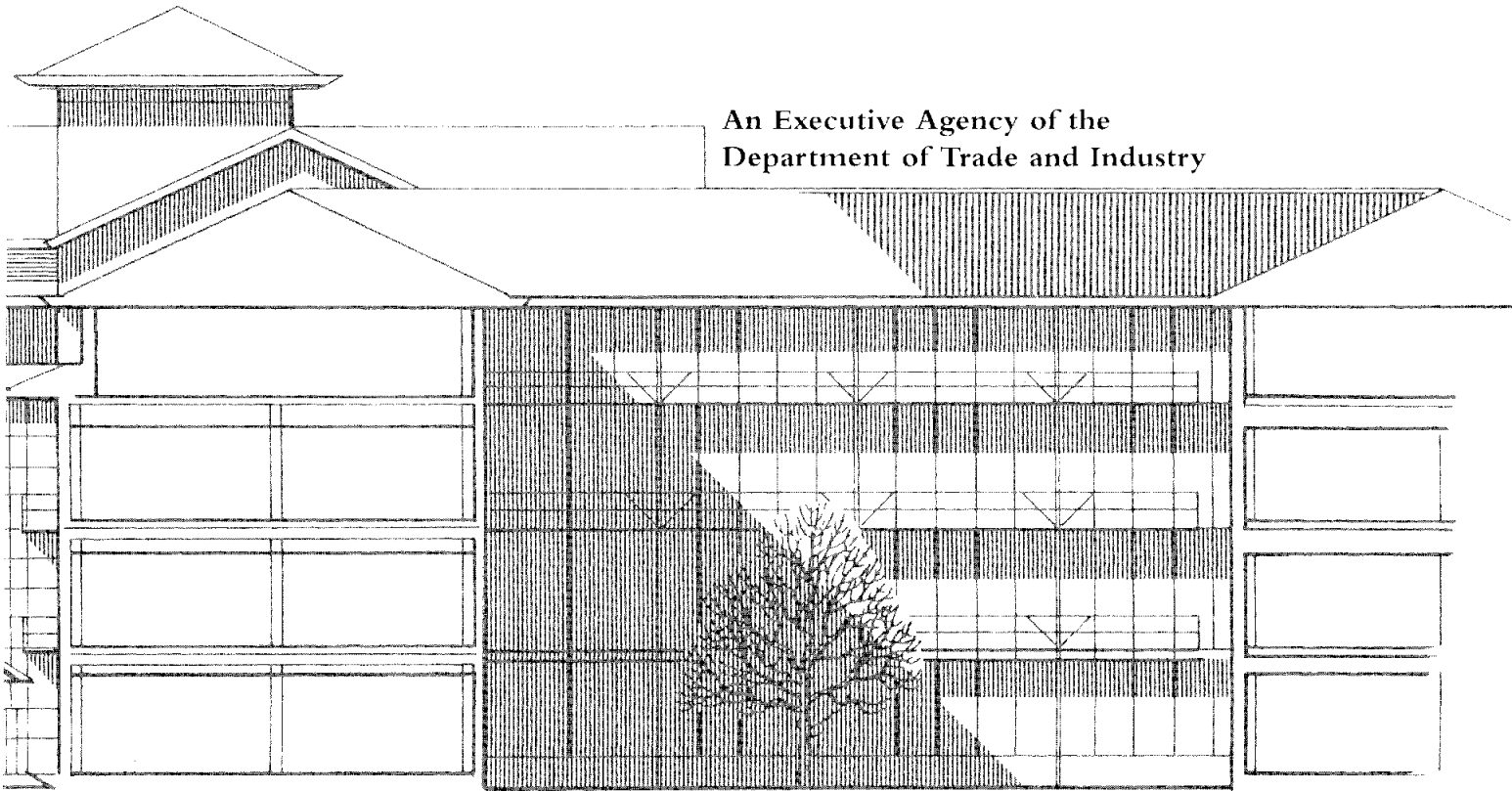


The
Patent
Office

ANNUAL REPORT 1990

An Executive Agency of the
Department of Trade and Industry



Patents, Designs and Trade Marks 1990

108th Annual Report of the
Comptroller-General of Patents,
Designs and Trade Marks

*Presented to Parliament pursuant to section 121 of the Patents Act 1977,
section 42 of the Registered Designs Act 1949
and section 45 of the Trade Marks Act 1938*

*Ordered by
The House of Commons to be printed
22 May 1991*

LONDON: HMSO

FOREWORD

Patents, Designs and Trade Marks

Report of the Comptroller-General

In pursuance of the requirements of the 121st section of the Patents Act 1977 (Chapter 37), the 42nd section of the Registered Designs Act 1949 (12,13 and 14 Geo.6.c.88) and the 45th section of the Trade Marks Act 1938 (1 and 2 Geo.6.c.22), I have the honour to report as follows upon the proceedings which took place in the year 1990 under the provisions of these Acts.

PAUL HARTNACK
Comptroller-General

The Patent Office
Cardiff Road
Newport
Gwent NP9 1RH

CONTENTS

	Page
Chapter 1 Introduction	1
Chapter 2 Receipts, Expenditure and Staff Numbers	2
Chapter 3 Domestic activities:	3
(a) Patents	3
Work on domestic applications and patents	5
Work on European applications and applications under the Patent Co-operation Treaty	5
Patent legislation	6
Register of Patent Agents	6
Trends of inventions in published specifications	6
(b) Designs	10
(c) Trade and Service Marks	11
(d) Report on Decided Cases	11
(e) Publicity	11
(f) Computerisation	12
(g) Search and Advisory Service	13
Chapter 4 International Activities:	14
(a) European Community	14
(b) World Intellectual Property Organisation (WIPO)	14
(c) General Agreement on Tariffs and Trade	14
(d) European Patent Organisation	15
(e) Council of Europe	15
Chapter 5 Standing Advisory Committee on Industrial Property and Copyright Tribunal	16
Chapter 6 Prospects for 1991	17

Appendices

	Page
1. Performance against targets	19
2. Financial performance	20
3. Staff number	22
Patents	
4. Requests for grant for search and for examination	23
5. Applications made and published and patents granted according to country of residence	24
6. Specifications published in 1990 and trends of inventions	26
7. Patent fees received 1990	28
8. Number of renewal fees paid 1979-90	29
9. Certificates of the Comptroller 1986-90	30
10. Hearings and proceedings concerning patents 1990	31
11. Extensions of period for payment of renewal fees 1986-90	32
Designs	
12. Applications and registrations 1981-90	33
13. Applications for registration 1989 and 1990 according to country of residence of applicant	34
14. Designs fees received 1990	35
15. Extension of protection, objections etc and cancellations	36
Trade and Service Marks	
16. Applications	37
Objections, Hearings and Appeals	37
Oppositions to Registration	38
Maintenance of Register	38
Rectifications	39
17. Applications for trade and service marks and registrations 1989 and 1990 according to country of residence of applicant	40
18. Classification of trade and service marks 1989 and 1990	41
19. Trade and service mark fees received 1990	42

CHAPTER 1

Introduction

1.1 The role of the Patent Office is to facilitate the growth of industry and commerce through the establishment of intellectual property rights. As a regulatory Division of the Department of Trade and Industry it pursues this role through its work on maintaining and improving the domestic and international framework of protection for intellectual property, and through the administration of its statutory responsibilities under the Patents Act 1977, the Registered Designs Act 1949 and the Trade Marks Act 1938 as amended by the Trade Marks (Amendment) Act 1984.

1.2 As part of the Government's drive to improve the quality and efficiency of public services the Secretary of State established the Patent Office as an executive agency of the Department of Trade and Industry in March 1990. In doing so he set the Office a number of targets to be achieved over the period 1990-1994. In its first nine months as an agency the Patent Office has made good progress towards these targets (see Appendix 1) and has surpassed those set for patent and trade mark productivity. In consultation with users of its services the Office has taken a number of steps to enhance the quality of its work, the most significant of which was the reduction of the unexamined backlog of trade mark applications from 33,000 to 22,000 in the course of 1990.

1.3 In addition to its establishment as an executive agency the Patent Office achieved the following major milestones in 1990:-

- in August, Part V of the Copyright Designs and Patents Act was implemented;
- relocation of the work of the Office to South Wales continued, including the recruitment of 22 patent examiners and 30 trade mark examiners and supporting staff who have taken up their duties in Newport alongside colleagues who have already relocated;
- in September a White Paper was published announcing proposals for reforming the law on trade marks;
- a major restructuring of trade mark fees was introduced in October designed to have the twin effect of reducing the number of such fees and

returning the trade mark operation to a financial break-even position;

- the main stages of the OPTICS computer project were completed, on time and on budget in the outturn of 1990;
- new patent rules were promulgated in the late autumn;
- a total of over 3,500 firms had attended Patent Office 'roadshow' presentations by the end of the calendar year.

Further details on these events are provided in subsequent sections of this Report.

1.4 The Patent Office remains on course to complete its relocation to Newport (Gwent) by the end of 1991. By the end of the year its London operation will be concentrated on the policy work conducted by the Industrial Property and Copyright Department and a receiving office needed to provide an efficient and effective service to London-based customers.

CHAPTER 2

Receipts, expenditure and staff numbers

2.1 Appendix 2 gives details of receipts and expenditure during 1990. The total receipts by the Office in 1990 from patents, designs, trade and service marks fees and from the sales of publications and other commercial services amounted to £47,344,000 including £5,130,000 which was paid to the European Patent Office in respect of European Patent (UK) renewal fees. Total non-capital costs, including the Office's copyright and relocation expenditure were £47,869,000 with a further £1,378,000 accounted for by capital expenditure on computer projects and other items.

2.2 Compared with 1989, receipts from patents rose by £3,406,000 (10.7 per cent), designs by £54,000 (6.0 per cent) and trade marks by £1,025,000 (11.6 per cent). Revised fees introduced in late 1990 accounted for only a part of this increased income, the rest coming mainly from the increased number of patent renewals remaining on the register during the year and the restructured trade marks fees. In addition to general inflationary pressure, the overall costs of the Office were further increased by the direct costs arising from the phased relocation to South Wales.

2.3. By way of illustration, Appendix 2 also gives the summary projection for the financial year 1990/91 on a commercial accounting basis. This is indicative of the way that financial performance will be reported when the Office achieves Trading Fund status.

2.4 During 1990 the Office continued to act as a prescribed Receiving Office under the terms of the Patent Co-operation Treaty (PCT) in addition to carrying out its role as an International Examining Authority under Chapter II of the treaty. The fees retained or transferred in consequence of these commitments are shown in Appendix 2.

2.5 The Office is now close to its proposed staffing level in South Wales. The recruitment exercise has been highly successful and we have been able to attract high calibre personnel. At the end of December 1990, 619 staff were in post in South Wales and 646 staff in London. These figures include a number of staff on casual and period appointments who were recruited *inter alia* to assist with the move to Wales.

CHAPTER 3

Domestic activities

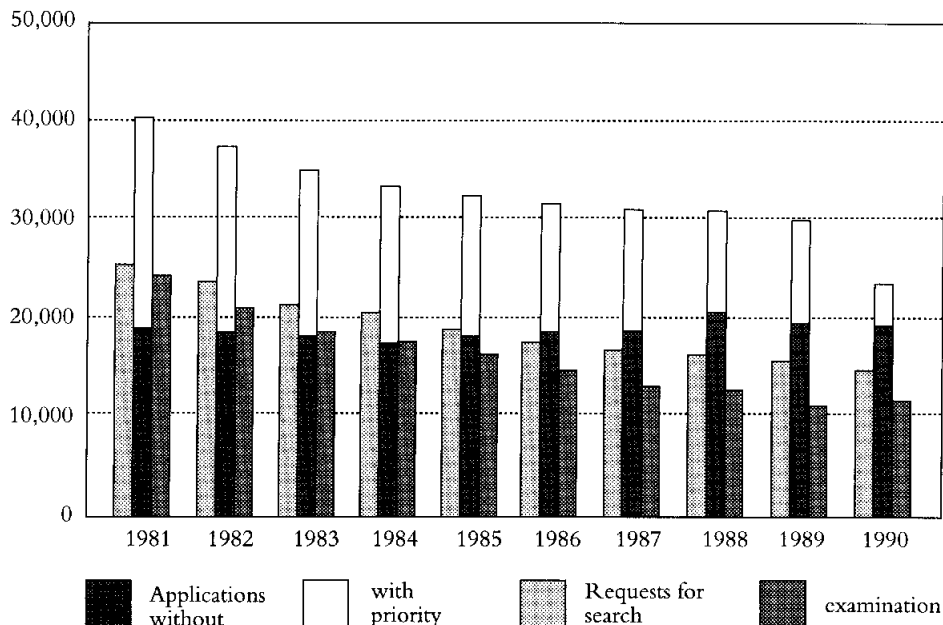
(a) Patents

3.1 The UK Patent Office continued to handle a high number of requests for grant during the year with requests under the Patent Co-operation Treaty showing exceptionally strong growth. Requests filed by foreign residents under the European Patent Convention increased in 1990, this increase being matched by a corresponding fall in domestic applications by foreign residents as in previous years. Against this trend, however, requests for substantive examination rose by almost 4 per cent to 11,790 compared with 11,348 in 1989. In more detail, the number of requests for grants filed in 1990 fell by almost 4 per cent to 28,238 in line with the general trend of recent years. This total included 455 applications that entered the national phase after preliminary processing under the Patent Co-operation Treaty: a significant increase from 355 in 1989. Requests for preliminary examination and

European Patent Convention (EPC) and the Patent Co-operation Treaty (PCT). There was a further drop in the number of applications originating abroad, and, among the major applicant countries, only Canada, Hong Kong, Irish Republic, Italy, Republic of Korea and Taiwan, filed more applications than in 1989. Appendix 5 gives further details of applications filed, applications published, and patents granted according to the country of residence of the applicant, together with the corresponding figures for 1989.

3.2 Patent applications published under Section 16 of the 1977 Act during the year totalled 12,696, and 9,396 patents were granted in accordance with Section 24(2). About 43 per cent of the published applications were from, and about 34.7 per cent of patents were granted to, UK residents. Appendix 6 breaks down published applications and granted patents by subject matter classification.

