

## **EC: Serbia Made Moderate Progress in IP Area in 2010**

By Jelena Jankovic, December 21, 2010

As part of its Enlargement Package for 2010, the European Commission has recently issued a progress report on Serbia, part of which concerns the protection of intellectual property rights. According to the report, Serbia has made moderate progress in the IP field this year.

Among positive developments, the report notes the education and information centre that the IPO opened on its premises, aimed to assist in the overall development of the national IP system and in raising public awareness and understanding of IP and its significance.

Serbia has acceded to the European Patent Convention and become European Patent Organization's 38th member state. Furthermore, the recently adopted Strategy for Scientific and Technological Development is expected to help increase the number of patent applications. The law on patents will be adopted soon. It has been created to fully comply with the EU directives and the conventions Serbia recently joined, the European Patent Convention (EPC) and the Patent Law Treaty (PLT), and to eliminate the weaknesses of the current Law on Patents.

New legislation on industrial design, topography of integrated circuits and geographical indications has been adopted, in line with the Interim Agreement on Trade and Trade-Related Matters that Serbia and the EU signed.

A new copyright law was adopted in December 2009, followed by the implementing legislation. According to the new law, copyright collectives will no longer be able to determine their fees unilaterally. The law establishes creation of the Commission for Copyright and Related Rights authorized to decide on the fees should copyright collectives fail to reach an agreement. However, the government has not yet appointed the members of the Commission.

In terms of IP rights enforcement, the country has set up specialized enforcement units, the frequency of raids has increased and the number of cases filed before the courts has decreased. The customs administration and the market inspection have made significant progress in IP rights enforcement and seizures of counterfeit goods, but the inadequate storage space for illegal goods remains a problem.

Better cooperation among government bodies having the authority in the area of IP rights protection is needed, as well as significant investment into the training of judges. The report also notes that there have been discussions on the long-term financial sustainability of the IPO, but that no solution has been found yet. The law on optical discs has yet to be adopted and the national IP strategy needs to be finalized.

Serbia and the World Intellectual Property Organization (WIPO) have recently signed an agreement identifying areas for future collaboration. The future collaboration is based on the activities already in progress such as the development of a national IP and innovation strategy, IPO automation and infrastructure projects, capacity building and training programs that will address the needs of all the key players in IP protection in Serbia.

*Source: Serbian IPO*

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