Contents

1) Introduction ----------3

2) 1st December 2009 marked 5 years since the Republic of Lithuania joined the European Patent Convention ----------5

3) Organizational Structure, Human Resources----------6

4) Legislation and International Cooperation ----------8

5) Inventions ----------11

6) Topographies of Semiconductor Products----------16

7) Trademarks----------17

8) Design----------22

9) Appeals and Oppositions----------27

10) Patent Information and Documentation----------29

11) Statistical Data---------- 31

Introduction



All areas of life are being subjected to substantial reforms already for the second decade in the Republic of Lithuania; however, it became even more relevant in the year 2009 to direct the economy of the country to a new organizational, economic, scientific and technological level, to advance technology faster, to increase the labour productivity. Trade of intellectual property constitutes 20 percent of all world trade, and this figure might increase up to 50 percent in the next few decades. It is very important for Lithuania, just like for other countries of the world, to ensure the protection of its intellectual property not only in the local market, but also in other countries. This could be achieved only through application of scientific and technological progress, use of intellectual property, development of the inventing and rationalization processes, better organization of licensing activities of industrial design, trade and service marks. 2009 stood out as a year of hardship, therefore the economic competitiveness of the country depends especially on legal protection of the newest technologies, their application and conditions their transfer, and policy of the country in the area of promoting innovation. Depending on the level of technological development of the country, national patent offices play their role in the most important European and global markets providing protection of industrial property objects by registering them, issuing documents that grant legal protection, disseminating industrial property information. Seeking to contribute to events organized by Vilnius as the Capital of European Culture in the year 2009 the State Patent Bureau of the Republic of Lithuania organized several significant events and commemorated the dates particularly important in the field of intellectual property.

After restoration of Independence, the Republic of Lithuania became a member of WIPO as early as in 1992, and after two years on 21st February 1994 joined the Paris Convention, which came into effect on 22nd May 1994. The year 2009 marked 15 years of Paris Convention being in effect in Lithuania. I can state with confidence that Paris Convention, which was signed more than a 100 years ago, still remains the fundamental agreement of highest importance in developing and promoting protection of intellectual property not only in Lithuania, but also in the whole world.

1st December 2009 marked five years since the day that the Republic of Lithuania became a member of European patent system after joining the European Patent Convention (EPC). In the year 2009 we commemorated a one thousand year anniversary of the first mention of the name of Lithuania; on that occasion, while celebrating the World Intellectual Property Day on 26th April, the State Patent Bureau organized an exhibition named "The history of the development of industrial property protection, commemorating 1000 year anniversary of the name of Lithuania". That was an excellent opportunity to once more reflect on the past and evaluate the input of intellectual property through the entire history of the country.

The year 2009 distinguished by economic downturn of the country and complicated business conditions, however, the State Patent Bureau, even finding itself in the midst of the hardship, sought to accomplish its mission – to legalize exclusive rights to the objects of industrial property and ensure needs of protection of the industrial property of the general public - as successfully as possible. During the year 2009 the Bureau paid most attention to implementing its three-year strategy, seeking to improve its efficiency and public services, even though the number of employees has been reduced from 70 people to 60 in the period one year. In the year 2009, commemorating the thousand year anniversary of the first mention of the name of Lithuania, as many patents for inventions came into effect in Lithuania as in twenty years between the two World Wars. Another important development – SPB switched to an electronic version of the Official Bulletin and made successful preparations for publishing the descriptions of inventions exclusively on SPB's website (www.vpb.gov.lt--> e-publications).

Even today, in the beginning of the XXI century, inscription in the cupola at the headquarters of the World Intellectual Property Organization in Geneva is still relevant: "Human genius is the source of all works of art and invention. These works are the guarantee of a life worthy of men. It is the duty of the State to ensure with diligence the protection of the arts and inventions". We believe that in the year 2010 – the 20th year of the Independence of Lithuania – creators of intellectual property will not forget inventing and bold ideas, spreading the name of Lithuania with their creations and achievements.

Director Rimvydas Naujokas

1st December 2009 marks 5 years since the Republic of Lithuania joined the European Patent Convention

1st December 2009 marked five years since the day when the Republic of Lithuania became a member of European patent system by joining the European Patent Convention (EPC).

European patent system is a regional patent grant system that has been functioning since 1978 almost in all Western European countries, giving opportunity to inventors all around the world to protect the inventions they created by filing one application to European Patent Office, that, after completion of patentability examination, grants a European patent, having effect in all EPC member states of the applicant's choice. At this moment, the European patent, by choosing it's effect in EU member states, is one of the most convenient possibilities to protect an invention also in the market of European Community, as the decisions concerning entering into force of a unified European Community patent are still not taken. Seeking to provide conditions for efficient integration of Eastern and Central European countries to the European patent system, the European patent extension system was established, and it was in effect in Lithuania since 1994. European patent extension system provided recognition and effect of the strong European patent also in those countries that were not the real member states of EPC, thus providing conditions to attract foreign investment and innovations to new markets by ensuring the protection of inventions that belonged to foreign entities in Europe.

1st December 2004, after Lithuania became a member of EPC, the European Patent Office (EPO) grants European patents, that have effect by applicants choice not only in Lithuania, but also in other member states of European Patent Organization: all 27 members of European Union and Former Yugoslavian Republic of Macedonia, Iceland, Croatia, Lichtenstein, Monaco, Norway, San Marino, Switzerland and Turkey. There are 36 member states participating in the European patent system today, 3 more countries (Albania, Bosnia and Herzegovina, and Serbia) are using the European patent extension system, which was successfully used by Lithuania for 10 years. The administrative body of the European Patent Organization is the Administrative Council where Lithuania is represented by the director of SPB Rimvydas Naujokas. In 2009 the EPO Administrative Council established the Technical and Operational Support Committee (TOSC); Lithuania was represented in it by the director of SPB Rimvydas Naujokas and the Justice Attaché for Industrial Property Law Matters Ž. Danys.

The European Patent Office receives around 150 thousand European patent applications per year and grants around 55 thousand European patents. European patent has effect in the countries of the applicant's choice if they are approved by the rules of those countries, usually by providing the translations of the European patent or just the claim of the protected invention to languages of those countries. Today there are more than 4.5 thousand European patents in effect in Lithuania. Around 800 European patents, as well as around 100 national patents granted by the State Patent Bureau come into effect in Lithuania per year.

Lithuanian entities also use the possibilities provided by EPC to protect inventions created in the European market. During 5 years EPO has received 24 applications from Lithuanian applicants to grant a European patent. Lithuanian Government, promoting the innovation in Lithuania, provides financial assistance via the Ministry of Economy of the Republic of Lithuania to the applicants that seek a European patent; Lithuanian inventors use it actively.

After the Republic of Lithuania became a member of EPC, Lithuanian patent attorneys that have been entered into the list administered by European Patent Institute (EPI) are also European patent attorneys, able to represent in the European Patent Office.

Data of European patents extended to the Republic of Lithuania are published in the Official Bulletin of the State Patent Bureau of the Republic of Lithuania „Inventions. Design. Trademarks", which is published in Adobe®PDF format on the website of the State Patent Bureau of the Republic of Lithuania (http://www.vpb.gov.lt). One can find European and national patents that are in effect in database "Inventions" on the website of the State Patent Bureau. Descriptions of patents having effect in Lithuania are now being published in CD-ROM Espace®PRECES; starting 2010 they will be also

published on SPB‘s website. Patent information is disseminated in Lithuania by Lithuanian Technical Library (LTL) through Patlib centres located in the cities of Kaunas, Klaipėda and Panevėžys.

European Patent Office has established European Patent Academy; one member of its Supervisory Board is a representative of Lithuania. The goal of European Patent Academy is to educate the public, the users and all participants of the patent system on the importance and significance of legal protection of inventions, to organize different seminars, that have been attended by quite a few judges who hear patent cases from the courts of the Republic of Lithuania, also by employees of the State Patent Bureau, Patent Information Centre of Lithuanian Technical Library and other state institutions, also patent attorneys. National Action Plan between European Patent Office and the State Patent Bureau has now been prepared, and the financial support received from EPO on the basis of this plan will be used to provide services of the State Patent Bureau and Lithuanian Technical Library to the public.

Organizational structure and human resources of SPB

The year 2009 was one of the most difficult years during the history of the State Patent Bureau since 1991. The financial status of the State Patent Bureau changed on 1st January 2009, as the Ministry of Justice, which has the State Patent Bureau in its regulatory sphere, overtook the administration of the subsidies allocated to ensure the implementation of the functions of the State Patent Bureau. On 7th August 2009 new wording of the Regulations of the State Patent Bureau were approved by the decree No. 1R-264 of the Minister of Justice („Valstybės žinios“, 2009, No. 97-4108).

Implementing general plans of the Government of the Republic of Lithuania to revise and optimize the activity of the public sector, including both the abolishment of secondary functions and reducing spending of finances, the State Patent Bureau revised its work plans, optimized the performance of the functions and the human resources. Since the first days of the establishment, SPB faced the increase of the number of tasks and international commitments, as well as the expansion of the SPB’s activities, thus the number of employees was constantly growing (the maximum number of positions allowed for SPB in 2008 was 74, including the position of the Justice Attaché for Industrial Property Law Matters). However, in 2009, due to the decreased financing of the public administration institutions, SPB had to reduce the number of its employees to 59 (number of employees was lower than 60 before year 2003).

In the year 2009 SPB hired 1 new employee and dismissed 10 employees. 3 employees were dismissed on their own request, one employee was dismissed due to his age, after non-renewal of the contract. But the largest group of employees, even 6 of them, was dismissed due to the reduction of the number of employees. Due to this reason SPB had to dismiss one inventions examiner and one trademark examiner. As the Information and Documentation Division was abolished, two employees responsible for public relations and patent information were dismissed, their functions being distributed among other divisions and employees. Thus in the end of 2009 there were 39 public servants and 19 employees working under labour contract in the SPB. 31st December 2009 the Justice Attaché for Industrial Property Law Matters was recalled and transferred to a newly established position of the second Deputy Director.

