

GERMANY (DE)



I. LEGISLATIVE PROFILE

1. National Legislation

a. Industrial Property

Capital: Berlin
Population: 82,195,000

Patents :

- Patent Law, December 1980, as last amended in December 1999.
- Announcement concerning the Patent Information Centres Authorized to Receive Patent and Utility Model Applications, April 1999.

Trade Marks :

- Law on the Protection of Trade Marks and Other Signs (Trade Mark Law), October 1994, as last amended in July 1998 and art. 8, as amended in September 1998, November 1998, April 1999, May 1999, July 1999 and December 1999.
- Third Order amending the Trade Mark Regulations of November 1994., December 1998.

Industrial Designs :

- Designs Law, January 1876, as last amended in July 1998.

b. Copyright and Related Rights

Copyright :

- Copyright Act, September 1965, as last amended September 2000.
- Act on Collective Administration of Copyright and Neighboring Rights, September 1965, as last amended in May 1998.

Related Rights :

As above, under Copyright.

c. Other Country-Specific Legislation or Activities

Utility Models :

- Utility Model Law, August 1986, as last amended in July 1998.

d. Sources for Information on National Laws

As below, under Supervisory Ministry for Industrial Property.

2. Membership of International Bodies

a. Membership of WIPO treaties :

- WIPO Convention, since September 1970.
- Paris Convention (Industrial Property), since May 1903.
- Berne Convention (Literary and Artistic Works), since December 1887.
- PCT (Patents), since January 1978.
- PLT (Patent Law Treaty), Signatory since May 2001.

- Madrid Agreement (International Registration of Marks), since December 1922
 - Madrid Agreement (False or Deceptive Indications of Source on Goods), June 1925.
 - Madrid Protocol (International Registration of Marks), since March 1996.
 - Hague Agreement (International Deposit of Industrial Designs), since June 1928.
 - Nice Agreement (International Classification of Goods and Services), since January 1962.
 - Rome Convention (Performers, Producers of Phonograms and Broadcasting Organizations), since October 1966.
 - Locarno Agreement (International Classification for Industrial Designs), since October 1990.
 - Strasbourg Agreement (International Patent Classification), since October 1975.
 - Geneva Convention (Unauthorized Duplication of Phonograms), since May 1974.
 - Brussels Convention (Distribution of Programme-Carrying Signals Transmitted by Satellite), since August 1979.
 - Budapest Treaty (Deposit of Micro-organisms), since January 1981.
 - TLT (Trademarks), since October 2004.
- b. WTO: Member and Signatory to TRIPS Agreement, since January 1995.
- c. Membership of other bodies/treaties: EPO, EU, OHIM, UCC, UPOV.
- Member of EPO since October 1977.
 - Member of EU since March 1957.
 - Member of OHIM since 1996
 - Member of UCC since October 1973.
 - Member of UPOV since August 1968.

II. ADMINISTRATION

1. Industrial Property

Supervisory Ministry:

Bundesministerium der Justiz
 Federal Ministry of Justice
 D-11015 Berlin
Title of Head: Federal Minister for Justice

Tel.: (49.30) 20.25.70
 Fax: (49.30) 20.25.95.25
 E-mail: poststelle@bmj.bund.de
 Internet website: <http://www.bmj.bund.de>

Industrial Property Office:

Deutsches Patent-und Markenamt
 German Patent and Trade Mark Office
 Zweibrückenstraße 12
 D-80331 Munich
Title of Head: President

Tel.: (49.89) 21.95.46.37
 Fax: (49.89) 21.95.20.65
 E-mail: post@dpma.de
 Internet website: <http://www.dpma.de>

Mailing Address:

D-80297 Munich

Jena Sub-Office:

Dienststelle Jena
 Goethestrasse 1
 D-07743 Jena

Tel.: (49.36.41) 40.54
 Fax: (49.36.41) 40.56.90

Berlin Branch:

Technisches Informationzentrum Berlin
 Technical Information Centre Berlin
 Gitschinerstrasse 97
 D-10969 Berlin

Tel.: (49.30) 25.99.20
 Fax: (49.30) 25.99.24.04

2. Copyright and Related RightsSupervisory Ministry:

As above, under Supervisory Ministry for
 Industrial Property.

Copyright Office:

As above, under Industrial Property Office.

Collective Management Societies:

*Gesellschaft für musikalische Aufführungs- und
 mechanische Vervielfältigungsrechte (GEMA)*

Munich Branch:

Rosenheimer Strasse 11
 D-81667 Munich

Tel.: (49.89) 48.003/00
 Fax: (49.89) 48.00.39.69

Berlin Branch:

Bayreuther Strasse 37-38
 D-10787 Berlin

Tel.: (49.30) 212.45.00
 Fax: (49.30) 21.24.59.50

Title of Head: Head and Director General

GEMA is responsible for the administration of Composers', Authors' and Musical Performers' rights.

*Gesellschaft zur Verwertung von
 Leistungsschutzrechten mbh (GVL)*

Heimhuder Strasse 5
 D-20148 Hamburg

Title of Head: Director

Tel.: (49.40) 41.17.07/0
 Fax: (49.40) 410.38.66

*Verwertungsgesellschaft Wort – Rechtsfähiger
 Verein kraft Verleihung (VG Wort)*

Goethestrasse 49
 D-80336 Munich

Title of Head: Director

VG Wort is responsible for the administration of Writers' and Publishers' rights.