PATENTS ACTIVITY 1981-1990



search under Section 17 of the 1977 Act were almost 8 per cent down at 14,648. Applications filed by UK residents fell by 2 per cent to 19,310 but this figure accounted for 68 per cent of the total, roughly the same proportion as in the two previous years. Appendix 4 gives further details of filings at the Patent Office under the 1977 Act, the

3.3 The European system continues to grow. In 1990 there were about 62,800 applications for European patents, including about 10,400 applications (up nearly 23 per cent over the previous year) entering the regional phase after preliminary processing under the Patent Co-operation Treaty. Approximately 93 per cent of

European applications designated the United Kingdom. During the year, the European Patent Office granted 22,784 patents which designated the United Kingdom and these were treated as patents granted under the 1977 Act by virtue of Section 77. Translations filed under Section 77(6), where the specification published by the European Patent Office was not in English, totalled 8,398, and 610 patents were declared void *ab initio* under that section due to failure to file the translation. In addition, translations of 14 amended specifications, 355 translations of claims of applications, and seven corrected translations were filed.

3.4 Patents renewed during 1990 totalled 230,994, more than 6 per cent up on the previous year. Full details are shown in Appendix 8 including patents granted under the 1949 Act and under the European Patent Convention. The number of 1949 Act patents which were renewed during the extension beyond their original 16-year term was 19,386. During the further four years these patents are treated as endorsed 'licences of right' and only half-rate fees are payable for their renewal. New provisions introduced two years ago under the Copyright, Designs and Patents Act 1988, enabled proprietors to make declarations that such 'licences of right' shall not be available for pharmaceutical or pesticidal use of the patented product. As shown in Appendix 10, Part II, a total of 68 declarations were filed after which the full fee again becomes due for renewal. Also included in Appendix 7 are 3,437 patents renewed after being voluntarily endorsed 'licences of right' and these, which include 843

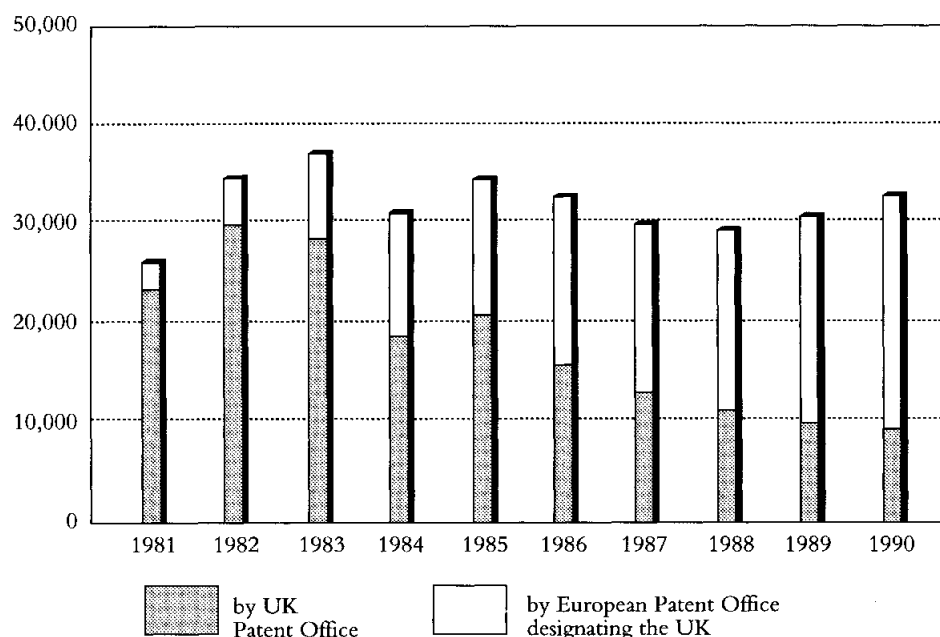
granted by the European Patent Office, also pay only half rate renewal fees. The total number of patents granted under the European Patent Convention and effective in the United Kingdom had increased by the end of 1990 to 106,990 of which 92,203 were renewed and 14,787 had still to reach their first renewal date after grant. European patents effective in the United Kingdom increased from 37 per cent to almost 44 per cent of the 1990 total.

3.5 Total revenue from renewal fees increased from £27,814,769 to £31,132,933, almost 12 per cent up on 1989. Included in this total is £10,570,872 in respect of the renewal of patents granted under the European Patent Convention, 35 per cent higher than in 1989. The amount passed over to the European Patent Organisation in accordance with Article 39 of the Convention increased from £3,928,797 in 1989 to £5,130,222 in 1990.

3.6 All patent fees received during the year are analysed at Appendix 7. The total, £35,137,394, is more than 10 per cent higher than the corresponding figure for 1989 reflecting, in part, the general increase of fees from 10 September 1990 which is expected to raise domestic revenue by some 8 per cent over the full year. Fees totalling £71,933 were certified for refund during the year and a further £266,631 was returned in respect of erroneously tendered renewal fees.

3.7 The Patent Office continued to supply certified copies of patent applications and other documents

PATENTS GRANTED 1981-1990



which are generally used by United Kingdom applicants when seeking protection for their inventions abroad. In 1990 33,281 certificates were requested and this reflects the extent to which protection is sought in other countries. This figure is 8 per cent less than the previous year. The reduction is largely accounted for by the larger number of filings under the Patent Co-operation Treaty, enabling a single certified copy to serve for protection in a number of countries. Appendix 9 shows comparative figures of requests for earlier years.

3.8 Part I of Appendix 10 shows the number of hearings held on questions arising from patent applications and Part II sets out information about proceedings brought in respect of granted patents. Further information about hearings is given in paragraph 3.13 and 3.14 below.

3.9 As Appendix 10 shows, the Patent Office considered a wide variety of patent matters in the course of proceedings brought under the 1949 and 1977 Acts. Following the introduction of provisions two years ago which allowed pharmaceutical and pesticidal patents granted under the 1949 Act to be excluded from the 'licence of right' provisions during the extended term, requests to settle the terms of licences of right in respect of 1949 patents have dwindled as expected, and during the year only three applications were lodged. Disputes over rights in patents and inventions doubled over those in the previous year, but requests to amend the specification, applications to restore lapsed patents, licence of right applications, and activities relating to the revocation of patents remained at about the same level as in 1989. The number of applications made by employees seeking compensation under Section 40 of the 1977 Act from their employers on the grounds that their inventions had been 'of outstanding benefit to the employer', fell from four to two.

3.10 As Appendix 11 shows, 6,377 proprietors paid additional fees in order to extend the period within which their patent could be renewed. Of these, 2,556 concerned patents granted under the European Patent Convention.

Work on domestic applications and patents

3.11 During 1990, the examining staff carried out 15,299 searches under section 17 and 11,530 substantive examinations under section 18. At the end of the year, the number of searches in hand was

3,027 (3,678 at the end of 1989) and the number of applications awaiting substantive examination was 16,201 (15,941 at the end of 1989). During 1990, 22 examiners were recruited to work in South Wales, the first examiners recruited since 1983.

3.12 About 14 examiner years of work were spent on reclassification of search documentation. A further two examiner years were devoted to incorporating European and PCT published applications in the examiners' search files. This latter figure continues the reduction occurring in previous years. It was made possible, despite continued growth in the volume of these documents, by nearly completing changes in the method of classifying the documents.

3.13 The number of *ex-parte* hearings on questions arising from patent applications remained at ten. Of these eight were concerned with technical matters and only two with procedural matters. Procedural hearings on patent applications are now likely to continue at a low level in the light of the provisions under which, at the Comptroller's discretion, certain time limits can be extended instead of rights being lost because of an inadvertent failure by the applicant. The number of incidents which give rise to such requests for exercise of the Comptroller's discretion continue to grow: in 1990, the figure increased by 59 per cent to 119. Only one appeal, on a technical matter, was heard by the Patents Court, and that was disallowed.

3.14 Part II of the Appendix 10 shows that 51 hearings were held also on other patent matters, 11 more than in 1989. They were held on a wide variety of disputes, including 14 arising from applications for revocation of patents. Two applications for revocation were allowed, and nine were refused. A further 31 patents were revoked under Section 73(2) of the 1977 Act because they had been granted for the same invention as a corresponding European Patent effective in the United Kingdom. Hearings arising from applications to settle the terms of 'licences of right' declined to eight, and are likely to decrease further in 1991. Reversing the trend of previous years, the number of applications for restoration of lapsed patents hearing during the year leapt from two to 13. In 1990, only three appeals were heard by the Patents Court.

Work on European and PCT applications

3.15 The number of European applications filed with the Patent Office in its capacity as a

'Receiving Office' under Article 75(1)(b) of the European Patent Convention, for onward transmission to the European Patent Office increased by 5 per cent over 1989 to 14,472.

3.16 In its capacity as a 'Receiving Office' under Article 10 of the Patent Co-operation Treaty the Patent Office received 2,041 international applications, an increase of 32 per cent over the previous year. In its capacity as an 'International Preliminary Examining Authority' under Chapter II of the Treaty, the Patent Office received 1,330 demands and carried out 1,324 examinations. These figures respectively represent large increases of 51 per cent and 145 per cent over the figures of 883 and 540 for 1989. They show that the interest in the PCT system is clearly growing and that with the entry of further countries into Chapter II and familiarisation with the procedure, the system is becoming much more popular with applicants.

Patents Legislation

3.17 Under the Patents County Court (Designation and Jurisdiction) Order 1990 the Patents County Court opened at Wood Green, London on 3rd September 1990. This new Court has the same jurisdiction as the High Court in matters relating to patents and designs (except jurisdiction to hear appeals from the Comptroller) but will, it is planned, apply cheaper, speedier and more informal procedures.

3.18 The Patents (Fees) Rules 1990 made in August increased the fees to take account of inflation. The Copyright, Designs and Patents Act 1988 (Commencement No 6) Order 1990 brings the remaining patent provisions of that Act into force as from 7th January 1991. From the same date the Patents Rules 1990 made on 29th November 1990 (and the associated Patent Fees (No 2) Rules) came into effect. The new Patent Rules modify many of the existing procedures, a number of the changes being prompted by requests from the users of the patent system.

Patent Agents

3.19 With the entry into force of the remaining patent provisions of the Copyright, Designs and Patents Act 1988, any person may now act for others for the purpose of applying for patents and conducting proceedings before the Comptroller in connection with patents. The Register of Patent Agents Rules 1990 made under the Act came into force on 13 August 1990 and provide for the

register of those who are suitably qualified by examination and experience to call themselves 'patent agents'. These Rules replaced those made under the Patents Act 1977. The number of names on the Register on 31 December 1989 was 1,266. During the year the names of 25 persons were placed on the Register and the names of 27 were erased by reasons of death or resignation. In addition, one name was erased by direction of the Secretary of State, and two names were erased for failure to pay the annual fee, under the provisions of Rule 14 and 12 respectively, of the Register of Patent Agents Rules 1990.

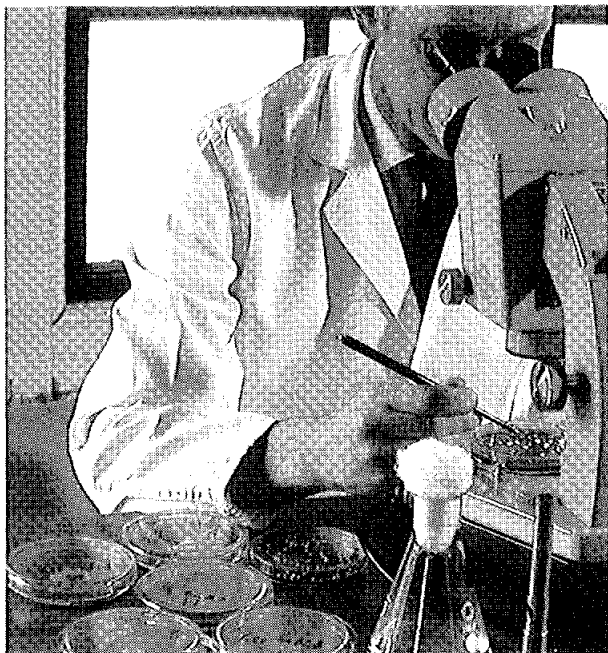
Trends of inventions in published specifications

3.20 Details of inventions published in 1990 are available for inspection at Science Reference and Information Service, 25 Southampton Buildings, London and the Patent Office Search and Advisory Service (see para 3.72) provides, on a repayment basis, a service to firms which wish to establish whether a particular product has been patented. The following section of this report summarises trends in UK national and European patent applications published in 1990. These applications reflect notable activity in protection of the environment, in the improvement of safety at sea or on the roads, in the inspection and repair of underground pipes and sewers, and in domestic electrical equipment. Examples of these and other trends are reported below by the appropriate examining Branches. Activity, as usual, reflects both long term developments and research, as well as responses to particular needs arising from recent events and changes in public demand. The headings in which the various subjects are classified are given in Appendix 6.

Branch 1C

3.21 Concern about the environment, in particular the depletion of the ozone layer, has led manufacturers of cellular or foamed plastics to look at ways of reducing the amounts of fully halogenated chlorofluorocarbons or CFCs used as blowing agents. These compounds are generally resistant to degradation in the environment with the result that they do not break down before reaching the atmospheric ozone layer. More 'environmentally friendly' blowing agents, such as partially halogenated chlorofluorocarbons or HCFCs, saturated hydrocarbons, water and carbon dioxide have been suggested.

3.22 In 1989, inventions concerned with the development of hypodermic syringes for preventing both needle stick injury and syringe reuse were reported, and activity in this area continued in 1990. This activity is largely attributable to concern



about drug abuse and the spread of AIDS, and the latter may also be responsible in 1990 for an increased interest in barrier contraceptives.

3.23 Also in the medical equipment field, there has been sustained activity in relation to ostomy appliances, and an increase in activity relating to massage appliances, for example, for the treatment of rheumatism.

