

Digitization Projects – Scope, Benefits, and Lessons Learned

4th ASEAN IP Register Regional Coordinators
Meeting and WIPO-ASEAN IT Workshop

May 6-10, 2024, Jakarta, Indonesia

Ly Sonabend

First Phase of Digitization of IP Dossiers

- From started until 2013, DIP did not scanned any documents
- From year 2014, WIPO support on digitization project to scan all the documents, at that time it around 6months to scan all the documents.
- Total of trademark documents to be scanned =1,436,702pages
- Total of patent documents to be scanned 80,700 Pages

Remaining issue after Phase 1

- Some document lost
- Some broken document
- The DIP's itself improper workflow of scanning documents
 - . Front File
 - . Office Document
 - . User Document

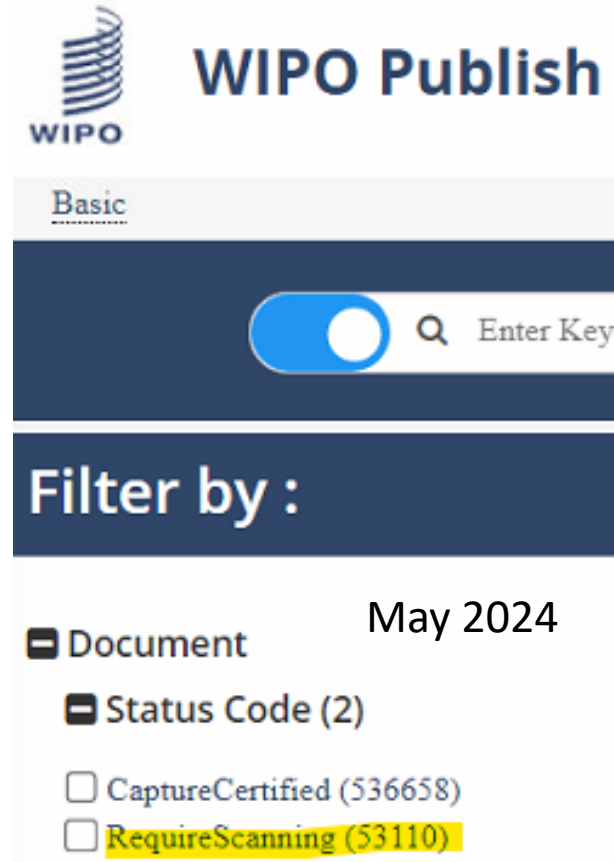
Second Phase of digitization project

- The Second Phase is not about to scan all the documents but this time is to scan only the **missing documents**.
- By using WIPOPublish EDMS, the number of document not yet scanned can see approximately like below:

Second Phase of digitization project (cont.)

- The total number of documents already scanned (**513,564**)
- The total number of documents require scanning is (**51,078**), with this number there are some documents which is having problem mostly from Madrid so the most probably amount is (**34,498**) around (**6.7%**) need to do digitization.

So, I can say that the first phase project was successfully.



