Standard Summary Project Fiche for the Transition Facility

1. Basic Information

1.1 CRIS Number 2005/017-464.02.02
1.2 Title The Enforcement of Intellectual Property Rights
1.3 Sector Company Law (Internal Market)
1.4 Location Slovak Republic

2. Objectives

2.1 Overall Objective(s)
To ensure awareness and protection of intellectual property rights (i.e. copyright and related rights, industrial rights). To reduce the levels of piracy and counterfeiting in Slovakia.

2.2 Project Purpose
To strengthen enforcement capacity and to raise knowledge concerning intellectual property rights within enforcement authorities, right holders, users and public.

2.3 Justification

Comprehensive Monitoring Report on Slovakia’s Preparation for Membership, 5th November 2003, Chapter 5: Company law

...“As regards enforcement of IPR, administrative structures are in place but need to be strengthened. Particular attention should be paid to the effectiveness of the administrative and judicial bodies (e.g. customs services, the police, the judiciary) involved in IPR enforcement and the fight against piracy and counterfeiting, especially cable retransmission piracy. Co-ordination and cooperation between these bodies should be improved and adequate resources and continued training provided.”...

- Conclusion concerning protection of intellectual and industrial property rights in above mentioned report:
“… enhanced efforts are in particular needed to strengthen the enforcement of intellectual and industrial property rights. Better co-ordination and training of enforcement bodies is required (mainly, customs, police and judiciary) and the efficient functioning of a well trained judiciary should be given particular attention.”

3. Description

3.1 Background and Justification

Following the tasks arising from the Comprehensive Monitoring Report on Slovakia’s Preparation for Membership of 2002, more laws concerning intellectual property rights were adopted. In the area of industrial rights, new act on designations of origin for products and

In respect of tasks stated in chapter 2.3 best knowledge and skill of appropriate specialists – judges, prosecutors, customs and police officers - is particularly important given that Slovakia is part of the external border of the European Union (hereinafter only “EU”). Particular attention needs to be focused on this border, as its insufficient protection may result in roping the illegal copies of software, music, movies and other copyright protected material in the entire internal market of EU and in infringement of industrial property rights.

Since until recently customs services were focusing on “obvious illegal actions” (drugs, alcohol, cigarettes, etc.), material that presents copyright and industrial property rights infringement often passed unnoticed. Training and increasing awareness of the enforce officers and judiciary in respect of these rights infringement is of utmost importance in prospect of achieving better protection and enforcement of copyright and related rights and industrial property rights. In respect of achieving better protection of external border of EU from inflow of material and goods that infringes intellectual property, intensive training of enforcement and judiciary is important especially in border countries, i.e. also Slovakia and particularly its eastern area.

Because of above mentioned facts, one of the main target audiences of the training should be the customs authorities. However, enhancing more co-operation and co-ordination among public bodies on various levels involved into enforcement of intellectual property rights is also very important.

Application of the New Copyright Act requires training of police, prosecution structures as well as custom officers. This is due to the implementation of the EU legal framework. Application of “copy for personal use” or “reprographic reproduction” exceptions included in Directive on Information Society creates area for more effective fight against piracy. Training should prevent the risk of capacity waste due to incorrect interpretation of exception. Another reason for training of police and prosecutors is recodification of Criminal Code that is being prepared and that should constitute legal liability of legal persons in criminal matters.

In relation to judicial protection of industrial property rights, the situation changes fundamentally with regard to realized justice reform, that e.g. constituted new Industrial Property Rights Court in Bratislava, Banská Bystrica and Košice in 2004. In connection with the new tasks and duties, there is an urgent need to further reinforce the administrative and judicial capacities to take on the obligations of membership and this process should be continued. Also, there exist a general feeling that training of the judiciary, including the customs and police authorities involved in the field of intellectual property rights enforcement, has been underestimated for a long time and, therefore, it is this area of intellectual property rights that needs to be provided specialized and targeted assistance. Such assistance is further believed to be essential for the seamless functioning of the Slovak
authorities, which are responsible for enforcement of intellectual property rights and should not be discontinued.

The Industrial Property Office of the Slovak Republic (hereinafter also only “IPO”) itself has continuously striven to provide or mediate assistance and training to the personnel of the courts, as well as other interested parties. After amendment of the law on Seats and District Courts of the Slovak Republic (No. 99/1963 Coll.) in the wording of subsequent regulations for the purpose of intellectual property rights enforcement there have been designated District Courts in Bratislava, Banská Bystrica and Košice as from 1 January 2005. These changes require additional training for above mentioned target group.

