



PATENTS
INVENTIONS



UTILITY
MODELS



TRADE
MARKS



DESIGNS



GEOGRAPHICAL
DENOMINATIONS

IP Strategy: The Approach to Promote Industrial Property Rights 2021-2030

Industrial Property Office



INDUSTRIAL
PROPERTY OFFICE
OF THE CZECH REPUBLIC

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List of acronyms

CAS	The Czech Academy of Sciences
CTIA	The Czech Trade Inspection Authority
CR	Czech Republic
EEN	Enterprise Europe Network
EIS	European Innovation Scoreboard
EPC	European Patent Convention
EPN	European Patent Network
EPO	European Patent Office
EQE	European Qualifying Examination
EU	European Union
EUIPO	European Union Intellectual Property Office
GII	Global Innovation Index
IP	Industrial property
IPR	Intellectual property rights
MIT	Ministry of Industry and Trade
MEYS	Ministry of Education, Youth and Sports
MI	Ministry of the Interior
PCT	Patent Cooperation Treaty
RIS3	National Research and Innovation Strategy for Smart Specialisation of the Czech Republic
R&D&I Council	The Government Council for Research, Development and Innovation
FEP	Framework Educational Programme
TA CR	Technology Agency of the Czech Republic
TaPIS	Technology and Patent Information System
SEPs	School Education Programmes
TC CAS	The Technology Centre of the Czech Academy of Sciences
TRIPS	The Agreement on Trade-Related Aspects of Intellectual Property Rights
IPO	Industrial Property Office
R&D&I	Research, Development and Innovation
VPI	Visegrad Patent Institute
RO	Research Organisations
WIPO	World Intellectual Property Organisation

1. Executive Summary

The system of industrial property rights is an important instrument for the support of economic growth. The effective management of industrial property rights is essential for further expansion of research, development, and innovation capabilities, as a necessary factor for long-term competitiveness. In addition to ensuring the exclusive rights to use intangible property, the system also provides an opportunity to share knowledge of the latest technical developments.

According to statistical evaluation, Czech users have achieved some progress in protecting their inventions and innovations in recent years. However, they are still far from reaching the level of their competitors from other industrialised countries, especially regarding the sale of licenses, utilising patent information and using legally free innovations. The opportunities for using patent information to avoid re-researching, to stay in touch with the most recent research, development, and production of competitors and to eliminate the risk of significant sanctions caused by infringement of other entities' industrial property rights, are not exploited sufficiently.

The society-wide need to promote the use of the industrial property rights system has resulted in the inclusion of this topic into the 2019-2030 Innovation Strategy of the Czech Republic. Current IP Strategy: The Approach to Promote Industrial Property Rights (hereinafter referred to as the IP Strategy) is based on the Innovation Strategy and supports its basic concepts. The IP Strategy is also linked with the "National Research, Development and Innovation Policy of the Czech Republic 2021+" and closely supports its goals. Facing the aftermath of the Covid-19 pandemic, the economy will now have to focus on the knowledge economy, which is closely linked to industrial property rights.

Similar to the Innovation Strategy, the IP Strategy focuses on those intellectual property issues that are aimed at promoting the protection of industrial property. The IP Strategy offers a set of measures that should improve the understanding, and encourage the use of, the system of industrial property rights. Since low awareness of the importance and opportunities is widely regarded as one of the main reasons why the system continues to be underused, the IP Strategy also proposes measures to be taken in education.

The IP Strategy should be taken into consideration when:

- defining cohesion policy,
- drafting policy documents in the field of R&D&I,
- defining subsidies in the field of R&D&I,
- proposing industrial property management subsidies for the application sphere,
- designing framework educational programmes for primary and secondary schools, defining school education programmes, and creating study programmes at universities,
- handling industrial property rights in research organisations and at universities,
- proposing internal regulations in business entities,
- proposing internal regulations in research organisations and at universities,
- promoting the enforcement of industrial property rights,
- contained in decision-making by state and public administration bodies.

The Public Policy Preparation Methodology approved by Government Resolution No. 71 of 28 January 2019 and the related "Typology of Policy and Implementing Documents" were followed when preparing the IP Strategy.

The Analysis of the Exploitation of the Potential of Intellectual Property Rights, (Annex I of the IP Strategy), was drafted as a main background document for the analysis of the potential for intellectual property rights. Based on the analysis, visions were laid down, resulting in the identification of key system development areas, which then serve as the basis for determining the policy objectives of the IP Strategy and actions to attain them. Specimen internal guidelines for handling intellectual property rights prepared by the Brno University of Technology are appended to the IP Strategy as Annexes II, III and IV.

2. What is intellectual property and what is industrial property

As defined in Article 2 of the Convention establishing the World Intellectual Property Organization, intellectual property rights are meant to protect performances of performing artists, phonograms, and broadcasts, inventions in all fields of human endeavour, scientific discoveries, industrial designs, trademarks, service marks, and commercial names and designations, as well as protection against unfair competition, and all other rights aimed at the protection of intellectual activity in the industrial, scientific, literary or artistic fields.

Industrial property is a part of the concept of intellectual property. Under the Paris Convention for the Protection of Industrial Property, industrial property rights may relate to inventions, utility models, industrial designs or models, trademarks, service marks, trade names and indications of origin or designations of origin. The concept of industrial property also includes protection against unfair competition. Industrial rights mainly include patents, utility models, designs, trademarks and integrated circuits. In contrast to copyright, an industrial property right requires the submission of a request or an application and payment of administrative fees, with industrial protection rights only coming into force following the successful conduct of relevant proceedings. The rights apply only in the territory for which they have been granted and the protection is granted for a limited period of time.

3. Analysing intellectual property protection rights in the Czech Republic

The extent of exploitation of industrial property rights in the Czech Republic is analysed in Annex I. The analysis focuses on the importance of intellectual property for the economy and entrepreneurship, consisting of a statistical evaluation according to the European Innovation Scoreboard (EIS) and Global Innovation Index (GII), analysis of government management and policy documents, support for industrial property in the educational system, and the enforcement of industrial property rights, and expert estimation of the handling of industrial property in research, development and innovation and the manufacturing sector, and of the quality of the system's legal settings in terms of the exploitation of industrial property rights. The position of the Industrial Property Office in the frame of the state administration is also analysed.

