

SITUATION OF INTELLECTUAL PROPERTY PROTECTION SYSTEM OF MONGOLIA

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Scope

- ❖ **Mongolia at a Glance**
- ❖ **IP protection**
- ❖ **The International Treaties and Agreements Mongolia joined**
- ❖ **Patent protection**
- ❖ **PCT (National phase-National charter-MN)**
- ❖ **Statistics: Patents granted - PCT**
- ❖ **Protection of TMs**
- ❖ **International TM registrations in Mongolia - Madrid system**
- ❖ **International registrations of TM originated from Mongolia**
- ❖ **Statistics: TM registrations in Mongolia - Madrid system**
- ❖ **Statistics: Patents and TMs (PCT and Madrid system)**
- ❖ **IPOM**

MONGOLIA



IP Protection

❖ **Background:**

Protection of inventions in Mongolia commenced in 1944.

First patent (author's certificate) was granted on 13 January, 1963.

Intellectual property as such was first recognized by the Constitution of Mongolia of 1992:

Art . 7(2) “ Intellectual values produced by the citizens are the property of their authors and the national wealth of Mongolia ”

Government agency responsible for IP- Intellectual Property Office of Mongolia which is under the Deputy Prime Minister

IPOM carries out its activities in conformity with the provisions of the Law on Patents, Law on Trademarks and Geographical Indications, Law on Copyright and Related Rights

INTERNATIONAL TREATIES AND AGREEMENTS MONGOLIA JOINED

- ❖ **1979**- Convention on Establishing the World Intellectual Property Organization
- ❖ **1985**- Paris Convention on the Protection of Industrial Property
- ❖ **1985**- Madrid Agreement Concerning the International Registration of Marks
- ❖ **1992** - Patent Cooperation Treaty (PCT)
- ❖ **1997** - Hague Agreement concerning the International Deposits of Industrial Design
- ❖ **1997** - TRIPs Agreement
- ❖ **1998**- Berne Convention for the Protection of Literary and Artistic, Works
- ❖ **2001**- Madrid Protocol Concerning the International Registration of Marks

INTERNATIONAL TREATIES AND AGREEMENTS MONGOLIA JOINED

- ❖ **2001-** Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks
- ❖ **2001-** Locarno Agreement Establishing International Classification for Industrial Designs
- ❖ **2002-** Strasbourg Agreement Concerning the International Patent Classification
- ❖ **2002-** Nairobi Treaty on the Protection of the Olympic Symbol
- ❖ **2002 -** WIPO Copyright Treaty
- ❖ **2002-** WIPO Performances and Phonograms Treaty
- ❖ **2010-** Singapore Treaty on the Law of Trademarks

PATENT PROTECTION

- ▶ **LEGAL BASIS**

 - Patent Law of Mongolia 1993, 2006

- ▶ **MEMBERSHIP IN INTERNATIONAL CONVENTIONS**

 - Paris Convention, Stockholm Act, since April 21, 1985.

 - Patent Cooperation Treaty (PCT), since May 27, 1992.

 - Strasbourg Agreement Concerning the International Patent Classification, since 2002

 - TRIPS Agreement

PATENT COOPERATION TREATY (PCT)