3.24 Attention has been given to the preparation of vaccines for, and the detection of, malaria. Antigens used in these vaccines may be protein fragments of the disease-carrying organisms and are produced by standard genetic engineering techniques or by synthetic means. In one specific assay, a DNA probe for the organism *Plasmodium vivax* results in a rapid and sensitive means of detection.

3.25 New methods for the amplification of specific DNA sequences by the polymerase chain reaction have been disclosed as have uses based on such amplifications, for example, for the detection of disease and for genetic fingerprinting. A method has also been devised for the detection of a specific nucleic acid sequence by fluorescence polarisation.

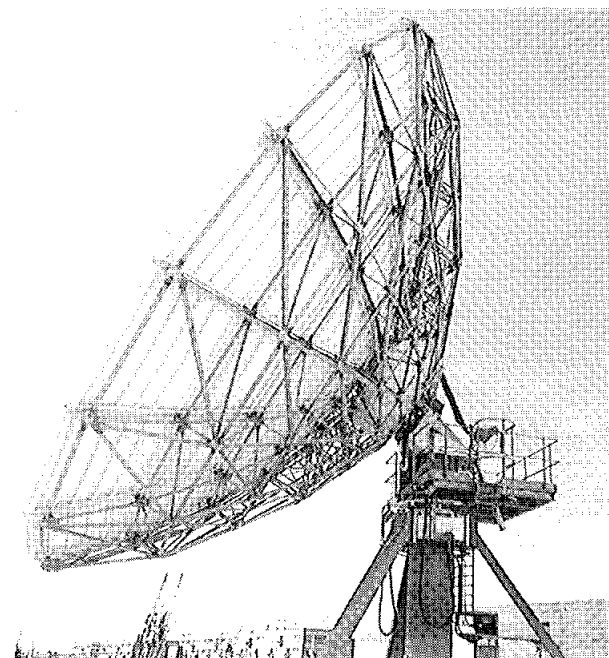
3.26 The desire to eliminate various plant diseases and pests has resulted in a number of developments involving the introduction of specific genes into the plants themselves or into herbicides and pesticides with which the plants may then be treated.

Similarly transgenic animals have been produced for a variety of purposes including the testing of vaccines, the production of protein foreign to the animal, the control of growth and metabolic rates, the introduction of virus resistance and in the production of wool from sheep.

Branch 1D

3.27 Antenna arrangements for receiving telecommunications signals from satellites have been the subject of significant activity, reflecting the rapid development of satellite broadcasting.

3.28 The detection and measurement of changes (motion) in a television picture to improve video signal processing, eg in data (bandwidth) reduction for transmission encoders, and in altering the format of the television display such as between



normal and high definition displays (standards converters) are areas in which considerable interest has been shown.

3.29 Steady development of small permanent magnet d.c. motors is continuing.

Branch 1E

3.30 There have been several active areas of invention with domestic application. A number relate to washing machines. Improvements in dispensing detergent in washing machines include a rotating coil spring dispenser for powder and a flap which holds any detergent inadvertently shaken out of the container until the next scheduled addition. Other developments are concerned with apparatus

for selectively washing detergent from one of a number of dispensers, a dispenser associated with a laundry agitator and the use of water jets to dispense additive from a solid block.

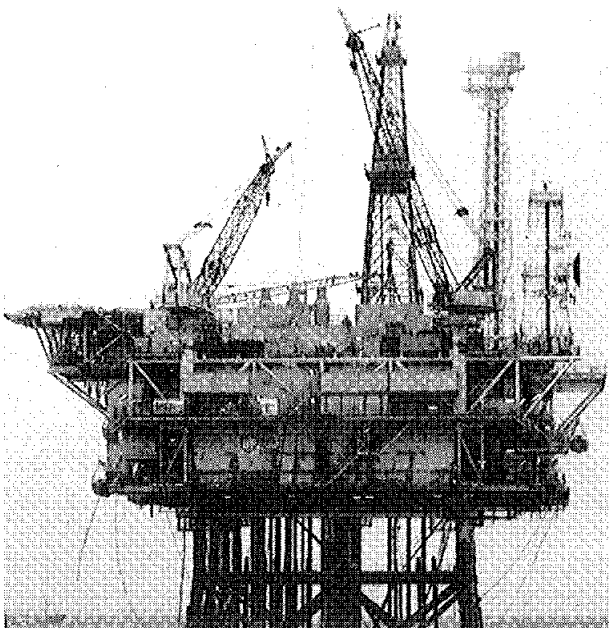
3.31 The convenience of cordless irons continues to encourage innovation. Some of these irons can also be used in the corded mode, being securely attached to the power supply module whilst being heated. A low temperature warning indicator can be carried by some irons, or the power supply may be provided with a temperature sensor.

3.32 The need for efficient and controlled use of public services has also given rise to other trends. Increased activity in water meters has arisen from the move towards metering of individual premises. The new meters are mounted underground in association with the stopcock.

3.33 The response time of thermal cut-outs for immersion heaters has been reduced by employing heating elements, the sections of which emerging from the heated vessel are of high thermal conductivity, and by thinning the mounting head in the region of the hot return portion to reduce radial diffusion of heat.

3.34 Increasing awareness of the need to protect the environment is also a trend noticed by this Branch. One development is directed to reducing production of nitrogen oxide gases during combustion, for example in industrial boilers. Another development involves improved cyclone separation systems to deal with oil discharges from undersea exploration and extraction, for example for separating small quantities of oil from sea water.

3.35 Another field of invention associated with the



sea concerns safety. There has been increased activity in the area of emergency escape or abandonment systems from off-shore platforms or ships. Renewed interest concerned with capsizing at sea has related to automatically inflating emergency buoyancy bags deployable along the sides of, for example, ferries or lifeboats.

3.36 Concern for safety, but in motor cars, has also led to increased interest in the field of inflatable gas bags for protection of drivers and passengers in the event of a collision. Particular attention has been given to the avoidance of injury or discomfort caused by the bags themselves when inflation is triggered. Other motor-related trends with a safety interest have included the improvement of braking systems to make them more efficient. Seals and caps are being developed to protect the sliding surfaces of floating caliper disc brakes from dust and moisture. The problems of wear and damage are also being tackled, both by the construction of improved wear indicators and, in the case of carbon-carbon discs, by the provision of more easily replaceable friction facings.

3.37 Other areas of interest have included such diverse fields as portable devices for heating and humidifying air to be breathed by patients, compact machines for automatically sorting, handling and dispensing coins and bank notes, and the use of barbed needles to join fabrics. In connection with the last item, new needle looms have included an improved needle beam guide system and an elastic layer to retain the needles.

Branch 1F

3.38 There is a great amount of interest and

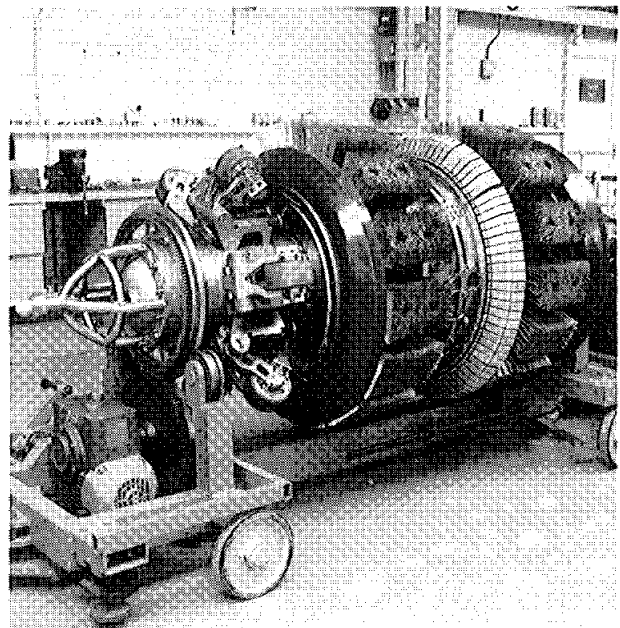
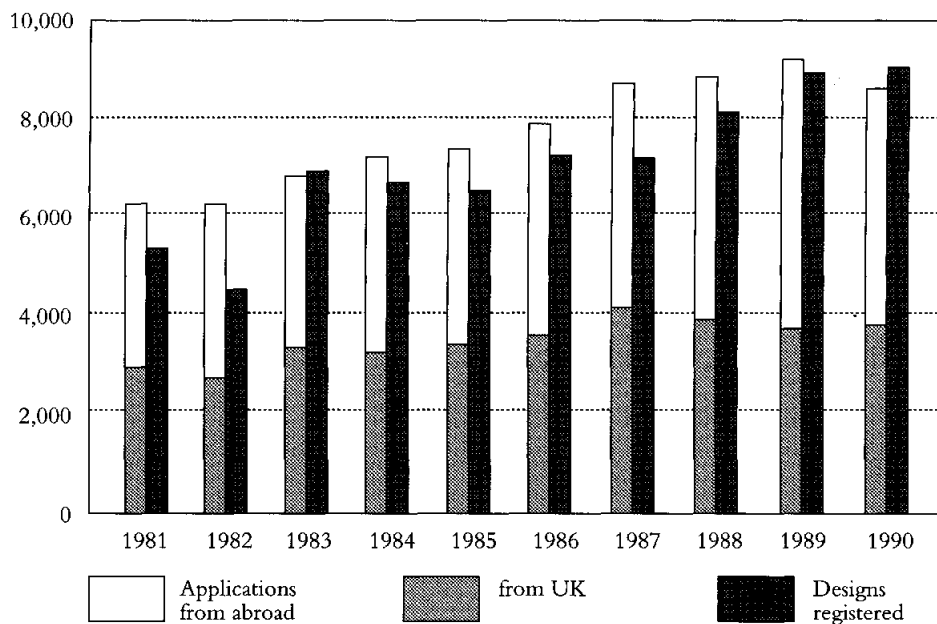
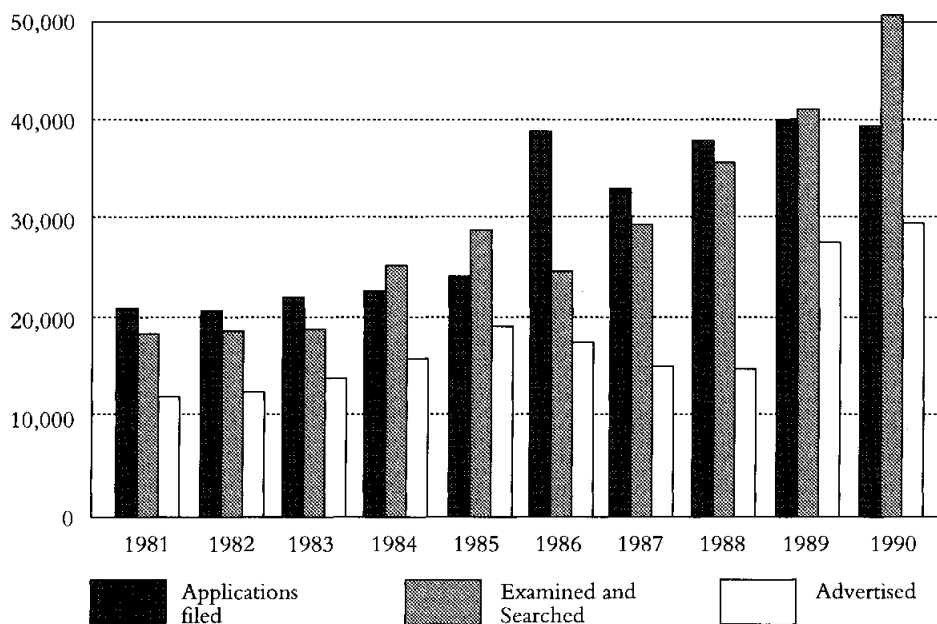


Photo courtesy of British Gas

DESIGN ACTIVITY 1981-1990



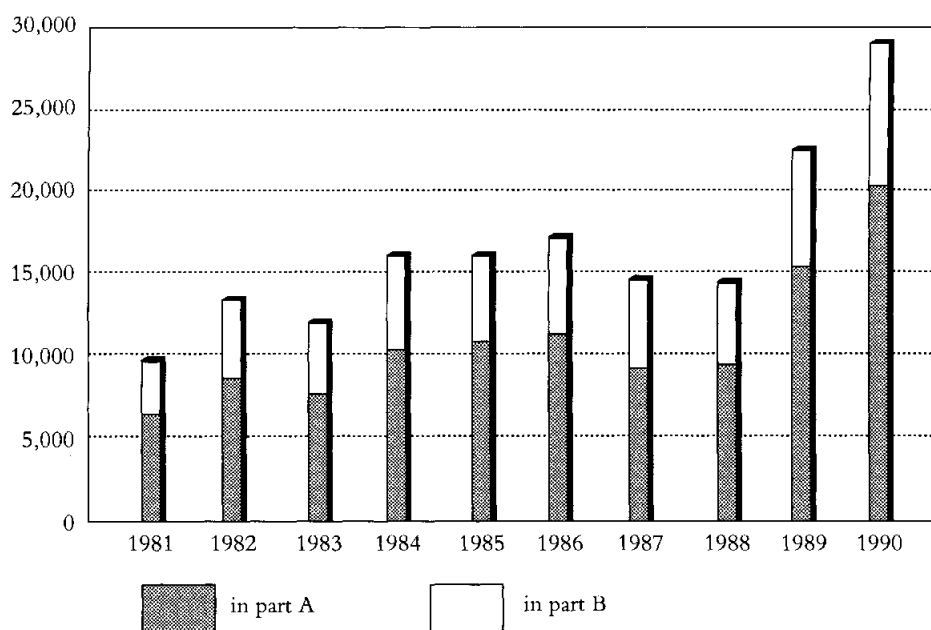
TRADE & SERVICE MARKS ACTIVITY 1981-1990



activity throughout the world in the production of synthetic diamond under moderate conditions, particularly in the form of thin films by vapour phase synthesis, essentially using hydrocarbons and hydrogen. The most recent applications in this field are within electronic devices such as heatsinks, insulators and optical waveguides. When doped with silicon the diamond can form semiconducting films which can be used in, for example, diodes and photosensors capable of withstanding temperatures as high as 500C.