Project comprising particularly training and online database supported by information campaign will provide basics for more effective and targeted enforcement of intellectual property rights in Slovakia.

Project will allow not only deeper view of the new acts concerning intellectual property in respect of the latest complex implementation of *acquis* in national legislation, but its timing is ideally related to implementation of *Directive 2004/48/EC of 29th April, 2004 on the enforcement of intellectual property rights*. The Directive covers particularly some new procedural rules concerning mostly enforcement procedures within judicature. Its implementation into national law is to be secured by 30. June 2006. Even though implementation of the *Directive 2004/48/EC* will not bring drastic changes in national legislation, training in context of the enforcement of intellectual property rights in Community framework is considered needed. In regard of preliminary ruling of the EU Court of Justice, basic training of national judges is considered necessary. Hence, Community framework implemented in national legislation incl. new Directive 2004/48/EC should be referred during training in general, with stressing proper application in respect of *ratio legis*. Position of the directive towards national legislation regardless if it is *de lege ferenda* or *de lege lata* should not significantly influence timing or the content of the training.

As the EU framework is enforced through national legislation, it is necessary for its proper interpretation and application to focus training on EU framework and the way of its transposing to national law. Special attention will be paid to such issues as e.g. relationship between exceptions and technical protection measures, the right to fair compensation, the principle of EC exhaustion, etc.

Development of integrated database that would enhance relevant rulings/orders of national courts as well as the decisions of some national administrative authorities – the IPO and district authorities, should promote more consistency in ruling in similar intellectual property cases. This database shall comprise not only national judicature but also references to EU Court of Justice and the World Intellectual Property Organization (hereinafter only “WIPO”). Findings of WIPO Arbitration and Mediation Center will promote more coherent interpretation of WIPO treaties implemented in national legislation. Furthermore, this source of information accessible to wide public in local language could contribute to decrease number of disputes deriving from different interpretations of intellectual property legal provisions, although the most important role in unified interpretation shall play the training and workshops. The database will include, where possible, also searched literature on intellectual property rights issues on both national and international level.

It is important to note that this kind of database does not exist in Slovakia. Private software and some administrative authorities’ internal databases are the only exception. However, these databases are not publicly accessible or are licensed; they do not offer comprehensive
view of intellectual property and do not reflect legal instruments and judicature on supranational level such as EU or WIPO. Benefits of comprehensive integrated intellectual property database that would be accessible to broad public through user friendly searching interface will serve not only users, but also right holders, collective rights management organizations, prosecutors, judges etc. Last but not least, integrated system would enable better follow-up of development in this area and consequently contribute to advance, more effective and better targeted legislative amendments according to the needs of application practice.

The beneficiaries of this project shall be more state institutions – the Ministry of Justice, the Public Prosecution Office, the Ministry of Interior, the Ministry of Finance, the Ministry of Culture, the IPO. The Ministry of Justice supervises judiciary and the IPO, the latter being responsible for industrial property rights. The Ministry of Culture of the Slovak Republic (hereinafter also only “MC SR”) is responsible for copyright and related rights and supervises all five collective rights management organizations in Slovakia all being established in form of non-governmental organizations. There are weekly contacts between the MC SR and these organizations. As they are not directly involved in enforcement of intellectual property rights, only one two-days training – common for them and patent agents - is planned. There is no need of the MC SR staff special training, as MC is not directly involved in enforcement and on the other hand is in permanent consultation process with Brussels.

In brief, the purpose of this project will be met by:
- data collecting and creating individual database of public authorities’ rulings/orders/decisions/findings concerning intellectual property rights. The database to be named “Intellectual Property” shall be the part of the Register of Culture – the comprehensive data bank of the Ministry of Culture that includes more individual databases dedicated to various kinds of activities coming under the entire scope of culture. This component includes also public accessing of Intellectual Property database via Internet,
- information campaign supporting launch of this database and protection of intellectual property rights generally,
- workshops and training contributing to successful application of rights’ enforcement tools in compliance with national legislation being fully harmonized with EU law.