NATIONAL PHASE – NATIONAL CHAPTER – MN

Summary of requirements for entry into the national phase

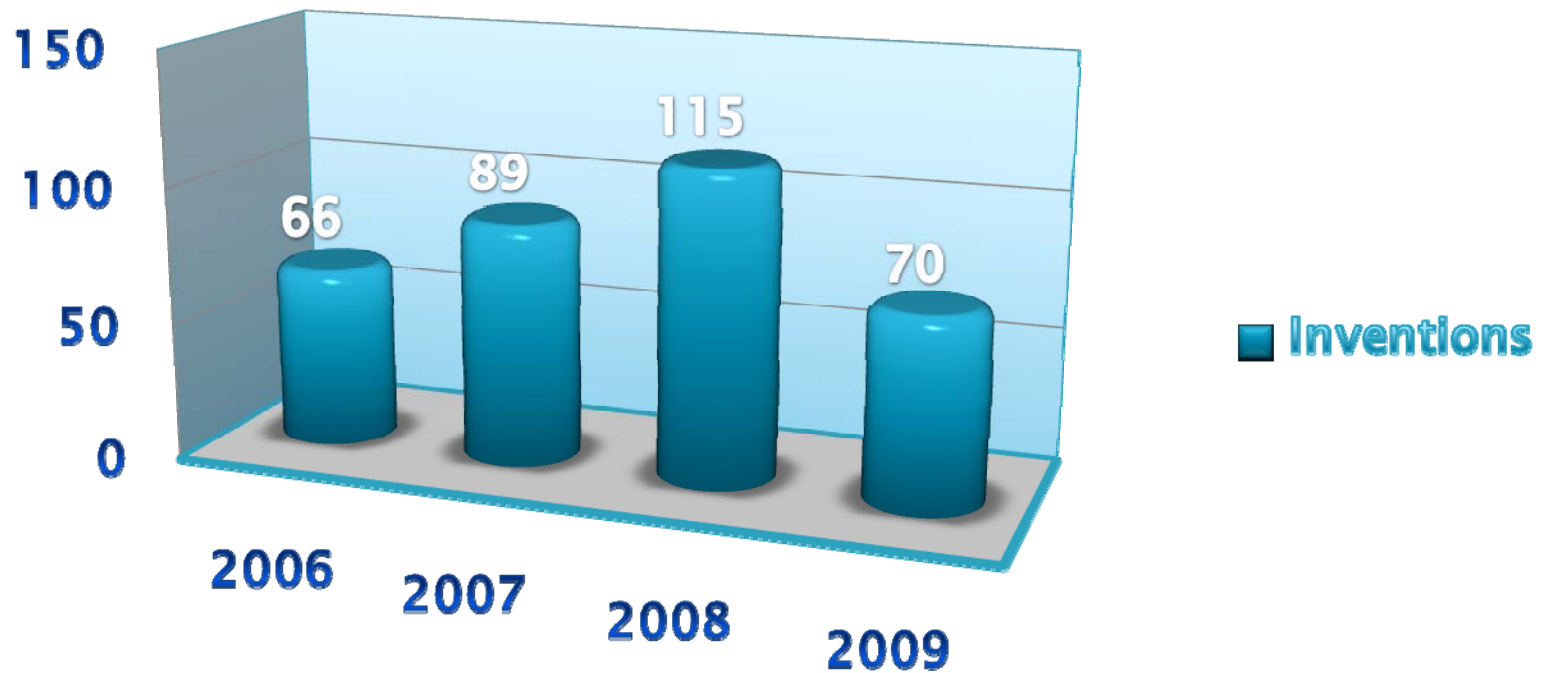
- ❖ Time limits applicable for entry into the national phase:
 - Under PCT Article 22(3): **31 months from the priority date**
- ❖ Translation of international application required into: **Mongolian**
- ❖ Required contents of the translation for entry into the national phase:
 - Under PCT Article 22: **Description, claims** (if amended, both as originally filed and as amended, together with any statement under PCT Article 19), any text matter of **drawings, abstract**
- ▶ Who can act as agent? **A patent agent must be a citizen of Mongolia** over the age of 25 years who has worked in the field of intellectual property for at least three years, with higher education and no previous criminal records.
- ▶ A patent agent shall obtain a license in accordance with relevant legislation.

PATENTS FOR INVENTIONS

- ❖ The IPOM of Mongolia shall process international applications in compliance with relevant legislation
- ❖ A filing date of an international application for an invention or utility model designating Mongolia shall be accorded under the Patent Law or according to the date of international registration under the Patent Cooperation Treaty.
- ❖ The IPOM of Mongolia examines patent applications (Domestic and Foreign), grants patents for qualified inventions.
- ❖ Patents are granted for patentable inventions, which may be or may relate to a product or process in the field of technology.
- ❖ Patents are valid for 20 years from the date of filing.