3.39 Many inventions are directed to the overhauling of water supply and sewerage systems. Disruption can be minimised by relining existing underground pipework, most recently by insertion of a narrow liner which is expandable to the diameter of the pipe. The extent of internal damage to pipework is now assessed by devices (called pigs) carrying cameras or fibre optics which travel either by fluid pressure within the pipe or are self-driven on wheels.

TRADE MARKS REGISTERED 1981-1990



3.40 It would not appear to be possible to enter any retail store selling toys and not see a dancing flower, dinosaur or tin can with sunglasses. These mostly respond to sound in order to switch on various motor arrangements, but it is not generally known that their patent specifications describe them as responding also to other stimuli, such as gas leaks.

(b) Designs

3.41 The number of designs registered during 1990 was 9,171, an increase of 2.5 per cent over the previous year, and a figure over 30 per cent above the average for the last ten years. In contrast, applications filed at 8,566 were over 8 per cent below the 1989 total of 9,317. That decrease was due to a fall in overseas applications of nearly 14 per cent to 4,724, with applications filed under the International Convention showing a decrease of over 13 per cent to 3,042. Applications from within the United Kingdom showed a slight increase to 3,842 and accounted for nearly 45 per cent of all applications. Appendix 12 illustrates the trends over the last ten years.

3.42 Nearly 9 per cent of all applications came from the USA with an increase over the previous year of 6 per cent. The second largest filings came from Hong Kong although they were 12.6 per cent down on the previous year. Then came Japan showing a decrease of just over 34 per cent and Germany with a decrease of over 16 per cent. Other notable changes over the year were Italy down nearly 41 per cent, Switzerland down nearly

31 per cent and the Netherlands up nearly 19 per cent. Appendix 13 enumerates all the new applications for 1989 and 1990 by country of origin.

3.43 Classes of article subject to the largest filings were measuring, identifying and calculating instruments (960 applications: up 12 per cent); radios and audio/visual electronic apparatus (814); containers (781); games and toys (696 down nearly 18 per cent); suspending, supporting, displaying and vending devices (577) and furniture (524). Vehicles and their parts (291) were down nearly 49 per cent on the previous year. This latter drop is probably an effect of the changes made to Section 1 of the Registered Designs Act 1949 by the Copyright, Designs and Patents Act 1988.

3.44 A total of 2,797 certificates, mainly for use by UK applicants when seeking protection abroad for their designs, were issued and this total is a little under 2 per cent below the total for the previous year but 17 per cent above the average for the last ten years.

3.45 Receipts of £961,635 were nearly 6 per cent up on receipts for the previous year. A detailed statement is given in Appendix 14.

3.46 Appendix 15 sets out the extension of Registered Design protection for second and third periods made from 1981 to 1990. Both periods show decreases in the total for 1990 with the second period down a little over 3 per cent on the

previous year. The appendix also includes an analysis of the number of hearings and appeals to the Registered Designs Appeal Tribunal from 1981 to 1990 together with details of applications made for the cancellation of registrations under Section 11.

(c) Trade and Service Marks

3.47 In 1990, the total number of applications for registration was 39,632. This was about 1 per cent below the record figure of 40,052 in 1989. Within the total of 39,632, there were 32,513 trade mark and 7,119 service mark applications.

3.48 With relocation to Newport completed by the Autumn of 1989, additional resources were allocated to the Registry to reduce a backlog of unexamined applications which, at its peak, totalled some 35,000. Despite the influx of inexperienced staff, the number of new examinations completed was increased by 21 per cent to over 50,000 in 1990, and the backlog of unexamined cases was down 33 per cent to 22,000 by the end of 1990.

3.49 The closure of the London Trade Mark Units in 1991 will mean the transfer of a significant number of uncompleted applications to Newport, and this will impact upon output of new work. The Registry is confident that it will achieve its target to reduce the backlog of unexamined cases to 17,000 by September 1991, and the aim is to get the figure down to 10,000 or less by the end of 1992. The increase in "work in progress" resulting from reduction of the unexamined backlog will, however, impact on the overall financial position of the Trade Marks Registry in 1991.

3.50 The overall pattern of applications remains fairly constant, with applications from UK residents again being just under 50 per cent of the total. Fourteen per cent came from the USA, 7 per cent from Germany and 8 per cent from France. Once again the highest percentage of applications advertised was in respect of electrical and electronic goods etc in Class 9 (11 per cent of the total) followed by pharmaceutical goods (6 per cent) and clothing (5 per cent). As in earlier years the majority of service mark applications came from UK residents (61 per cent) followed by the USA (11 per cent) and France (9 per cent).

3.51 Applications claiming priority of date under international arrangements again rose slightly, to 5,000.

3.52 Significant progress has also been made in clearing cases examined but not completed, and registrations increased from 22,374 in 1989 to 28,389 in 1990, an increase of 26 per cent.

3.53 Applications for textile marks made through the Manchester branch were negligible: 24 in 1990 as compared to 22 in 1989. There were only two applications made through the Cutlers' Company for metal goods.

3.54 Renewals of registrations increased slightly from 16,133 in 1989 to 16,856 in 1990. This represented 66 per cent of the total due for renewal, well above the 57 per cent recorded in 1989.

3.55 Fee income rose by 12 per cent to £9,868,000. Of this total, renewal fees accounted for 37 per cent, new applications 34 per cent and new registrations 24 per cent. New fee regulations introduced in 1990 combined the application and registration fees, and separate registration fees will gradually cease to be paid, as existing applications are passed through the system.

3.56 For the year ended 30 June, 1990 the fees collected by the Cutlers' Company in respect of Sheffield marks amounted to £8,542, of which one half is remitted to the Company in accordance with a long standing agreement.

3.57 During 1990 a Register of Trade Mark Agents was established for the first time. At 31 December, 1990, 597 names were on the Register.

(d) Reports on Decided Cases

3.58 Of the 34 cases reported in accordance with the requirements of the Patents Act 1977 and forming the 1990 Reports of Patent, Design and Trade Mark cases, 19 were in respect of patents, nine in respect of trade marks and two in respect of service marks. The reported cases also included one on copyright and three on passing-off.

(e) Publicity

3.59 1990 saw an increase in the Office's marketing and awareness activities over previous years. For example, the regional campaign, started in 1989 and now known as the Patent Office Roadshow, was pursued vigorously and has gone from strength to strength. During 1990 the Roadshow visited the South-West, Northern Ireland, Wales, Yorkshire and Humberside and the North-East, and has now been seen by over 3,500 business people. It has been extremely well-received and the Patent Office was

delighted that the Hon Douglas Hogg, MP, Minister for Industry and Enterprise visited the Sheffield Roadshow in June to make a presentation to the 2,500th business person to see the show.

3.60 In addition, over 80 further presentations were made to business clubs, innovation centres, chambers of commerce, universities, polytechnics, colleges and schools. As with the Roadshow, the aim of these presentations has been to increase awareness of the importance of intellectual property rights and to market the services of the Patent Office.

3.61 June also saw the start-up of a new series of intensive one-day courses on patents and registered designs, aimed primarily at the Industrial Liaison Officers of universities and polytechnics. Six such courses were carried out during the year and they proved to be a most cost-effective way of targeting key individuals in the academic world.

3.62 A new video, 'Protecting your good name', was publicly launched in December. This highlights the commercial importance of trade and service marks, the advantages that registering marks gives in combatting counterfeiting and the role of the Patent Office's Trade Marks Registry.

3.63 The first Patent Office BTA (British Trades Alphabet) Study Card for schools was launched towards the end of 1989 and has proved to be very successful, stimulating enquiries from school children well into 1990 with a final response total in excess of 3,500. The 1990 card appears to be even better received as it had already attracted requests for some 5,000 information packs by the end of the year.

3.64 Continuing the policy of previous years, the Patent Office took stands at six major exhibitions and at the International Online Information Meeting (IOLIM) in December, the European Information Industrial Association presented the Office with the European Annual Promotional Activity Award for the leading stand at the meeting.

3.65 Complementing all of these activities, numerous radio interviews were given on both local and national networks and a considerable number of articles written for various publications. There was also a shift towards more direct mailing to advertise the Patent Office's promotional activities. Finally, requests for the Office's information leaflets exceeded 1989's record levels. Some 209,000

individual leaflets were distributed during 1990.

3.66 As part of the Patent Office's overall aim to ensure that the technical knowledge and experience of the staff is available for the benefit of industry and commerce it is intended to produce occasional publications outlining patent trends in various areas of technology. Four such publications will appear in 1991; the first will deal with four-wheel drive in motor cars.

(f) Computerisation

3.67 The final module of OPTICS, the computerisation project for Patents and Trade Marks, was delivered in February 1990. OPTICS was delivered to plan and budget at a total development cost of some £14 million. In April a 12 month programme of enhancements was approved at a cost of £2.25 million. OPTICS was nominated for a British Computer Society award and was one of the joint winners along with Computer Sciences Company (CSC) who acted as project manager for the development.

3.68 A smaller but complex project (ACORD) to handle the administration of designs ran into difficulties early in the year. Project Management for ACORD was handed over to CSC in July and OPTICS procedures have been introduced. Phase I of the project is now in operation, Phase II is due to be implemented during 1991.

3.69 An image processing system has been successfully implemented to handle, and provide an archive for Trade Mark devices. In addition, Desktop Publishing has been implemented for the Trade Marks Journal, allowing more efficient production of the Journal.

3.70 During 1990 a further 100 desktop and 40 laptop microcomputers were purchased. Of these, 50 were added to the PC network, bringing the total number of network users to 100. The network is the most efficient means for providing access to OPTICS and external databases via a single terminal on the desk. The network also provides for electronic mail, word processing and other office facilities.

3.71 A Service Level Agreement (SLA) has been negotiated with the DTI's Eastcote Computer Bureau to provide an agreed level of service for Trade Marks users of OPTICS. Performance will be reviewed during 1991.

(g) Search and Advisory Service

3.72 During the year the Search and Advisory Service continued to provide a range of non-statutory services to the public making use of the expertise of the examining staff to evaluate information extracted from in-house and from external patent databases. Some 1,900 separate commissions were dealt with representing an increase of more than 35 per cent over 1989; the growth in demand for the services arose equally from both small and large industrial organisations.

3.73 The nature of enquiries ranged from detailed state-of-the-art reviews to analyses of the marketing activities of competitors as reflected in their patent portfolios. There was a greater demand during 1990 for watching services providing regular updates of the most recently published patents in the UK and abroad in specific areas of technology. With its broadening customer base the role of the Search and Advisory Service in supplying commercial and technical information is one of growing importance to UK industries.

3.74 The Search and Advisory Service handled 424 searches during the Spring to assess patentability as part of the evaluation programme in the Department of Trade and Industry's Small Firms Merit Award for Research and Technology (SMART) scheme.

CHAPTER 4

International activities

(a) European Community

4.1 Progress toward completing the Single Market has continued and the Office has played a full part. Staff have participated in meetings in Brussels and elsewhere to negotiate measures dealing with intellectual property matters which affect the operation of the Single Market. These meetings included those of Council Working Parties dealing with proposals for a directive on the legal protection of biotechnological inventions and a regulation on the creation of a supplementary protection certificate for pharmaceutical products.

4.2 A common position on the draft directive on the legal protection of computer programs was agreed at the Internal Market Council in December.

4.3 Staff participated in four meetings of a Council Working Party dealing with trade marks, where the amended proposal for a Council Regulation on the Community trade mark, and the Regulation implementing the Regulation on the Community trade mark were discussed. They were also involved with co-ordinating meetings on the Protocol to the Madrid Agreement concerning the International Registration of Marks and on the International Protection of Geographical Indications.

(b) World Intellectual Property Organisation

4.4 WIPO is the United Nations specialised agency for intellectual property matters and administers the various international agreements in this field. These agreements include those such as the Paris Convention for the Protection of Industrial Property and the Berne Convention for the Protection of Literary and Artistic Works which are of a programme or policy nature and those which involve actual registration activities, such as the Patent Co-operation Treaty and the Madrid Agreement concerning the International Registration of Marks.

4.5 Staff involvement in work on the international harmonisation of patent laws has continued, preparatory to a Treaty supplementing the Paris Convention in respect of Patents. Work has gone

on in both a WIPO Committee of Experts and a working party of European Patent Convention states. Patent Office staff have also participated in meetings to consider amendments to the Implementing Regulations of the Patent Co-operation Treaty.

4.6 During the year staff participated in two sessions of the Committee of Experts on the Settlement of Intellectual Property Disputes between States and a meeting of a Committee of Experts on a model law in the field of copyright.

4.7 The Patent Office also participated in the first and second sessions of the Working Group on the Application of the Protocol to the Madrid Agreement concerning the International Registration of Marks, the first session of the Committee of Experts on the International Protection of Geographical Indications, and the second session of the Committee of Experts on the Harmonisation of Laws for the Protection of Marks.

4.8 During the year, Patent Office experts attended meetings of the Executive Co-ordination Committee and other Working Groups of the Permanent Committee on Industrial Property Information (PCIPI) which is responsible for international co-operation in matters affecting industrial property documentation, information retrieval and patent classification. The fifth edition of the International Patent Classification (IPC) came into effect on 1 January 1990 and a standard which will facilitate the identification of bibliographic data in trade mark journals was adopted in December. Meetings are normally held in Geneva at the headquarters of WIPO but in May a seminar on computer search techniques was held in London and delegates were shown the Patent Office computer system.

4.9 The Office continued to play its part in the WIPO Development Co-operation Programme by providing training in industrial property for officials from Ethiopia, Indonesia, Nigeria and Sudan.

(c) GATT

4.10 Negotiations for an agreement on the Trade Related Aspects of Intellectual Property Rights (TRIPS) continued in 1990 as part of the GATT

Round, and staff have continued to be closely involved in the GATT Working Group dealing with the standards for and enforcement of these rights.

(d) European Patent Organisation

4.11 The Patent Office continued to be involved in meetings of the Administrative Council and other committees and working parties which determine policy and oversee the activities of the European Patent Office.

(e) Council of Europe

4.12 Staff participated in work in the Council of Europe, in particular on a protocol to the European Convention on transfrontier television and a working group on the legal protection of television services.

CHAPTER 5

Standing Advisory Committee on Industrial Property and the Copyright Tribunal

5.1 The Standing Advisory Committee on Industrial Property (SACIP) met six times during the year. Issues which the Committee considered included the draft EC Directive on the Protection of Biotechnological Inventions, the proposal for a Council regulation to create a Supplementary Protection Certificate for Pharmaceutical products, and aspects of the Community trade mark system. The Committee also discussed WIPO proposals on harmonisation of patent and trade mark laws and the international protection of geographical indications. The Committee also discussed trade mark law reform and patents rules and forms.

5.2 A 'user' group of SACIP members met three times during the year to discuss a wide range of domestic issues including the location of the London receiving office. This innovation (SACIP had previously been concerned exclusively with industrial property policy issues) was helpful to the Office in seeking to ensure that its services are matched as closely as possible to the needs of its customers.

5.3 The Copyright Tribunal is an independent body charged by the 1988 Act with the resolution of various classes of copyright disputes, principally in the field of collective licensing. During the year, it received three new references, completed hearing one case, and held preliminary or partial hearings in three others. All these disputes were between collective licensing societies and users of their copyright repertoires.

CHAPTER 6

Prospects for 1991

6.1 The Government has announced that legislation on trade marks will be introduced as soon as the Parliamentary timetable permits. If possible, a Bill will be introduced during the next session of Parliament.

6.2. In management terms the main priorities will be completion of the Patent Office relocation to Newport in South Wales, and work to improve on the Patent Office's performance in terms of both efficiency and quality of service (see Appendix 1). A number of new non-statutory services will be mounted in the course of the year and have already been discussed in outline with user interests. The Patent Office will also seek to simplify the range of fees for both patents and trade marks. Last but not least, the Office will embark on a programme of training its staff in customer-care issues.

6.3 The Patent Office hopes that appropriate conditions can be agreed for its establishment as a trading fund in the course of 1991. This would build on the freedom obtained, with effect from 1 April 1991, for the Office to vary expenditure in - year in line with receipts under a new 'net running costs' control regime that has been approved by Ministers.

6.4 On the international front the Patent Office will continue in 1991 to build on its good relationships with other national Offices, with the World Intellectual Property Organisation and with the European Patent Office. Developments in Europe may call for a reappraisal of the mission of the European Patent Office. A key concern of the United Kingdom will be to ensure cost-effective patent protection in Europe for British applicants. The UK will also be concerned that progress is made in setting up the Community Trade Marks Office (whose location has yet to be decided) and that this Office will offer an efficient, effective, and economical service to British owners of trade and service marks.

6.5 The proposals for a Community Directive on the Protection of Biotechnological Inventions and a Regulation to establish a Supplementary Protection Certificate for Medicinal Products will receive further attention. The European Commission is also expected to make initial proposals on Community protection for Designs, and the Patent office will

play an active role in any negotiations and public consultations which may arise.

6.6 In June there will be a Diplomatic Conference in the Hague to consider a Treaty to supplement the Paris Convention as far as patents are concerned. Its aim will be to harmonise a number of aspects of patent laws. Staff will be involved in both the Conference and various preparatory meetings. Staff will also advise the UK delegation to a Conference in March for the revision of the International Convention for the Protection of New Varieties of Plants.

6.7 A meeting of the Assembly of the International Patent Co-operation Union is planned for July at which amendments to the Implementing Regulations under the Patent Co-operation Treaty will be adopted.

6.8 Finally, 1991 will be a busy year as regards copyright legislation, especially within the European Community. Work will begin on a directive relating to rental and distribution rights, and other copyright issues concerning the protection of databases and copyright in satellite broadcasting and cable distribution will fall to be discussed. Work will also continue in WIPO and the Council of Europe on similar issues.

APPENDIX 1

Performance Against Targets

PATENT OFFICE AGENCY TARGETS 1990/91 – 1994/95. PROGRESS REPORT AT 31 DECEMBER 1990

<i>Target Description</i>	<i>No of Staff covered by indicator</i>	<i>Baseline</i>	<i>1990/91 Target</i>	<i>1990/91 Outturn to End Q3</i>	<i>Comments</i>
1. To increase the productivity of patent examination by an average of 1.5% a year	208	1.58 (The number of examination work units achieved per day by examining staff)	1.60*	1.61	Productivity has risen by 1.9% in the first nine months despite the problems of relocation.
2. To increase the productivity of trade mark examination by an average of at least 3% per annum	310	143.32 (The number of applications examined per man year)	147.62*	157.81	The over-achievement of examination targets thus far reflects the success of the newly established examination units in settling down at Newport. However, as the year ends, budgetary constraints on manning, the run-down of the residual units in London and the re-accommodation at Newport are likely to have an adverse effect on performance.
3. To revue at least 90% of patent search reports within 2 weeks	482	N/A	90%	75%	Staff shortages, particularly in the electronics area, are causing some delays. The position will worsen temporarily during the move of search documentation to South Wales.
4. To register at least 90% of unopposed trade mark applications within 24 months of receipt	310	N/A	See comments	55%	The previous provisional target for 1990/91 (i.e. 72%) is under review in order to reflect properly the need to clear progressively in the early years a large backlog of old cases which have been examined but not yet registered.
5. To reduce the cost of common services within the Patent Office by at least 20% in real terms over the period 1990/91 to 1994/95	197	£8.184m	£7.856m*	£7.961m	The annualised 1990/91 performance to end November 1990 at 1989/90 prices indicates a cost reduction of 3% compared with the 1989/90 baseline, but an increase of 2% over the linear target for 1990/91. The projected 1990/91 outturn refines certain costs associated with relocation and accommodation.

* This return assumes that these targets are based on even progress/results each year: the formal targets, however, provide for the results to be averaged/achieved over the 5 year period.

APPENDIX 2

Financial Performance — 1990

NON-CAPITAL EXPENDITURE AND RECEIPTS

	£'000	Expenditure £'000	Receipts £'000
A	Copyright and other non-fee earning activities:§		
	Staff costs	3,359	
	Accommodation	1,022	
	General administrative expenses	1,895	
		6,276	—
B	Statutory fee-earning services		
	<i>Patents</i>		
	Staff costs	16,384	
	Accommodation	4,574	
	General administrative expenses	6,651	
	Allocation of printing deficit	713	
		28,322	35,137*
	<i>Designs</i>		
	Staff costs	600	
	Accommodation	204	
	General administrative expenses	228	
		1,032	962
	<i>Trade Marks</i>		
	Staff costs	5,446	
	Accommodation	1,369	
	General administrative expenses	3,271	
	Allocation of printing deficit	22	
		10,108	9,868
C	Non-statutory services		
	<i>Sales and distribution of publications</i>		
	Staff costs	738	
	Accommodation	290	
	Printing	843	
	General administrative expenses	480	
	Less printing deficit allocation	-735	
		2,351	1,052
	<i>Commercial search-based services</i>		
	Staff	261	
	Accommodation	100	
	General administrative expenses	154	
		515	325
	Totals	47,869	47,344

CAPITAL EXPENDITURE

	£'000
Computer projects and other items:	1,378

* Includes £10,571,000 in respect of European patents (UK) renewals of which £5,130,000 was paid to the European Patent Office (see below).

+ Excludes £279,000 charged against fees for office publications.

‡ The expenditure is expected to be recovered through fees over the the lifetime of the equipment. The amortisation costs in 1990 were £665,000

§ Includes relocation expenditure — £5,935,000

EUROPEAN PATENT CONVENTION

	£'000
Payment to EPO in respect of renewal of European patents (UK)	5,130

PATENT CO-OPERATION TREATY: FEES RETAINED AND TRANSFERRED

	£'000
Transmittal fees (retained by Patent Office)	30
IPEA examination fees (retained by Patent Office)	71
Search fees (transferred to European Patent Office, Munich)	1,558
Basic, Designation and Handling fees (transferred to World Intellectual Property Organisation, Geneva)	1,411
	3,070

Financial Summary Projection — 1990/91

	<i>£000's</i>
<i>Summarised operating account for 1990/91</i>	
Revenue.....	43,991
Current expenditure.....	(41,818)
Gross surplus.....	2,173
Depreciation.....	(702)
Relocation amonisation/write off.....	n/a
Operating surplus/(deficit).....	1,471
Rate of return (excluding special reserve).....	n/a
Investment Income.....	n/a
Interest on NLF Loans.....	n/a
Dividend.....	n/a
Final result.....	1,471
<i>Summarised Balance Sheet at 31 March 1991</i>	
Tangible fixed assets at net book value.....	1,860
Intangible fixed assets (relocation) at NBV.....	12,578
Total fixed assets.....	14,438
Trade debtors.....	2,434
Sundry debtors.....	396
Cash on hand and at bank.....	1
Cash on deposit.....	0
Deposits of EPO (UK) excess fees.....	n/a
Deposits.....	(723)
Prepayments.....	(7,553)
Fees due to EPO/PCT.....	(450)
Other creditors & accruals.....	(512)
Relocation creditor.....	(12,578)
Working capital.....	(18,985)
Total net worth.....	(4,547)
<i>Financed by</i>	
NLF Loans.....	n/a
Public Dividend Capital.....	n/a
Notional accumulated DTI account.....	(4,547)
Accumulated Reserve.....	n/a
Special EPO (UK) reserve.....	0
Total.....	(4,547)
<i>Cash Flow Summary</i>	
Fee receipts.....	41,815
EPO (UK) excess fee receipts.....	0
Payments running costs.....	(42,227)
Reimbursement of copyright costs by DTI.....	n/a
Net receipts/(payments) to EPO/PCT.....	(947)
Net movements in deposits/sundry debtors/other creditors.....	(367)
Capital payments.....	(1,479)
Relocation payments.....	(8,000)
Interest to relocation creditor.....	n/a
Receipt from relocation creditor.....	n/a
Repayment of relocation creditor.....	n/a
Investment Income (normal & EPO (UK) excess).....	n/a
Interest on NLF loans.....	n/a
Drawing on NLF loans.....	n/a
Repayment of NLF loans.....	n/a
New Issues of PDC.....	n/a
Dividend.....	n/a
Net cash surplus/(deficit).....	(11,205)

APPENDIX 3

Staff Numbers

	1989	1990
Comptroller and Assistant Comptrollers	3	3
Examining (patents)	256½	271½
Administration group	698½	744½
Technical information Analysis	2	2
Typing and machine operating	56	43
Support grades	128	114
Casual staff	—	87
	1,143½	1,265

APPENDIX 4

Requests for grant, search and examination

REQUESTS FOR GRANT FOR SEARCH AND FOR EXAMINATION (PATENTS ACT 1977)

	<i>Requests for Grant</i>		<i>Requests for Search</i>	<i>Requests for Examination</i>
	<i>Without claim to priority</i>	<i>With claim to priority</i>		
1986	18,978	12,125	17,901	15,024
1987	19,202	11,162	16,873	13,397
1988	20,134	10,337	16,536	12,766
1989	19,425	9,944	15,903	11,348
1990	19,277	8,961	14,648	11,790

REQUESTS FOR GRANT FILED UNDER ARTICLE 75(1)(b) OF THE EUROPEAN PATENT CONVENTION

	<i>UK Residents</i>	<i>Foreign Residents</i>
1986	2,506	7,735
1987	2,865	8,687
1988	2,658	9,815
1989	2,946	10,767
1990	2,762	11,710

REQUESTS FOR GRANT FILED UNDER ARTICLE 10 OF THE PATENT CO-OPERATION TREATY

1986	806
1987	926
1988	1,152
1989	1,548
1990	2,041

APPENDIX 5

Applications made and published, and patents granted according to country of residence

APPLICATIONS MADE UNDER SECTIONS 15(1), 81(1) AND 89(1), APPLICATIONS PUBLISHED UNDER SECTION 16(1) AND PATENTS GRANTED UNDER SECTION 24(2) ACCORDING TO COUNTRY OF RESIDENCE OF APPLICANT (PATENTS ACT 1977)

	<i>Applications Made</i>	<i>1989 Applications Published</i>	<i>Patents Granted</i>	<i>Applications Made</i>	<i>1990 Applications Published</i>	<i>Patents Granted</i>
United Kingdom.....	19,732	5,971	3,273	19,310*	5,468	3,265
Channel Islands.....	39	6	—	58	12	—
Argentina.....	3	1	1	—	2	—
Australia.....	162	117	97	123	113	104
Austria.....	34	29	47	41	48	29
Bahamas.....	2	—	—	3	2	—
Bahrain.....	3	—	—	—	—	—
Barbados.....	2	—	—	—	—	—
Belgium.....	67	18	23	79	27	25
Bangladesh.....	1	—	—	—	—	—
Bermuda.....	—	—	1	—	1	1
Brazil.....	22	14	10	15	21	7
British Virgin Islands.....	—	—	2	3	2	—
British West Indies.....	—	1	7	2	—	10
Bulgaria.....	7	11	12	7	6	4
Canada.....	378	117	79	394	103	71
Cayman Islands.....	—	1	—	—	—	2
Chile.....	—	1	2	—	—	—
China.....	29	14	8	18	14	4
Costa Rica.....	1	—	—	—	1	—
Cuba.....	—	—	1	—	—	—
Cyprus.....	8	3	—	6	3	1
Czechoslovakia.....	6	23	34	3	4	19
Denmark.....	78	43	27	57	48	41
Dominica.....	—	—	—	1	—	—
Egypt.....	2	—	—	2	2	—
Equatorial Guinea.....	6	—	—	—	—	—
Fiji.....	—	—	—	1	—	—
Finland.....	84	81	67	68	74	52
France.....	294	198	251	287	174	200
Gabon.....	—	—	—	1	—	—
Germany: Democratic Republic.....	70	74	69	32	84	70
Germany: Federal Republic.....	1,161	1,120	1,053	1,013	919	913
Ghana.....	—	—	2	—	—	—
Gibraltar.....	13	1	3	3	1	3
Greece.....	6	1	—	3	3	—
Hong Kong.....	155	148	42	173	119	62
Hungary.....	77	61	71	29	49	56
Iceland.....	—	2	2	2	—	3
India.....	12	7	1	10	6	6
Indonesia.....	2	1	—	1	2	—
Iran.....	1	—	—	—	—	1
Iraq.....	1	1	2	—	1	—
Irish Republic.....	111	85	43	169	89	51
Isle of Man.....	—	17	—	25	14	2
Israel.....	69	41	22	38	42	26
Italy.....	258	210	226	274	204	199
Ivory Coast.....	1	—	—	—	—	—
Jamaica.....	5	—	2	—	2	—
Japan.....	2,369	2,211	2,037	2,148	2,183	1,849
Jordan.....	1	2	—	1	—	—
Kenya.....	2	2	2	3	2	—
Korea, Democratic Republic.....	7	—	—	—	2	1
Korea, Republic of.....	161	73	15	223	164	28
Kuwait.....	2	2	—	2	2	—
Liberia.....	7	—	—	2	4	1
Liechtenstein.....	15	12	14	13	5	7
Luxembourg.....	45	21	11	43	33	26
Malaysia.....	10	9	6	8	9	2
Malta.....	2	1	—	8	—	—
Mauritius.....	2	1	—	—	—	—

