

## POLAND (PL)

### I. LEGISLATIVE PROFILE

#### 1. National Legislation

##### a. Industrial Property

**Capital:** Warsaw  
**Population:** 38,653,000

##### Patents:

- Industrial Property Law of June 2000, in force August 2001.
- Law on Patent Attorneys, April 2001.

##### Trade Marks:

As above, under Patents, Industrial Property Law.

##### Industrial Designs:

- Regulation on the Protection of Ornamental Designs, January 1963.  
As above, under Patents, Industrial Property Law.

##### b. Copyright and Related Rights

##### Copyright:

- Act on Copyright and Neighboring Rights, February 1994.

##### Related Rights:

- Regulation of the Minister of Culture and Art, December 1995 on the amount, detailed rules for collecting and remitting fees from blank carriers and devices for fixing works for purposes of personal use and the designation of collective administration organisations competent to collect such fees.
- Regulation of the Minister of Culture and Art, December 1994 on the level of fees to be paid to the Fund for Promotion of Creative Activity from sales of works whose protection period in relation to author's economic rights has elapsed, along with detailed rules of disbursements from the Fund and granting of scholarships and social assistance.
- Regulation of the Minister of Culture and Art, December 1994 on the detailed rules and procedures of the Copyright Commission, remuneration of its members and the scale of fees for proceedings before the commission, as well as rules of their remittance.  
As above, under Copyright.

##### c. Other Country-Specific Legislation or Activities

##### Utility Models:

As above, under Patents, Industrial Property Law.

##### Appellations of Origin / Geographical Indications / Indications of Source:

For Geographical Indications, as above, under Patents, Industrial Property Law.

Unfair Competition:

- Law on Combatting Unfair Competition. April 1993.

Computer Programs:

As above, under Copyright.

Establishment of Commercial Code:

- Law on Counteracting Monopolistic Practices and on the Protection of Consumer Interests, February 1990, as last amended in June 1991 and April 1997, consolidated text of May 1999.

Protection of Undisclosed Information:

As above, under Unfair Competition.

Layout Designs (Topographics) of Integrated Circuits:

As above, under Patents, Industrial Property Law.

Plant Variety Protection:

- Law on Seed Industry, November 1995.

**d. Sources for Information on National Laws**

Parliament Office  
Ul. Wiejska 4/6  
00-902 Warsaw

Tel.: (48.22) 694.25.00

Patent Office  
As below, under Industrial Property Office.

E-mail: [glachowicz@uprp.pl](mailto:glachowicz@uprp.pl)

**2. Membership of International Bodies****a. Membership of WIPO Treaties:**

- WIPO Convention, since March 1975.
- Paris Convention (Industrial Property), since November 1919.
- Berne Convention (Literary and Artistic Works), since January 1920.
- PCT (Patents), since December 1990.
- PLT (Patent Law Treaty), Signatory since June 2000.
- Madrid Agreement (False or Deceptive Indications of Source on Goods), December 1928.
- Madrid Agreement (International Registration of Marks), since March 1991.
- Madrid Protocol (International Registration of Marks), since March 1997.
- Singapore Treaty (Law of Trademarks), since July 2009.
- Nice Agreement (International Classification of Goods and Services), since March 1997.
- Strasbourg Agreement (International Patent Classification), since December 1997.
- Rome Convention (Performers, Producers of Phonograms and Broadcasting Organizations), since June 1997.
- Vienna Agreement (International Classification of the Figurative Elements of Marks), since

March 1997.

- Budapest Treaty (Deposit of Micro-organisms), since September 1993.
  - Nairobi Treaty (Olympic Symbol), since November 1996.
  - WCT (WIPO Copyright Treaty), since March 2004.
  - WPPT (WIPO Performances and Phonograms Treaty), since October 2003
- b. WTO: Member and Signatory to TRIPS Agreement, since July 1995.
- c. Membership of other bodies/treaties: CEFTA, UCC, UPOV.
- Member of CEFTA since March 1993.
  - Member of UCC since December 1976.
  - Member of UPOV since November 1989.

## II. ADMINISTRATION

### 1. Industrial Property

#### Supervisory Ministry:

Council of Ministers, through the Minister of  
Economy

#### Industrial Property Office:

Patent Office of the Republic of Poland  
Al. Niepodległości 188/192  
P.O.Box 203  
00-950 Warsaw  
*Title of Head*: President

Tel.: (48.22) 579.01.40  
Fax: (48.22) 579.03.76  
E-mail: [informacja@uprp.pl](mailto:informacja@uprp.pl)  
Internet website: <http://www.uprp.pl>

### 2. Copyright and Related Rights

#### Supervisory Ministry:

Ministry of Culture and National Heritage  
Legal Office  
Copyright and Neighbouring Rights Unity  
Ul. Krakowskie Przedmiescie 15/17  
00-071 Warsaw  
*Title of Head*: Minister of Culture and  
National Heritage

Tel.: (48 22) 826.19.25  
Fax: (48 22) 827.34.58  
E-mail: [adzbik@polbox.com](mailto:adzbik@polbox.com)

Internet website:  
<http://www.mkidn.gov.pl/????timeout>

#### Mailing Address:

P.O. Box P-34  
00-950 Warsaw

#### Copyright Office:

As above, under Supervisory Ministry.  
*Title of Head*: Director, Department for Legal  
and Legislative Matters