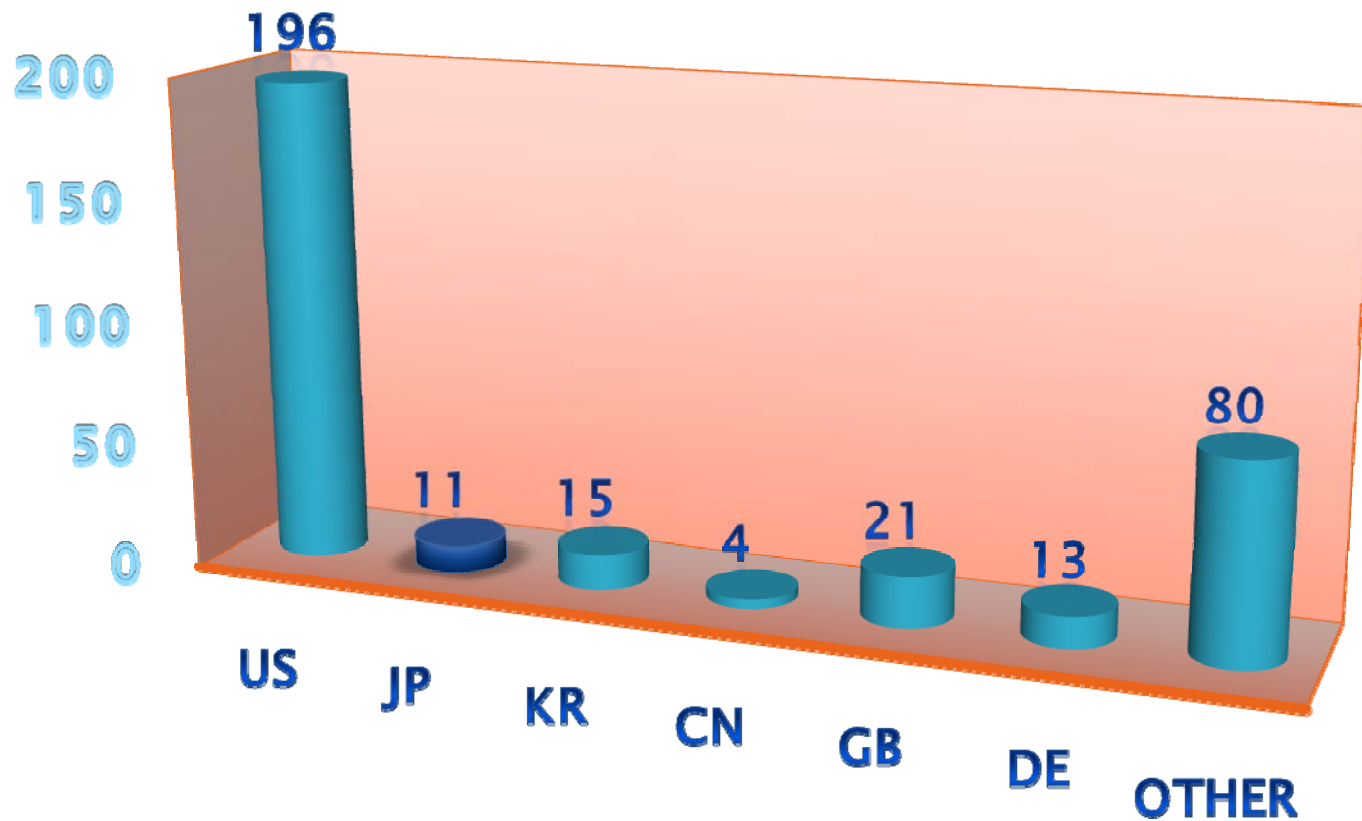
PATENTS GRANTED (PCT)

2006-2009



PATENTS GRANTED (PCT)

BY COUNTRIES (2006-2009)