3.2 Linked activities

Ministry of Culture of the Slovak Republic

- International conference “Copyright in EU and Information Society” was held in Bratislava in September 2004. It was organized in cooperation with the collective rights management organizations LITA and SOZA and co-financed by the ministry. The conference dealt particularly with exercise of exception of Directive on Information Society and with the institute of “fair compensation”.

A computer network based on optic medium and fast technology Fast Ethernet was built in 1996. The prevailing part of the equipment was acquired under Phare programme. A new information system Unix-Informix was built in the framework of the Phare – RIPP.

Seminar on „Enforcement of Intellectual Property Rights by Customs and Police Officers“ held in October 2001 in Banská Bystrica, Slovakia. The seminar was co-organized with the EPO, WCO, REACT, and German and French Customs in the framework of the RIPP programme. The seminar provided general information and assistance in the intellectual property rights field and largely contributed to intellectual property awareness programme launched by IPO in the beginning of the acquis implementation.

The „Sub-regional Seminar on Enforcement of Intellectual Property Rights“ for the customs and police officers including the judiciary held on May 2004 under the auspices of the World Intellectual Property Organization (WIPO), EC – DG Enlargement and with contribution of TAIEX.


3.3 Results

*Component 1: Elaborating and loading of database containing publicly available data*

Results from TA contract I:

1. New electronic IP - database comprising relevant rulings/orders of national courts and the decisions of national administrative authorities (IPO, district authorities) and references to EU Court of Justice and findings of WIPO, as well as bibliography concerning both parts of intellectual property rights (copyright and related rights and industrial property rights) developed, installed and operational.
2. Interface between the newly developed IP - database, to be operated by the MC SR, and the existing Trademarks database (comprising trademarks, patents, utility models and designs), operated by the IPO, installed and operational.
3. Fulltext searching tool in both the IP-database of the MC SR and the Trademarks database of the IPO installed and operational.

Results from TA contract II:

5. Relevant rulings/orders of national courts concerning protection of copyright and related rights (appr. since 1993) collected and registered in IP - electronic database.
7. Relevant decisions of administrative bodies - IPO, district authorities - collected and in searched form registered in IP - electronic database of the MC SR.
8. Bibliography of relevant literature and published expert contributions and references to EU Court of Justice and findings of WIPO concerning copyright and related rights and industrial rights collected and registered in IP - electronic database of the MC SR.

Component 2: Information campaign

Results from TA contract III:

1. Information campaign supporting launch of IP - electronic database of the MC SR linked with Trademarks database of IPO incl. basic information on intellectual property rights protection realized.
   The campaign shall be aimed at public and subjects directly involved in intellectual property rights issues, such as law companies, performance artists and trademark holders (at those not involved in training). Type of media used: radio, Internet, print media and probably also television depending upon agreement with broadcasters.
   The impact of the information campaign shall be evaluated by counting the number of visits to the database before and after the campaign.

Component 3 – Training

Results from TA contract IV:

1. Existing situation and problems in cooperation of judges, prosecutors, customs and police within intellectual property rights protection assessed, written proposals for improvements - if needed - elaborated. Cooperation and knowledge capacity of judges, prosecutors, customs and police bodies strengthened.
2. Judges, prosecutors, customs, police officers and representatives of collective rights management organizations and patent agents trained
4. Results of the workshops collected in manual/booklet (and CD if possible) and distributed to all relevant institutions.

3.4 Activities

Component 1: Elaborating and loading of database containing publicly available data

1. Elaborating of Slovak electronic database of public authorities rulings/orders/decisions/findings and bibliography concerning intellectual property rights - Intellectual Property compatible with other parts of Register of Culture operated by the MC SR.
2. Elaborating of interface between IP- database of the MC SR and existing Trademarks database of the IPO.
3. Elaborating of fulltext searching module operating in both the MC SR and the IPO databases.
4. Establishing an Internet access to the above-mentioned, inter-linked, databases.

5. Collecting of judicial rulings/orders and administrative bodies’ decisions concerning protection of copyright and related rights (appr. since 1993) and introducing the data into the IP - electronic database of the MC SR.

6. Collecting of judicial rulings/orders and administrative bodies’ decisions concerning protection of industrial rights (appr. since 1993) and introducing the data into the IP - electronic database of the MC SR.

7. Collecting of searched relevant decisions (recherché) of administrative bodies - IPO, district authorities - and introducing the data into the IP - electronic database of the MC SR.