4. Visions and key areas of the IP Strategy to Promote Industrial Property Rights

The overall vision of the IP Strategy is to lay down a framework for effective support for industrial property rights, thereby increasing the exploitation of all elements of the system. This should

contribute to the prosperity of the Czech knowledge-based economy and bolster its ability to innovate. Industrial property rights should become a permanent part of everyday life in research, development, innovation and business.

The quality of the innovation landscape can also be measured using the European Innovation Scoreboard (EIS), in which the Czech Republic ranks about 20th in terms of the exploitation of industrial property rights. Based on the index, the Czech Republic currently belongs to the group of "moderate innovators". The IP Strategy is aimed at moving the Czech Republic to the "innovation leaders" group. Industrial property protection is an important factor in technological progress. In addition to ensuring the exclusive use of the property concerned, industrial property rights afford the respective users an opportunity to be in touch with the latest technical developments and the state of the art industrial property rights all over the world.

Responsible and consistent management of industrial rights, and the selection of an appropriate protection and enforcement strategy for such rights, are essential factors of prosperity. Intangible assets and their protection are a prerequisite for the sound functioning of businesses, economic growth, competitiveness and job creation.

The IP Strategy is based on the basic competencies of the IPO set out under Act No. 21/1993 Coll. amending and supplementing Czech National Council Act No. 2/1969 Coll., on the establishment of ministries and other central state administration authorities of the Czech Republic, as amended. Furthermore, the IP Strategy is based on Act No. 14/1993 Coll., on action to protect industrial property rights, as amended. Based on its statutory competence, the IPO grants legal protection to inventions, utility models, designs, trademarks, appellations of origin and geographical indications and conducts related dispute proceedings, including appeals. It is also committed to raising awareness of the benefits and optimal methods of using the system of industrial property rights in order to promote entrepreneurship and competitiveness, research, development and innovation. In this way, the IPO serves as the national patent and trademark office; it carries out its activities with a view to satisfying the requirements of all stakeholders, namely the State, the public and the international community.

The following six key areas were identified in developing the IP Strategy:

Area I - Awareness of industrial property rights

Area II - Support for the use of industrial property rights

Area III - Provision of strategic information on innovation

Area IV - Industrial property protection management

Area V - International cooperation

Area VI - Use of digital technologies to improve the system of industrial property rights protection.

The above key areas are based on the strategic objectives and measures for their implementation.

4.1 Awareness of industrial property rights

Despite concerted efforts, the awareness of the system of intellectual property rights is still low. With few exceptions, the Czech educational system has not yet incorporated the basics of intellectual property rights into the syllabus. To bolster the growth of innovation, it is desirable that awareness of industrial property rights should be raised also in the research, development, application, and manufacturing communities. Effective use of industrial property tools is necessary during technology transfer, e.g., through licensing, production innovation, expansion of production, or new business foundation.

4.2 Promoting the use of industrial property rights

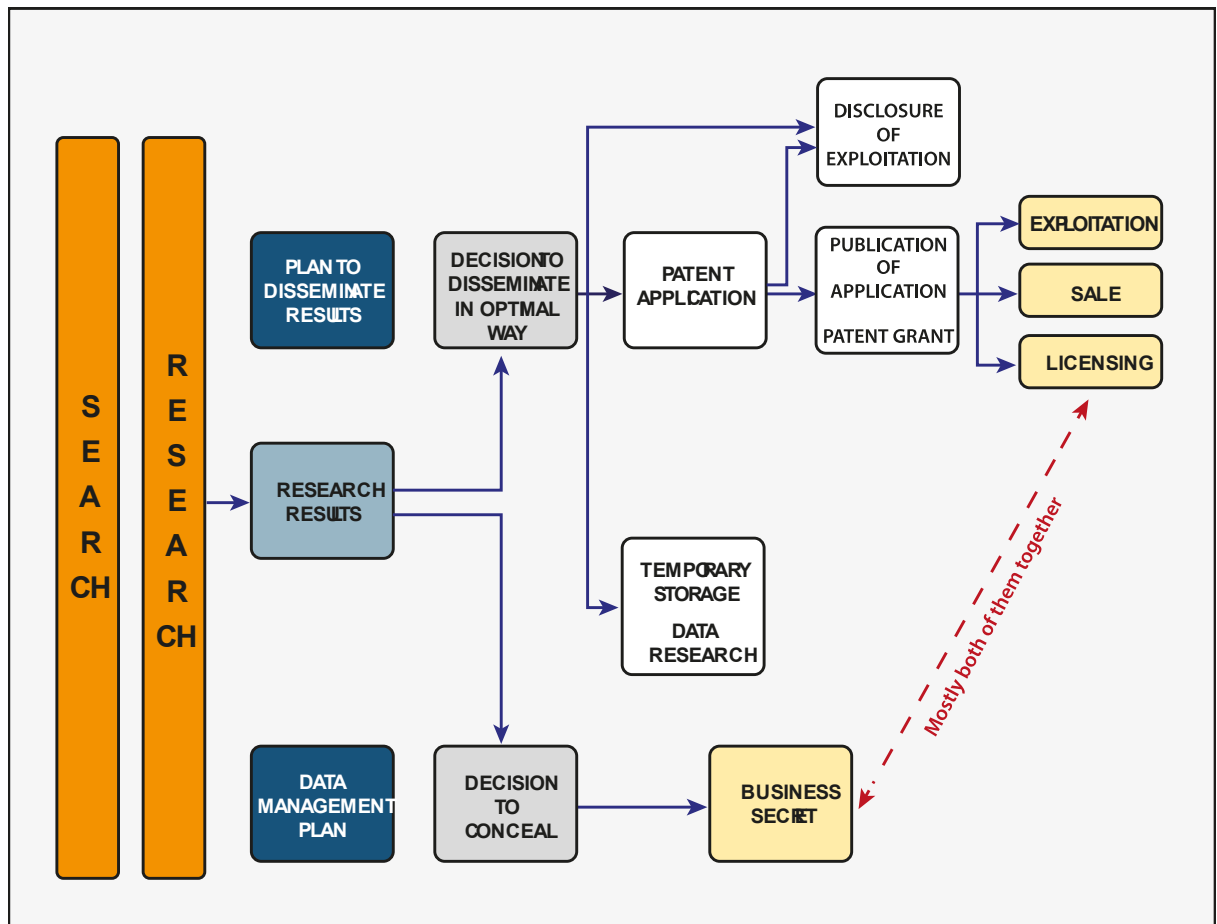
In addition to awareness raising and education, the promotion of the use of industrial property rights must be incorporated into the system of financial grants, especially those that are part of operational and applied research programmes. Such promotion will ensure their effective exploitation.