Protection of Trademarks

▶ **LEGAL BASIS**

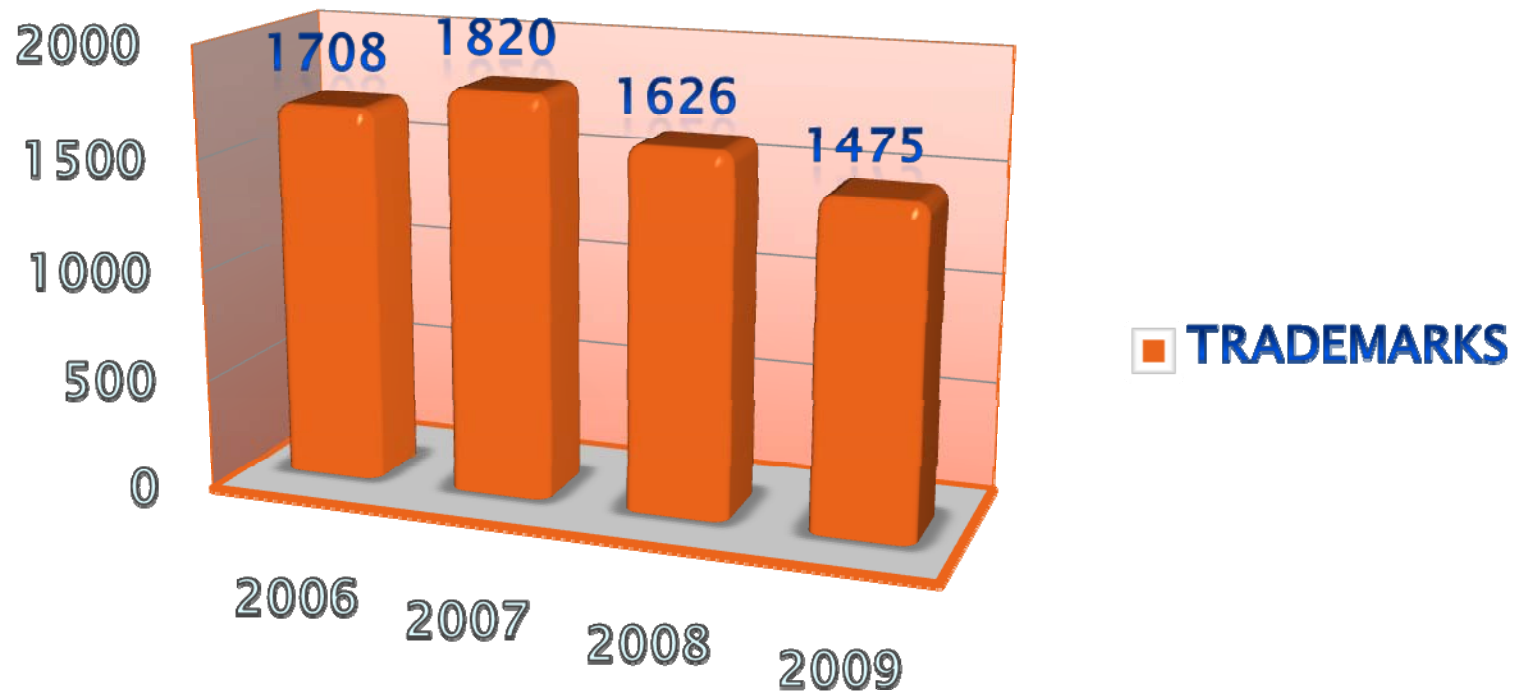
Law on Trademarks and Geographical Indications 1997, 2010.