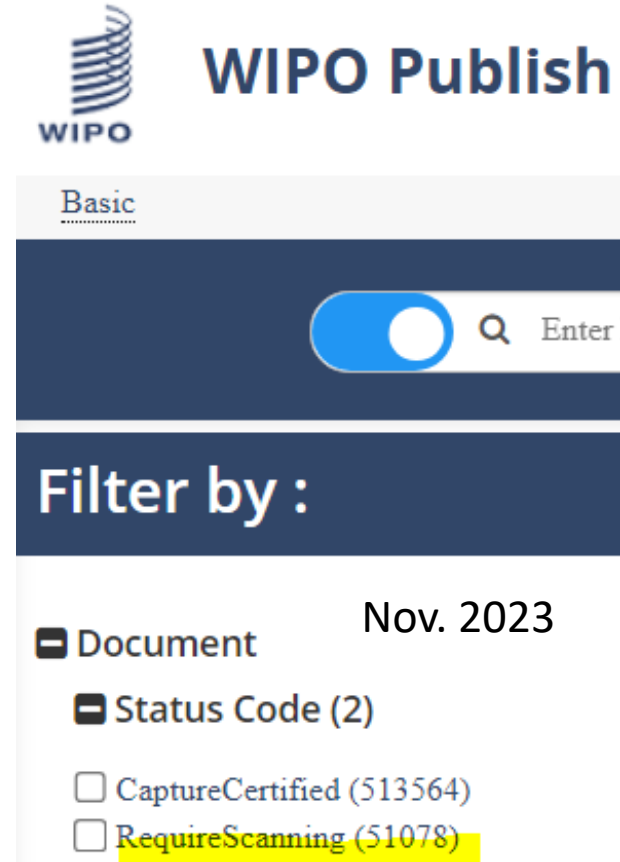
WIPO Publish

Basic

Filter by :

Document May 2024

- Status Code (2)
- CaptureCertified (536658)
- RequireScanning (53110)



WIPO Publish

Basic

Filter by :

Document Nov. 2023

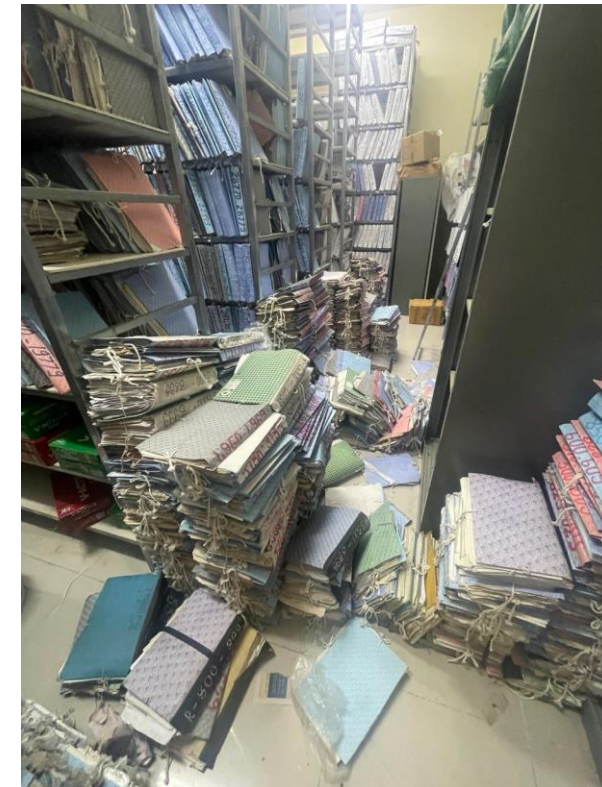
- Status Code (2)
- CaptureCertified (513564)
- RequireScanning (51078)

Second Phase of digitization project (cont.)

- DIP believed that the second project can fix all the remaining documents not scanned yet, if the project granted.
- DIP is recently implemented the e-sign for all objections/notifications for trademark bureau.
- DIP, fully implemented paperless document for Madrid bureau, it meant that all the document issued by DIP was digitally sign, included the second action. Only the certificate which is require physical signature.
- DIP trying to see the possibility of implement e-sign for all the document very soon.

How DIP manage the archive room

- How about every one manage your archive room?





Lesson Learned

Madrid Notification

The Incoming notification from IB

- DIP automatically scheduled it to
 - 1-download,
 - 2-upload and
 - 3-process weekly on every Thursday.
- There is a utilities to upload the un-success upload pdf by using Madrid Module, so DIP frequently run that utility to make sure all the incoming notifications come with PDF.
