8. Collecting of bibliography of relevant literature and published expert contributions and references to EU Court of Justice and findings of WIPO concerning copyright and related rights and industrial property rights and introducing the data into the IP- electronic database of the MC SR.

Means:

Service (TA) contract I – IT expert (expected expert input required: 4 man/months)

One expert shall be responsible for the implementation of activities 1. – 4. (falling under component 1). The database will be an independent part of Register of Culture operated by the Ministry of Culture, must be compatible with other components of this register and linked to the Trademarks database operated by the IPO. The database shall be designated particularly for Slovak specialists and public and is to be prepared and downloaded in Slovak language. The search module should be user-friendly and developed in such a way to allow searches according to different search.

Profile
Work experience in IT sector at least 5 years, experience in work with database system, perfect Slovak in word and script, at least passive English. Understanding about intellectual rights would be considered an advantage.

Service (TA) contract II (expected expert input required: 12 man/months)

One expert shall be responsible for the implementation of activities 5. – 8. (falling under component 1). The database shall be designated particularly for Slovak specialists and public and is to be prepared and downloaded in Slovak language.

Profile
Bachelor of Laws / Graduate of Law Faculty, knowledge of the Slovak legal system, administrative procedures and intellectual property issues, skilled in making retrievals (recherché), perfect Slovak language in word and writing.

Component 2: Information campaign

1. Preparing and realizing information campaign:
   - supporting launch of IP- electronic database of the MC SR linked with the Trademarks database of the IPO
- aimed at delivering basic information on intellectual property rights protection.
Campaign aimed at public and subjects directly involved in intellectual property issues, such as e.g. law companies, performance artists, trademark holders (at those not involved in training). Type of media used: radio, Internet, print media and possibly television depending upon agreement with broadcasters.
The impact of the information campaign shall be evaluated by counting the number of visits to the database before, during and after the campaign.

**Means:**

Service (TA) contract III (expected expert input required: 3 man/months)

One expert shall be responsible for implementing the activity under component 2.

**Profile**
At least 5 years of experience with information campaigns, perfect Slovak language in word and script.

**Component 3 – Training:**

1. Before the individual training sessions will take place, an assessment of existing situation and problems in cooperation of judges, prosecutors, customs and police in the field of intellectual property rights protection will be carried out and written proposals for improvements - if needed – will be elaborated. This activity is aimed at strengthening cooperation and knowledge capacity of judges, prosecutors, customs and police bodies.

2. Planning, organizing and holding the cycle of 4 two-days workshops for judiciary, prosecutors, police and customs including theory, case studies and practical demonstrations. Each workshop is organized for a maximum of 80 participants. Each workshop will simultaneously cover the whole scale of participants – judges, prosecutors, customs and police officers; interaction among them is expected and welcome. Each workshop will cover simultaneously the whole scale of intellectual property rights, i.e. copyright and related rights, industrial rights. Feedback will be guaranteed by an evaluation questionnaire.

3. Planning and organizing of two-days training for collective management rights organizations and patent agents. Feedback will be guaranteed by an evaluation questionnaire.

   Note: The MC SR and the IPO will provide their own experts as lectors for this activity 3 (falling under component 3). These 2 experts are not included in the planned number of experts and in the TF budget; they will be fully financed by the MC SR and the IPO themselves. There is no input from the TA-experts for this activity

4. Compilation of the results of the workshops in a manual/booklet (and CD, if possible) to be distributed to all relevant institutions.

**Means**

Service (TA) contract IV
2 short-term project leaders (expected expert input required: together 4 man/months, i.e. 2 man/ months each)

The main tasks of the first project leader are as follows:
- to assess current situation and problems regarding cooperation of institutions involved in issues of intellectual property rights protection (i.e. both copyright and related rights, industrial property rights) – courts, prosecutions, customs and police and together with the second leader propose measures for improvement of this cooperation, if needed according to previous analysis,
- to coordinate preparation of training and workshops, to organize training and workshops, to cooperate by preparing Project Progress Reports, Project and Sectoral Monitoring Reports, to prepare manual/booklet (or CD, if possible) as the compilation of workshops.

Profile of the first short-term project leader:
Full university degree, experience in administration of intellectual property rights at least 10 years, work in governmental sector will be considered an advantage, at least basic knowledge of Slovak legal system, good organizational and management skills, fluent English.

