

**LEGAL MONITORING OF SERBIAN MEDIA SCENE - Report for December 2012** 

## V THE DIGITALIZATION PROCESS

In the Ministry of Foreign and Domestic Trade and Telecommunication say that the realization of the project of digitalization is a priority, the results of which are expected by April 2013. The last deadline for completing the digitalization process in Europe is June 17, 2015. "We will do our best for the switchover to happen slightly earlier, but 2015 is the most realistic target date for completing that process," the State Secretary in the Ministry of Foreign and Domestic Trade and Telecommunication Stefan Lazarevic said in an interview to RTS. He added that the biggest obstacle in the process was the absence of the distribution network project, which should include several sub-projects. "We will center all our energy and strength towards the coordination and realization of these projects in the coming period and I expect them to be completed by early May," Lazarevic said. He also pointed out that the warranty trademark was made in cooperation with international consultants. "Our idea is to stick the warranty trademark on the devices that are able to support the digitalization process, as foreseen by our government. The warranty trademark is the key when it comes to the overall promotion of digitalization and we expect it will start in the first quarter of this year," Lazarevic said. He added that the support of the social inclusion team had been ensured; that team is working on a study about the vulnerable groups the state must help so that they are not left without a source of information after the digital switchover. "We hope there will be enough money in the budget in the coming years to provide assistance to socially vulnerable people. However, this is not merely about providing them assistance – we must organize teams that will help our fellow citizens to install the set-top boxes," Lazarevic said.

On December 27, the Intellectual Property Office registered the Digital TV warranty trademark, whose holder is the Ministry of Foreign and Domestic Trade and Telecommunications. The trademark is registered for class 9 of international classification, which involves devices for picture transmission and reproduction. The Law on Trademarks stipulates that the warranty trademark means a trademark that is used by multiple companies under supervision of the trademark holder, as a warranty of quality, geographic origin, manner of manufacturing or other common characteristics of the goods and/or services provided by such companies. The holder of the warranty trademark allows any company to use the warranty trademark for goods and/or services which have common characteristics prescribed by general act on the warranty trademark. In the concrete case, the Digital TV trademark shall serve as a warranty that the set-top boxes (carrying the trademark), receivers and digital television sets comply with the minimum technical requirements foreseen in the minimum technical requirements specification



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Serbia, adopted by the Ministry of Foreign and Domestic Trade and Telecommunications. Compliance with the said requirements will be checked pursuant to the Guidelines about the manner and procedure of device testing (STBs and digital TV receivers), with the goal to assess the compliance with the requirements for the reception of the digital terrestrial TV signal in the Republic of Serbia, also adopted by the Ministry of Foreign and Domestic Trade and <u>Telecommunications</u>. The purpose of the trademark, which will be placed by the manufacturers and vendors on the technically compliant devices, is helping the citizens recognize technical equipment that will enable them to receive digital signal after the digital switchover. Similar mechanisms were used in other states that have already gone through the digitalization process. The only innovation is the fact that the trademark to be used in Serbia is protected not as a traditional trademark, but as a warranty trademark, which facilitates the logistical requirements of the whole process. Namely, instead of entering into license agreements with each individual manufacturer (that would transfer on these manufacturers the right to use the protected trademark), the state merely prescribes the criteria and itemizes the devices for which the manufacturers have provided evidence of compliance with these criteria. The manufacturers will directly mark these devices with the Digital TV trademark, while the state reserves the right to perform additional checks in order to prevent misuse.