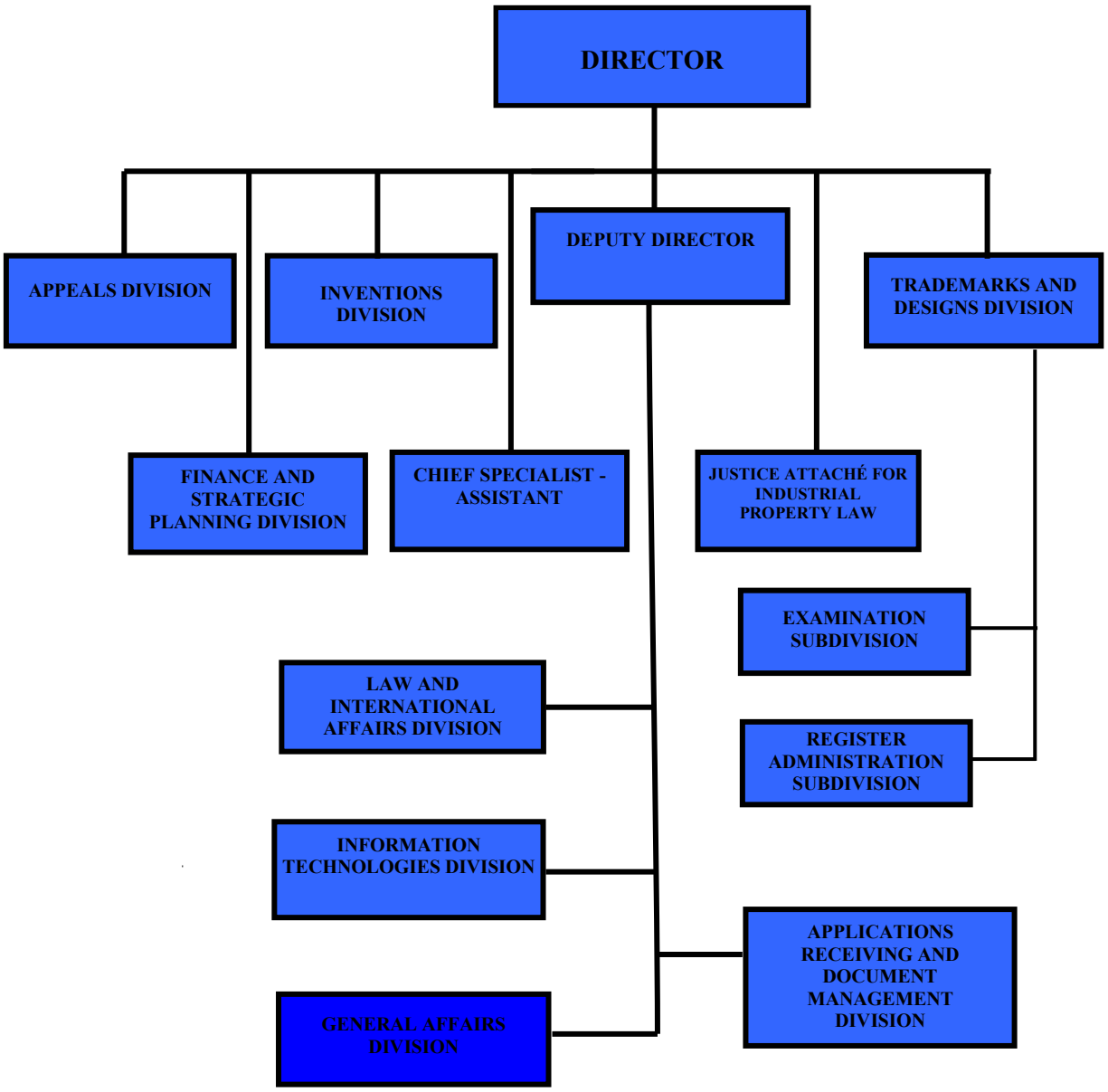
After 10 employees were dismissed, the proportion in gender of employees did not change significantly – whereas in 2008 there were 50 women (74,6%) and 17 men (25,4%) working in SPB, in 2009 there were 44 women (75,9%) and 14 men (24,1%). This proportion of the number of employees managing SPB or its divisions, although stayed balanced, changed to another direction, i.e., there were 6 women (55%) and 5 men (45%) working as head officers (in 2008 this proportion was slightly different – 5 women and 6 men).

Comparing years 2008 and 2009 the proportion of SPB personnel in respect of age remained similar. While in 2008 employees could be divided by their age in the following way: 18-30 years of age – 10; 31-40 years of age – 10; 41-50 years of age – 13; 51-65 years of age – 30, and more than 65 years of age – 1, in 2009 the proportions of employees by there age were these: 18-30 years of age – 12; 31-40

years of age – 4; 41-50 years of age – 14; 51-65 years of age – 27, and more than 65 years of age – 1. Therefore the number of the employees under age of 50 decreased in 2009 by 5, the number of employees over age of 50 also decreased by 5. The mean age of the employees of SPB in 2009 is 47 years of age, that is, it remained similar to the mean of 2008, which was 46 years of age.

Decrease of the number of employees in 2009 had a big impact on proportions of employees by their education, that is, 9 of 10 employees that were dismissed had a high university education. Therefore in the end of 2009 there were 45 employees working in SPB with a high university education, 1 employee has high non-university education and 2 – higher education; 2 employees have secondary vocational education and 6 employees have secondary education.

Strengthening administrative capacities of SPB, training and improvement of qualification of employees was organized in 2009, according to the training plan of SPB public servants and employees, working under the labour contract, which was approved by the Director of SPB. Implementing this plan, 37 employees participated and improved their qualification in 67 events of training and improvement of qualification, and that is almost 32% less than in 2008.



Legislation and International Cooperation

Legislation

The year 2009 was intense and responsible for SPB in the area of legislation and international cooperation.

Implementing the action No. 591 of the program of the Government of the Republic of Lithuania for the years 2008-2012 and considering the provisions of Patent Law Treaty that are being implemented in the national law, following laws were harmonized, improved and committed:

- Draft law on ratification of Patent Law Treaty No. XP-3333(2);
- Draft law amending the Patent Law (new wording) No. XIP-816;
- Draft law amending and supplementing Law on the Fees for Registration of Industrial Property Objects No. XIP-817.

Rules of Appeals and Oppositions Proceedings were laid out in new wording (decree of the Director of SPB of 18th August 2009 No. 3R-50 "On amending the decree of the Director of the State Patent Bureau of 1st December 2005 No. 3R-132 "On approval of the Rules of Appeals and Oppositions Proceedings AP/01/2005" („Valstybės žinios", 2009, No. 101-4238)). Also draft Government resolution „On establishment of the Register of the Topographies of the Semiconductor Products of the Republic of Lithuania and approval of its Regulations", together with draft Regulations of the Register of the Topographies of the Semiconductor Products of the Republic of Lithuania has been prepared and submitted to the Ministry of Justice.

On 28th October 2008 Law of the Republic of Lithuania on Ratification of the Agreement on Application of Article 65 of the Convention on the Grant of European Patents (European Patent Convention) was enacted („Valstybės žinios", 2008, No. 129-4918). The Agreement on Application of Article 65 of the Convention on the Grant of European Patents (European Patent Convention) came into force in Lithuania on 1st May 2009.

International Cooperation

In 2009 the SPB carried out functions of the central industrial property service pursuant to provisions of the European Union legal acts in respect to Community marks and designs and the European Patent Convention. Besides, the SPB is in charge of representation of the Republic of Lithuania in the administrative bodies of the Office for Harmonization in the Internal Market (OHIM) (trademarks and designs) - Administrative Council and Budget Committee (6 OHIM meetings of the administrative bodies have been attended).

World Intellectual Property Organization (WIPO)

In 2009 SPB continued active cooperation with one of the specialized international organizations of the United Nations - the World Intellectual Property Organization, which is in charge of policy formation of the protection of intellectual property on the world scale and administration of international conventions in the area of protection of industrial property.

Same as each year since 1992, when Lithuania became a member of WIPO, our state has been represented at the WIPO General Assembly, the Paris Union Assembly, the Nice Union Assembly, the Patent Cooperation Treaty (PTC) Union Assembly, the Madrid Union Assembly, the Budapest Union Assembly and meetings of WIPO Coordination Committees. The Director of the State Patent Bureau of the Republic of Lithuania has been elected the vice-chairman of the Nice Union assembly.

Employees of the State Patent Bureau attended 13 sessions of WIPO committees, meetings and sessions of working groups and other events organized by WIPO.

Participation of the Republic of Lithuania in multilateral international agreements, administered by World Intellectual Property Organization (WIPO), in the area of industrial property

INTERNATIONAL AGREEMENT AND THE DATE OF THE ACCESSION
OF THE REPUBLIC OF LITHUANIA

Convention on Establishing the World Intellectual Property Organization
30th January 1992.
Paris Convention for the Protection of Industrial Property (1967 Edition of the Stockholm Act)
21st February 1994.
Patent Cooperation Treaty
5th April 1994.
Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks
22nd November 1996.
Budapest Treaty on the International Recognition of the Deposit of Micro- organisms for the Purposes of Patent Procedure
9th February 1998.
Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks
15th October 1997.
Trademark Law Treaty
28th October 1994, in force since 27th April 1998.
Geneva act of the Hague Agreement on international registration of industrial designs
26th September 2008.

European Union (EU)

In 2009 representatives of the SPB and the Justice Attaché for Industrial Property Law Matters were actively attending meetings of working groups and committees of the European Union, prepared and presented an official position of Lithuania on the matters discussed in Brussels on protection of the industrial design.

In 2009 13 meetings of the Patent subgroup of the EU Council Intellectual property workgroup took place for which the State Patent Bureau prepared and harmonized 13 positions, 2 meetings of the Intellectual property working group for which the State Patent Bureau prepared and harmonized 2 positions. The State Patent Bureau prepared and harmonized 4 positions under its competence for 3 meetings of COREPER, which were held in 2009, prepared and harmonized 3 positions under its competence for 2 meetings of the Competitiveness Council. Also SPB prepared and harmonised 2 positions for 2 meetings of the Committee on Fees, Implementation Rules and the Procedure of the Boards of Appeal of the Office for Harmonization in the Internal Market of the EU Commission. In 2009 the Justice Attaché for Industrial Property Law Matters in the Representation of Lithuania to the European Union represented the interests of Lithuania at different meetings, including 26 meetings of institutions, working groups, committees and administrative bodies of the European Union, discussing the matters relating to the intellectual property law.