It is necessary to create a pro-innovation climate in research and development organisations and at universities. Instruments designed to incentivise creative personnel must be established in internal guidelines governing the treatment of industrial property. One example of an institution that has introduced an appropriate framework governing the treatment of industrial property rights is Brno University of Technology, which provided its internal guidelines - see Annex II "Treatment of Intellectual Property at Brno University of Technology", Annex III "Remuneration of knowledge creators at Brno University of Technology" and Annex IV "Rules governing the treatment of business secrets at Brno University of Technology".

4.3 Promotion of strategic information on innovation

Patent documents represent unique sources of up-to-date and detailed information. Since the structure of patent documents is similar globally, they are easy to understand, even to the extent that, in certain cases, it does not matter in what language they are written. Patent documents are obliged to describe the invention in such clarity and completeness that a person skilled in the art should be able to reproduce it. Patent databases, provide indispensable source of information for anyone to make responsible decisions to find a new focus of research and development, to draw up business plans and to anticipate global trends in the relevant field of technology.

The use of patent information as described above, i.e. with a detailed search of the state of the art in the given field, should be an established practice in all applied research programmes preceding the launch of any technical applied research. One of the requirements for financial grant approval should be submission of the evidence of the search in relevant fields. Preceding the start of the research programme, it is essential to consider and secure potential industrial property rights as a prospective research outcome. The results of an effective patent search will not only direct the research towards an unexplored area, but also support research outcomes (commercialization).



4.4 Industrial property rights management

In the past, the promotion of industrial property was not included in policy documents in the Czech Republic. A change of perspective arose with the 2019-2030 Innovation Strategy of the Czech Republic and the National Research, Development, and Innovation Policy of the Czech Republic 2021+, which included the industrial property agenda, which was subsequently reflected in other documents.

Based on the IP Strategy, the promotion of industrial property rights should be incorporated wherever any support for innovation activity is declared. Promotion of industrial property rights should be considered as part of the decision-making processes.

State administration authorities send unclear signals concerning their priorities. On the one hand, it has long been declared that the position of the Czech Republic regarding the exploitation of industrial property must be improved. On the other, IPO staff numbers are being reduced, potentially impacting its ability to expand its methodology and educational efforts for the benefit of the public.

4.5 International cooperation

Major parts of the industrial property rights protection system have been globally harmonised¹. On the one hand, this makes it easier to figure out the possibilities and requirements of the system in each country; on the other, all major changes of such a globally harmonised system can only take place at the global level, primarily through international organisations. The most important of these are the World Intellectual Property Organization (WIPO), a specialised UN agency based in Geneva, and the European Patent Organisation (EPO) based in Munich. Another important player in setting up the system of industrial property rights is the European Union Intellectual Property Office (EUIPO), an EU agency based in Alicante. The Czech Republic takes part in international negotiations and contributes to the development of the system of industrial property rights. Any changes to the system proposed by the Czech Republic reflect the need to seek consensus or majority support on an international scale.

The system of industrial property rights is based on the territorial principle, i.e., the right only applies within the territory in which it has been granted. A patent granted by the Industrial Property Office in the Czech Republic therefore applies only in the territory of the Czech Republic. If a business intends to expand into foreign markets, it must seek protection in the relevant territories. To achieve such a goal, the instruments defined in international conventions should be used; a relatively more complicated way involves filing a national application abroad in the language of the country concerned and using the services of a foreign patent attorney. The Czech Republic is a member of almost all major multilateral international conventions concerning industrial property rights protection. This makes the process of registering industrial rights abroad easier.

The Patent Cooperation Treaty (PCT)² made it considerably easier to protect inventions abroad. According to PCT a single international patent application may be filed with effects for all PCT Member States. The international stage of the proceedings includes an international search and the publication of the international application after 18 months from the right of priority, and in some cases even an international preliminary examination. On this basis, the applicant can decide whether and in which country the national patent will be applied.

While seeking patent protection in Europe, it is convenient to use the European patent system according to the European Patent Convention (EPC)³, which grants patent protection in up to 44 countries currently. The proceedings, beginning by the filing of a European Patent Application and ending up with the granting of the European patent, are held before the European Patent Office. A European patent comes in effect in Member States after being validated, i.e., the validity of the patent is confirmed by the national patent office of the respective country.

International registrations are also possible for trademarks. The system was established by the Madrid Agreement Concerning the International Registration of Marks of 1891, which has been revised several times, most recently in 1979 in Stockholm. The Madrid Agreement was further strengthened in 1989 with the adoption of the Protocol relating to the Madrid Agreement

¹ E.g., Paris Convention for the Protection of Industrial Property (Decree No. 64/1975 Coll., as amended by Decree No. 81/1985 Coll.), Convention Establishing the World Intellectual Property Organisation (Decree No. 69/1975 Coll., as amended by Decree No. 80/1985 Coll.), Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement), (MFA Communication No. 191/1995 Coll.)

² Patent Cooperation Treaty (Ministry of Foreign Affairs Communication No. 296/1991 Coll.) – the Member States of the Convention establish a Union for cooperation in unified procedure for filing patent applications to protect inventions and conduct searches and research.

³ EPC - European Patent Convention (Ministry of Foreign Affairs Communication. No. 69/2002 Collection of International Treaties)

Concerning the International Registration of Marks. The Czech Republic is a signatory of both international treaties.

