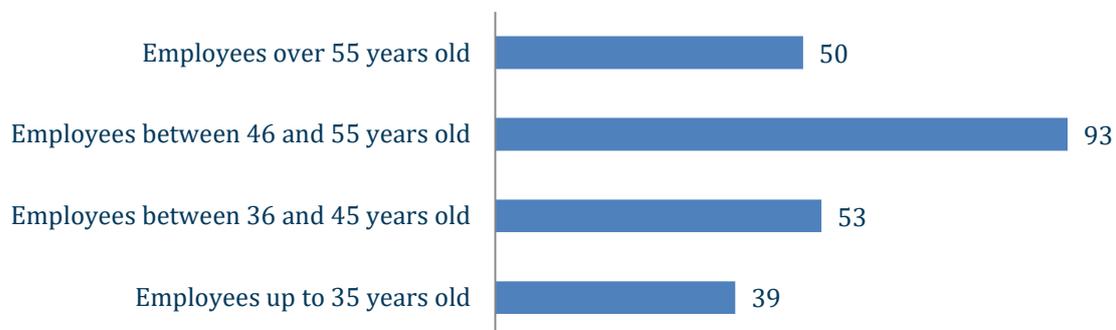


Following the reorganization according to G.D. no. 573/1998 on the organization and functioning of OSIM, as amended by G.D. no. 272/2020, the Human Resources Compartment is directly subordinated to the Director General of OSIM and comprises 3 experts. According to the legislation in force, the Human Resources Compartment has as main objective the management of human resources.

In 2021, the Human Resources Compartment carried out the following activities: issuance of 528 certificates, conclusion of 486 additional acts to the Individual Employment Contracts, promotion of 2 employees, organization of 26 competitions for filling vacancies and hiring of 28 employees, termination of 11 Individual Employment Contracts, issuance of orders and decisions on secondment/suspension/appointment/relocation of employees, management of requests for annual rest leave in a number of 885 and sick leave in a number of 305 employees, checking of the time sheets of OSIM Directorates in a number of 299, as well as the management of the employees' training process, reduced this year as compared with the approved training plan, due to the national state of emergency and state of alert on the Romanian territory and to the measures applied for the duration thereof in order to prevent and control the effects of the COVID-19 pandemic.

On 31.12.2021, the State Office for Inventions and Trademarks had a number of 90 examiners for protection titles of the total number of 235 posts occupied.

These posts are occupied as follows:



Economic Activity

Budget

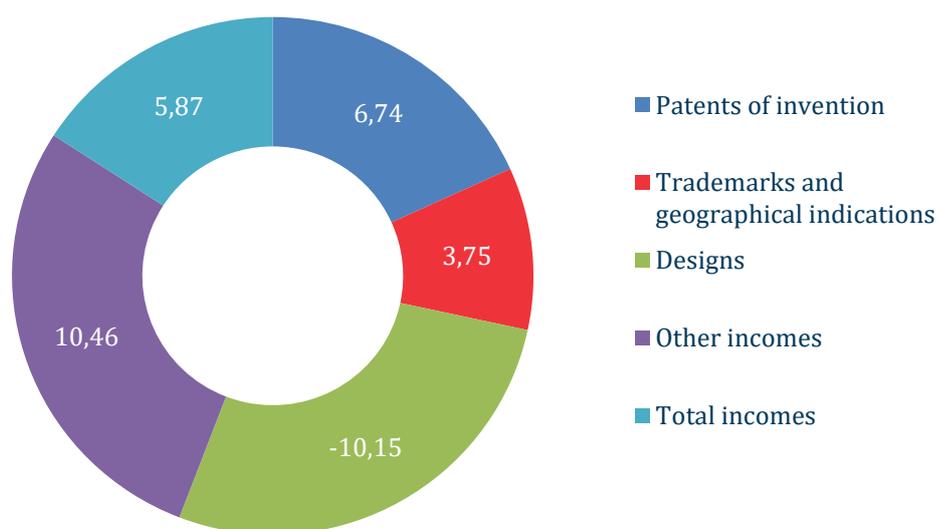


The Income and Expenditure Budget of OSIM for 2021 was approved by the main credit release authority, the Ministry of Economy, Entrepreneurship and Tourism.