* This figure includes 2,944 applications claiming priority from an earlier application

APPENDIX 5 — continued

	<i>Applications Made</i>	<i>1989 Applications Published</i>	<i>Patents Granted</i>	<i>Applications Made</i>	<i>1990 Applications Published</i>	<i>Patents Granted</i>
Mexico.....	1	1	1	—	2	—
Monaco.....	6	1	1	3	1	—
Morocco.....	1	—	—	1	1	—
Netherlands.....	303	121	73	224	105	66
Netherlands Antilles.....	6	2	4	5	4	5
New Zealand.....	23	35	20	29	20	7
Niger.....	—	—	—	4	—	—
Nigeria.....	2	—	2	7	—	—
Norway.....	84	38	35	79	34	32
Oman.....	1	—	—	1	—	—
Pakistan.....	1	—	—	1	—	—
Panama.....	6	5	4	4	4	—
Papua New Guinea.....	—	—	1	1	—	—
Peru.....	1	—	—	—	—	—
Philippines.....	—	1	—	—	—	1
Poland.....	1	2	2	—	—	3
Portugal.....	—	—	1	—	—	1
San Marino.....	1	—	—	—	1	—
Saudi Arabia.....	2	—	1	4	—	—
Singapore.....	36	17	6	33	14	8
Somalia.....	1	—	—	—	—	—
South Africa.....	69	54	26	89	42	34
Spain.....	90	74	36	78	65	45
Sri Lanka.....	—	1	1	1	—	—
St Helena.....	—	—	—	—	—	1
Sweden.....	98	85	87	79	59	68
Switzerland.....	440	153	211	392	151	174
Taiwan.....	245	211	46	296	237	51
Thailand.....	1	1	—	1	—	3
Trinidad and Tobago.....	—	—	—	1	1	2
Tunisia.....	1	—	—	—	—	—
Turkey.....	1	1	—	1	—	—
United Arab Emirates.....	2	—	—	6	—	—
United States of America.....	2,325	2,095	1,908	2,092	1,765	1,646
USSR.....	87	95	84	89	116	102
Venezuela.....	2	10	3	7	7	4
Vietnam.....	—	—	—	1	—	—
Virgin Islands.....	4	—	—	—	—	—
Yugoslavia.....	2	—	4	1	2	—
Zambia.....	1	1	—	—	—	—
Zaire.....	—	—	—	3	—	—
Zimbabwe.....	—	—	—	3	1	2
Country not specified†.....	—	7	16	—	—	—
	29,369	13,765	10,138	28,238	12,696	9,396

† These cases are not assigned a country code on the computer database.

APPENDIX 6

Specifications published in 1990 and trends of inventions

SPECIFICATION NOS. 2220118-2232861 (1977 ACT APPLICATIONS ONLY)

These are shown divided according to the 40 divisions of the present classification system together with comparable figures for the year 1989. The figures for 1977 Act specifications include those resulting from domestic applications made under section 81(1) and 89(1) of this Act.

Serial numbers* were not utilised and there are no specifications bearing these numbers.

Division	Main subject matter	Specifications published			
		1989		1990	
		(Applications)	(Grants)	(Applications)	(Grants)
A1	Agricultural: animal husbandry	226	123	200	132
A2	Food: tobacco	164	103	120	116
A3	Apparel: footwear: jewellery	128	68	131	62
A4	Furniture: household articles	559	302	547	373
A5	Medicines: surgery	466	340	409	354
A6	Entertainments	294	172	303	152
B1	Physical and chemical apparatus	253	171	212	169
B2	Crushing: coating: separating	173	174	180	169
B3	Metal working	413	254	399	264
B4	Cutting: hand tools: radioactive handling	127	90	99	47
B5	Working non-metals: presses	322	327	262	231
B6	Stationery: printing: writing: decorating	286	129	261	194
B7	Transport	507	339	487	243
B8	Conveyancing: packing: load handling: hoisting: storing	851	657	763	556
C1	Inorganic chemistry: glass: fertilizers: explosives	229	204	199	173
C2	Organic chemistry	270	295	217	307
C3	Macromolecular compounds	338	275	335	318
C4	Dyes: paints: miscellaneous compositions	39	57	32	53
C5	Fats: oils: waxes: petroleum: gas manufacture	100	104	96	89
C6	Sugar: skins: microbiology: beverages	34	21	21	28
C7	Metallurgy: electrolysis	197	197	181	155
D1	Textiles: sewing: ropes	266	256	207	167
D2	Paper	14	14	8	10
E1	Civil engineering: building	749	320	733	382
E2	Fastenings: operating doors	350	210	330	235
F1	Prime movers: pumps	423	278	394	248
F2	Machine elements	1,142	897	966	803
F3	Armaments: projectiles	85	86	86	79
F4	Heating: cooling: drying: lighting	442	335	406	348
G1	Measuring: testing	878	595	789	639
G2	Optics: Photography	332	374	371	300
G3	Controlling: timing	293	201	275	167
G4	Calculating: counting: checking: signalling: data-handling	439	278	457	245
G5	Advertising: education: music: recording	262	185	289	179
G6	Nucleonics	25	31	24	23
H1	Electric circuit elements: magnets	656	561	582	555
H2	Electric power	463	256	403	279
H3	Electronic circuits: radio receivers	275	193	199	121
H4	Telecommunications	597	463	668	395
H5	Miscellaneous electric techniques	58	40	55	36
—	Division not specified†	40	163	—	—
		13,765	10,138	12,696	9,396
			23,903		22,092

* GB2220120, GB2220121, GB2220613, GB2220874, GB2221214, GB2221334, GB2221350, GB2221576, GB2222682, GB2222830, GB2223413, GB2224130, GB2224430, GB2225081, GB2225254, GB2225524, GB2225829, GB2225857, GB2226034, GB2226188, GB2226280, GB2226449, GB2226713, GB2226798, GB2227017, GB2227467, GB2227698, GB2227770, GB2227924, GB2228230, GB2228678, GB2228876, GB2228988, GB2229015, GB2229146, GB2229164, GB2229425, GB2229573, GB2230253, GB2230603, GB2230966, GB2230970, GB2231639, GB2231764, GB2232050, GB2232497, GB2232698, GB2232768

In addition four specifications of accepted applications (1949 Act) were published.

† These cases are not assigned a primary classification on the computer database.

APPENDIX 6 — continued

TRENDS OF INVENTION

Note: The subjects referred to in the section dealing with "Trends of Inventions in Published Specifications" (listed below in order of mention) are classified mainly in the following headings for which abstracts appear in the volumes indicated.

<i>Subject</i>	<i>Heading</i>	<i>Abstract Volume</i>
Foamed/cellular products	C3C	C3
Medical equipment	A5R	A5 - 6
Malaria vaccines	C3H	C3
Malaria detection	G1B	G1
Biotechnology	A5R	A5 - 6
Telecommunications signal receiving antenna	H1Q	H1
Video signal processing	H4F	H3 - 5
Small permanent magnet DC motors	H2A	H2
Washing machines	D1A	D1 - 2
Cordless irons	D1A, H2E	D1 - 2, H2
Water meters	G1R	G1
Immersion heaters	H5H	H3 - 5
Industrial boilers	F4T	F3 - 4
Cyclone separation systems	B2P	B1 - 2
Safety at sea	B7A	B7
Collision protection in cars	B7B	B7
Car braking systems	F2E	F2
Air heaters/humidifiers	A5T	A5 - 6
Handling & dispensing money	GV4, G4X	G4 - 6
Joining fabrics	D1R	D1 - 2
Needle looms	D1R	D1 - 2
Producing diamond films	C7F	C6 - 7
Inspection and repair of water and sewer pipes	F2N, F2P	F2
Toys moving in response to external sound &c	A6S	A5 - 6

APPENDIX 7

Patent fees received 1990

<i>Description of documents, etc</i>	<i>No</i>	<i>Amount Received £</i>
<i>Patents Act 1977:</i>		
Requests for grant.....	28,238	423,570
Requests for search.....	14,648	1,434,960
Requests for examination.....	11,790	1,327,810
<i>Patents Act 1949:</i>		
Application for results of search.....	581	1,305
Applications for amendments of complete specifications after acceptance.....	9	432
<i>Patents Act 1949 to 1977:</i>		
<i>Renewal fees</i>		
In respect of 5th year.....	10,149	892,304
European patents (UK).....	10,404	916,870
In respect of 6th year.....	10,626	997,696
European patents (UK).....	15,254	1,437,644
In respect of 7th year.....	10,490	1,067,236
European patents (UK).....	17,085	1,748,466
In respect of 8th year.....	10,312	1,156,272
European patents (UK).....	15,042	1,695,152
In respect of 9th year.....	9,845	1,203,468
European patents (UK).....	12,601	1,546,268
In respect of 10th year.....	9,842	1,320,872
European patents (UK).....	9,726	1,311,332
In respect of 11th year.....	9,644	1,434,678
European patents (UK).....	6,754	1,009,634
In respect of 12th year.....	9,982	1,623,058
European patents (UK).....	3,557	583,724
In respect of 13th year.....	11,007	2,009,398
European patents (UK).....	937	175,338
In respect of 14th year.....	9,833	2,000,000
In respect of 15th year.....	8,385	1,881,012
In respect of 16th year.....	6,696	1,650,864
In respect of 17th year.....	6,073	832,326
In respect of 18th year.....	5,564	809,824
In respect of 19th year.....	4,354	704,917
In respect of 20th year.....	3,395	606,345
In respect of half fees on patents voluntarily endorsed 'licences of right'.....	2,594	220,149
European Patents (UK) endorsed 'licences of right'.....	843	54,520
Extensions of time for paying renewal fees.....	3,821	151,642
European patents (UK).....	2,556	91,924
Applications for restoration of patents.....	87	9,342
Applications for revocation of patents.....	15	338
Applications for voluntary endorsement of patents 'licences of right'.....	483	5,968
Application for entries in register.....	5,858	54,252
Requests for certified copies and office copies of documents.....	33,281	354,968
Requests for information.....	424	3,392
Inspection fees (patent register and documents).....	13,972	32,017
Translations filed — European Patents (UK).....	8,774	233,440
Applications to amend specification after grant.....	89	4,700
Miscellaneous.....	5,634	117,967
		35,137,394
Fees certified for refund during 1990.....		71,933

APPENDIX 8

Number of renewal fees paid, 1979-90

	5th year	6th year	7th year	8th year	9th year	10th year	11th year	12th year	13th year	14th year	15th year	16th year	17th year	18th year	19th year	20th year
1979	29,714	28,668	27,153	22,943	20,139	16,610	15,368	12,600	10,340	8,540	6,397	4,804	—	—	—	—
1980	29,377	26,500	25,201	23,701	20,401	17,701	14,650	13,061	10,710	8,741	7,040	4,878	—	—	—	—
1981	28,472	25,981	23,141	21,652	20,290	16,999	14,638	12,205	10,992	8,724	6,940	5,198	—	—	—	—
1982	29,340	27,573	23,908	20,844	19,756	18,244	15,124	13,080	10,831	9,837	7,729	5,868	—	—	—	—
1983	28,901	28,364	23,647	20,653	17,956	16,844	15,381	12,768	11,208	9,352	8,151	6,241	2,992	—	—	—
1984	26,824	25,940	24,802	20,566	17,936	15,320	14,239	13,051	10,793	9,476	7,695	6,511	5,024	2,491	—	—
1985	26,342	26,944	24,141	22,342	18,658	16,323	13,714	12,809	11,743	9,679	8,206	6,645	5,692	4,289	2,112	—
1986	25,048	26,617	24,983	21,757	19,761	16,642	14,341	11,866	11,143	10,242	8,416	7,005	5,566	4,760	3,588	1,722
1987	23,609	26,531	25,039	22,375	19,375	17,263	14,744	12,586	10,367	9,635	8,831	7,289	5,964	4,791	4,025	2,850
1988	22,675	25,394	25,560	23,048	20,044	17,273	15,473	12,714	10,929	8,818	8,076	7,477	5,991	5,032	3,879	3,181
1989	20,427	25,782	25,643	24,226	20,907	18,124	15,048	13,419	11,038	9,320	7,419	7,072	6,248	5,040	4,164	3,070
1990	20,637	26,025	27,777	25,561	22,859	19,974	16,796	13,884	12,333	10,110	8,641	7,011	6,073	5,564	4,354	3,395

The figures shown in this table include patents endorsed 'licences of right' on which half fees are payable but do not include patents of addition in respect of which no renewal fees are payable.

Patents in force to end of fourth year (as at 31 December 1990) totalled 17,909 (including 14,787 European patents (UK) granted but not due for renewal).