Since 2008 it has been possible to use the Hague Agreement Concerning the International Registration of Industrial Designs for the international registration of designs. Although the Czech Republic is not an individual member, it belongs to the group of EU member states which were acceded to this international treaty by the Geneva Act. It is therefore not possible to designate the Czech Republic as a single country in the international registration of a design, but rather the entire European Union or separately those EU Member States that are single parties to the Geneva Act of the Hague Agreement.

EU trademarks or Community designs may be obtained through EUIPO. A registered EU trademark or Community design is valid in all EU Member States.

4.6 Use of digital technologies to improve the system of industrial property rights

One of the government's priorities is faster and more efficient deployment of eGovernment services. The Czech IPO is actively involved in the digitisation of public administration services and reports one of the highest ratios of operations performed through digital service channels. The Czech IPO uses reference data from the basic registers to ensure the smooth conduct of administrative procedures and maintenance of the registers. The effective use of digital technology helps to eliminate the burden of bureaucracy facing applicants and owners of industrial property rights. The Czech IPO currently receives about 90% of applications and other correspondence in electronic format.

The Czech IPO maintains industrial property rights databases, from which information on industrial property rights valid in the Czech Republic can be obtained easily and free of charge. In exchanging electronic data for information systems of industrial property rights, the Czech IPO cooperates with both domestic and foreign entities.

5. Objectives

The IP Strategy to Promoting Industrial Property Rights formulates six strategic objectives relating to the respective key areas.

STRATEGIC OBJECTIVE 1 - RAISING AWARENESS OF INDUSTRIAL PROPERTY RIGHTS PROTECTION

SPECIFIC OBJECTIVES:

- 1.1 Raising awareness of industrial property rights protection in primary, secondary, and higher education and among educators
- 1.2. Raising awareness of industrial property rights protection in technology transfer
- 1.3 Promoting the training of industrial property professionals
- 1.3 Promoting awareness of industrial property issues across state administration authorities
- 1.4 Raising awareness of industrial property rights protection in the application sphere

STRATEGIC OBJECTIVE 2 - INCREASE IN THE USE OF INDUSTRIAL PROPERTY RIGHTS

SPECIFIC OBJECTIVES:

- 2.1 Generating financial support for the use of the system of industrial property rights
- 2.2 Raising awareness of financial support for the use of the system of industrial property rights
- 2.3 Support for the commercialisation of research and development results
- 2.4 Encouraging inventors to use the system of industrial property rights in research and development organisations and at universities

STRATEGIC OBJECTIVE 3 - EFFECTIVE USE OF PATENT INFORMATION

SPECIFIC OBJECTIVES:

- 3.1 Generating conditions for the effective use of patent information at all stages of research and development
- 3.2 Utilising the potential of industrial property rights when evaluating the results of science, research, and innovation
- 3.3 Use of industrial property information in evaluating investment incentives
- 3.4 Use of industrial property information in business development

STRATEGIC OBJECTIVE 4 - ESTABLISHING A FRAMEWORK TO PROMOTE INDUSTRIAL PROPERTY RIGHTS PROTECTION

SPECIFIC OBJECTIVES:

- 4.1 Inclusion of the industrial property rights agenda into relevant conceptual or strategic documents of the Czech Republic by establishing an effective process for incorporating the industrial property rights agenda into national innovation policy
- 4.2 Increasing the enforceability of industrial property rights

- 4.3 Generating viable conditions for the functioning of the IPO
- 4.4 Generating viable conditions for the use of industrial property in the Czech Republic
- 4.5 Ensuring an adequate legislative environment for the functioning of the system of industrial property rights
- 4.6 Ensuring a stable environment for effective administrative proceedings in the industrial property domain

STRATEGIC OBJECTIVE 5 - DEVELOPMENT OF INTERNATIONAL COOPERATION

SPECIFIC OBJECTIVES:

- 5.1 Developing cooperation with international industrial property organisations
- 5.2 Developing an international industrial rights registration system
- 5.3 Harmonising administrative procedures with other European countries

STRATEGIC OBJECTIVE 6 - USE OF DIGITAL TECHNOLOGY IN DEVELOPING THE SYSTEM OF INDUSTRIAL PROPERTY RIGHTS PROTECTION

SPECIFIC OBJECTIVES:

- 6.1 Improvement of the search services
- 6.2 Operating easily accessible industrial property information databases
- 6.3 E-filing optimisation
- 6.4 Improvement of cooperation with other institutions in the field of data exchange

6. Measures

A list of all the measures is given below. An overview of these measures and their links to strategic objectives is summarised in the table on page 22.

MEASURE 1 – PROMOTING EDUCATION OF INTELLECTUAL PROPERTY AT PRIMARY AND SECONDARY SCHOOLS

Guarantor: Czech Industrial Property Office (The IPO)

Cooperation: Primary schools, secondary schools, WIPO, EUIPO, EPO

Description of the measure:

- a) The IPO will undertake consultation regarding industrial property for the development of Framework Educational Programmes (FEP) and School Educational Programmes (SEP) for primary and secondary schools.
- b) The IPO will deliver lectures on industrial property rights according to the specific requirements of schools, especially lectures and excursions to IPO headquarters, lectures at school classes, or participation in events aimed at increasing the popularity of science and technology.
- c) The IPO will cooperate in providing courses for teachers as part of their educational development.

The IPO will use WIPO, EPO and EUIPO's teaching materials.

Link to the objectives of the IP Strategy: Objective 1

MEASURE 2 – PROVIDING INDUSTRIAL PROPERTY EXPERTISE FOR THE ACCREDITATION OF STUDY PROGRAMMES

Guarantor: Czech Industrial Property Office

Cooperation: Universities, WIPO, EUIPO, EPO

Description of the measure: The IPO will deliver consultations on the system of industrial property rights for the purposes of university courses as part of the preparation of specific subjects at universities. It will use WIPO, EPO and EUIPO's teaching materials to provide information.

The IPO supports the extension of the EPO "Pan-European Seal" programme to other universities to enable their graduates to apply for study internships at the EPO.