Profile of the second short-term project leader:
Full university degree, experience in administration of intellectual property rights at least 10 years, work in governmental sector will be considered an advantage, knowledge of Slovak legal system, good organizational and management skills, fluent Slovak, fluent English.

Eight additional short-term experts (expected expert input required: together 8 man/months, i.e. 1 man/ month each)

These eight experts together with two short-term project leaders will prepare and hold four two-days workshops consisting of theory, case studies and practical demonstrations that will be common for judges, prosecutors, customs and police officers. Experts needed:
- 2 experts for judiciary,
- 2 experts for prosecutors,
- 2 experts for customs,
- 2 experts for police.

Profile

4 experts: At least 6 years work experience in administration of intellectual property rights aimed at target groups: 1 expert for judges, 1 for prosecutors, 1 for customs, 1 for police. Fluent English.

4 experts: At least 6 years work experience in administration of intellectual property rights aimed at target groups – 1 expert for judges, 1 for prosecutors, 1 for customs, 1 for police. Knowledge of intellectual property rights issues in Slovakia, fluent English, fluent Slovak.

3.5 Lessons learned
Experiences from the training are listed under linked activities. They all worked out positively and achieved positive results. It is important to involve experts who are anywhere near familiar with the country developments in the area the project is focused to.

Recalling the experience stated in chapter 3.2, information about the experience from Finland presented by president of IFRRO (Tarja KLoskinen-Olson) has shown a need to train customs officers in countries having the external border of EU as stated in chapter 3.1. It was also evident that neither enforcement or judiciary, nor collective rights management organizations are prepared to undertake this kind of project at this stage. Therefore, it needs to be initialized by the parties in position of central state administrative bodies in field of intellectual property. In Slovakia, such parties are the Ministry of Culture and the Industrial Property Organizations working in scope of the Ministry of Justice.

These facts were presented at the international conference “Copyright in EU and Information Society” held in Bratislava in September 2004. It was told in frames of official programme and in frames of bilateral talks between foreign experts and representatives of the MC SR, particularly Mr. Sampor who is dealing with copyright and related rights and is co-author of this Project Fiche.

The necessity to provide comprehensive intellectual property judicature source in Slovakia has been stressed at the WIPO conference in Bratislava in 1997, hence some judgments of Slovak courts were varying in interpretation from the generally accepted one on international or EU level.

Further on, there is a need to explain EU background of the implemented legislative framework in more details, and provide comprehensive information source about judicature to enable more effective actions in the field of intellectual property by the right holders, collective rights management societies, enforcement and judiciary.

Above-mentioned facts and the requirements of the Comprehensive Monitoring Report on Slovakia’s Preparation for Membership of November 2003 (see chapter 2.3 Justification) are reflected in component 3 of this Project Fiche being one of the most important parts of the whole project.

4 Institutional Framework

The institution responsible for the technical implementation of this project is the Ministry of Culture. It will closely coordinate its activities with the Industrial Property Office.

As the matter of project concerns various branches, cooperation with the Ministry of Justice, the Public Prosecution Office, the Ministry of Interior and the Ministry of Finance is needed and expected, especially in process of setting training targets and securing participants of training.

A Working group shall specify and outline training essentials, participants’ attendance at training and cooperate by preparation of Project Progress Reports and Project and Sectoral Monitoring Reports. Representatives of the Ministry of Culture, the Intellectual Property Office, the Ministry of Justice (responsible for target group judges), the Public Prosecution Office (prosecutors), the Ministry of Interior (police officers) and the Ministry of Finance (custom officers) shall be the members of the group. They shall be the contact points for
communication and cooperate with TA-experts. The entire cooperation shall be coordinated by the MC SR. TA-experts shall be represented by two short-time project leaders.

Monitoring and supervision over the entire project shall be ensured by a Steering Committee consisting of appropriate department representatives of the Ministry of Culture, the Intellectual Property Office, the Ministry of Justice, the Public Prosecution Office, the Ministry of Interior, the Ministry of Finance and the Government Office.