European Patents (UK) (included in table above):

	5th year	6th year	7th year	8th year	9th year	10th year	11th year	12th year	13th year
1986	9,975	11,698	9,623	5,536	1,573	—	—	—	—
1987	10,026	12,989	11,663	8,810	5,073	1,446	—	—	—
1988	10,047	12,992	13,321	10,973	8,020	4,517	1,315	—	—
1989	9,318	14,598	14,460	13,141	10,323	7,420	4,051	1,118	—
1990	10,435	15,300	17,152	15,137	12,816	9,889	6,888	3,629	957

APPENDIX 9

Certificates of the Comptroller

	<i>Requests made for certificates</i>
1986.....	32,926
1987.....	36,802
1988.....	35,688
1989.....	36,182
1990.....	33,281

These requests were almost all for certified copies of specifications or other documents required for use in connection with applications filed abroad.

APPENDIX 10

Hearings and proceedings concerning patents 1990

PART I

HEARINGS ON APPLICATIONS FOR PATENTS

	<i>Hearings appointed</i>	<i>Allowed</i>	<i>Refused</i>	<i>Appeals heard by Patents Court</i>	<i>Allowed</i>	<i>Refused</i>
Technical	8	—	8	1	—	1
Procedural	2	—	2	—	—	—

PART II

PROCEEDINGS CONCERNING PATENTS

(The sections of the Act shown relate to the Patents Act 1977, unless otherwise stated)

<i>Applications, References and actions by the Comptroller</i>	<i>Lodged</i>	<i>Heard^{††}</i>	<i>Allowed*</i>	<i>Refused^{†††}</i>	<i>Appeals Heard by Patents Court</i>
Rights in Patents					
Sections 8, 12 and 37	26	6	1	10	0
Disputes between joint Applicants					
Section 10 or 12(4)	2	0	N/A	N/A	0
Inventors Rights					
Section 13	11	0	8	0	0
Amendments to Specification					
Section 27	89	0	106	0	0
Section 29 (1949 Act)	9	0	17	0	0
Opposition to Amendments of Specification					
Section 27	5	0	0	0	0
Section 29 (1949 Act)	0	0	0	0	0
Restoration of Lapsed Patent					
Section 28	87	13	75	16	0
Surrender of Patent					
Section 29	11	1	2	1	0
Compensation of Employee					
Section 40	2	1	0	0	0
Licences of Right					
Section 46(1)	483	0	483	0	0
Declaration that licences of right shall not extend to excepted uses (Para 293 CDP Act 1988)	68	1	77	2	0
Settlement of Terms under Licence of Right					
Section 46(3)	3	8	7	2	2
Opposition to Cancellation of Licence of Right					
Section 47(6)	0	0	0	0	0
Compulsory Licence					
Section 48(1)	4	2	0	4	0
Opposition to Compulsory Licence					
Section 52(1)	4	4	4	0	0
Declaration as to Non-Infringement					
Section 71	5	1	1	2	0
Revocation of Patents					
Section 72	11	10	2	9	0
Section 33 (1949 Act)	4	4	0	0	1
Section 73(1)	1	0	0	0	0
Section 73(2)	29	0	31†	4	0
Amendments before the Court					
Section 75	7	N/A	N/A	N/A	N/A
Section 30 (1949 Act)	7	N/A	N/A	N/A	N/A
Correction of Clerical Errors					
Section 117	72	0	71	0	0
Section 76 (1949 Act)	4	0	4	0	0

* Includes those allowed in part where applicable.

† Indicates the number of patents revoked under Section 73.

†† Includes preliminary hearings.

††† Figures do not include proceedings withdrawn, not proceeded with, or not entertained.

APPENDIX 11

Extensions of period for payment of renewal fees

	<i>Extension of</i>						<i>Total</i>
	<i>1 month</i>	<i>2 months</i>	<i>3 months</i>	<i>4 months</i>	<i>5 months</i>	<i>6 months</i>	
1986.....	3,469	1,080	488	245	260	567	6,109*
1987.....	3,383	1,046	516	240	230	650	6,065*
1988.....	3,218	993	483	368	256	588	5,906*
1989.....	3,263	983	461	272	192	560	5,731*
1990.....	3,570	1,149	462	264	277	655	6,377*
*European patents (UK) included in above:							
1986.....	1,160						
1987.....	1,460						
1988.....	1,662						
1989.....	1,932						
1990.....	2,556						

APPENDIX 12

Designs — Applications and registrations 1981-90

(In this and other parts of the report dealing with designs, references by number to sections of the Act are references to the Registered Designs Act: 1949 as amended by the Copyright Designs and Patents Act 1988 and references to rules are references to the Registered Designs Rules 1989* as amended by the Registered Designs (Amendment) Rules 1990[†] and the Registered Designs (Fees) Rules 1990^{††}).

APPLICATIONS AND REGISTRATIONS

	<i>Applications received for new registrations</i>			<i>Designs registered</i>
	<i>Total</i>	<i>From Abroad</i>		
		<i>Total</i>	<i>Claiming priority under International Convention</i>	
1981	6,242	3,294	1,679	5,296
1982	6,233	3,505	1,637	4,450
1983	6,792	3,478	1,862	6,878
1984	7,237	3,990	2,163	6,697
1985	7,395	3,984	2,142	6,546
1986	7,844	4,338	2,311	7,167
1987	8,646	4,485	2,614	7,140
1988	8,748	4,854	2,638	8,049
1989	9,317	5,486	3,503	8,945
1990	8,566 [‡]	4,724	3,042	9,171

[‡] Includes 147 for designs to be applied to sets of articles (174 in 1989).

* S.I. 1989 No 1105
 † S.I. 1990 No. 1456
 †† S.I. 1990 No. 1698

APPENDIX 13

Applications for Design Registration 1989 and 1990 according to country of residence of applicant

Country	1989	1990
United Kingdom	3,831	3,842
Cayman Islands	5	—
Channel Islands	1	5
Australia	159	124
Austria	14	28
Belgium	47	76
Bermuda	—	3
British Virgin Islands	—	3
Canada	44	47
China	3	6
Cyprus	1	—
Czechoslovakia	3	1
Denmark	55	41
Finland	11	28
France	362	375
Germany: Federal Republic	531	444
Greece	2	—
Hong Kong	784	685
Iceland	1	—
India	1	—
Irish Republic	25	13
Israel	12	11
Italy	470	278
Japan	1,006	663
Kenya	2	—
Korea, Republic of	22	26
Kuwait	13	—
Liechtenstein	5	3
Luxembourg	10	46
Malaysia	35	37
Malta	—	1
Monaco	1	10
Netherlands	255	303
New Zealand	15	6
Norway	22	13
Oman	7	—
Panama	2	—
Singapore	19	39
South Africa	16	10
Spain	88	28
Sweden	181	199
Switzerland	402	278
Taiwan	129	120
Thailand	—	2
Turkey	1	—
United States of America	713	758
USSR	7	10
Yugoslavia	4	4
	9,317	8,566

APPENDIX 14

Designs fees received 1990

<i>Description of documents, etc.</i>	<i>No.</i>	<i>Amount received £</i>
Applications for registration in respect of:		
a single article not being a checks or stripes textile article or lace	8,379	389,583
a set of articles.....	147	10,548
a single lace article or a single checks or stripes textile article.....	40	1,104
Applications for extension for second period of protection	2,892	311,468
Applications for extension for third period of protection.....	968	155,788
Applications for extensions of time for completion of application for registration or for payment of fee for extension of period of protection.....	500	13,411
Applications for entry of assignments, etc., for alterations or for corrections of error	966	11,095
Request for search under section 23 or rules 70 and 71	295	5,580
Requests for certificates for use in obtaining registration abroad or other special purposes	2,797	27,913
Inspection of register or design and requests for uncertified copies or extracts.....	11,482	34,446
Other proceedings	15	699
Applications for Design Right proceedings before Comptroller.....	0	0
Total	28,481	961,635

APPENDIX 15

Extension of protection, objections etc and cancellations

EXTENSION OF DESIGN PROTECTION (SECTION 8(2))

	<i>Extended for second period</i>	<i>Extended for third period</i>
1981.....	1,523	684
1982.....	1,479	650
1983.....	1,943	622
1984.....	1,751	672
1985.....	1,947	722
1986.....	2,354	732
1987.....	2,374	734
1988.....	2,706	968
1989.....	2,991	984
1990.....	2,892	968

HEARINGS AND APPEALS UNDER THE DESIGNS ACTS

	<i>Hearings held and outcome</i>			<i>Appeals to Tribunal</i>			
	<i>Hearings held</i>	<i>Refused</i>	<i>Allowed to proceed</i>		<i>Dismissed</i>	<i>Allowed</i>	<i>Withdrawn</i>
			<i>With modifi- cation</i>	<i>Without modifi- cation</i>			
1981.....	30	20	6	4	—	2	—
1982.....	55	30	15	10	—	—	—
1983.....	36	11	7	18	1	1	—
1984.....	22	9	6	6	—	—	—
1985.....	5	—	2	1	2	—	—
1986.....	38	3	28	1	—	—	1
1987.....	19	12	4	—	—	—	—
1988.....	16	7	4	1	—	—	—
1989.....	10	4	3	1	—	—	—
1990.....	23†	13*	3	5	—	1	—

* The two hearings pending decisions from 1989 were refused in 1990.

† Four hearings were pending decisions at the end of the year; three were adjourned for further consideration of the applications by the applicants/agents and one was adjourned awaiting the provision of evidence.

PROCEEDINGS IN 1990 FOR THE CANCELLATION OF REGISTRATIONS

Three applications for cancellation of registrations under section 11(1) were received and implemented.

Seven applications by interested persons were made under section 11(2) to be added to the twelve outstanding at the end of 1989. Of the total of nineteen, cancellation was refused for one application under section 11(2), leaving eighteen applications under section 11(2) outstanding.

APPENDIX 16

Trade and Service Marks

(In this and other parts of the report dealing with Trade marks, reference by number to sections of the Act are references to the Trade Marks Act 1938 as amended and modified by the Trade Marks (Amendment) Act 1984, and references to rules are references to the Trade Marks and Service Marks Rules, 1986.)

1. APPLICATIONS (INCLUDING TEXTILE APPLICATIONS FILED AT THE MANCHESTER BRANCH)

		1981	1982	1983	1984	1985	1986	1987	1988	1989	1990
Applications filed during the year	- trade marks	20,881	20,631	22,100	22,796	24,323	25,955	26,572	31,465	32,925	32,513
	- service marks	—	—	—	—	—	13,198	6,827	6,541	7,127	7,119
Examined and searched	- trade marks	18,407	18,702	18,818	25,200	28,960	24,846	20,563	28,587	29,385	41,313
	- service marks	—	—	—	—	—	135	8,572	7,490	11,951	8,864
Unexamined at end of year ¹	- trade marks	12,688	14,598	17,938	16,704	11,653	13,651	20,131	24,305	27,592	18,625
	- service marks	—	—	—	—	—	13,063	11,114	10,067	5,157	3,436
Advertised during the year	- trade marks	11,941	12,415	13,746	15,749	19,093	17,445	14,586	12,623	22,566	22,514
	- service marks	—	—	—	—	—	—	581	2,211	5,165	6,578

¹ Although this is the actual number of applications unexamined at the end of the year (adjusted after a physical count), a large number are not ready for examination, eg because of queries concerning the list of goods. Each year a small number of applications are withdrawn before examination.

2. APPLICATIONS — OBJECTIONS, HEARING AND APPEALS — SECTION 17

		1981	1982	1983	1984	1985	1986	1987	1988	1989	1990
(a) Hearings — <i>Ex parte</i> ² —											
	<i>Rules 33-34</i>										
	Number appointed.....	7,501	6,696	5,962	5,944	6,286	7,346	6,918	6,189	6,091	6,220
	Number postponed etc.....	137	281	300	233	330	695	413	211	501	683
	Number taken.....	7,364	6,415	5,662	5,711	5,956	6,651	6,505	5,978	5,590	5,537
	Applications allowed to proceed:										
	— unconditionally.....	743	574	590	599	623	776	697	945	928	820
	— on transfer to part B.....	766	849	628	822	1,040	1,261	1,171	1,388	1,067	832
	— conditionally.....	1,201	829	904	497	381	295	182	67	194	109
	Applications suspended pending										
	applicant's agreement to conditions etc.....	4,283	3,811	3,196	3,287	3,221	3,616	3,778	3,249	3,014	3,412
	Applications withdrawn.....	72	61	55	85	99	88	99	55	93	66
	Applications refused.....	162	291	289	421	592	615	557	274	294	298
	Number not yet taken.....	1,897	2,445	1,864	2,157	2,933	3,056	1,448	1,486	1,603	1,973
(b) Refusals — Rule 35											
	Written grounds issued.....	44	85	58	50	30	58	66	53	32	22
(c) Appeals to SOS (Trade) — Rules 129-135											
	Pending at beginning of year.....	—	1	5	4	2	1	6	7	7	8
	Lodged during the year.....	1	6	8	11	4	8	7	14	11	3
	Withdrawn.....	—	1	2	1	—	—	—	—	—	—
	Dismissed.....	—	1	6	10	5	2	3	8	6	5
	Allowed.....	—	—	1	2	—	—	3	6	4	6
	Pending at end of year.....	1	5	4	2	1	6	7	7	8	—
(d) Appeals to the Court — RSC Order 100											
	Pending at beginning of year.....	4	2	5	11	6	3	—	—	—	—
	Lodged during the year.....	2	8	10	9	4	1	13	3	—	1
	Withdrawn.....	1	—	—	6	2	—	3	—	—	—
	Dismissed.....	3	4	4	5	5	3	1	3	—	—
	Allowed.....	—	1	—	3	—	1	—	—	—	—
	Pending at end of year.....	2	5	11	6	3	—	—	—	—	1

² In addition 1 *inter parte* hearing to resolve a conflict under section 12(3) was held in 1990.