Tel.: (48.22) 421.04.90  
Fax: (48.22) 826.39.56

Collective Management Societies:

Polish Software Programmers Collecting Society (PRO) Ul. Zurawia 4a 00-503 Warsaw <i>Title of Head:</i> Chairman	Fax: (48.22) 693.54.55
Polish Popular Music Collecting Society (SAWP) Al. Jana Pawla II 64 00-170 Warsaw <i>Title of Head:</i> Chairman	Tel.: (48.22) 31.87.16 635.11.75 Fax: (48.22) 635.11.75
Polish Fine Arts Collecting Society (ZPAP) Ul. Marszalkowska 34/50 00-543 Warsaw <i>Title of Head:</i> Chairman	Tel.: (48.22) 621.01.37-17 621.13.65 Fax: (48.22) 621.13.65
Polish Stage Artists' Society (ZASP) Al. Ujazdowskie 45 00-536 Warsaw <i>Title of Head:</i> Chairman	Tel.: (48.22) 628.78.08 Fax: (48.22) 621.48.20
ZAIKS Authors' Collecting Society Ul. Hipoteczna 2, 00-092 Warsaw <i>Title of Head:</i> Director General	Tel.: (48.22) 827.60.61 Fax: (48.22) 827.13.47 828.15.63
Folks Arts and Crafts Society (STL) Ul. Grodzka 14 20-112 Lublin <i>Title of Head:</i> Office Director	Fax: (48.81) 532.49.74
Audio-visual Producers Society (ZPAV) Ul. Kruczkowskiego 12/2 00-380 Warsaw <i>Title of Head:</i> Director General	Tel.: (48.22) 625.66.99 625.69.66 Fax: (48.22) 625.16.61
Polish Film Makers' Society (SFP) Ul. Krakowskie Przedmiescie 41 00-380 Warsaw <i>Title of Head:</i> Chairman	Fax: (48.22) 818.63.83

Polish Photographic Artists Association (ZPAF) Plac Zamkowy 8 00-277 Warsaw <i>Title of Head:</i> Chairman	_____	Fax: (48.22)	831.03.86 635.47.83
Association of Performing Artists Societies (STOART) Ul. Lwowska 13 00-660 Warsaw <i>Title of Head:</i> Chairman	_____	Fax: (48.22)	621.47.09 827.39.26
Educational and Technical Authors Copyright Society (KOPIPOL) Politechnika Swietokrzyska Al. 1000-lecia Panstwa Polskiego 7 25-314 Kielce <i>Title of Head:</i> Chairman	_____	Fax: (48.22)	342.44.36
Freelance Radio and Television Authors Society (SNART) Ul. Andersa 5 Warsaw <i>Title of Head:</i> Director General	_____	Tel.: (48.22)	813.58.24 ext. 234
Polish Architects Association (SARP) Ul. Foksal 2 00-950 Warsaw <i>Title of Head:</i> Secretary General	_____	Tel.: (48.22) Fax: (48.22)	827.87.12 827.87.13

### III. AUTHORITIES ENFORCING INTELLECTUAL PROPERTY

#### Industrial Property Tribunal

*Contact point for information:*

Ministry of Justice  
Ul. Al. Ujazdowskie 11  
00-567 Warsaw

Tel.: (48.22) 628.44.31

*Contact point for industrially-related aspects of TRIPS:*

As above, under Industrial Property Office.

*Contact Official:* Ms. Grazyna Lachowicz  
Chief Expert, Executive Office

**Copyright Tribunal**

Apart from the Patent Court, as above, under Industrial Property Tribunal.

*Contact point:*

Copyright and Neighbouring Rights Unity  
Legal Office

As under Supervisory Ministry for Copyright and Related Rights.

*Contact Official:* Ms. Ewa Ziemiszewska  
Deputy Director of Legal Office

**Other**

Information not available.

**IV. EDUCATIONAL INSTITUTIONS TEACHING INTELLECTUAL PROPERTY**

Institute of Inventiveness and Intellectual Property Protection Jagiellonian University, Cracow Ul. Kanonicza 14 31-002 Cracow	Tel.: (48.12) 422.61.55 Fax: (48.12) 422.04.82
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<i>Université Marie Curie</i> Pl. Marie Curie 5 20-050 Lublin	_____ Fax: (48.81) 537.54.44
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<i>Université Catholique de Lublin</i> Al. Radavichie 14 20-050 Lublin	_____
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Intellectual Property is taught in certain faculties of some Universities in Poland, in the form of seminars.

**V. INDUSTRIAL PROPERTY STATISTICS**

Applications filed and/or registered for 2002 and 2005:

		Patents (direct filings)	Trade Marks	Industrial Designs (2002)
Applications by:	Residents	2,028	13,828	1,284
	non-residents	199	984	447
Grants to:	Residents	1,054	8,688	921
	non-residents	393	2,772	440

**PCT-2005**

Applications by residents and non-residents: 4,356 (National Phase Entries)  
Grants to residents and non-residents: 1,075 (non-residents only)

**Madrid System-2005**International Registrations:

Total applications: 6,842 (non-residents only)  
Total registrations: 6,296 (non-residents only)