Link to the objectives of the IP Strategy: Objective 1

MEASURE 3 – DEVELOPING TEACHING AND PROMOTIONAL MATERIALS, COOPERATION WITH THE MEDIA

Guarantor: Czech Industrial Property Office

Cooperation: WIPO, EUIPO, EPO

Description of the measure: The IPO will provide teaching and promotional materials, including interactive courses, electronic online games, and videos. It will deliver online courses on industrial property.

The IPO will take part in media inputs to raise awareness of industrial property and establish contact with media councils of public media and discuss support for industrial property awareness.

Link to the objectives of the IP Strategy: Objective 1, Objective 6

MEASURE 4 - PROMOTING TECHNOLOGY AND KNOWLEDGE TRANSFER IN RESEARCH ORGANISATIONS AND AT UNIVERSITIES

Guarantor: Czech Industrial Property Office

Cooperation: research organisations, universities, WIPO, EUIPO, EPO

Co-guarantor: TA CR

Description of the measure: The IPO will offer training courses for lecturers and employees of university technology centres. On its website, it will present teaching materials available to lecturers developed by WIPO, EPO and EUIPO. To support technology and knowledge transfer in research organisations and at universities, the IPO is ready to provide individual consultations.

The IPO is ready to review samples of internal guidelines governing the intellectual property agenda in research organisations and at universities.

Link to the objectives of the IP Strategy: Objective 1, Objective 2, Objective 3

MEASURE 5 – SUPPORT FOR THE EDUCATION OF UPCOMING PATENT ATTORNEYS

Guarantor: Czech Industrial Property Office

Cooperation: Chamber of Patent Attorneys

Description of the measure: The IPO will offer a two-year special education course for upcoming patent attorneys. The course will provide comprehensive information on the system of industrial property rights and industrial property data. The IPO will convey information that is necessary to prepare for the European Patent Attorney exam (EQE⁴).

Link to the objectives of the IP Strategy: Objective 1, Objective 2

MEASURE 6 – TRAINING THE STAFF OF STATE AND PUBLIC ADMINISTRATION AUTHORITIES IN INDUSTRIAL PROPERTY ISSUES

Guarantor: Ministry of Education, Youth and Sports, Ministry of the Interior

Co-guarantor: IPO

Description of the measure:

- a) The IPO will propose to include issues related to the industrial property rights agenda into the Government Officer Exam No. 10 - Research, Development, and Innovation.

The IPO will offer specialised courses for staff of state and public administration authorities.

Link to the objectives of the IP Strategy: Objective 1, Objective 4

MEASURE 7 – SUPPORT FOR INNOVATION CENTRES, SUPPORT FOR PATLIB PATENT INFORMATION CENTRES

Guarantor: Czech Industrial Property Office

Cooperation: EPO, PATLIBs, libraries, universities

Description of the measure: The IPO will develop cooperation with business incubators and innovative business development centres. The IPO will offer its own training courses on industrial property rights to the employees of these institutions and to facilitate training courses provided by partner organisations such as EPO, EUIPO or WIPO. The training courses will be adjusted to the needs of those interested in entrepreneurship and start-ups, businesses seeking to connect with a research organisation and those seeking to grow through innovation. The IPO will continue to support issuing innovation vouchers to promote registration of industrial property rights.

The IPO will continue to develop cooperation with regional patent information centres (PATLIB) established at libraries.

The IPO will participate in EPO's PATLIB centre development project.

Link to the objectives of the IP Strategy: Objective 1, Objective 2, Objective 3

⁴ <https://www.epo.org/learning-events/eqe.html>

MEASURE 8 – SUPPORTING SMALL AND MEDIUM-SIZED ENTERPRISES

Guarantor: Czech Industrial Property Office

Cooperation: TC CAS (EEN CR), Science and Technology Parks Association CR, Association of Innovative Entrepreneurship CR, research organisations, EUIPO, EPO, WIPO

Description of the measure: At the national level, the IPO will support EUIPO, EPO and WIPO's activities aimed at small and medium-sized enterprises to encourage the use of systems of industrial property rights.

The IPO will provide administrative backing for EUIPO's grant schemes aimed at small and medium-sized enterprises financed from EU funds.

Link to the objectives of the IP Strategy: Objective 1, Objective 2, Objective 3

MEASURE 9 – IMPROVING THE QUALITY OF IPO'S INFORMATION SERVICES, PROMOTING INDUSTRIAL PROPERTY-RELATED GRANTS

Guarantor: Industrial Property Office

Co-guarantor: Ministry of Education, Youth and Sports, Ministry of Industry and Trade, R&D&I Council, TA CR, CzechInvest

Cooperation: Providers of industrial property financing grants

Description of the measure:

- a) The IPO will strive to improve information services for the public. Based on orders, IPO will conduct searches in industrial property databases; IPO will strengthen the helpdesk information services, and information services requested over the telephone or in person.
- b) The IPO will promote industrial property grants based on national and EU funds.

Link to the objectives of the IP Strategy: Objective 1, Objective 2, Objective 6

MEASURE 10 – ADVERTISING/SUPPORTING PATENT LICENCING

Guarantor: Industrial Property Office

Cooperation: WIPO, EUIPO, EPO, private entities

Description of the measure: Existing platforms managed mainly by private sector (regardless of the country of origin) can be used to obtain information on the technical development offered. The IPO will establish cooperation and obtain information for the Czech market.

Link to the objectives of the IP Strategy: Objective 2, Objective 6

MEASURE 11 – DEFINING INSTRUMENTS FOR MOTIVATING INVENTORS

Guarantor: Industrial Property Office

Cooperation: Universities, research organisations

Description of the measure: The IPO is ready to consult on the inclusion of an instrument for motivating inventors in the internal guidelines of universities and research organisations.

For specimen internal guidelines of Brno University of Technology see Annexes II, III and IV.

Link to the objectives of the IP Strategy: Objective 2, Objective 3

MEASURE 12 – INCLUSION OF SUPPORT FOR INDUSTRIAL PROPERTY RIGHTS IN THE COHESION POLICY

Guarantor: Ministry of Industry and Trade

Co-guarantor: Industrial Property Office

Description of the measure: Financial support for industrial property rights should be defined as part of operational programmes, which will be efficiently used and will not create an excessive administrative burden. The Operational Programme Technologies and Applications for Competitiveness operated by the Ministry of Industry and Trade should be used for industrial property rights promotion. Special support for industrial property rights should be put in place for small and medium-sized enterprises. The IPO will support the expert aspects of defining the support as part of the operational programme.

