

Goals and tasks

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The Industrial Property Board of Appeal (hereinafter — the Board of Appeal) is a collegial decision-making institution appointed by the Cabinet and which examines extrajudicial disputes arising from registration and post-registration procedures concerning invention patents (including supplementary protection certificates for medicinal products and plant protection products), topographies of semiconductor products, trademarks, designs (hereinafter – objects of industrial property).

Main goal of the Board of Appeal is to examine extrajudicial disputes arising from registration and post-registration procedures as well as to insure enactment of the earlier rights provided by the industrial property laws and regulations.

The Board of Appeal shall examine the following disputes provided for in the industrial property laws and regulations:

- 1) regarding a decision of the Patent Office taken within the registration or post-registration procedure and against which a notice of appeal has been submitted (matters of appeal);
- 2) regarding registration of an object of industrial property, to which a notice of opposition of a third person has been submitted (matters of opposition).

In order to ensure the fulfilment of the above mentioned goals, the Board of Appeal shall:

- take a decision to accept the submission of an appeal or an opposition and to initiate a matter;
- prepare a matter of an appeal or an opposition for examination;
- introduce an opposition case parties with the materials of the case;
- endeavour to reconcile the parties of a matter of an opposition;
- determine the proceedings of the case in written or oral procedure;
- examine the case in written procedure or in a session of the Board of Appeal and collegially take a decision;
- render a motivated decision and send a true copy of the decision to the participants of a matter.

The Board of Appeal also shall:

- each year, prepare an annual report on its activities during the previous year and make it public on the website of the Patent Office;
- systematically analyze and summarize materials related to the appeal and opposition proceedings practices;
- inform the director of the Patent Office about failure to comply with the legislation and shortcomings during registration and post-registration procedures in the Patent Office;
- provide recommendations on matters related to implementation of procedures and enforcement of laws and regulations in the Patent Office;
- provide recommendations for improvement of the appeal and opposition proceedings.

<https://www.lrpv.gov.lv/en/goals-and-tasks>