The notification OO mostly send to IB

1. MF3A Total Provisional Refusal of Protection (Rule 17(1))
2. MF3B Partial Provisional Refusal of Protection (Rule 17(1))
3. MF4 Statement of Total Grant of Protection (Rule 18ter(1))
4. MF5 Statement of Total or Partial Grant of Protection Following a Provisional Refusal (Rule 18ter(2))
5. MF6 Confirmation of Total Provisional Refusal (Rule 18ter(3))

https://www.wipo.int/madrid/en/contracting_parties/model_forms.html

IPAS template need to be prepared

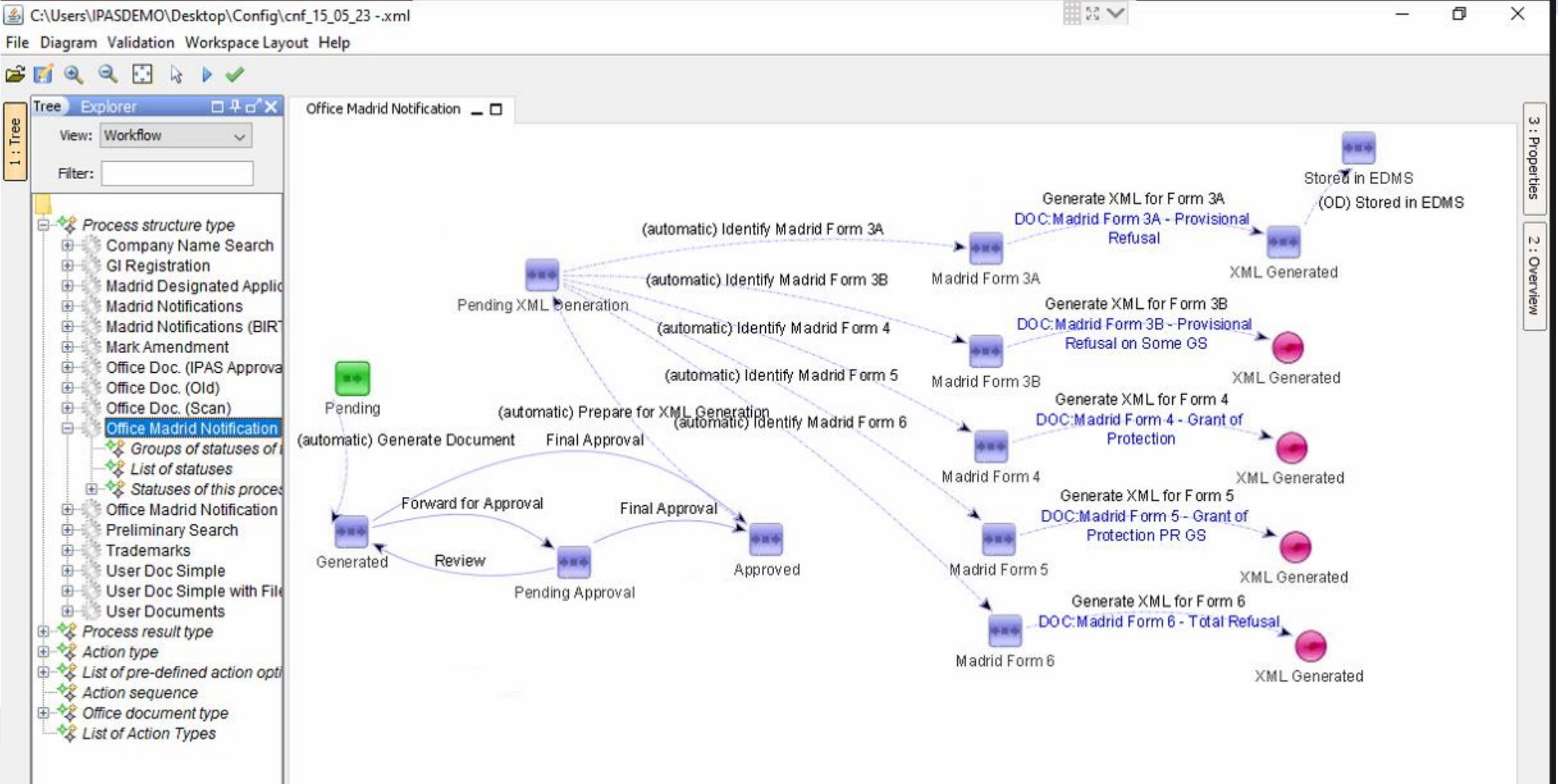
For the XML form technical team will prepare for the office.