In 2021, the total income of OSIM amounted to 78187.63 thousand lei, of which, the major value is covered by the income made from activities relating to inventions and trademarks.

Income - thousand lei

Indicator	2020	2021	%
Patents	42.656,92	45.530,19	6,74
Trademarks and geographical indications	24.497,97	25.416,81	3,75
Designs	778,64	699,58	-10,15
Other incomes *	5.921,54	6.541,05	10,46
Total incomes	73.855,07	78.187,63	5,87



* The amount consists of:

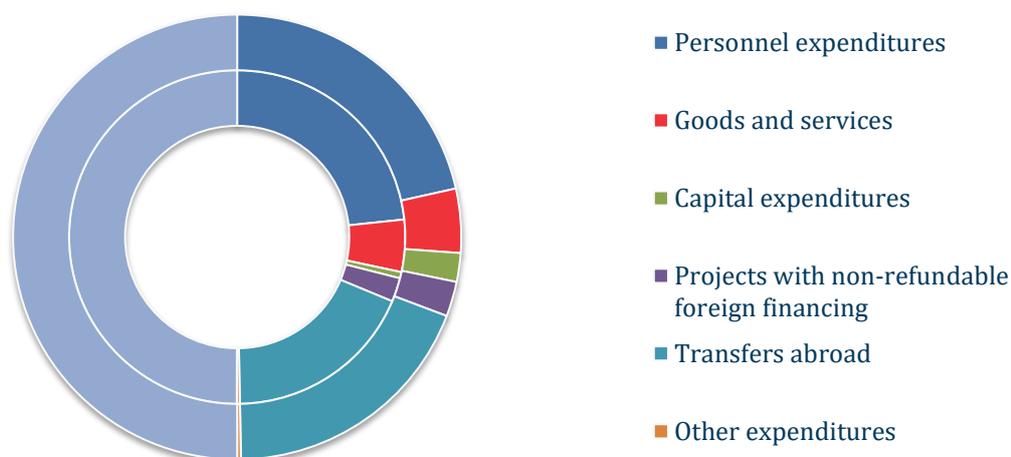
- recovered amounts from EUIPO projects, exchange rate differences and delegations financed by EPO, EUIPO, WIPO; recovered amounts from projects with non-refundable foreign financing;
- services and publications.

The OSIM expenditures amounted to 45986.26 thousand lei, as compared with 60989.00 thousand lei, which was approved through the Income and Expenditure Budget.

This level of expenditures allowed the carrying out of all the activities deriving from OSIM attributions, in good conditions.

Expenditures – thousand lei

Indicator	2020	2021	%
Personnel expenditures	19.841,86	19.770,81	-0,36
Goods and services	4.303,87	4.280,44	-0,54
Capital expenditures	514,39	1.920,93	273,44
Projects with non-refundable foreign financing	1.965,52	2.330,01	18,54
Transfers abroad	15.706,98	17.437,89	11,02
Other expenditures	245,47	246,18	0,29
Total expenditures	42.513,63	45.986,26	8,17





ABREVIATIONS

ANPC	- National Authority for Consumer Protection
BI	- Patent
BOPI	- Official Industrial Property Bulletin
CBI	- Patent Application
CMU	- Application for Utility Model
CNCPIR	- Romanian National Chamber of Industrial Property Attorneys
COP	- Competitiveness Operational Programme
CP	- Convergence Programme
DM	- Designs
EPO	- European Patent Office
EPOQUE	- EPO data base for documentary search for Search Reports
EU	- European Union
EUIPO	- European Union Intellectual Property Office
GDPR	- General Data Protection Regulation
GGs	- Government General Secretariat Order
IP	- Industrial Property
IPC	- International Patent Classification
ISO	- International Organization for Standardization
IT	- Information Technology
IT & C	- Information Technology and Communications
MU	- Utility Model
PATLIB	- Patent Information Centres
PCT	- Patent Cooperation Treaty
SBDPI	- Big Data System for Industrial Property
SCIM	- Internal/Managerial Control System
SDCDETP	- Design, Documentary Search and Issuance of Protection Titles Division
SETFACIM	- Publishing House, Translations, Archives and Internal Managerial Control Division
SME	- Small and Medium-Sized Enterprise
SPC	- Supplementary Protection Certificate
WIPO	- World Intellectual Property Organization

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