▶ **MEMBERSHIP IN INTERNATIONAL CONVENTIONS**

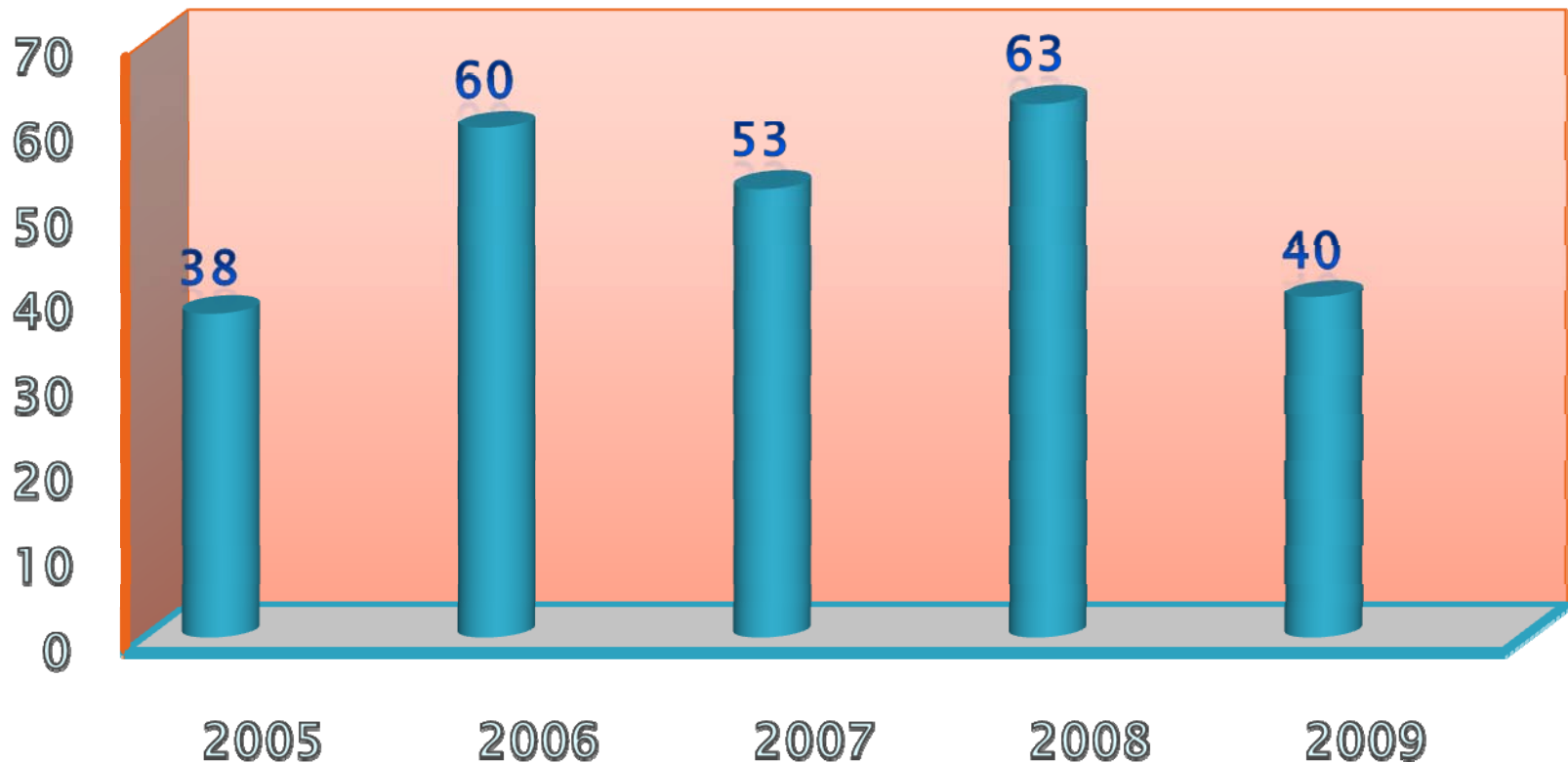
- ▶ 1985 - Paris Convention on the Protection of Industrial Property
- ▶ 1985 - Madrid Agreement Concerning the International Registration of Marks
- ▶ 2001-Madrid Protocol
- ▶ 2001 - Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks
- ▶ 2010- Singapore Treaty on the Law of Trademarks

Trademark Registrations in Mongolia (Madrid System)





2006-2009







Trademark Registrations in Mongolia from Japan (Madrid system)







International registrations of trademark originated from Mongolia

N	Mark name	Holder name	classification	Reproduction of the mark
1	GOBI	GOBI Corporation	22, 24, 25	 The logo for GOBI features the word "GOBI" in a stylized, italicized serif font, enclosed within a black, cloud-like or banner-like shape.
2	APU	APU Joint Stock Company	29, 32, 33	 The logo for APU consists of a stylized white horse head profile facing left, set against a red square background, which is itself centered within a blue square border.
3	APU	APU Joint Stock Company	32, 33	 The logo for APU is a circular emblem with an orange border. Inside the circle, the word "APU" is written in bold, orange, sans-serif capital letters. Above and below "APU" are Mongolian characters in a smaller font.
4	UYAN	SAVHIN EDLELIIN "OUJAN" UILDVER	18,25	 The logo for UYAN features a central graphic of a horse's head and neck, flanked by two stylized figures or animals. Above the graphic, it says "MADE IN MONGOLIA". Below the graphic, the word "UYAN" is written in large, bold, black, sans-serif capital letters, with "LEATHER GOODS FACTORY" in smaller text underneath.

International registrations of trademark originated from Mongolia

N	Mark name	Holder name	classification	Reproduction of the mark
5	Bandi	10 JILIIN 76 DUGAAR SURGUUL	16	
6	GRAND KHAAN MAN OF THE MILLENIU CHINGGIS KHAN 1162-1227	SPIRT BAL BURAM CO	33	
7	CHINGGIS MAN OF THE MILLENIU CHINGGIS KHAN 1162-1227	SPIRT BAL BURAM CO	33	
8	GRANDKHAAN	Spirit Bal Buram JSC	33	

