

NETHERLANDS (NL)

I. LEGISLATIVE PROFILE

1. National Legislation



a. Industrial Property

Capital: Amsterdam
Population: 16,032,000

Patents:

- Patents Act of the Kingdom, November 1910, as last amended by Act No. 632, October 1998.
- Patents Act of the Kingdom, December 1994, as last amended by Act No. 180, April 2001.

Trade Marks:

- Uniform Benelux Law on Marks, March 1962, in force since January 1971, as last amended by Protocol No. 225 (1996), August 1996, in force since January 2000.
- Act on Tradenames, July 1921, as last amended by Act No. 128 of March 1991, in force since January 1992.

Industrial Designs:

- Uniform Benelux Designs Law, October 1966, in force since January 1975, as last amended by Protocol No. 226, August 1996, in force since January 2000.

b. Copyright and Related Rights

Copyright:

- Copyright Act, September 1912, as last amended by Act No. 303, 1999.

Related Rights:

- Neighboring Rights Act, March 1993, as last amended by Act No. 138 of March 2000.
- Database Act No. 303, July 1999.

c. Other Country-Specific Legislation or Activities

Layout Designs (Topographics) of Integrated Circuits:

- Law Containing Regulations on the Protection of Original Topographies of Semiconductor Products, October 1987, as last amended by Act No. 548, November 1995.

Plant Variety Protection:

- Act on Plant Breeder's Rights, October 1966, in force since June 1967, as last amended by Act No. 30, January 1999.

d. Sources for Information on National Laws

Ministries and administrations, universities, IP agents, lawyers and as below, under Industrial Property Office.

2. Membership of International Bodies

a. Membership of WIPO Treaties:

- WIPO Convention, since January 1975.
- Paris Convention (Industrial Property), since July 1884.
- Berne Convention (Literary and Artistic Works), since November 1912.
- PCT (Patents), since July 1979.
- PLT (Patent Law Treaty), Signatory since May 2001.
- Madrid Agreement (International Registration of Marks), since March 1893.
- Madrid Protocol (International Registration of Marks), since April 1998.
- Hague Agreement (International Deposit of Industrial Designs), since April 1979.
- Nice Agreement (International Classification of Goods and Services), since August 1962
- Rome Convention (Performers, Producers of Phonograms and Broadcasting Organizations), since October 1993.
- Locarno Agreement (International Classification for Industrial Designs), since March 1977.
- Strasbourg Agreement (International Patent Classification), since October 1975.
- Geneva Convention (Unauthorized Duplication of Phonograms), since October 1993.
- Vienna Agreement (International Classification of the Figurative Elements of Marks), since August 1985.
- Budapest Treaty (Deposit of Micro-organisms), since July 1987.

b. WTO: Member and Signatory to TRIPS Agreement, since January 1995.

c. Membership of other bodies/treaties: Benelux, BBM-BBDM, EPO, EU-OHIM, UCC, UPOV.

- Member of Benelux since November 1960.
- Member of Benelux Trademark Office since October 1966.
- Member of Benelux Designs Office since March 1962.
- Member of EPO since October 1977.
- Member of EU since March 1957.
- Member of UCC since March 1967.
- Member of UPOV since August 1968.

II. ADMINISTRATION

1. Industrial Property

Supervisory Ministry:

Ministry of Economic Affairs

P.O. Box 20101

NL-2500 EC The Hague

Title of Head: Minister of Economic Affairs

Tel.: (31.70) 379.61.50

379.74.12

379.67.32

Fax: (31.70) 379.61.99

E-mail: voorlichting@minez.nl

(or via website)

ezpost@minez.nl

Visiting Address:

Bezuidenhoutseweg 30

NL-2594 AV The Hague

Industrial Property Office:

Netherlands Industrial Property Office
 P.O. Box 5820
 NL-2280 HV Rijswijk
Title of Head: President

Tel.: (31.70) 398.66.55
 Fax: (31.70) 390.01.90
 E-mail: publieksvoorlichting@bie.minez.nl
 Internet website: <http://www.bie.minez.nl>

Visiting Address:

Patentlaan 3
 NL-2288 EE Rijswijk

Benelux Trademarks Office (BTO)
 and Benelux Designs Office (BDO)
 P.O. Box 90404
 NL-2509 LK The Hague
Title of Head: President

Tel.: (31.70) 349.11.11
 Fax: (31.70) 347.57.08
 E-mail: info@bmb-bbm.org
 info@bbtm-bbdm.org
 Internet websites:
 (BTO): <http://www.bmb-bbm.org>
 (BDO): <http://www.bbtm-bbdm.org>

Visiting Address:

Bordewijklaan 15
 The Hague

2. Copyright and Related RightsSupervisory Ministry:

Ministry of Justice
 Legislative Division
 Schedeldoekshaven 100
 NL-2511 EX The Hague
Title of Head: Minister of Justice

Tel.: (31.70) 370.78.42
 370.68.28
 Fax: (31.70) 370.70.84
 Fax: (31.70) 370.79.32

Mailing Address:

P.O. Box 20301
 NL-2500 EH The Hague

Copyright Office:

As above, under Supervisory Ministry.

Collective Management Societies:

Information not available.

III. AUTHORITIES ENFORCING INTELLECTUAL PROPERTY**Industrial Property Tribunal***Main contact point:*

Legal Department/Division for Intellectual
 Property
 Ministry of Economic Affairs
 Bezuidenhoutseweg 20
 P.O.Box 20101
 2500 EC The Hague

Tel.: (31.70) 379.65.14
 Fax: (31.70) 379.68.15

Contact point for patents, trademarks, industrial designs and integrated circuits:
 As above, under Industrial Property Office, and Benelux Offices.

