



# EVALUATION FORM OF MEDIATOR INTELLECTUAL PROPERTY RIGHTS

D.T.2.1.3

Version 1

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## 1. What product is it about?

### 1.1. Is the subject the creator of the product?

1.1.1. If not, did the mediator point out the possibility of the existence of rights to the product for another entity?

### 1.2. Was the product developed in cooperation with another person / institution?

1.2.1. If so, did the mediator point out to the fact that the rights may also belong to the cooperating persons?

1.2.2. Has the mediator stated the circumstances under which the rights also belong to the cooperating persons?

### 1.3. Was the product created to meet the obligations arising from an employment or in connection with the execution of an employment (employee product)?

1.3.1. If so, did the mediator tell the subject that he is the originator of the intellectual property, but the corresponding rights could belong to the employer?

1.3.2. Has the mediator informed the subject that he has the right to a reward as an originator?

1.3.3. Has the mediator informed the subject about his other rights under the relevant law?

1.3.4. Did the mediator notify the subject of a different legislation of the employee product in the case of patents, utility models, copyright, etc.?

### 1.4. Is it concerning a modification of an original product?

1.4.1. If so, did the mediator point out the need for the consent of another subject with the processing / modification?

### 1.5. Is it concerning a copyrighted work?

1.5.1. Did the mediator inform the subject that the copyright for a work originates at the moment when the work is expressed in any objectively perceivable form?

1.5.2. Has the mediator communicated information on the possibility of voluntary formal registration of copyright abroad?

## 2. Is the product a novelty on the market or is it already made by another producer?

2.1. Has the mediator pointed out the need to check whether the product is a novelty on the market?

2.2. Did the mediator inform the subject about a possibility of the existence of the rights of another producer that the subject could violate his product and about a resulting need to examine what protection belongs to other producers?

## 3. Did the mediator informed the subject how to the check point 2.2.?



**4. Does the subject use its own logo or product name or designation?**

- 4.1. Did the mediator notify the subject of the need to check whether the logo or similar logo is being used by another manufacturer and whether or not such as logo is legally protected?
- 4.2. Did the mediator inform the subject of how to check whether the logo is protected?
- 4.3. Has the mediator provided to the subject information on the possibility of registering a trademark with the Industrial Property Office?
- 4.4. Has the mediator communicated information on the possibility of registering a Community trademark with the European Union Intellectual Property Office?
- 4.5. Did the mediator inform the subject about the possibility of filing an application for the international registration of a trademark according to the Madrid system?
- 4.6. Did the mediator announce to the subject the possibility of foreign protection directly in each state?
- 4.7. Did the mediator explain the benefits of the registration?

**5. Does the product have an original design?**

- 5.1. Has the mediator pointed to the possibility of registering new and individual designer solutions for industrial and handicraft products at the Intellectual Property Office?
- 5.2. Did the mediator inform the subject about the possibility of registration of new and individual design solutions for industrial and handicraft products at the European Union Intellectual Property Office?
- 5.3. Has the mediator provided information on the possibility of international registering an industrial design according to the Hague System?
- 5.4. Did the mediator acquaint subject with an unregistered Community design?
- 5.5. Did the mediator announce to the subject the possibility of foreign protection directly in each country?
- 5.6. Did the mediator explain the benefits of the registration?

**6. Does the quality of the product depend on a particular geographic location?**

- 6.1. Did the mediator inform the subject about the possibility of registration of geographical indications?
- 6.2. Has the mediator provided information on the differences between the designation of origin and the geographical indication?
- 6.3. Has the mediator informed the subject about the possibility of registering designations at the Industrial Property Office?
- 6.4. Has the mediator notified the possibility of registering a Community designations with the Industrial Property Office?



- 6.5. Did the mediator inform the subject of the possibility of international record of the designation of origin under the Lisbon Agreement, providing that a national record of the designation of origin exists?
- 6.6. Did the mediator announce to the subject the possibility of foreign protection directly in each state?
- 6.7. Did the mediator explain the benefits of the registration?
- 7. Is the product a new industrial applied technical solution?**
  - 7.1. Did mediator inform the subject about the possibility of a legal protection of new technical solutions?
  - 7.2. Has the mediator provided the subject with information on the differences between the patent and the utility model?
  - 7.3. Has the mediator informed the subject about the possibility of filing an application for a patent at the Industrial Property Office?
  - 7.4. Did the mediator announce to the subject the possibility of registering a utility model with the Industrial Property Office?
  - 7.5. Did the mediator inform the subject of the possibility of filing an application for a European patent with the European Patent Office?
  - 7.6. Has the mediator notified the possibility of filing an international patent application according to Patent Cooperation Treaty?
  - 7.7. Did the mediator announce to the subject the possibility of foreign protection directly in each state?
  - 7.8. Did the mediator explain the benefits of registration?
  - 7.9. Did the mediator illuminate the benefits of granting a patent?
- 8. Has the mediator informed about the possibilities of the trade secrets protection?**
- 9. Does the subject have personal data of individuals?**
  - 9.1. Did the mediator notify the subject of the existence of GDPR?
  - 9.2. Did the mediator inform the subject of his obligations under the GDPR?
- 10. Has the mediator provided the subject with the cost of the proposed solutions for the protection of intellectual property rights?**