Office for Harmonization in the Internal Market of the European Union (OHIM)

The State Patent Bureau has close cooperation with the Office for Harmonization in the Internal Market of the European Union (Trademarks and designs). As provided by the Council regulation No. 207/2009/EB of 26th February 2009 on a Community trademark (codified version), representatives of the State Patent Bureau of the Republic of Lithuania represented the Republic of Lithuania at 6 sessions of the administrative bodies of the Office for Harmonization in the Internal Market (OHIM), namely Administrative Council, Budget Committee, joint meetings of the Administrative Council and Budget Committee in discussion of relevant OHIM organizational, administrative and financial matters in 2009. In 2009 experts of the State Patent Bureau attended 5 technical cooperation meetings of representatives of OHIM and national patent offices, liaison meetings of representatives of OHIM and national patent offices, a conference.

European Patent Organisation (EPO)

Under the European Patent Convention (EPC), representatives of the State Patent Bureau under the leadership of the Director R. Naujokas represented the Republic of Lithuania in 4 meetings of the Administrative Council of the European Patent Office (EPO) and 2 meetings of the Budget and Finance Committee and TOSC, where organizational, administrative and financial matters of EPO activities in legal regulation of European patents were discussed in 2009. The member of Administrative Council of EPO R. Naujokas was elected a member of the Supervisory Board of EPO European Patent Academy for a 3 year term. In the year 2009 the Director of SPB participated in the 9th and 10th meetings of the Supervisory Board of the European Patent Academy.

In 2009 the representatives of SPB attended 8 EPO events - meetings of EPO committees and working groups on the matters of patent law, technical cooperation.

Making assessment of the needs in development of special professional knowledge in the area of granting patents and using opportunities offered by EPO program in transnational cooperation, in the year 2009 specialists of SPB improved their qualification in seminars and practical workshops organized by the Patent Academy of the European Patent Office. National Action Cooperation Plan for years 2009-2011 was prepared in 2009 between SPB and EPO.

Cooperation with Patent offices and other International Cooperation

In 2009 the State Patent Bureau continued its cooperation with National patent offices of the neighbouring states of the Baltic region - on invitation of the Icelandic Patent Office the SPB was represented at the meeting of the Heads of the Patent offices of Nordic and Baltic states, also at the meeting of examiners of Nordic and Baltic states, organised by the Finnish Patent Office. Employees of SPB had a working visit to the Estonian Patent Office concerning the installation of the "Spirit Meca" software, on invitation of the Armenian Patent Office a representative of SPB participated in the meeting concerning the possibilities of trilateral technical cooperation among EPO, SPB and Armenian Patent Office. Working meeting on EPO fee reform and financial matters took place in Latvian Patent Office.

On invitation of different states' patent offices and other institutions representatives of the SPB attended 6 international events, conferences and training seminars in Poland, Azerbaijan, Czech Republic and Germany.

In 2009 close cooperation continued with the United States Patent and Trademark (USPTO). On invitation of the USPTO one employee of the SPB had a possibility to gain some professional knowledge in a training of the USPTO World Academy in Alexandria (USA).

Inventions

invent@vpb.gov.lt

There are three ways of acquiring patent protection in the Republic of Lithuania: filing applications directly with the SPB (national way), under the Patent Cooperation Treaty (PCT) and under the European Patent Convention (Euro and Euro-PCT applications).

98 national patent applications were filed with the State Patent Bureau in 2009, 91 of those patent applications were filed by Lithuanian applicants. 4 patent applications contained a request for grant of a conventional priority.

In 2009 9 international applications proceeded to the national level, 7 among them claimed the priority of previously filed application(s).

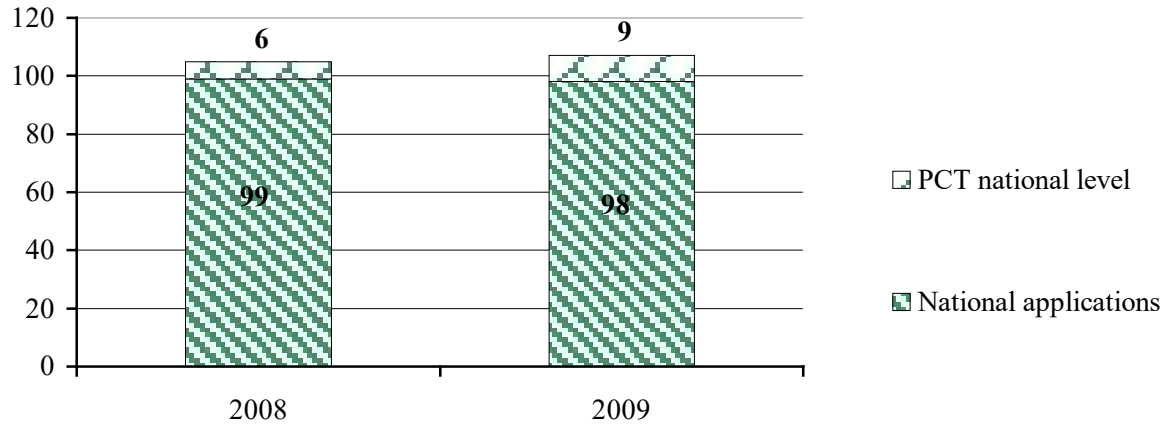
In 2009 SPB, as a receiving office, received 17 international applications.

In 2009 9 applications for grant of supplementary protection certificates were filed.

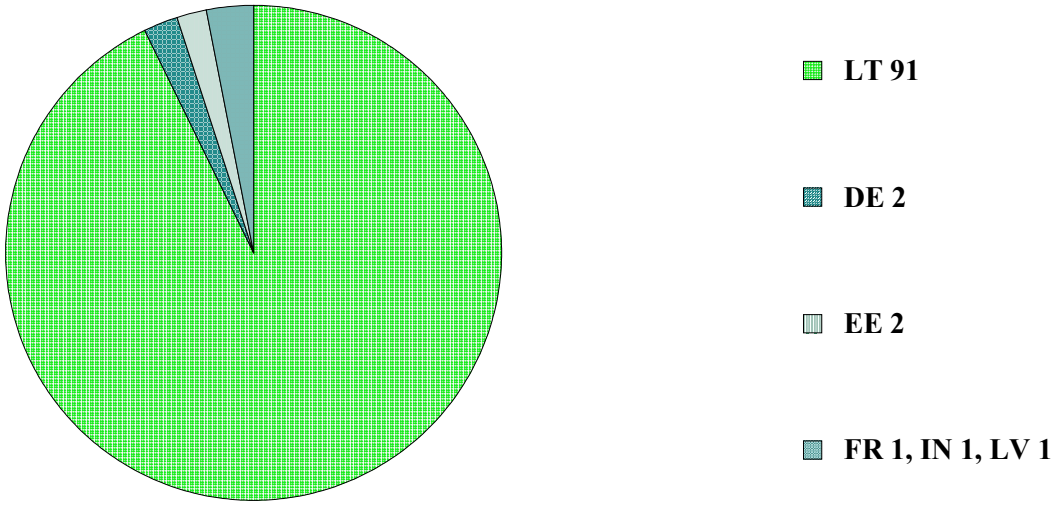
Patents that came into force in Lithuania in the year 2009

	Number	Lithuanian applicants	Patents granted to Lithuanian applicants (by percent)
Granted by SPB	84	59	70 %
Granted by EPO	1039	-	-
Total:	1123	59	5 %

Filed patent applications within the years 2008-2009



Distribution of national applications by states in 2009



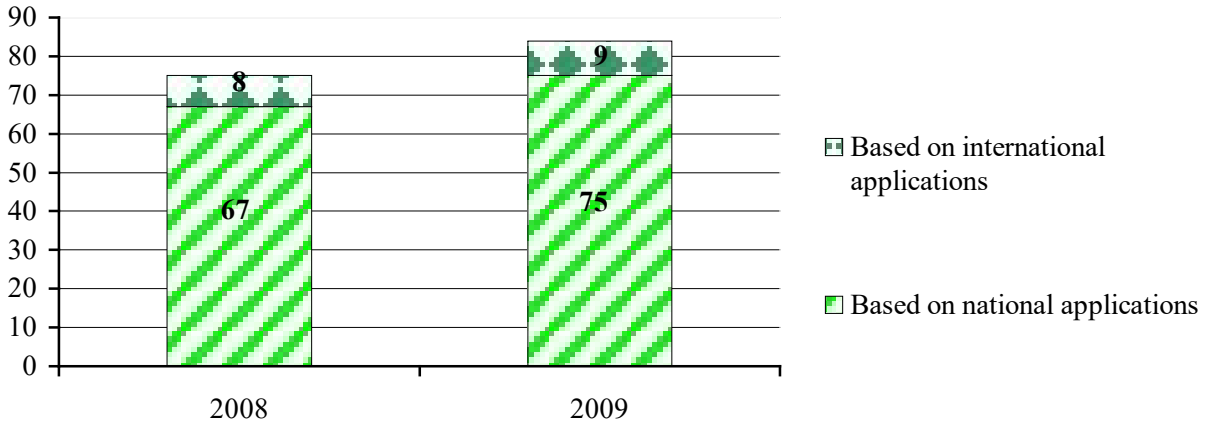
Number of patent applications filed by applicants of the Republic of Lithuania in 2008-2009

Applicants	**Number of applications**	
	2008	**2009**
Legal entities	37	39
Natural entities	50	52
Total number of legal and natural entities	**87**	**91**

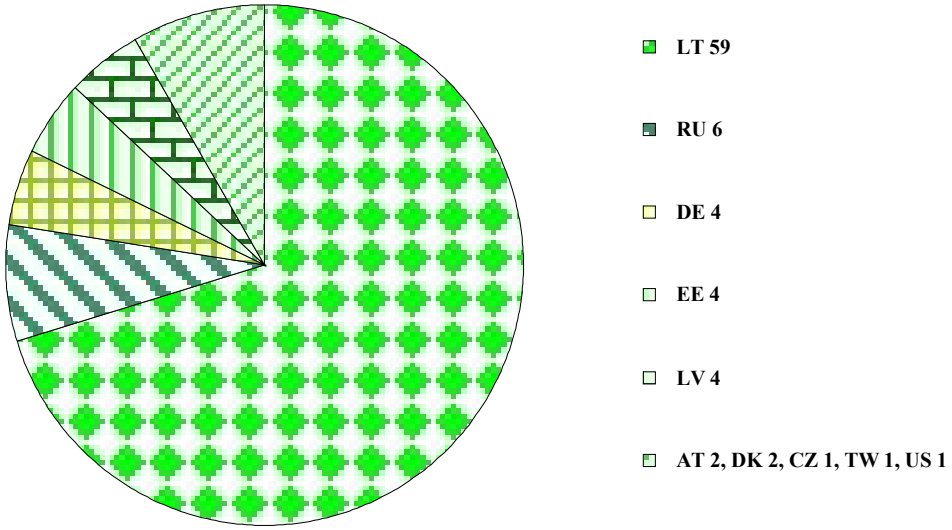
Lithuanian institutions/entities that have filed applications in 2009