The IPO will offer consultations in preparing the conditions of calls for applications under other operational programmes supporting industrial property rights.

Link to the objectives of the IP Strategy: Objective 2, Objective 4

MEASURE 13 – DEVELOPING THE PROVISION OF IP PRE-DIAGNOSTIC SERVICES

Guarantor: Industrial Property Office

Cooperation: EUIPO, Chamber of Patent Attorneys

Description of the measure: In cooperation with external providers from among patent attorneys, the IPO will provide an IP pre-diagnostic service. The aim of the service is to provide small and medium-sized enterprises with advice on how to effectively create, use, evaluate and protect intangible assets. As part of the IP pre-diagnostic service, the state of protection of intangible assets will be assessed and evaluated. Recommendations for the exploitation of industrial property rights will be proposed. The IPO will maximise the use of the European Commission and EUIPO's support for the service.

Link to the objectives of the IP Strategy: Objective 2, Objective 4

MEASURE 14 – SUPPORT FOR IP MEDIATION SERVICES

Guarantor: Industrial Property Office

Cooperation: EUIPO, WIPO

Description of the measure: The IPO will support the development of mediation services in the Czech Republic at all stages of industrial property disputes, i.e., at the first instance and appeal stage, at the pre-litigation stage, at the ongoing court proceedings stages and during court-ordered mediation.

At the first instance and appeal stage the IPO will provide full information support to the parties with the aim to reach agreement by mediation.

The IPO will monitor activities at WIPO and EUIPO's mediation and arbitration centre and will provide expertise to any interested parties in the Czech Republic. The IPO will provide up-to-date information in the field on an ongoing basis.

The IPO will convey information on any IP mediation service grants provided from both national and EU funds.

Link to the objectives of the IP Strategy: Objective 2, Objective 4

MEASURE 15 – COMBATING COUNTERFEIT OR PIRATED GOODS

Guarantor: Ministry of Industry and Trade

Co-guarantor: Industrial Property Office

Cooperation: EUIPO, Czech Customs Administration - General Directorate

Description of the measure: The IPO will continue to develop cooperation with other members of the European Observatory on Infringements of Intellectual Property Rights, operating as part of the EUIPO. The IPO will use the IP Enforcement Portal. The IPO will provide regular training for representatives of the Police of the Czech Republic, Customs Administration, and Czech Trade Inspection Authority (CTIA) on the industrial property agenda, especially with regard to searching information in industrial property databases.

To move forward with the fight against counterfeiting, the Ministry of Industry and Trade, in cooperation with other members of the Interdepartmental Commission for Combating Unlawful Conduct in the Field of Intellectual Property Rights at the Ministry of Industry and Trade, will create a joint draft mandate and action plan for the Commission.

Link to the objectives of the IP Strategy: Objective 2, Objective 4

MEASURE 16 – REFLECTING THE EFFICIENT USE OF THE SYSTEM OF INDUSTRIAL PROPERTY RIGHTS IN APPLIED RESEARCH PROGRAMMES

Guarantor: Industrial Property Office

Co-guarantor: Ministry of Education, Youth and Sports, TA CR, Ministry of Industry and Trade, R&D&I Council, sectoral research organisations

Description of the measure: To ensure effective use of the system of industrial property rights, this aspect needs to be included at the preparatory stage while the specific applied research programmes are being formulated. The IPO will provide consultations to providers of the applied research programmes at the preparatory stage (MIT, TA CR, sectoral research organisations) and also during the release of the R&D&I Council opinion.

To ensure the effective use of industrial property rights, the IPO will recommend a revision of the definition of the R&D&I outputs.

Link to the objectives of the IP Strategy: Objective 2, Objective 3, Objective 4

MEASURE 17 – IP AMBASSADOR IN STATE ADMINISTRATION INSTITUTIONS

Guarantor: Industrial Property Office

Co-guarantor: TA CR, Ministry of Industry and Trade, Ministry of Education, Youth and Sports, Ministry of the Interior, Ministry of Defence, R&D&I Council, Ministry of Agriculture

Description of the measure: In the interest of deepening cooperation in the field of industrial property rights, a new position will be established, to coordinate activities related to the support for industrial property rights within state administration authorities that pursue an R&D&I agenda. The IPO will provide expert support to the employee concerned.

Through this position, the IPO will be provided with information on financial support/grants available for registration and administration of industrial property rights under the responsibility of the relevant ministry and IPO will make this information public.

Link to the objectives of the IP Strategy: Objective 2, Objective 3, Objective 4

MEASURE 18 – INCLUSION OF THE ASPECT OF INDUSTRIAL PROPERTY RIGHTS IN EVALUATION CRITERIA FOR INVESTMENT INCENTIVES

Guarantor: IPO, CzechInvest

Description of the measure: CzechInvest and the IPO will work together to define criteria encompassing industrial property information for the evaluation of investment incentives. The IPO will provide CzechInvest with information concerning industrial property rights for the assessment of investment incentives.

Link to the objectives of the IP Strategy: Objective 2, Objective 3

MEASURE 19 – CONTINUOUS AWARENESS OF INDUSTRIAL PROPERTY RIGHTS IN POLICY DOCUMENTS

Guarantor: Ministry of Industry and Trade, IPO

Description of the measure: The IPO will strive to ensure that industrial property rights are adequately represented in thematically appropriate conceptual and strategic documents of the Czech Republic.

The IPO will implement the measures contained in the European Commission's Intellectual Property Action Plan.