Tel.: (31.70) 398.66.99
 Fax: (31.70) 398.66.06

All cases regarding patent law must be brought before the District Court at the Hague:

Hall of Justice
 P.O. Box 20302
 NL-2500 EH The Hague
Title of Head: President

Tel.: (31.70) 381.81.81
 Fax: (31.70) 381.34.60

Visiting Address:
 Prins Clauslaan 60
 The Hague

Copyright Tribunal

Contact point for copyright, related rights, database law and civil remedies:

Directorate of Legislation
 Ministry of Justice
 As above, under Supervisory Ministry for Copyright and Related Rights.

Tel.: (31.70) 370.79.11
 Fax: (31.70) 370.79.32

Other

Contact point for border measures and customs authorities:

Central Service for Import and Export (CDIU)
 P.O. Box 30003
 NL-9700 RD Groningen

Tel.: (31.50) 523.92.09
 Fax: (31.50) 523.92.80

Customs Authorities
 Parallelweg 2
 3131 DG Vlaardingen
 P.O. Box 1005
 31.30 EE Vlaardingen

Tel.: (31.10) 445.57.00
 Fax: (31.10) 434.10.20

IV. EDUCATIONAL INSTITUTIONS TEACHING INTELLECTUAL PROPERTY

All Dutch universities (Amsterdam: two Universities, Leiden, Rotterdam, Utrecht, Groningen, Nijmegen, Tilburg and Maastricht) and many postgraduate colleges have courses in intellectual property law.

Erasmus Universiteit Rotterdam
 Opleidingscentrum voor Recht en Praktijk
 Mr P.A.W. Piepers
 Postbus 1738
 NL-3000 DR Rotterdam

Tel.: (31.10) 408.15.97
 Fax: (31.10) 453.03.09
 E-mail: orp@frg.eur.nl
 Internet website:
www.eur.nl/onderwijs/postacademisch/index.html

<i>Rijksuniversiteit Groningen</i> Mw drs M.L.A. Siccama-van Loveren Postbus 716 NL-9700 AS Groningen	Tel.: (31.50) 363.57.48 Fax: (31.50) 363.74.08 E-mail: PAO@rechten.rug.nl Internet website: www.rechten.rug.nl
<i>Universiteit Maastricht</i> Mw M. Sprengers Postbus 616 NL-6200 MD Maastricht	Tel.: (31.43) 388.32.73 Fax: (31.43) 388.49.02 E-mail: marlie.sprengers@facburfdr.unimaas.nl Internet website: www.unimaas.nl
<i>Vrije Universiteit Amsterdam</i> Mr. M.J.G.N. van der Ree De Boelelaan 1105 NL-1081 HV Amsterdam	Tel.: (31.20) 444.62.55 Fax: (31.20) 444.62.10 E-mail: pao@rechten.vu.nl Internet website: www.rechten.vu.nl
<i>Universiteit Utrecht</i> Mw drs M. Jipping Janskerkhof 3 NL-3512 BK Utrecht	Tel.: (31.30) 253.70.21 Fax: (31.30) 253.84.10 E-mail: JPAO@law.uu.nl Internet website: www.law.uu.nl/pao
<i>Universiteit van Amsterdam</i> Eggen Instituut Mw mr H.C. van Roozendaal Postbus 1030 NL-1000 BA Amsterdam	Tel.: (31.20) 525.34.07 Fax: (31.20) 525.33.07 E-mail: pao@jur.uva.nl Internet website: www.jur.uva.nl/eggens
<i>Universiteit Leiden</i> Mw C.J. van Duijn Postbus 9521 NL-2300 RA Leiden	Tel.: (31.71) 527.78.71 Fax: (31.71) 572.78.95 E-mail: jfpao@law.leidenuniv.nl Internet website: www.leidenuniv.nl
<i>Katholieke Universiteit Nijmegen</i> Centrum voor Postdoctoraal Onderwijs Mw mr M. van Hall Postbus 10520 NL-6500 MB Nijmegen	Tel.: (31.24) 361.19.60 Fax: (31.24) 361.17.33 E-mail: pao@cpo.kun.nl Internet Website: www.cpo.nl
<i>Katholieke Universiteit Brabant</i> Mw M.C.A. van Peski Postbus 90153 NL-5000 LE Tilburg	Tel.: (31.13) 466.21.39 Fax: (31.13) 466.31.43 E-mail: M.C.A.vPeski@kub.nl

V. INDUSTRIAL PROPERTY STATISTICS

Applications filed and/or registered for 1998 and 2005:

		Patents <u>2005</u> (direct filings)	Trade Marks <u>1998</u>	Industrial Designs <u>1998</u>
Applications by:	residents	2,217	21,012	3,885
	non-residents	633	3,008	
Grants to:	residents	1,804	21,503 (residents and non-residents)	3,469
	non-residents	569		

PCT – 2002

Applications by residents and non-residents:

Information not available.

Grants to residents and non-residents:

22 (non-residents only)

Madrid System – 1998

International Registrations:

Total applications: Information not available.

Total registrations: 11,164 (of which 2,530 via the Benelux Trademark Office)

The Hague System – 1998

International Registrations:

Total applications: Information not available.

Total registrations: 3,970