APPENDIX 16 — continued

3. OPPOSITIONS TO REGISTRATION — SECTION 18

	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990
<i>(a)</i> Oppositions before the Registrar:										
Pending at beginning of year	672	649	738	542	425	432	419	388	436	557
Filed during the year	294	341	317	302	301	301	316	319	345	464 ³
Withdrawn —										
— applications	109	85	167	114	72	110	91	77	81	98
— oppositions	195	154	329	283	190	177	210	167	129	167
Oppositions refused	5	9	12	11	15	7	17	6	10	17
Oppositions allowed	6	4	5	11	17	20	29	21	4	7
Pending at end of year	649	738	542	425	432	419	388	436	557	732 ⁴
Main Hearings in year	12	15	17	22	26	21	42	23	21	19 ⁵
<i>(b)</i> Appeals from Registrar to Court:										
Pending at beginning of year	3	2	5	—	4	8	7	7	7	2
Lodged during year	3	5	—	7	8	1	3	4	2	2
Withdrawn	3	—	2	—	1	—	1	1	3	—
Dismissed	1	2	2	3	1	2	2	6	2	1
Allowed	—	—	1	—	2	—	1	3	2	—
Pending at end of year	2	5	—	4	8	7	7	1	2	3

³ The total number of applications under threatened opposition at 31 December, ie where extensions of time have been obtained under Rules 46 and 114, was approximately 2,003

⁴ Of which 11 were ready to be heard

⁵ In addition 90 interlocutory hearings, mainly concerning extensions of time, were held during the year.

4. MAINTENANCE OF THE REGISTER

	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990
<i>(a)</i> Registrations										
Registered during the year —										
in part A	6,262	8,527	7,612	10,324	10,754	11,285	9,288	9,371	15,276	20,295
in part B	3,280	4,607	4,313	5,759	5,400	5,804	5,113	5,010	7,098	8,094
Total	9,542	13,134	11,925	16,083	16,154	17,089	14,401	14,381	22,374	28,389 ⁶
% of registrations made in part B	34	35	36	36	33	34	35	35	32	29
<i>(b)</i> Renewals and Registrations										
No. of registrations renewable	23,467	24,162	23,394	25,159	22,676	23,767	25,131	27,574	28,431	25,630
No. renewed	14,079	13,746	14,996	12,946	14,098	13,810	14,213	18,421	16,133	16,856
No. of lapsed registrations restored — Rule 68 — and renewed (not included above)	154	143	282	153	282	249	212	213	149	308
<i>(c)</i> Assignments										
No. of forms TM No. 16 lodged	1,485	1,648	1,701	1,669	1,525	1,941	2,071	2,226	2,062	2,746
No. dealt with	1,348	1,553	2,066	1,704	1,585	1,622	2,189	1,917	2,378	2,292
No. of registrations assigned ⁷	4,646	5,259	6,789	6,495	5,702	6,536	9,884	6,161	11,639	10,026
<i>(d)</i> Other changes (Name, address, list of goods, voluntary cancellations, etc)										
No. of applications made	2,093	2,113	3,136	2,076	1,731	5,935	4,190	4,752	5,060	5,510
No. of registration amended	10,008	10,874	13,470	7,801	7,035	7,982	25,674	11,219	17,549	21,097
<i>(e)</i> Registrar's Certificate — Rule 122										
No. issued (TM No. 31)	10,470	9,380	6,552	5,227	10,246	8,368	10,051	10,860	12,856	14,017

⁶ At the end of the year there were 3,314 advertised applications not registered. This does not include those under opposition or those where the opposition period (or extended opposition period) has not expired.

⁷ A single assignment may affect many registrations, whether or not governed by section 23.

5. RECTIFICATIONS — SECTIONS 26 AND 32

	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990
<i>(a) Applications made to Registrar:⁸</i>										
Pending at beginning of year	358	333	368	400	363	442	524	451	449	402
Filed in year	175	204	185	198	273	320	281	286	218	266
Withdrawn	161	154	150	207	172	213	320	259	247	191
Refused	1	—	2	3	2	1	2	—	—	5
Allowed	38	15	3	25	20	24	32	29	18	17
Pending at end of year	333	368	400	363	442	524	451	449	402	455 ⁹
Main Hearings held in year ¹⁰	6	—	5	6	7	10	6	3	3	5
<i>(b) Appeals from Registrar to Court:</i>										
Pending at beginning of year	1	2	4	2	3	1	2	3	2	1
Lodged in year	2	4	—	1	—	3	1	—	—	2
Withdrawn	—	—	2	—	2	2	—	—	—	—
Dismissed	1	2	—	—	—	—	—	1	1	—
Allowed	—	—	—	—	—	—	—	—	—	—
Pending at end of year	2	4	2	3	1	2	3	2	1	3
<i>(c) Applications made direct to Court:</i>										
Pending at beginning of year	35	35	38	24	16	13	22	30	41	26
Lodged in year	8	12	5	3	9	19	8	18	10	22
Withdrawn	6	—	17	5	8	3	—	2	2	1
Dismissed	1	9	2	4	1	4	—	5	—	1
Allowed	1	—	—	2	3	3	—	—	1	1
Pending at end of year	35	38	24	16	13	22	20	41	26	45

⁸ Actions for rectification are started either in the Registry or the High Court at the option of the applicant. No cases were referred to the Courts by the Registrar under section 54(b) during the year.

⁹ of which 3 were ready to be heard

¹⁰ Undefended rectification are usually determined without a hearing.

APPENDIX 17

Trade and Service marks applied for and registered in 1989 and 1990 according to country of residence of applicant

Country	1989				1990			
	Applications		Registrations		Applications		Registrations	
	Trade Marks	Service Marks	Trade Marks	Service Marks	Trade Marks	Service Marks	Trade Marks	Service Marks
United Kingdom.....	16,465	4,565	9,627	2,722	15,702	4,312	10,320	4,380
Channel Islands.....	58	5	31	4	70	9	27	15
Australia.....	340	100	134	18	248	72	173	32
Austria.....	120	15	60	4	177	9	83	13
Bahamas.....	13	1	2	—	17	7	1	1
Barbados.....	2	1	1	—	10	2	6	3
Belgium.....	333	59	133	5	301	75	195	21
Bermuda.....	5	5	4	—	10	4	9	7
Bulgaria.....	1	—	—	—	—	3	2	—
Canada.....	234	58	107	36	285	107	162	67
Caribbean.....	34	10	27	2	95	39	23	2
Cayman Islands.....	22	9	8	1	10	6	12	2
Central America.....	45	11	13	2	46	4	18	2
China (People's Republic).....	70	3	38	—	59	3	53	—
Cyprus.....	15	—	3	—	8	—	4	—
Czechoslovakia.....	6	—	6	—	8	—	13	2
Denmark.....	219	49	154	15	184	18	189	37
Finland.....	99	17	90	7	144	13	102	8
France.....	2,637	675	1,260	167	2,320	666	1,870	428
Germany, Federal Republic.....	2,254	192	1,346	97	2,451	198	1,687	192
Gibraltar.....	10	2	—	—	3	3	1	1
Greece.....	19	2	20	—	20	—	20	—
Hong Kong.....	185	6	64	14	162	9	86	16
Hungary.....	29	10	22	2	16	11	9	2
Iceland.....	23	1	3	—	3	—	2	—
India.....	12	—	7	2	17	—	9	—
Irish Republic.....	159	17	73	3	144	23	103	8
Israel.....	35	2	21	1	41	1	24	1
Italy.....	1,295	120	565	29	1,044	191	807	129
Japan.....	884	56	593	49	1,280	69	653	56
Kenya.....	1	—	1	—	—	—	—	—
Lebanon.....	2	—	5	1	1	1	1	—
Liechtenstein.....	34	2	19	1	31	10	19	3
Luxembourg.....	37	19	6	1	33	26	21	13
Malaysia.....	33	1	4	2	8	—	10	2
Malta.....	—	—	3	—	1	—	—	—
Monaco.....	6	—	1	2	15	11	19	—
Netherlands.....	777	140	375	28	715	120	485	91
New Zealand.....	48	5	35	9	35	12	35	7
Norway.....	77	17	47	6	100	20	84	24
Others (Africa).....	22	3	5	—	16	1	21	1
Others (Asia).....	160	16	117	5	220	29	123	2
Poland.....	3	—	—	—	1	—	3	—
Portugal.....	31	7	11	—	32	1	17	6
Romania.....	—	—	3	—	—	—	1	—
Singapore.....	45	4	20	1	55	4	38	2
South Africa.....	63	5	32	2	69	17	32	6
South America.....	78	8	26	2	62	8	34	11
Spain.....	416	65	239	19	359	87	271	39
Sweden.....	399	75	303	22	372	68	322	86
Switzerland.....	943	70	567	42	839	82	661	118
United States of America.....	4,070	686	2,407	393	4,642	761	2,850	788
USSR.....	42	12	12	3	20	7	36	13
Yugoslavia.....	15	1	5	—	12	—	6	—
	32,925	7,127	18,655	3,719	32,513	7,119	21,752	6,637

APPENDIX 18

Classification of trade and service marks 1989 and 1990

TRADE MARKS ADVERTISED AND REGISTERED

Class	Classification of Goods	1989		1990	
		Advertised	Registered	Advertised	Registered
1	Chemical products used in industry, science, etc	979	844	976	976
2	Paints, varnishes, lacquers, etc	558	438	310	416
3	Cleaning preparations, soaps, perfumes, etc	1,235	1,005	1,225	1,179
4	Industrial oils and greases, candles, tapers, etc	165	139	250	226
5	Pharmaceutical, veterinary and sanitary substances, infants' and invalids' foods etc.....	1,995	1,559	1,733	1,784
6	Unwrought and partly wrought common metals, etc.....	667	578	733	779
7	Machines and machine tools, motors (except for vehicles), etc	1,020	880	1,007	1,051
8	Hand tools, and instruments; cutlery, forks and spoons; side arms.....	225	197	246	238
9	Scientific, nautical and surveying and electrical apparatus and instruments (including wireless, etc)	2,887	2,347	3,085	2,395
10	Surgical, medical, dental and veterinary instruments and apparatus.....	440	410	599	523
11	Installations for lighting, heating, cooking, etc	915	795	846	871
12	Vehicles: apparatus for locomotion by land, air or water	628	448	720	758
13	Firearms; ammunition, etc.....	43	30	55	60
14	Precious metals and their alloys, etc	312	291	356	320
15	Musical instruments (other than talking machines and wireless apparatus)	49	51	51	42
16	Paper and paper articles, stationery, office requisites, etc.....	1,719	1,473	1,502	1,368
17	Gutta-percha, india-rubber, etc	408	409	399	388
18	Leather, skins, umbrellas, harness, etc	301	271	399	362
19	Building materials, road-making materials, etc	568	477	685	653
20	Furniture, articles of wood, cork, etc.....	593	577	564	554
21	Small domestic utensils and containers (not precious metal), glassware, etc	482	448	438	406
22	Rope, string, nets, tents, raw fibrous textile materials, etc.....	89	76	65	73
23	Yarns; threads.....	88	81	67	73
24	Tissues (piece of goods), bed and table covers, etc.....	391	349	399	422
25	Clothing, including boots, shoes and slippers	1,738	1,352	1,566	1,509
26	Lace and embroidery, ribbon and braids, artificial flowers, etc	82	62	130	123
27	Carpets, rugs, etc	139	113	146	153
28	Games, etc.....	867	708	835	762
29	Meat, fish, poultry and game; meat extracts, etc.....	719	516	758	830
30	Coffee, tea, cocoa, sugar, rice, etc.....	940	735	1,021	1,031
31	Agricultural, horticultural and forestry products, fresh fruits, etc	364	270	356	380
32	Beer, ale and porter, mineral and aerated waters, etc	342	254	379	383
33	Wines, spirits and liqueurs	475	357	439	486
34	Tobacco, raw or manufactured; smokers' articles, matches.....	143	115	174	178
		22,566	18,655	22,514	21,752

SERVICE MARK APPLICATIONS

Class	Classification of Services	1989		1990	
		Advertised	Registered	Advertised	Registered
35	Advertising and business.....	727	480	975	1,036
36	Insurance and financial	814	612	1,101	1,091
37	Construction and repair	684	523	697	785
38	Communication	295	218	320	297
39	Transportation and storage.....	551	352	647	679
40	Processing and material treatment.....	154	123	156	190
41	Education and entertainment	528	405	838	761
42	Miscellaneous.....	1,412	1,006	1,844	1,798
		5,165	3,719	6,578	6,637

APPENDIX 19

Trade and Service marks fees received 1990

<i>Description of documents, etc.</i>	<i>No.</i>	<i>Amount received £</i>
Application for registration under sections 17,27 and 37.....	39,580	3,333,202
Opposition, appeals, etc	886	25,710
Registrations	25,558	2,416,697
Renewals, including restorations	16,466	3,635,906
Applications for registration of subsequent proprietor.....	3,046	112,534
Requests for Registrar's preliminary advice, public search fees	—	43,172
Certificates, office copies, etc	12,438	135,255
Applications for registration of registered users, etc	2,428	142,511
Rectification and correction of the Register.....	904	19,148
Sub-Total		9,864,135
<i>Add</i>		
Fees (not included above) received by the Cutlers' Company, Sheffield, during the year ended 30 June 1990 on proceedings under section 38 of the Trade Marks Act.....		8,542
		9,872,677
<i>Deduct</i>		
Fees allowed to the Cutlers' Company.....	4,271	
Total		9,868,406
Fees certified for refund during 1990 (not included in amounts received above).....		95,100

HMSO publications are available from:

HMSO Publications Centre

(Mail and telephone orders only)

PO Box 276, London SW8 5DT

Telephone orders 071-873 9090

General enquiries 071-873 0011

(queuing system in operation for both numbers)

HMSO Bookshops

49 High Holborn, London WC1V 6HB 071-873 0011 (counter service only)

258 Broad Street, Birmingham B1 2HE 021-643 3740

Southey House, 33 Wine Street, Bristol BS1 2BQ (0272) 264306

9-21 Princess Street, Manchester M60 8AS 061-834 7201

80 Chichester Street, Belfast BT1 4JY (0232) 238451

71 Lothian Road, Edinburgh EH3 9AZ 031-228 4181

HMSO's Accredited Agents

(see Yellow Pages)

and through good booksellers

ISBN 0-10-245391-8



9 780102 453911