Seq. No	Applicants	Number of applications
1.	Kaunas University of Technology	5
2.	Institute of Biotechnology	3
3.	Pe Sap-energy, UAB	3
4.	Joined stock company Žemaitijos pienas	2
5.	Archiprojektas, UAB	2
6.	GEOTERMA, UAB	2
7.	Thermal insulation institute of Vilnius Gediminas Technical University	2
8.	Vilnius Gediminas Technical University	2
9.	A. Vrubliauskienė company NAUJI VĖJAI	1
10.	Joined stock company ACHEMA	1
11.	Institute of Physics	1
12.	Juozas Prušinskas company APGAMAS	1
13.	Lithuanian Energy Institute	1
14.	VAE LEGETECHA, UAB	1
15.	SPILVA, UAB	1
16.	ALVAS ir Ko, UAB	1
17.	EIGESA, UAB	1
18.	EKSPLA, UAB	1
19.	ELEKTROIMPULSAS, UAB	1
20.	GTV, UAB	1
21.	MELSITA, UAB	1
22.	SLENGIAI, UAB	1
23.	Viltechmeda, UAB	1
24.	Žalia rūta, UAB	1
25.	Vilnius Universitity	1
26.	Public Entity Soil Remediation Technologies	1

Grant of patents in the years 2008-2009



Patents granted on 2009 by the states of patent owners



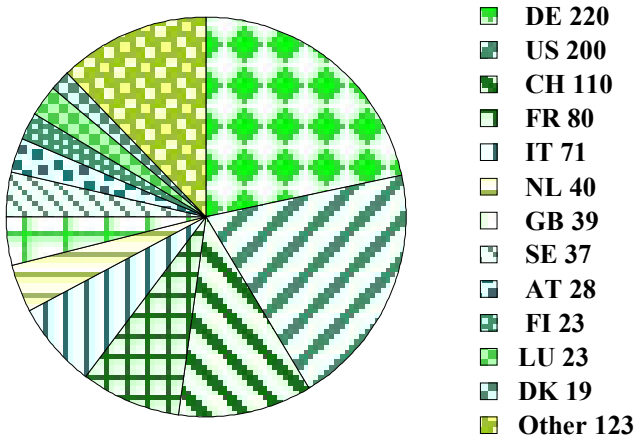
Patents granted on 2009 by IPC branches

IPC branches		Lithuania	Foreign state (country code and number of patents)	Total
Meeting human needs	**A**	17	AT 1, CZ 1, EE 1, RU 1, TW 1	**22**
Different technological processes: transport	**B**	13	RU 2, EE 1	**16**
Chemistry; metalurgy	**C**	4	DK 2, LV 2, RU 1, US 1	**10**
Textile; paper	**D**	1	-	**1**
Construction; mining	**E**	6	AT 1, RU 1	**8**
Mechanics, illumination; heating; arms; exploding operations	**F**	5	DE 4, EE 2, LV 1, RU 1	**13**
Physics	**G**	10	LV 1	**11**
Electricity	**H**	3	-	**3**
Total		**59**	**25**	**84**

EUROPEAN PATENTS

In 2009 1039 European patents came into force in the Republic of Lithuania which were granted by the European Patent Office (EPO), 626 among them have been granted under the European Patent Convention (EPC).

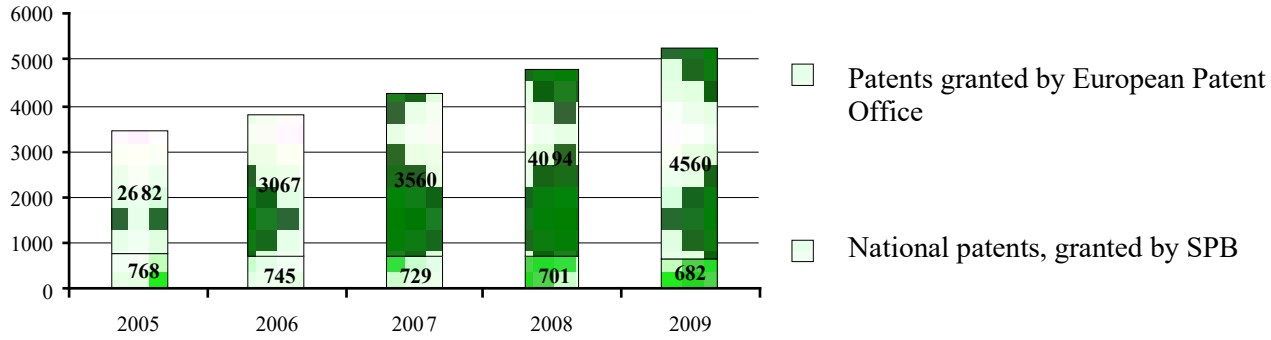
European patents that came into force in 2009 by the states of patent owners



Number of European patents that came into force in the Republic of Lithuania in 2009 by IPC branches

IPC branches		Country code and number of applications	Total
Meeting human needs	**A**	US 81, DE 62, CH 58, FR 22, IT 20, GB 15, LU 12, NL 12, ES 9, JP 9, DK 8, SE 8, FI 4, IE 4, BE 3, IL 3, NO 3, AT 2, CA 2, CU 2, HU 2, IN 2, SI 2, BR 1, GR 1, LV 1, ML 1, TW 1, VG 1	**351**
Different technological processes: transport	**B**	DE 28, CH 13, IT 12, AT 12, US 11, FR 8, FI 7, NL 7, CY 3, DK 3, GB 3, NO 3, BE 2, BY 1, ES 1, IE 1, KR 1, LU 1, PL 1, SE 1, SI 1, TW 1	**121**
Chemistry; metalurgy	**C**	US 99, DE 75, FR 36, CH 30, IT 24, SE 20, NL 17, BE 16, GB 16, LU 9, AT 8, DK 8, CA 7, JP 7, IE 6, ES 4, FI 3, HU 3, IL 3, IN 3, CZ 2, GR 2, HR 2, PT 2, CU 1, LT 1, MC 1, NO 1, NZ 1, PL 1, SI 1, TW 1, ZA 1	**411**
Textile; paper	**D**	DE 4, AT 1, BE 1, CN 1, CZ 1, FI 1, FR 1, IT 1	**11**
Construction; mining	**E**	DE 21, FR 5, AT 4, BE 4, FI 4, SE 4, CY 3, GB 2, IT 2, NL 2, CH 1, ES 1, IL 1, OM 1, PL 1	**56**
Mechanics, illumination; heating; arms; exploding operations	**F**	DE 9, IT 6, FR 4, GB 3, US 2, ES 1, TW 1	**26**
Physics	**G**	DE 11, CH 6, US 5, FR 3, IT 3, NL 2, AT 1, AU 1, CA 1, KR 1, LU 1, SE 1	**36**
Electricity	**H**	DE 10, FI 4, IT 3, SE 3, CH 2, US 2, FR 1, IL 1, KR 1	**27**
Total		DE 220, US 200, CH 110, FR 80, IT 71, NL 40, GB 39, SE 37, AT 28, BE 26, FI 23, LU 23, DK 19, ES 16, JP 16, IE 11, CA 10, IL 8, NO 7, CY 6, HU 5, IN 5, SI 4, TW 4, CU 3, CZ 3, GR 3, KR 3, PL 3, HR 2, PT 2, AU 1, BR 1, BY 1, CN 1, LT 1, LV 1, MC 1, ML 1, NZ 1, OM 1, VG 1, ZA 1	**1039**

Patents in force at the end of the year



In 2009 58 assignment agreements were registered, 45 of them were assignment agreements for European patents.

1 licence agreement was registered in 2009.

Topographies of Semiconductor Products

Legal protection of semiconductor product topographies in the Republic of Lithuania may be acquired under the Law on Legal Protection of Topographies of Semiconductor Products of the Republic of Lithuania, by filing applications directly with the SPB. This law came into force on 1st December 1998.

No applications for registration of topographies of semiconductor products have been filed since the effect date of the Law on Legal Protection of Topographies of Semiconductor Products of the Republic of Lithuania.

Trademarks

Trademark@vpb.gov.lt

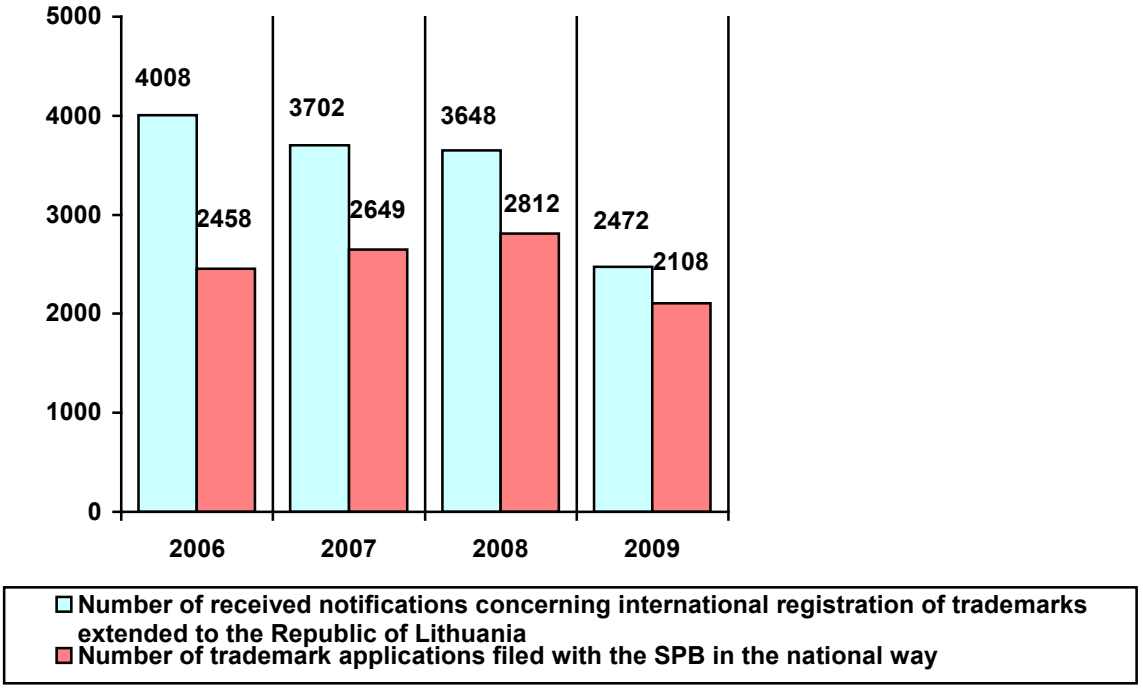
Today there are three ways to get exclusive rights to a trademark in the Republic of Lithuania: filing applications directly with the SPB under the Trademark Law of the Republic of Lithuania (national way), since 15th November 1997 - under the Protocol of the Madrid Agreement Concerning the International Registration of Marks, according to which, the protection, provided by the international trademark registration, is extended to the Republic of Lithuania (international way); and since the 1st May 2004 - under the EU Council Regulation Concerning the Community Trade Mark of 20th December 1993 under which any trademark, registered as a Community trademark with the EU Office for Harmonization in the Internal Market (OHIM) is protected in Lithuania.