5 Detailed Budget

<table>
<thead>
<tr>
<th>€ MEUR</th>
<th>Transition Facility support</th>
<th>Co-financing</th>
<th>Total cost (TF plus cofinancing)</th>
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6 Implementation Arrangements

6.1 Implementing Agency

CFCU - Central Financing and Contracting Unit
Ms. Silvia Czuczorova, Director of CFCU/PAO
Ministry of Finance
Radlinskeho 32
813 18 Bratislava
Tel. 00421 2 5726 2707
Fax 00421 2 5726 2727

Technical Implementation
Deputy SPO – Ms. Zuzana Mistrikova – General Director
Department of Media and Audiovisual
Ministry of Culture
Nam. SNP 33
813 31 Bratislava
Tel. 00421 2 5939 1121
Fax 00421 2 5939 1174

SPO of the IPO – Ms. Zdenka Valtyniova – Director
International Department
6.3 Non-standard aspects

N/A

6.4 Contracts

Contract I - TA - Elaboration of database, interface, search module, accession via web portal 100 000
Contract II - TA - Collecting and recording data for database 50 000
Contract III - TA - Information campaign 70 000
Contract IV - TA - Training and workshops 180 000

Note: Within preparation of ToR, the MC SR and the CFCU will together in detail review the possibility of merging some contracts in order to make public procurement simpler.

7 Implementation Schedule

7.1 Start of tendering
October 2005

7.2 Start of project activity
January 2006

7.3 Project completion
February 2007, at latest June 2007

8 Sustainability

Sustainability of the project’s activities will be attained by transfer of knowledge within the involved institutions and more qualified protection of intellectual property rights. After project completion, updating of database Intellectual Property will be safeguarded by the Ministry of Culture. Database Trademarks is being continuously maintained and updated by the Intellectual Property Office.

9 Conditionality and sequencing

The information campaign can start no sooner as loaded databases in web portals are installed and functional. The preparation of training will start after implementation of Directive 2004/48/EC into national legislation.
## Annex 1 – Transition Facility Logframe

<table>
<thead>
<tr>
<th>LOGFRAME PLANNING MATRIX FOR</th>
<th>Programme name and number</th>
<th>2005/017-464.02.02</th>
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<tr>
<td><strong>Total budget : € 400 000</strong></td>
<td><strong>Transition Facility budget : € 400 000</strong></td>
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### Overall objectives

**To ensure awareness and protection of intellectual property rights.**
To reduce the level of piracy and counterfeiting in Slovakia.

### Objectively Verifiable Indicators

- **Level of counterfeiting and piracy decreased in 2007 comparing with 2005**

### Sources of Verification

- Project Progress Reports
- Project and Sectoral Monitoring Reports
- Interim Evaluation Reports
- Implementation Status Report

### Project purpose

**To strengthen enforcement capacities and to raise knowledge concerning intellectual property rights within enforcement authorities, right holders, users and public**

### Objectively Verifiable Indicators

- **Legislation is well known to the enforcement authorities after training**
- **Work of enforcement authorities more efficient**

### Sources of Verification

- Project Progress Reports
- Project and Sectoral Monitoring Reports
- Interim Evaluation Reports
- Involved authorities have information resources
- Involved authorities stay motivated to reach the overall objective

### Results

**Component 1: Elaborating and loading of database containing publicly available data**

1. New electronic IP – database of the MC SR developed, installed and operational.
2. Interface between IP – database of the MC SR, and the existing Trademarks database of the IPO installed and operational.
3. Fulltext searching tool in both databases installed and operational.

### Objectively Verifiable Indicators

- **IP - database of the MC SR publicly accessed and browsed**
- **Interface provides linkage between IP – database of the MC SR and the IPO Trademarks database**
- **Fulltext searching in both databases possible**
- **Public access to judicial rulings/orders/findings and recherche**

### Sources of Verification

- Project Progress Reports
- Project and Sectoral Monitoring Reports
- Interim Evaluation Reports
- Internet

### Assumptions

- Good cooperation of involved institutions
5. Relevant rulings/orders of national courts concerning protection of copyright and related rights (appr. since 1993) collected and registered in IP - database of the MC SR.
6. Relevant rulings/orders of national courts concerning protection of industrial property rights (appr. since 1993) collected and registered in IP- database of the MC SR.
7. Relevant decisions of administrative bodies collected and in searched form registered in IP - database of the MC SR.
8. Bibliography of relevant literature and published expert contributions and references to EU Court of Justice and WIPO concerning copyright and related rights and industrial property rights collected and registered in IP – database of the MC SR.