Link to the objectives of the IP Strategy: Objective 2, Objective 3, Objective 4

MEASURE 20 – PROVIDING CONSULTATIONS AND COMMENTS ON MATERIALS DISCUSSED BY R&D&I COUNCIL

Guarantor: R&D&I Council

Co-guarantor: IPOD

Description of the measure: In accordance with Section 35(i) of Act No. 130/2002 Coll., the R&D&I Council draws up opinions on materials submitted to the government in the area of research, development, and innovation. It would therefore be beneficial for these opinions to respect industrial property rights issues. Upon request, the IPO will provide consultations on the materials submitted. The R&D&I Council will appoint a guarantor responsible for promoting intellectual property. The R&D&I Council's guarantor will set up an effective consultation process.

Link to the objectives of the IP Strategy: Objective 2, Objective 4

MEASURE 21 – DEVELOPING THE VISEGRAD PATENT INSTITUTE (VPI)

Guarantor: IPO

Cooperation: International cooperation, other patent offices

Description of the measure: The Visegrad Patent Institute (VPI) began its operations in 2016, a cooperation between the Czech Republic, Hungary, Poland and Slovakia. For Czech applicants, VPI simplifies the international part of the patent proceedings under the PCT. The IPO will work with the Visegrad Group countries to actively participate in the development of the VPI.

Link to the objectives of the IP Strategy: Objective 2, Objective 3, Objective 4, Objective 5

MEASURE 22 – RECLASSIFICATION OF PATENT DOCUMENTS

Guarantor: IPO

Cooperation: WIPO

Description of the measure: In close cooperation with WIPO, the IPO will reclassify national patent documents using appropriate instruments (currently, IPC ReClass); ensuring that national patent documents can be searched according to the latest versions of the International Patent Classification system.

Link to the objectives of the IP Strategy: Objective 2, Objective 3, Objective 4, Objective 5

MEASURE 23 - DEVELOPING COOPERATION PROGRAMMES BETWEEN OFFICES (PATENT PROSECUTION HIGHWAY)

Guarantor: IPO

Cooperation: Other patent offices

Description of the measure: Patent Prosecution Highway (PPH) is a bilateral cooperation project between patent offices designed to accelerate the patent granting procedure. The Czech Republic cooperates in PPH projects with Finland, Japan, the USA, and China; it has entered into similar bilateral agreements with Croatia, Hungary, Poland, Austria, Slovakia, and Spain. As part of the Visegrad Patent Institute, the Czech Republic is involved in the multilateral Global PPH cooperation project.

Link to the objectives of the IP Strategy: Objective 2, Objective 3, Objective 4, Objective 5

MEASURE 24 – WIPO COOPERATION

Guarantor: IPO

Cooperation: WIPO

Description of the measure: Bringing together 191 states, the World Intellectual Property Organization is the most important intellectual property international organisation.

In cooperation with WIPO, the IPO is committed to ensuring:

- balanced development of the international intellectual property regulatory framework,
- provision of primary global intellectual property services,
- enabling the use of intellectual property in the field of innovation and development,
- coordination and development of the global intellectual property infrastructure,
- establishment of a global reference source of information and analysis in the field of intellectual property,
- international cooperation on issues related to building respect for intellectual property,
- links between intellectual property and global policy issues,
- promotion of mutual relations and good communication between WIPO, Member States and other stakeholders,
- creation of an effective administrative and financial structure to enable WIPO to carry out its agenda.

Link to the objectives of the IP Strategy: Objective 1, Objective 2, Objective 3, Objective 4, Objective 5, Objective 6

MEASURE 25 – EPO COOPERATION

Guarantor: IPO

Cooperation: EPO

Description of the measure: The IPO will develop cooperation with the EPO as part of the European Patent Network, in which all patent offices of the EPO member states take part, and at the bilateral level through an action plan. Based on consultations on the EPO Strategic Plan 2023, five priority areas have been identified for the upcoming period:

- cooperation within the European Patent Network (EPN),
- high standard of EPO services,
- improvement of IT tools,
- the attractiveness of the EPO as an employer,
- ensuring financial sustainability of the EPO.

Cooperation between the IPO and the EPO will focus on patent information and related information technologies, patent proceedings, training and awareness raising on industrial property rights. As regards patent grants, the IPO will support a cooperation project focusing on the so-called cooperative classification of patent documents, which improves and harmonises patent search results.

Link to the objectives of the IP Strategy: Objective 1, Objective 2, Objective 3, Objective 4, Objective 5, Objective 6

MEASURE 26 – EUIPO COOPERATION

Guarantor: IPO

Cooperation: EUIPO

Description of the measure: The IPO will develop cooperation with the EUIPO in projects aimed at converging EU trademark and Community design registration practices. The IPO will support the TMView and DesignView and Case Law search systems. The IPO will seek to improve management and decision-making practices to harmonise these practices in the EU.

Link to the objectives of the IP Strategy: Objective 1, Objective 2, Objective 3, Objective 4, Objective 5, Objective 6

MEASURE 27 – CONTINUOUS BACKING OF THE LEGISLATIVE ENVIRONMENT FOR THE FUNCTIONING OF THE SYSTEM OF INDUSTRIAL PROPERTY RIGHTS

Guarantor: IPO

Cooperation: WIPO, European Commission, EUIPO

Description of the measure: The IPO will continuously optimise the legal framework in the field of industrial property.

A specific task involves the potential accession to the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs. If the Act on Industrial Designs No. 207/2000 Coll. needs to be revised following the completion of the current harmonising processes in the EU, the IPO will suggest that the Czech Republic accedes to the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs. An individual membership in the Agreement may become more important, especially after the recent accession of new states such as the USA, Japan, Russia, and the United Kingdom, which will no longer be part of the Union's protection system as a result of Brexit.

Link to the objectives of the IP Strategy: Objective 4, Objective 5

MEASURE 28 – USE OF DIGITAL TECHNOLOGY, PARTICIPATION IN THE GOVERNMENT DIGITAL ECONOMY AND SOCIETY PROGRAMME, IMPLEMENTATION OF THE NATIONAL ARTIFICIAL INTELLIGENCE STRATEGY

Guarantor: IPO

Co-sponsor: Ministry of Industry and Trade, Ministry of the Interior

Cooperation: EPO, EUIPO, WIPO

Description of the measure: Within its competence, the IPO will develop activity under the Digital Economy and Society programme (Digital Czechia)⁵.