Since the day of establishment of the State Patent Bureau until 31st December 2009 the SPB received 59,780 applications for registration of a mark in the national way. 49,821 trademark has been registered in the register of trademarks of the Republic of Lithuania within this period; 36,123 of them were valid registrations, 23,035 amendments were registered, 8,777 assignment of rights and 887 licence agreements, 945 secured (cancellation of security) and 139 seized (withdrawals of seizures).

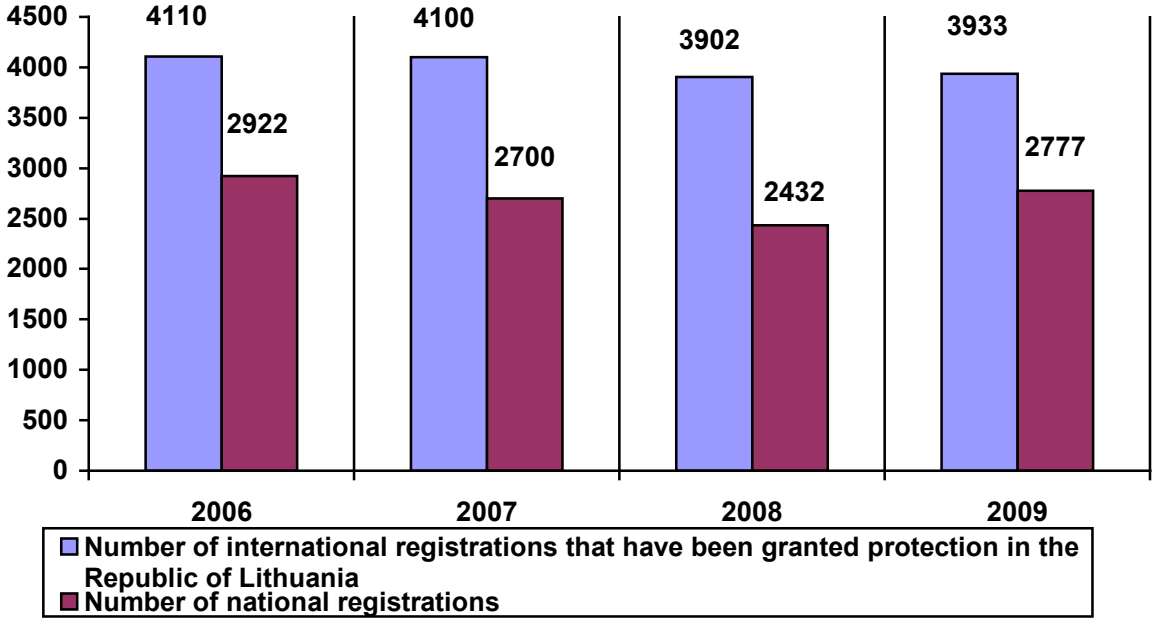
Since 1997 48,258 notifications regarding the extension of the protection of international registrations in Lithuania have been received from the International Bureau of the World Intellectual Property Organization (WIPO); after review 44,364 decisions were made to grant the protection.

At the end of 2009 80,710 registrations of trademarks were in effect in Lithuania, where applications for protection have been filed in national and international ways, as well as 597,884 Community trademarks that were registered in the Community trademarks register of the EU.

Number of trademarks filed in the Republic of Lithuania in the years 2006 – 2009



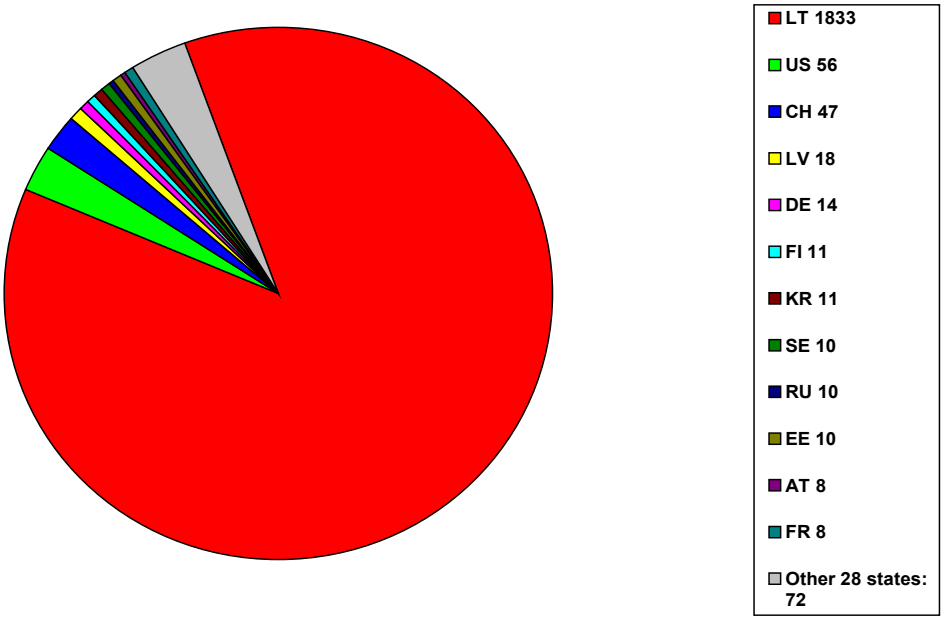
Registration of exclusive rights to trademarks in the Republic of Lithuania in years 2006 - 2009



Protection of trademarks in the Republic of Lithuania granted in the national way

In 2009 the SPB received 2,108 trademark applications, among them:
1,833 (86,9%) of the Lithuanian applicants;
275 (13,1%) of the foreign applicants.

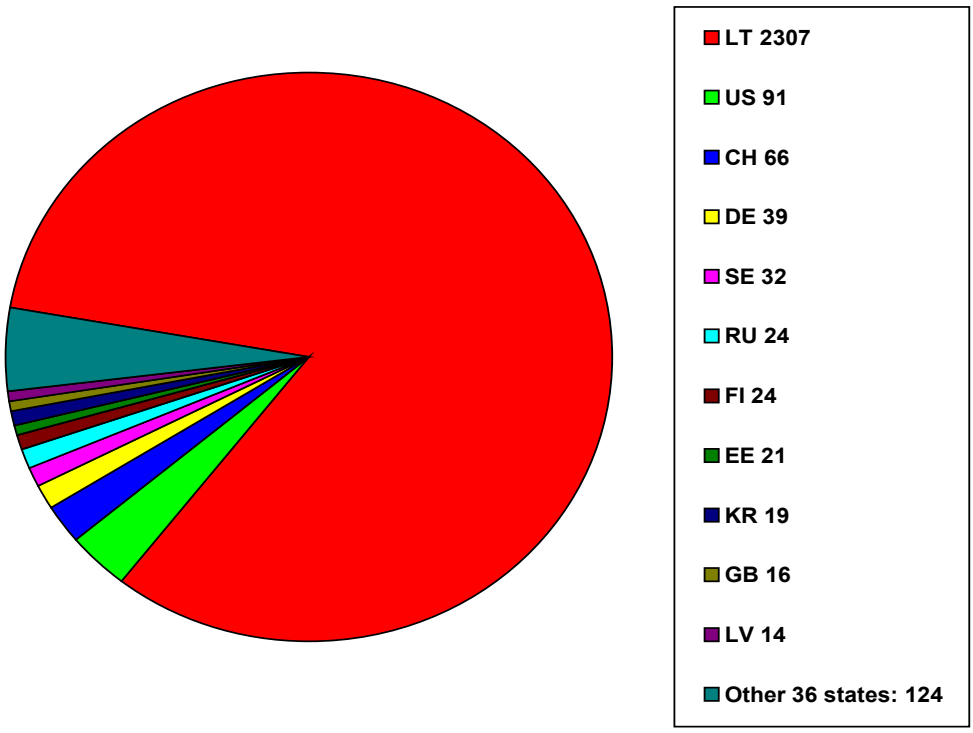
Distribution of applications by the applicant states



The biggest number of applications in 2009 was filed for merchandises and services of the class **35** (538 or 15,9 %), **41** (370 or 10,9 %), **30** (201 or 5,9 %), **43** (179 or 5,3 %), **32** (157 or 4,6 %) in 2009 under the International classification of goods and services.

In 2009 2,777 trademarks were registered, among them:
2 307 (83%) of Lithuanian applicants
470 (17%) of foreign applicants.

Distribution of registrations by the trademark owner states



In 2009 24 trademarks were registered at the SPB, the applications of which were filed with a request for granting conventional priority.

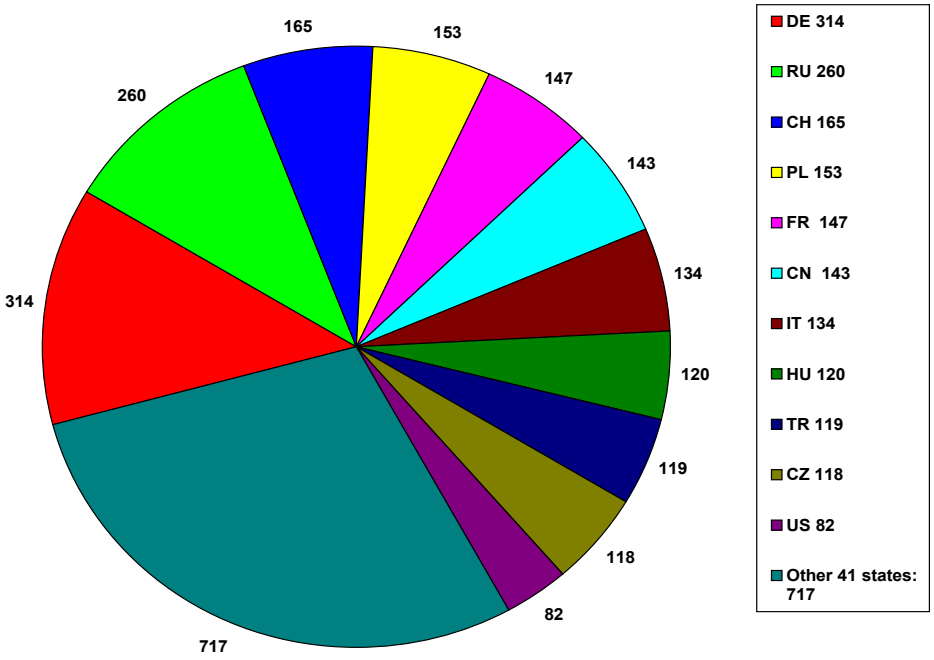
In 2009, in the Trademark Register of the Republic of Lithuania there were registered: 772 agreements on assignment of rights and 52 license agreements, 2,233 amendments in the register, 1,090 trademark registrations were renewed, 320 securities of a mark (cancellations of security) and 52 seizures (withdrawals of seizures), 1,528 registrations cancelled, 1,454 among them were cancelled after the registration has not been renewed.

In 2009 3,606 searches based on the requirements of OHIM for the Office for Harmonization in the Internal Market (OHIM) of the EU were performed according to Article 39 of the Council Regulation No. 40/94/EB of 20th December 1993 on the Community Trademark.

Protection of trademarks under the Protocol of Madrid agreement on International registration of marks

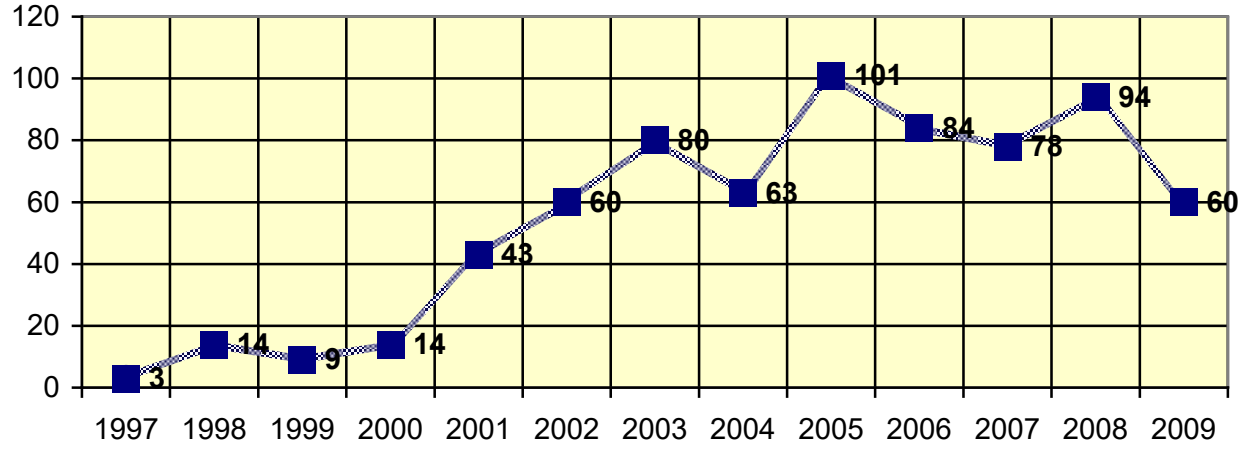
In 2009 2,472 notifications of the World Intellectual Property Organization (WIPO) were received regarding extension of the protection of international registrations of marks in Lithuania. The SPB made 3,933 decisions for granting protection to international registrations of marks.

Distribution of international registrations extended to the Republic of Lithuania in 2009 by the states of mark owners



Lithuanian applicants filed 703 international applications from 1997 to the end of 2009 using the opportunity of getting protection of trademarks in other countries granted by membership of Lithuania in the Madrid protocol. 677 trademarks of Lithuanian applicants have been registered at the International trademark register.

Number of international applications filed under the Madrid protocol



Design

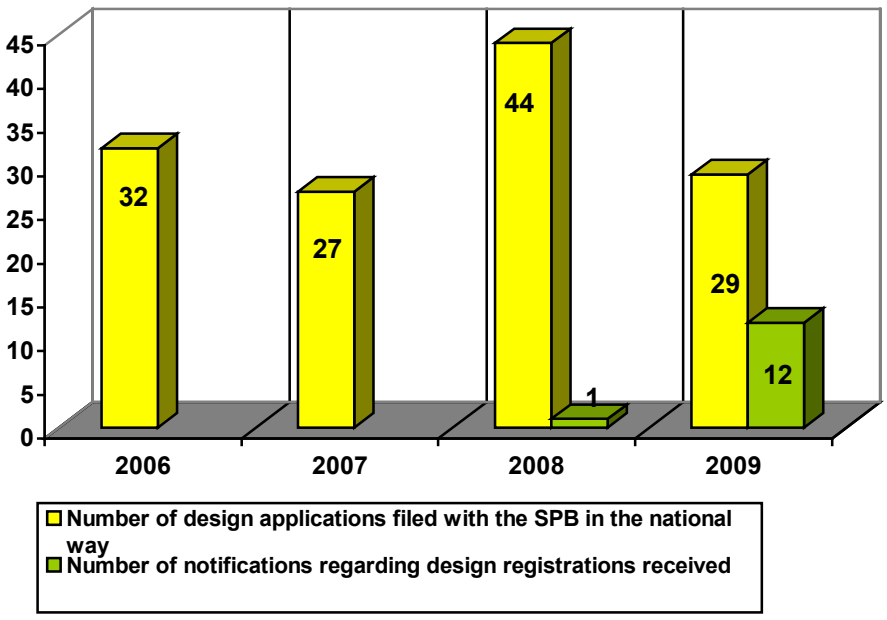
There are three ways to get exclusive rights to a design in Lithuania: under the Design Law of the Republic of Lithuania by filing an application directly with the SPB (national way); under the Council Regulation of 12th December 2001 concerning the Community Design, under which a Community Design registered with the EU Office for Harmonization in the Internal Market (OHIM) is protected in Lithuania since 1st May 2004 (regional way) and registration of international design may be extended to Lithuania after Lithuania joined the Geneva act of the Hague Agreement on International registration of industrial design since 26th September 2008 (international way).

Since the day of establishment of the State Patent Bureau until 31st December 2009, the SPB received 1,655 applications for registration of designs in the national way. 1,438 registrations of designs have been registered at the Design register of the Republic of Lithuania, 368 registrations among them were in force.

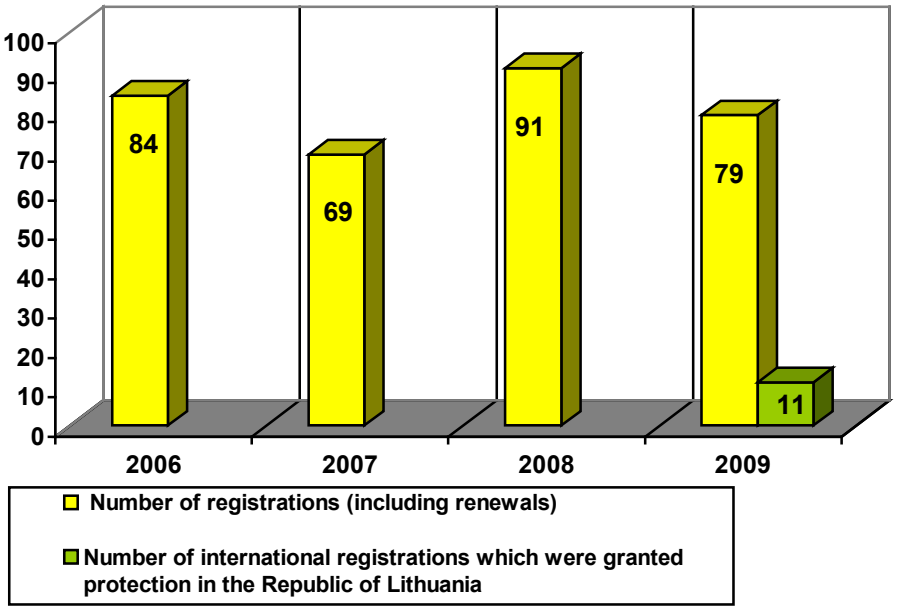
Since 2008 13 notifications of the World Intellectual Property Organization (WIPO) concerning extension of protection of international registration of the design in Lithuania was received, 11 decisions to grant protection were made after performing examination.

In the end of the year 2009 there were 863 designs effective in Lithuania that were filed in national or international way, also 404,884 designs registered at the Community Design Register of the EU, which are also effective in Lithuania.