**Component 2: Information Campaign**

1. Information campaign supporting the launch of IP - database of the MC SR linked with the IPO Trademarks database incl. basic information on intellectual property rights protection realized.

Type of media used: radio, Internet, print media and probably also television depending upon agreement with broadcasters.

**Component 3: Training**

1. Existing situation and problems in cooperation of judges, prosecutors, customs and police within intellectual property rights protection assessed, written proposals for improvements - if needed - elaborated. Cooperation and knowledge capacity of judges, prosecutors, customs and police of relevant decisions of administrative bodies, bibliography of relevant literature and published expert contributions and references to EU Court of Justice and WIPO concerning copyright and related rights and industrial property rights

- At least 100 visits of IP - database of the MC SR during 6 months after its launch

- Number of visits of databases after campaign increasing.

- At least 5 contributions in different kinds of media during campaign

- At least 80 representatives of judges, prosecutors, police, customs officers, collective right management organizations and patent agents have participated in workshops

- Train staff retains position

- Project Progress Reports
- Project and Sectoral Monitoring Reports
- Interim Evaluation Reports
- Chosen means of campaign (infomercials)

- Project Progress Reports
- Project and Sectoral Monitoring Reports
- Interim Evaluation Reports
- Evaluation questionnaire elaborated by the participants
bodies strengthened.
2. Judges, prosecutors, customs, police officers and representatives of collective rights management organizations and patent agents trained.
4. The results of the workshops collected in manual/booklet (and CD if possible) and distributed to all relevant institutions.

- At least 60% of participants (almost) satisfied with expert level of training and workshops
<table>
<thead>
<tr>
<th>Activities</th>
<th>Means</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Component 1: Elaborating and loading of database containing publicly available data</strong>&lt;br&gt;1. Elaborating of Slovak electronic database of public authorities rulings/orders/decisions and bibliography concerning intellectual property rights - Intellectual Property compatible with other parts of Register of Culture operated by the MC SR.&lt;br&gt;2. Elaborating of interface between IP - database of the MC SR and Trademarks database of the IPO.&lt;br&gt;3. Elaborating of fulltext searching module operating in both IP – database of the MC SR and Trademarks database of the IPO.&lt;br&gt;4. Establishing an Internet access to the above-mentioned, inter-linked, databases.&lt;br&gt;5. Collecting of judicial rulings/orders and administrative bodies’ decisions concerning protection of copyright and related rights (appr. since 1993) and introducing the data into the IP – database of the MC SR.&lt;br&gt;6. Collecting of judicial rulings/orders and administrative bodies’ decisions concerning protection of industrial rights (appr. since 1993) and introducing the data into the IP - database of the MC SR.&lt;br&gt;7. Collecting of searched relevant decisions (recherché) of administrative bodies - IPO, district authorities - and introducing the data into the IP - database of the MC SR.&lt;br&gt;8. Collecting of bibliography of relevant literature and published expert contributions and references to EU Court of Justice and findings of WIPO concerning copyright and related rights and industrial property rights and introducing the data into IP – database of the MC SR.</td>
<td>Service (TA) contract I – IT expert (expected expert input required: 4 man/months)</td>
<td>One expert shall be responsible for the implementation of activities 1. – 4. (falling under component 1). The database will be an independent part of Register of Culture operated by the MC SR, must be compatible with other components of this register and linked to the Trademarks database of the IPO. The database shall be designated particularly for Slovak specialists and public and is to be prepared and downloaded in Slovak language. The search module should be user-friendly and developed in such a way to allow searches according to different search.</td>
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<tr>
<td></td>
<td>Service (TA) contract II (expected expert input required: 12 man/months)</td>
<td>One expert shall be responsible for the implementation of activities 5. – 8. (falling under component 1). The database shall be designated particularly for Slovak specialists and public and is to be prepared and downloaded in Slovak language.</td>
</tr>
</tbody>
</table>
### Component 2: Information campaign

1. Information campaign supporting the launch of IP - database of the MC SR linked with Trademarks database of the IPO incl. basic information on intellectual property rights protection realized.

### Component 3: Training

1. Before the individual training sessions will take place, an assessment of existing situation and problems in cooperation of judges, prosecutors, customs and police in the field of intellectual property rights protection will be carried out and written proposals for improvements - if needed – will be elaborated. This activity is aimed at strengthening cooperation and knowledge capacity of judges, prosecutors, customs and police bodies.