International registrations of trademark originated from Mongolia

N	Mark name	Holder name	Classification	Reproduction of the mark
9	CAMELACT	Moncream Co., Ltd	03	
10	KHAAN KHUNS	khaanbuuz M.N.F.F	29, 43	
11	KHAAN KHUNS	"KHAAN KHUNS" Co. Ltd	29, 43	
12	GOYO	Goyo Co.,Ltd	23 24 25	
13	BASALTWOOL	ARIUNBOLD LKHAGVAJAV	17 19 25	

INVENTIONS AND TRADEMARKS

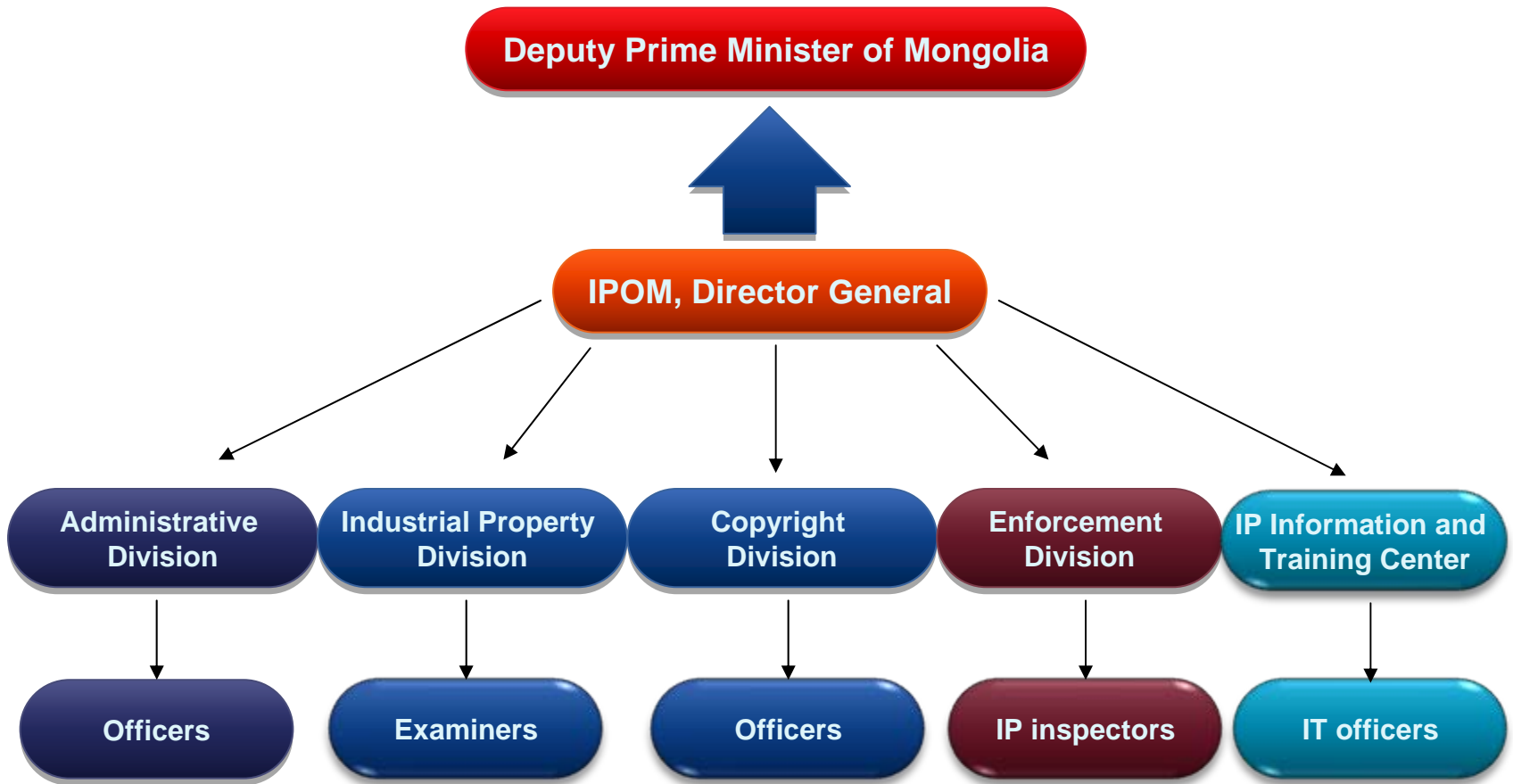
(PCT)

(MADRID SYSTEM)

2006-2009



IPOM Organizational Chart



THANK YOU

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