

Intellectual Property Questionnaire 2009

1.	Name the official body for Intellectual Property in your jurisdiction and its official web site.	<p>Name: Deutsches Patent- und Markenamt (DPMA)</p> <p>Web Site: www.dpma.de (available in English language)</p> <p>(*state whether the web site is available in English language)</p>
2.	Give a short description on the types of intellectual property rights which are registrable in your jurisdiction and the validity period.	<p>German Trade Mark (DPMA) A German trade mark registration is valid for ten years from the date of application and may be renewed every ten years.</p> <p>Community Trade Mark (OHIM) A European trade mark registration is valid for ten years from the date of application and may be renewed every ten years.</p> <p>German Patent (DPMA) A patent registration may be renewed beginning from the 3rd year every year for a maximum of 20 years.</p> <p>German Utility Patent/Gebrauchsmuster (DPMA) Comparable to a patent an German utility patent protects an invention. It may be renewed for a maximum of 10 years.</p> <p>European Patent (EPO) A patent registration may be renewed beginning from the 3rd year every year for a maximum of 20 years.</p> <p>German Industrial Design (DPMA) An industrial design registration may be renewed every 5 years for a maximum of 25 years.</p> <p>Community Industrial Design (OHIM) An European industrial design registration may be renewed every 5 years for a maximum of 25 years.</p> <p>Plant Variety Rights A plant variety registration may be renewed every year for a maximum of 25 years.</p>

3.	<p>State the availability of the facilities on the official web site and a short description for the following categories:</p> <ul style="list-style-type: none"> a) Online filing b) Online search c) E-gazette d) Forms e) Application status f) Relevant Acts, Rules & Regulations 	<ul style="list-style-type: none"> a) Online filing Only available for patent filings (incl. German Utility Patents) and trade marks. An enhanced signature card and card reader are necessary. b) Online search Available for all types of intellectual property searches c) E-gazette Available since 2004 d) Forms All relevant forms are available for free download as .pdf or .doc file e) Application Status Application status can be checked over online search f) Regulations are available for free download as html or .pdf file
4.	<p>State the names of authorities in charge of the enforcement of intellectual property rights in your jurisdiction.</p>	<p>Civil Courts</p>
5.	<p>State the names of treaties/conventions/agreements related to Intellectual Property which your country is a member of.</p>	<p>Member of the European Union</p> <p>WIPO: WIPO Convention, since September 1970 Paris Convention (Industrial Property), since May 1903 Berne Convention (Literary and Artistic Works), since December 1887 PCT (Patents), since January 1978 PLT (Patent Law Treaty), Signatory since May 2001 Madrid Agreement (International Registration of Marks), since December 1922 Madrid Agreement (False or Deceptive Indications of Source on Goods), June 1925 Madrid Protocol (International Registration of Marks), since March 1996 Hague Agreement (International Deposit of Industrial Designs), since June 1928</p>

		<p>Nice Agreement (International Classification of Goods and Services), since January 1962 Rome Convention (Performers, Producers of Phonograms and Broadcasting Organizations), since October 1966 Locarno Agreement (International Classification for Industrial Designs), since October 1990 Strasbourg Agreement (International Patent Classification), since October 1975 Geneva Convention (Unauthorized Duplication of Phonograms), since May 1974 Brussels Convention (Distribution of Programme-Carrying Signals Transmitted by Satellite), since August 1979 Budapest Treaty (Deposit of Micro-organisms), since January 1981 TLT (Trademarks), since October 2004</p> <p>WTO: Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), since January 1995</p>
6.	State the names of organizations related to Intellectual Property which your firm is a member of.	n.a.
7.	State the name(s) of the person(s) in charge of Intellectual Property work in your firm.	<p>Jan-Dierk Schaal, LL.M. (Melbourne University) j-d.schaal@skwschwarz.de</p>