2. Planning, organizing and holding the cycle of 4 two-days workshops for judiciary, prosecutors, police and customs including theory, case studies and practical demonstrations. Each workshop is organized for a maximum of 80 participants. Each workshop will simultaneously cover the whole scale of participants – judges, prosecutors, customs and police officers; interaction among them is expected and welcome. Each workshop will cover simultaneously the whole scale of intellectual property rights, i.e. copyright and related rights, industrial rights. Feedback will be guaranteed by an evaluation questionnaire.

3. Planning and organizing of two-days training for collective management rights organizations and patent agents. Feedback

---

<table>
<thead>
<tr>
<th>Service (TA) contract III (expected expert input required: 3 man/months)</th>
</tr>
</thead>
<tbody>
<tr>
<td>One expert shall be responsible for implementing the activity under comp. 2.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Service (TA) contract IV</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>2 short-term project leaders (expected expert input required: together 4 man/months, i.e. 2 man/ months each)</th>
</tr>
</thead>
<tbody>
<tr>
<td>The main tasks of the first project leader are as follows:</td>
</tr>
<tr>
<td>- to assess current situation and problems regarding cooperation of institutions involved in issues of intellectual property rights protection (i.e. both copyright and related rights, industrial property rights) – courts, prosecutions, customs and police and together with the second leader propose measures for improvement of this cooperation, if needed according to previous analysis,</td>
</tr>
<tr>
<td>- to coordinate preparation of training and workshops, to organize training and workshops, to cooperate by preparing Project Progress Reports, Project and Sectoral Monitoring Reports, to prepare manual/booklet (or CD, if possible) as the compilation of workshops.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Eight additional short-term experts (expected expert input required: together 8 man/months, i.e. 1 man/ month each)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trained staff works more effectively</td>
</tr>
<tr>
<td>Trained staff continues to work</td>
</tr>
<tr>
<td>Trained staff is more interested in further training</td>
</tr>
</tbody>
</table>
will be guaranteed by an evaluation questionnaire.

Note: The MC SR and the IPO will provide their own experts as lectors for this activity 3 (falling under component 3). These 2 experts are not included in the planned number of experts and in the TF budget; they will be fully financed by the MC SR and the IPO themselves. There is no input from the TA-experts for this activity.

4. Compilation of the results of the workshops in a manual/booklet (and CD, if possible) to be distributed to all relevant institutions.

<table>
<thead>
<tr>
<th>Experts Needed</th>
<th>These eight experts together with two short-term project leaders will prepare and hold four two-days workshops consisting of theory, case studies and practical demonstrations that will be common for judges, prosecutors, customs and police officers. Experts needed:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>o 2 experts for judiciary,</td>
</tr>
<tr>
<td></td>
<td>o 2 experts for prosecutors,</td>
</tr>
<tr>
<td></td>
<td>o 2 experts for customs,</td>
</tr>
<tr>
<td></td>
<td>o 2 experts for police.</td>
</tr>
</tbody>
</table>

Preconditions

Good cooperation of parties involved
### Annex 2 – Detailed Implementation Chart

<table>
<thead>
<tr>
<th>Activity</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Institution Building</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Database – data collecting, data recording *</td>
<td>x x x x x x x x x x x x x x x x x</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Database – scheduling, web portal *</td>
<td></td>
<td></td>
<td>x x x x x x x x x x x x x x x x x</td>
<td></td>
</tr>
<tr>
<td>Info campaign *</td>
<td></td>
<td></td>
<td>x x x x x x x x x x x x x x x x x</td>
<td></td>
</tr>
<tr>
<td>Workshops, training – preparation, realization</td>
<td>x x x x x x x x x x x x x x x x x</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*first 3 months - tendering*
Annex 3 – Cumulative Contracting and Disbursement Schedule

Project number: 2005/017-464.02.02  
Project title: The Enforcement of Intellectual Property Rights

<table>
<thead>
<tr>
<th></th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contracted</td>
<td>0.05</td>
<td>0.23</td>
<td>0.40</td>
<td></td>
</tr>
<tr>
<td>Disbursed</td>
<td>0.02</td>
<td>0.03</td>
<td>0.12</td>
<td>0.31</td>
</tr>
</tbody>
</table>