During the implementation of the objectives of the Digital Czechia programme and the National Artificial Intelligence Strategy⁶, the IPO will organise the interconnection of its information system to the Citizen Portal, the complete electronic filing process and the implementation of artificial intelligence elements. It also plans to develop the Technical and Patent Information System (TaPIS), which will provide automated search services using artificial intelligence and machine learning.

The IPO's electronic communication system will be further improved using the latest technologies. The IPO makes all its forms available both on its website and on the BusinessInfo.cz server.

In the interests of all users of the system of industrial property rights, interfaces with industrial property rights databases will continue to be maintained to a high level of user comfort and their content will be updated to provide users with clear and accurate information on the rights existing in the Czech Republic. Digital technologies will be used to exchange data with relevant partners.

Link to the objectives of the IP Strategy: Objective 6

MEASURE 29 – PROMOTING THE ENFORCEABILITY OF INDUSTRIAL PROPERTY RIGHTS BY REDUCING THE DURATION OF ADMINISTRATIVE PROCEDURES

Guarantor: IPO

Description of the measure: The IPO will strive to reduce the duration of administrative procedures. Special attention will be paid to the reduction of the time needed to obtain the cancellation of a utility model with a view to increasing legal certainty both on the part of the owner and third parties.

Link to the objectives of the IP Strategy: Objective 4

MEASURE 30 – IMPROVING THE QUALITY SYSTEM AT THE IPO, CREATING A STABLE ENVIRONMENT FOR THE FUNCTIONING OF THE IPO

Guarantor: IPO

Description of the measure: The IPO fulfils criteria of the quality management system set out under ČSN ISO EN 9001:2016, ČSN ISO EN 27001:2013. The IPO will maintain and improve the quality system.

As part of this IP Strategy, several measures will be proposed, which are scheduled to be implemented under the statutory mandate of the IPO. The implementation of the scheduled measures is conditional upon the availability of stable funding for the IPO and a stable or increased number of civil servants working for the IPO.

Link to the objectives of the IP Strategy: Objective 4

⁵ <https://www.digitalnicesko.cz/koncepcni-materialy/>

⁶ https://www.vlada.cz/assets/evropske-zalezitosti/umela-inteligence/NAIS_kveten_2019.pdf

7. Timeline related to the IP Strategy to Promote Industrial Property Rights

Timeline	Activity
2019-2021	IP Strategy created by the IPO
2021	IP Strategy approved by the Government
2022 - 2025	IP Strategy implemented by the guarantors, and public, private and application spheres
2026	IP Strategy evaluated
2026	IP Strategy measures revised
2026 - 2030	Revised IP Strategy measures implemented by the sponsors and the public, private and application spheres
2021 - 2030	IP Strategy in force

8. Annexes

- I. Analysing the use of the potential of intellectual property rights
- II. Treatment of intellectual property at Brno University of Technology
- III. Compensating knowledge creators at Brno University of Technology
- IV. Rules governing the treatment of business secrets at Brno University of Technology

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Overview of measures and their link to strategic objectives

	Objective 1	Objective 2	Objective 3	Objective 4	Objective 5	Objective 6
	Raising awareness of industrial property rights protection	Increasing the use of industrial property rights protection	Effective use of patent information	Setting up a stable framework to support industrial property protection	Developing international cooperation	Use of digital technologies for the development of industrial rights system
M1 Promoting education of industrial property at primary and secondary schools	•					
M2 Providing industrial property expertise for the accreditation of study programmes	•					
M3 Creating educational and promotional materials, cooperation with the media	•					•
M4 Support for technology and knowledge transfer in research organisations and at universities	•	•	•			
M5 Support for the education of future patent attorneys	•	•				
M6 Training state and public administration employees in industrial property	•			•		
M7 Support for innovation centres and support for patent information centres (PATLIB)	•	•	•			
M8 Support for small and medium-sized enterprises	•	•	•			
M9 Improving the quality of the IPO's information services, promoting industrial property grants	•	•				•

	Objective 1	Objective 2	Objective 3	Objective 4	Objective 5	Objective 6
	Raising awareness of industrial property rights protection	Increasing the use of industrial property rights protection	Effective use of patent information	Setting up a stable framework to support industrial property protection	Developing international cooperation	Use of digital technologies for the development of industrial rights system
M10 Advertising / promoting supply of or demand for patent licences		•				•
M11 Defining incentivising tools for inventors		•	•			
M12 Incorporating support for industrial property rights into the cohesion policy		•		•		
M13 Development of IP pre-diagnostic services		•		•		
M14 Support for IP mediation services		•		•		
M15 Fight against counterfeit or pirated goods		•		•		
M16 Consideration of the effective use of the system of industrial property rights in applied research programs		•	•	•		
M17 Presence of an IP ambassador in state administration institutions		•	•	•		
M18 Inclusion of industrial property rights in the criteria for evaluating investment incentives		•	•			
M19 Continuous consideration of support for industrial property rights in governing documents of the Czech Republic		•	•	•		
M20 Providing consultations and comments on materials discussed by the R&D&I Council		•		•		

	Objective 1	Objective 2	Objective 3	Objective 4	Objective 5	Objective 6
	Raising awareness of industrial property rights protection	Increasing the use of industrial property rights protection	Effective use of patent information	Setting up a stable framework to support industrial property protection	Developing international cooperation	Use of digital technologies for the development of industrial rights system
M21 Development of the Visegrad Patent Institute (VPI)		•	•	•	•	
M22 Reclassification of patent documents		•	•	•	•	
M23 Development of the Patent Prosecution Highway (PPH)		•	•	•	•	
M24 WIPO cooperation	•	•	•	•	•	•
M25 EPO cooperation	•	•	•	•	•	•
M26 EUIPO cooperation	•	•	•	•	•	•
M27 Continuous backing of the legislative environment for the functioning of the system of industrial property rights				•	•	
M28 Use of digital technologies, participation in the government Digital Economy and Society programme, implementation of the National Artificial Intelligence Strategy						•
M29 Promoting the enforceability of industrial property rights by reducing the duration of administrative procedures				•		
M30 Improving the quality system in the IPO, creating a stable environment for the IPO 's operations				•		