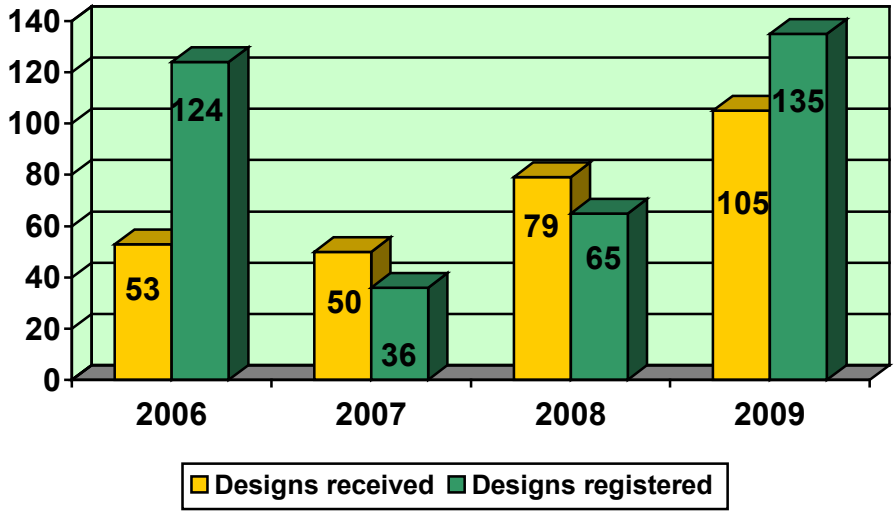
Number of design applications filed in the Republic of Lithuania in years 2006 - 2009



Registration of exclusive rights to designs in the Republic of Lithuania in years 2006-2009

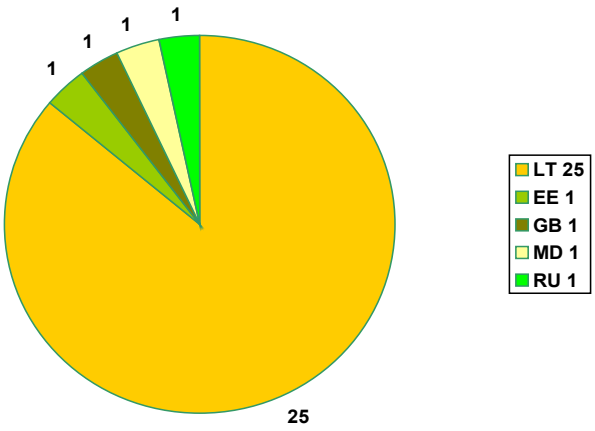


Number of designs received and registered, which were filed in national or international way in the Republic of Lithuania in years 2006-2009



In 2009 29 applications for registration of designs (58 designs) were filed with the SPB, among them:
25 (86,2 %) of the Lithuanian applicants,
4 (13,8 %) of the foreign applicants.

Distribution of applications by state in 2009



Distribution of design applications according to the international Locarno classification

Foreign applicants have filed design applications in the following areas:

Packages and containers for transportation or handling of goods (class 9) - 3; building and construction elements (class 25) - 1.

Lithuanian applicants have filed design applications in the following areas:

Building and construction elements (class 25) - 5; games, toys, tents and sports goods (class 21) - 1, sales and advertising systems, marks (class 20) - 4, stationery and office equipment, artists' and teaching materials (class 19) – 2, musical instruments (class 17) – 1, means of transport or hoisting (class 12) – 2, articles for decoration (class 11) - 1, packages and containers for transportation or handling of goods (class 9) - 7, tools and metal articles (class 8) - 1, household goods, not elsewhere specified (class 7) – 1, furniture (class 6) - 1.

Number of the applicants of the Republic of Lithuania who filed design applications in years 2008 - 2009

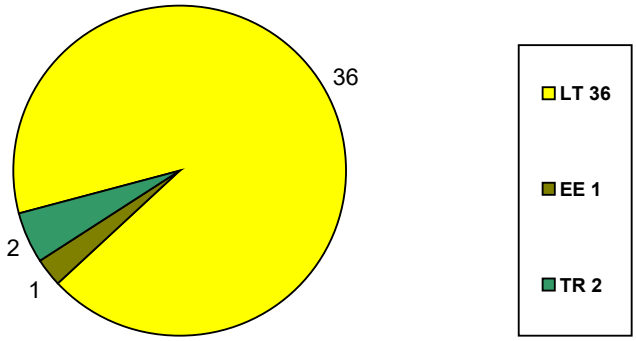
Applicants	**Number of applications**	
	2008	**2009**
Legal entities	28	15
Natural entities	17	22
Total number of legal and natural entities	45	37

Institutions/companies of the Republic of Lithuania that filed most design applications

Applicants			Number of applications
No.	**Legal entity**	**Location**	**2009**
1	TUTUTIS, UAB	Kaunas	2
2	Joined stock company NAUJOJI RŪTA	Šiauliai	2
3	KALNAPILIO-TAURO-GRUPĖ, UAB	Panevėžys	1
4	VILNIAUS DUONA, UAB	Vilnius	1
5	SKR INVEST, UAB	Vilnius	1
6	ITAINA, UAB	Kaunas	1
7	Public entity VIZUALINIŲ KOMUNIKACIJŲ STUDIJA	Vilnius	1
8	SKAUSMO UŽUOVĖJA, UAB	Alytus	1
9	Joined stock company RAGUTIS	Kaunas	1
10	KLINGAI, UAB	Kaunas	1

In the year 2009 33 designs registrations (91 design) were recorded in SPB, among them:
30 (90,0%) of the Lithuanian applicants;
3 (9,1%) of the foreign applicants.

Distribution of registrations by the states of design owners in 2009

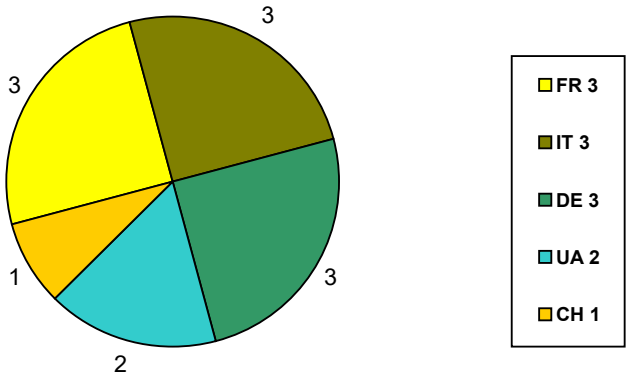


In 2009 1 agreement on assignment of rights was registered in the Design register of the Republic of Lithuania, 32 amendments of the register were made, 46 design registrations were renewed and 76 registrations were cancelled.

Protection of designs under the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs

In 2009 12 notifications of the World Intellectual Property Organization (WIPO) concerning extension of protection of international design registration in Lithuania was received. SPB made 11 decisions to grant protection to international design registrations.

Distribution of international registrations, extended to the Republic of Lihuania, by the states of design owners in 2009



International registrations were extended in following areas:
Various products (class 99) – 1, graphic symbols and logos, surface patterns, ornamentation (class 32) – 1, lighting apparatus (class 26) – 2, recording, communication or information retrieval equipment (class 14) – 1, means of transport or hoisting (class 12) – 2, articles for decoration (class 11) - 1, packages and containers for transportation or handling of goods (class 9) – 4.

Appeals and Oppositions

appeal@vpb.gov.lt

The objective of activity of the State Patent Bureau of the Republic of Lithuania Appeals Division is to review the decisions that are passed by the examiners of SPB after examination of a patent application, a request to issue a certificate for supplementary protection, an application for registration of a topography, a design, or a trademark, where applicants have expressed complaints following the procedure defined by legislation, and to protect the rights to intellectual property objects of interested persons.

New wording of the Regulations of Appeals and Oppositions Proceedings AP/02/2009 was approved in 2009, which came into force starting 1st January 2010. These regulations have highlighted the role of preparatory procedural documents, established 2 new procedural documents, and also established the written process and the maximum term of 12 months for the parties to reach reconciliation.

During the year 2009 the Appeals Division has received 181 oppositions and 14 appeals:

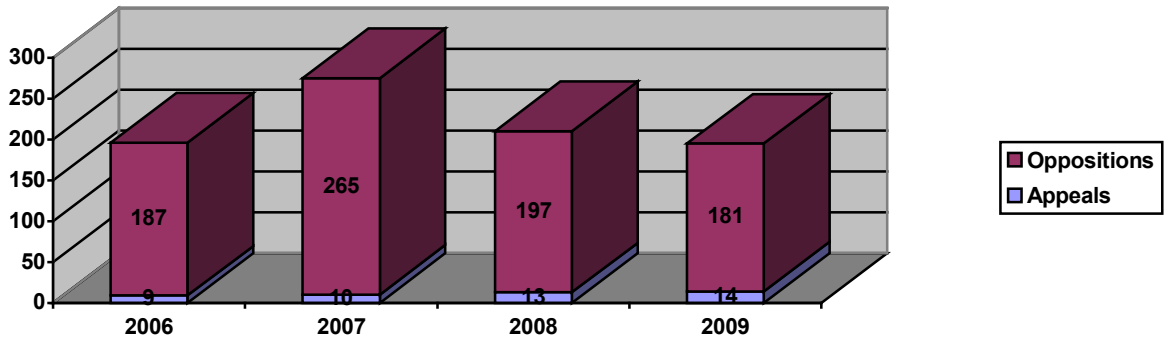
- 132 oppositions concerning national trademark registrations,
- 46 oppositions concerning international trademark registrations under the Madrid protocol,
- 3 oppositions concerning design registrations.

Among 14 appeals that were received: 10 were concerning national trademark application, 1 – international trademark, 1 – patent application, 2 – issuance of the supplementary protection certificate.

The Appeals Division refused to accept 1 appeal concerning a patent application, 1 appeal concerning a national trademark application, 2 oppositions concerning national trademark registrations.

Making assessment of the number of received oppositions and appeals based on the data of previous years, there are no big changes:

In the year 2006 9 appeals and 187 oppositions were received,
In the year 2007 - 10 appeals and 265 oppositions,
In the year 2008 - 13 appeals and 197 oppositions,
In the year 2009 -14 appeals and 181 opposition.



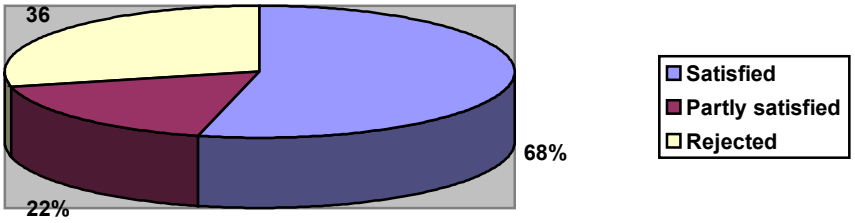
The Appeals Division passed 115 decisions in 2009 after examination of:

- 11 appeals (10 concerning national trademark application, 1 – concerning international trademark registration);
- 126 oppositions (84 oppositions concerning national trademark registrations, 42 – concerning international trademark registrations).

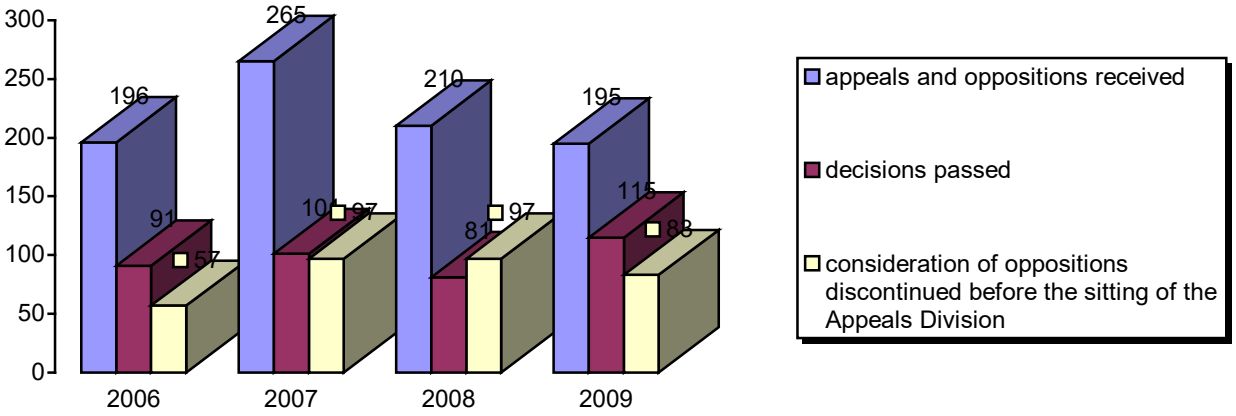
By decisions:

In **68** cases oppositions were satisfied, in **36** cases oppositions were rejected, in **22** cases oppositions were partly satisfied.

5 appeals heard against decisions made by examiners of SPB to reject an application for trademark registration have been satisfied, 6 have been rejected as unjustified.



Generalized data of the Appeals Division:



Like every year, the most of the oppositions that received were those concerning the misleading similarity of the trademark applied for registration to a prior trademark. An opposition was filed by the European Commission against the Cooperation Fund European Social Fund Agency concerning its mark, which, in the opinion of the Commission, imitated the symbols of the European Union, namely the flag/logo of the European Union, and for the use of which the agency had not received consent. The essence of the decision of the Appeals Division was that the abovementioned opposition was unjustified. The Appeals Division has received only a few oppositions on these same grounds; therefore practice in this aspect has not been finally formed. In 2009 the Appeals Division decided to form a clearer position on the possibility to register a sign consisting of a word or words of a foreign language, where those words in the foreign language might not be distinctive in respect of the characteristics of the goods, for which the sign is registered (mark DOLCE GUSTO), or by its content might contradict the morality and public order (mark MENAGE A TROIS). The Appeals Division found that in such cases, where the mark consists of a word (words) of a foreign language, the ability of the part of public concerned to understand the meaning of the word (or the words) should be estimated. Also it is notable that the disputes regarding marks having words in their composition written in Cyrillic (SOVETSKOJE) have not lost relevance. There were several of such disputes settled in 2009, and that proves that such marks still have not lost their appeal in the market and seek to receive protection.

The parties of a dispute actively use the possibility to settle the dispute after filing the opposition by reconciliation, and the examination of such oppositions is discontinued in the Appeals Division. This number reached 83 oppositions in 2009: 62 examinations of the oppositions concerning national trademark registrations were suspended in the Appeals Division, as well as 21 opposition concerning international trademark registrations.

Patent information and documentation

The State Patent Bureau alongside with the registration of the intellectual property objects (inventions, design, trademarks, topographies of semiconductor products) takes more active role in disseminating industrial property information, seeks that the established productivity system of the of the scientific institutions get surplus value from exchange of information, exploiting the knowledge of professionals in industrial property information, create conditions for the process of development of the advanced technologies, their protection and application. Informing the public is being carried out following the Plan on disseminating industrial property information and Plan on educating the public, approved by the decree of SPB, being assisted by the Lithuanian Technical Library (LTL) – Patent information centres.

The Applications Receiving and Document Management Division of SPB kept implementing the "single window" principle by receiving applications, personal requests and complaints, handing or sending replies, certificates, industrial property documents to individuals, providing information on registration procedural matters of industrial property objects directly and by phone, on the website of the SPB in the section "Questions – Answers" and by e-mail.

334 questions were answered in the section "Questions – Answers" of the SPB website, 237 by email, about 4,500 individual questions by information telephone. About 3,400 clients visited "single window" customer service subdivision.

In 2009 over 33 thousand replies, industrial property documents and letters were handed or sent.

On 27th January 2009 on initiative of State Patent Bureau together with business incubator "Vilnija" the Vilnius technical creativity day was commemorated with the opening of the exhibition of creations of Lithuanian designers in Lithuanian Technical Library, for which the exhibits were provided by Lithuanian Institute, also the day of "Open doors" took place in the State Patent Bureau and a seminar-discussion in the business incubator "Vilnija".

Implementing the program provision of the fifteenth Government "Strengthen national legalization of industrial property objects, inventions, design, trade and service marks and topographies of semiconductor products" State Patent Bureau together with Lithuanian Technical Library, Institute of Lithuania and business incubator "Vilnija" organized this exhibition namely on the 27th of January, when the first Lithuanian Law to Protect Trademarks was enacted in 1925.

On 20th-21st April 2009 practical meeting of specialists from the national patent offices of Nordic and Baltic states on the relevant trademark and design protection topics took place in Lithuanian Technical Library, in 6 Šv. Ignoto street, Vilnius, organized by the State Patent Bureau. The meeting was attended by specialists from Norwegian, Swedish, Finnish, Danish, Icelandic, Estonian, Latvian and Lithuanian national patent offices.

Every year on 26th April governments and organizations of the entire world together with the World Intellectual Property Organization (WIPO) celebrate the World Intellectual Property Day. The importance of development of intellectual property products is vital to underline, promote innovations, creativity, and positive attitude of the general society to importance of protection of intellectual property rights on economic, social and cultural development of the state on this day.

In 2009 State Patent Bureau organized several events to commemorate this day in Lithuania: SPB together with Vilnius Gediminas Technical University organizes a seminar "Industrial property in Lithuania: plan against the crisis", attended by specialists, working in state and academic institutions, business representatives who held interest in the protection of intellectual property. The "Open-doors"

day was organized in the premises of SPB, attended by students from Vilnius University, scientists, inventors, other persons having interest in the possibilities of protecting the industrial property or in the activities of the State Patent Bureau.

On 24th April 2009 an opening of exhibition "The history of the development of industrial property protection, commemorating 1000 year anniversary of the name of Lithuania" took place in Lithuanian Technical Library. The exhibition was aimed at commemorating the World Intellectual Property Day and was organized by State Patent Bureau and Lithuanian Technical Library. During the opening of exhibition the historic development of the industrial property protection system was introduced, as well as the descriptions of Lithuanian inventions before world wars, laws, contemporary patent documents, publications, articles, patents of inventions that changed and formed the world of innovation. The organization, best at commercializing industrial property, received an award of the World Intellectual Property Organization (WIPO) for the seventh consecutive year in Lithuania. The WIPO award, which is an international recognition of intellectual potential, was received by the company "Vilniaus duona" in 2009.

On 19th-22nd May 2009 State Patent Bureau participated in the 17th international exhibition on technique and technologies, environmental protection, energy and electro technique, electronics, appliances, engineer cooperation "Balttechnika 2009", that took place in the Lithuanian exhibition centre "Litexpo". The stand of State Patent Bureau was exposed in the exhibition, the representatives of SPB informed the visitors on the protection of industrial property objects (inventions, designs, trademarks), on the history of its development, the today and the future in Lithuania and abroad.

SPB in cooperation with WIPO organized a seminar for judges and public prosecutors in Molėtai town in 2009. The topic of the seminar was "The enforcement of intellectual property rights – measures of administrative, civil and criminal law".

Lithuanian Technical Library published 4 information publications "Protection of Industrial Property" in year 2009.

Statistical data

A report of applications of Lithuanian applicants for registration of patents, trademarks and designs under international agreements and regulations of EU Community trademarks and Community designs

	Year		Comparison %
	2008	2009	2009/2008
International patent applications (PCT)	9	17	189
European patent applications	1	3	300
International trademark applications for registration of trademarks under the Madrid protocol	94	60	64
Applications for registration of Community trademarks	111	114	103
Applications for registration of Community designs	9	9	100
Applications for registration of Community designs	1	1	100

Report of filed applications

			Year		Comparison% 2008/2009
			2008	2009	
Inventions	National applications	Of Lithuanian applicants	64	62	97
		Of foreign applicants	11	11	100
	International applications (PCT national level)	Of Lithuanian applicants	1	0	0
		Of foreign applicants	23	9	39
	Extended European patent applications		3196	387	12
	Total:		3295	469	14

Topographies of semiconductor products	National applications	Of Lithuanian applicants	0	0	0
	Total		0	0	0
Trademarks	National applications	Of Lithuanian applicants	2006	2218	111
		Of foreign applicants	451	431	96
	Notifications about international registrations of trademarks extended under the Madrid protocol		4008	3702	92
	Total		6465	6352	98
Design	National applications	Of Lithuanian applicants	21	21	100
		Of foreign applicants	11	6	54
	Total:		32	27	84
	Total:		**9792**	**6847**	**70**

Report of registered exclusive rights

		Year /		**Comparison% 2009/2008**
		2008	**2009**	
Inventions	National patents	75	84	112
	European patents that came into force	776	1039	134
	Total:	**851**	**1123**	**132**
Topographies of semiconductor products	National registrations	0	0	0
	Total:	**0**	**0**	**0**
Trademarks	National registrations	2432	2777	114
	Protection granted for international registrations extended under the Madrid protocol	3902	3933	101
	Total:	**6334**	**6710**	**106**
Design	National registrations	34	33	97
	Total:	**34**	**33**	**97**
Total:		**7219**	**7866**	**109**

Report of state taxes (thousand litas)

	Year		**Comparison% 2009/2008**
	2008	**2009**	
Inventions	3668,2	3969,1	108
Topographies of semiconductor products	-	-	-

Trademarks	2743,5	2398,2	87
Design	92,6	71,9	78
Total	**6504,3**	**6439,2**	**99**

The State Patent Bureau of the Republic of Lithuania (SPB)

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Lithuanian Technical Library

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