Tel.: (49.89) 51.41.20
 Fax: (49.89) 514.12.58

*Verwertungsgesellschaft Bild-Kunst
 (VG Bild-Kunst)*

Weberstrasse 61
 D-53113 Bonn

Title of Head: Director

Tel.: (49.228) 91.534/0
 Fax: (49.228) 915.34.38

<hr/> <i>Verwertungsgesellschaft zur Wahrnehmung von Nutzungsrechten an Editionen von Musikwerken</i> (VG Musikedition) Königstor 1 D-34117 Kassel <i>Title of Head: Head</i>	Tel.: (49.561) 10.96.56/0 Fax: (49.561) 10.96.56/20
<hr/> <i>Verwertungsgesellschaft der Film-und Fernsehproduzenten mbh (VFF)</i> Barer Strasse 9, 2 nd Floor D-80333 Munich <i>Title of Head: Director</i>	Tel.: (49.89) 28.62.83.82 Fax: (49.89) 28.62.82.47
<hr/> <i>Verwertungsgesellschaft für Nutzungsrechte an Filmwerken mbh (VGF)</i> Kreuzberger Ring 56 D-65205 Wiesbaden	Tel.: (49.611) 77.892/22 Fax: (49.611) 77.892/14
<hr/> <i>Gesellschaft zur Wahrnehmung von Film-und Fernsehrechten mbh (GWFF)</i> Marstallstrasse 8 D-80539 Munich <i>Title of Head: Director</i>	Tel.: (49.89) 22.26.68 Fax: (49.89) 22.95.60
<hr/> <i>AGICOA Urheberrechtsschutz- Gesellschaft mbh (AGICOA)</i> Marstallstrasse 8 D-80539 Munich <i>Title of Head: Director</i>	Tel.: (49.89) 29.77.25 Fax: (49.89) 29.78.33
<hr/> <i>VG Satellit Gesellschaft zur Verwertung der Leistungsschutzrechte von Sendeunternehmen mbh</i>	
<u>Munich Branch:</u> Medienallee 7 D-85774 Unterföhring b. Munich	
<u>Potsdam Branch (near Berlin):</u> Erich Pommer Institut Alt. Nowawes 116-118 D-14482 Potsdam-Babelsberg	
<hr/> <i>Gesellschaft zur Übernahme and Wahrnehmung von Filmaufführungsrechten mbH (GÜFA)</i> Vautierstrasse 72 D-40235 Düsseldorf <i>Title of Head: Director</i>	Tel.: (49.211) 91.41.90 Fax: (49.211) 67.98.887

III. AUTHORITIES ENFORCING INTELLECTUAL PROPERTY

Industrial Property Tribunal

Bundespatentgericht
Federal Patent Court
Cincinnatistrasse 64
D-81549 Munich
Title of Head: President

Tel.: (49.89) 69.93.70
Fax: (49.89) 69.93.71.00
Internet website:
<http://www.bpatg.de/>

*Schiedsstelle n.d. Gesetz über
Arbeitnehmererfindungen beim Deutschen
Patent- und Markenamt*
Arbitration Board under the Law on Employees'
Inventions
D-81549 Munich
Title of Head: Chief Justice

Tel.: (49.89) 69.93.74.62
Fax: (49.89) 21.95.44.44

Bundesgerichtshof
Federal High Court of Justice
Herrenstrasse 45a
D-76133 Karlsruhe
Title of Head: President

Tel.: (49.721) 15.90
Fax: (49.721) 15.98.30
Internet website:
<http://www.bundesgerichtshof.de/>

Subsequently, the civil courts have jurisdiction.

Copyright Tribunal

*Schiedsstelle n.d.
Urheberrechtswahrnehmungsgesetz
beim Deutschen Patent- und Markenamt*
Copyright Arbitration Board
D-80297 Munich

Tel.: (49.89) 21.95.39.07
Fax: (49.89) 21.95.22.21

Other

*Contact point for TRIPS related questions of a
general nature & Technical Cooperation:*
Bundesministerium der Justiz
Federal Ministry of Justice
Referat III B 5
D-11015 Berlin

Tel.: (49.30) 20.25.93.25
Fax: (49.30) 20.25.93.39
Internet website: www.bmj.bund.de

*Contact point for questions on trade in
infringing goods:*
Bundesministerium der Finanzen
Federal Ministry of Finance
Referat III B 7
D-53117 Bonn

Tel.: (49.228) 682.23.91
Fax: (49.228) 682.25.55

Contact point for issues related to border measures:

*Oberfinanzdirektion Nürnberg
Zentralstelle Gewerblicher Rechtsschutz
Regional Finance Office
Intellectual Property Central Office
Sophienstrasse 6
D-80333 Munich*

Tel.: (49.89) 59.96.23.13/43/47
Fax: (49.89) 59.95.23.17

Contact Officials: Mr. Klaus Hoffmeister
Mr. Rolf Brommann
Mr. Günther Häring

Tel.: (49.89) 59.95.23.13
Tel.: (49.89) 59.95.23.14
Tel.: (49.89) 59.95.23.43

IV. EDUCATIONAL INSTITUTIONS TEACHING INTELLECTUAL PROPERTY

Universities teach intellectual property in their law faculties, as part of their programmes, but there are no institutions teaching specifically intellectual property.

V. INDUSTRIAL PROPERTY STATISTICS

Applications filed and/or registered for 2002 and 2005:

		Patents	Trade Marks	Industrial Designs (2002)
Applications by:	residents	47,537	67,208	50,567
	non-residents	10,214	3,718	12,100
Grants to:	residents	13,051	47,658	52,358
	non-residents	3,776	3,140	12,710

PCT-2005

Applications by residents and non-residents: 2,471 (National Phase Entries)
Grants to residents and non-residents: 236 (33 residents, 203 non-residents)

Madrid System-2005

International Registrations:

Total applications: 9,165 (non-residents only)
Total registrations: 7,890 (non-residents only)

The Hague System – Information not available.

International Registrations:

Total applications:
Total registrations: