Brief History

From the moment the Republic of Moldova gained its independence, it was necessary to create an institution with a delimited legal framework in the field of intellectual property (IP).

Thus, on 25 November 1991, the first President of the Republic of Moldova, Mircea Snegur, signed the Decree No. 238 on the State Agency for Copyright (ADA), subordinated to the Government, whose purpose was to ensure the legal protection of copyright and related rights.

In the same context, on May 25, 1992, by the Decree of the President of the Republic of Moldova No.120, the State Agency on the Protection of Industrial Property of the Republic of Moldova was established under the Ministry of Economy and Finance of RM, whose main objective was to legally protect the industrial property on the territory of the Republic of Moldova. According to the Government Decision No. 595 of 8 September 1992 approving the Regulation of the State Agency on the Protection of Industrial Property of the Republic of Moldova, the list of staff positions was approved and, from the same day, the actual activity of the Agency began.

In 1995, pursuant to Article 37 of Law No.461/1995 on Patents, by Government Decision No.743/1996, AGEPI obtained the status of state enterprise subordinated to the Government.

In 2004, on September 13, under the Code on Science and Innovation, the merger of the 2 agencies, ADA and AGEPI, took place, and the statute and structure of the State Agency on Intellectual Property was approved, AGEPI remaining subordinated to the Government.

Ten years later, on 3 July 2014, the Law on the State Agency on Intellectual Property was adopted in the Parliament, a law that involves changing the status of the Agency from a state enterprise to a public institution subordinated to the Government. Subsequently, in December 2018, the public institution “State Agency on Intellectual Property” is reorganized by transformation into a central administrative authority “State Agency on Intellectual Property” subordinated to the Government.

Over time, a number of laws have been approved related to the legal protection of intellectual property, the first being Law No. 293/1994 on Copyright and Related Rights; Law No. 461/1995 on Patents; Law No. 588/1995 on Trademarks and Appellations of Origin of Goods; Law No. 915/1996 on the Protection of Plant Varieties; Law No. 991/1996 on the Protection of Industrial Designs; Law No. 655/1999 on the Protection of Topographies and Integrated Circuits.

Since 2007, due to the evolution of the national IP system and the tendency to bring the system closer to European standards, a number of laws in the field of intellectual property have been adopted, amended or supplemented, namely Law No. 161/2007 on the Protection of Industrial Designs, Law No. 38/2008 on the Protection of Trademarks, Law No. 66/2008 on the Protection of Plant Varieties, Law No. 50/2008 on the Protection of Inventions, Law No. 66/2008 on the Protection of Geographical Indications, Appellations of Origin and Traditional Specialties Guaranteed and Law No. 139/2010 on Copyright and Related Rights.

In 2008, by the Government Decision of the Republic of Moldova No. 489/2008, the National Commission on Intellectual Property (NCIP) is established, which is an advisory body to the Government and whose purpose is to coordinate and ensure the interaction of ministries, other central administrative authorities, as well as IP right holders in activities aimed at developing and strengthening the national intellectual property system, combating and preventing infringements of intellectual property rights and fighting against counterfeiting and piracy in the Republic of Moldova.

International cooperation

Internationally, AGEPI initiates its activity since 1993. Thus, on March 11, the Decision of the Parliament of the Republic of Moldova on the accession of the Republic of Moldova to the Convention Establishing the World Intellectual Property Organization and the Paris Convention for the Protection

of Industrial Property was adopted.[1] Also in the same year, by the Decision of the Parliament as well, the Republic of Moldova acceded to the Madrid Agreement Concerning the International Registration of Marks and the Patent Cooperation Treaty (PCT).

In the same vein, the Agreement on Measures Concerning the Protection of Industrial Property and the establishment of the Interstate Council on Industrial Property Protection Issues (CIS) were signed on March 12, 1993. At the end of 1993, the President of the Republic of Moldova signed the Decree of Accession to the Hague Agreement Concerning the International Registration of Industrial Designs; the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure and the Nairobi Treaty on the Protection of the Olympic Symbol.

In 1995, on June 22, the Rome International Convention for the Protection of the Rights of Performers, Producers of Phonograms and Broadcasting Organizations and the Berne Convention for the Protection of Literary and Artistic Works were ratified.

On September 22 of the same year, the Parliament ratified the Trademark Law Treaty (TLT) (Geneva) and the Eurasian Patent Convention (Moscow).

In 1995, the Cooperation Agreement with the European Patent Office (EPO) was signed on March 13, and in February 1996 the Republic of Moldova became a member of the Eurasian Patent Convention. In 1997, Moldova decided to accede to the International Convention for the Protection of New Varieties of Plants (UPOV - International Union for the Protection of New Varieties of Plants). Three years later, RM accedes to the Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods and to the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration. In 2001, Moldova acceded to the World Trade Organization and implicitly to the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs).

In the context of approximating the national IP system to the European standards, on 26 June 2012, in Brussels, the Republic of Moldova and the European Union signed the Agreement on the Protection of Geographical Indications for Agricultural Products and Foodstuffs, which was subsequently incorporated into Association Agreement between the Republic of Moldova, on the one hand, and the European Union and the European Atomic Energy Community and their member states, on the other hand (Brussels, 2014).

In the same year, at the Beijing Diplomatic Conference, the Republic of Moldova, together with 47 other countries, signed the WIPO Audiovisual Interpretation Treaty, which aims to strengthen the status of performers in the audiovisual industry by ensuring a well-structured and balanced international legal framework, thus being regulated for the first time the protection of performers in a digital environment.

On October 22-23, 2012, during a visit of the WIPO Director General Francis Gurry, the Memorandum of Understanding between the Government of the Republic of Moldova and the World Intellectual Property Organization on cooperation in the field of IP was signed in Chisinau.

In June of the following year, at the Diplomatic Conference in Marrakesh, the Republic of Moldova signed the WIPO Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled. And in October 2013, in Munich, Germany, the Director General of AGEPI and the President of the EPO signed the Agreement between the Government of the Republic of Moldova and the European Patent Organization on Validation of European patents on the territory of the Republic of Moldova.

Currently, the Republic of Moldova is party to 39 multinational and bilateral conventions, arrangements, treaties and agreements in the field of intellectual property. AGEPI, as the authority responsible for the administration of the intellectual property system, ensures the cooperation, based on mutually beneficial partnership, with a series of international organizations and specialized national offices, with 42 of them being signed cooperation agreements and programs.

National cooperation

Cooperation at the national level is largely about promoting the national system of protection, enforcement and use of intellectual property rights (IPRs), raising the level of knowledge about IP and raising public awareness of the advantages of protection and the need to comply with IPRs, the role of intellectual property in the socio-economic development of the country. This cooperation is based on more than 50 bilateral agreements in the field of intellectual property between AGEPI and other entities in the RM, such as public authorities, institutions in science and innovation, higher education institutions, libraries, inventors' unions, composers, artists, etc.

The most important events that marked the activity of AGEPI

Among the most important initiations that marked the activity of AGEPI are:

- Filing of the first patent application on ***26 January 1993*** (invention "Soft Drink" requested by Matveenco Mihail);
- Registration by AGEPI of the first patent attorneys (representatives in intellectual property) of the Republic of Moldova (***April 24, 1993***);
- Appearance of the first issue of the Official Bulletin of Industrial Property on ***October 30, 1993*** which later(***September 2015***) appears as the Official Bulletin of Intellectual Property (BOPI);
- Issuance, on ***February 4, 1994*****,** of the Trademark Registration Certificate No.1 (Integrated Works of Synthetic Leather and Rubber Articles from Chisinau);
- Issuance, on ***May 12, 1994*****,** of Patent No.1 of the Republic of Moldova (to ensure the protection of a process for the manufacture of food additives from vegetal raw material);
- Issuance, on ***January 31, 1995*****,** of the Industrial Design Registration Certificate No.1 (Furniture Factory "Viitorul");
- Issuance, on ***April 30, 1995*****,** of the Utility Model Registration Certificate No.1 (owner Emanuil Mitnic);
- Conduct of the first edition of the Symposium "AGEPI Readings", which then becomes an international symposium and is organized every year - ***October 24, 1997***;
- Conduct the first edition of the International Specialized Exhibition "INFOINVENT", organized by AGEPI and IEC "Moldexpo" JSC - ***October 28-31, 1999*****;**
- Official opening of the Institute of Intellectual Property within AGEPI - ***October 1, 2000*****;**
- Launch of the official website of AGEPI **(*2001*)**
- Launch, ***in 2003***, of the contest "Trademark of the Year" within the framework of the exhibition "Made in Moldova", an event organized in partnership with the Chamber of Commerce and Industry of RM and the National Association of Manufacturers;
- Attestation of the first evaluators of intellectual property objects and handing of qualification certificates, their entry in the National Register of IPO Evaluators **(*2004*);**
- Launch, in ***January 2009***, of a new type of service - intellectual property pre-diagnosis - a European concept in support of small and medium-sized enterprises (SMEs);
- Establishment of the Observatory on Enforcement of Intellectual Property Rights - ***July 29, 2011***;
- Publication by AGEPI, in partnership with the EUBAM Mission, of the first "National Report on the Enforcement of Intellectual Property Rights in the Republic of Moldova, 2012", annual edition, which aims to analyze the phenomena of counterfeiting and piracy and recommend effective solutions to counteract these scourges;
- Launch of the information system for online filing of IPO patenting/registration applications and payment of fees, using the electronic signature **(*2013*);**
- Implementation within AGEPI of the Quality Management System (SMC), according to the requirements of the ISO 9001:2008 standard (***July 2013***), later recertified according to the ISO 9001:2015 standard (***October 2017***);
- Integration of AGEPI services in the unique governmental services portal https://evo.gov.md/ [1], which offers the opportunity to any interested person to apply for a right to IP (***2014***);
- Organization by AGEPI of the first meeting of the Geographical Indications Sub-Committee, established in accordance with Art. 306 of the Association Agreement between the Republic of Moldova and the EU, AGEPI being the body responsible for the implementation in the Republic of Moldova of the provisions of the Association Agreement on IP, including in the

field of GIs (***2015***);
- Accession of AGEPI, ***in 2015***, to the Global Brand Database search tool, a tool created and managed by WIPO;
- Adoption of the decision of protecting on the EU territory the geographical indications: Valul lui Traian, Codru, Stefan Voda, and also the geographical indication Divin, used for the product “aged wine brandy”, manufactured on the entire territory of the Republic of Moldova. The decision was taken in Brussels, Belgium, at the 2nd Meeting of the GI Sub-Committee (***2016***);
- Launch of the first edition of the Contest in the field of intellectual property, addressed to 9th-12th grade young people from the Republic of Moldova and Romania who study in general education, vocational, secondary and post-secondary vocational institutions. The contest is organized by AGEPI, in partnership with the Ministry of Education of the Republic of Moldova, the Romanian State Office for Inventions and Trademarks and the Romanian Copyright Office **(*2017*);**
- Adherence of AGEPI to the TMview and Designview search tools provided by the European Union Intellectual Property Office (EUIPO) **(*2017*);**
- Adherence of AGEPI to the EUIPO’s TMclass programme and WIPO’s Global Design Database search tools **(*2018*);**
- Launch of the Interactive Map of Traditional Moldovan Products protected by geographical indications and with the potential to be protected by GI **(*2019*);**
- Adherence of AGEPI to the DesignClass classification tool developed by EUIPO **(*2019*);**
- Registration of the first traditional specialty guaranteed of the Republic of Moldova - the traditional Moldovan dessert “PLUMS STUFFED WITH WALNUT KERNEL” **(*2019*);**
- Accession of AGEPI to the application online filing service Madrid e-Filing, the Republic of Moldova becoming the first country in Southeast Europe to offer the application online filing service for users of the Madrid System **(*2020*);**
- Accession of AGEPI to the PCT Paperless Service, which offers the possibility of electronic transmission of documents between AGEPI, as the receiving office for international patent applications filed under the PCT system, and the EPO, in its capacity as PCT International Searching Authority **(*2020*);**
- Implementation of the Information Platform in the field of protection of intellectual property rights - e-IPR, a common interdepartmental information system that ensures the interinstitutional exchange of data and contributes to informing society about the enforcement of IP rights **(*2021*).**

[1] Some conventions, treaties and agreements until the proclamation of independence remained in force being later approved by the Parliament of the Republic of Moldova.

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