 Form5.xsl	5/19/2023 7:35 PM	XSL Stylesheet	102 KB
 Form5.xml	5/19/2023 7:34 PM	XML Document	6 KB
 Form3b.xml	5/19/2023 7:32 PM	XML Document	13 KB
 Form4.xml	5/19/2023 7:31 PM	XML Document	12 KB
 Form4.xsl	5/19/2023 7:29 PM	XSL Stylesheet	99 KB
 Form3a.xsl	5/19/2023 7:03 PM	XSL Stylesheet	99 KB
 Form3a.xml	5/19/2023 6:17 PM	XML Document	12 KB
 Form3b.xsl	5/19/2023 5:26 PM	XSL Stylesheet	97 KB
 Form6.xsl	5/19/2023 5:16 PM	XSL Stylesheet	97 KB
 Form6.xml	5/19/2023 5:13 PM	XML Document	6 KB
 TM Grant of Protection PR Some GS.doc	3/10/2023 11:16 AM	Microsoft Word 9...	1,227 KB
 TM Grant of Protection PR All GS.doc	3/10/2023 11:16 AM	Microsoft Word 9...	1,234 KB
 TM Provisional Refusal_M.doc	3/10/2023 11:15 AM	Microsoft Word 9...	118 KB
 TM Provisional Refusal Some GS_M.doc	3/10/2023 11:13 AM	Microsoft Word 9...	1,240 KB
 TM Provisional Refusal Some G_M.doc	3/7/2023 6:32 PM	Microsoft Word 9...	1,240 KB
 TM Grant of Protection.doc	2/23/2023 6:13 PM	Microsoft Word 9...	1,245 KB
 TM Grant of Protectionold.doc	2/23/2023 5:54 PM	Microsoft Word 9...	1,234 KB
 TM Absolute Refusal_M.doc	2/3/2023 4:33 PM	Microsoft Word 9...	1,231 KB

Things need to be done for using XML notification

- IPAS version 3.6.1c (WIPO will provide)
- Madrid Module version 3.6.1c (WIPO will provide)
- IPAS Manager 3.6.1c (WIPO will provide)
- IPAS Design 3.6.1c (WIPO will provide)
- Create new office workflow to support this feature (WIPO will provide)
- Private FTP to send to IB (WIPO will provide)
- Prepare the Word template to make its contents same as XML template
- Testing every forms which and sending to IB for checking before deploy in Production

New workflow to support XML Notification



Generated Notification

Close | New action | View mark | View officedoc | Rel. Previous | Rel. Next | Other process | Filter | Other mark | Tree mode | Refresh | Add manual sub process | Edit | Save changes

Edit process data

File: KH/M/0/1651247 - ABK - ROK Stars Limited - (M) Await Response (Subst)

Events	Status	Frozen By	Freezing				
Type	Date	Action By	Description	Notes	Action 1	Action 2	
User Doc.	21/05/2021 12:00:00		Userdoc:Madrid BIRTH notification (Doc 1/1484377801) File:1651247 - ABK - ROK Stars Limited	Processed: (MDoc) New BIRTH notification (21/05/2021) .		PDF	
Action	21/05/2021 12:00:00	IPAS361	(system) Madrid Application Received		Details		
e-doc	21/05/2021 12:00:01		Madrid Mark	No content yet		PDF	
Action	20/02/2023 10:48:30	Tep Sokpanha	(M) Assign Examiner		Details		
Action	19/05/2023 03:07:45	Naro	(M) Recommend Provisional Refusal (Examiner)		Details		
Action	19/05/2023 03:08:09	Naro	(M) Recommend Provisional Refusal (Bureau)		Details		
Action	19/05/2023 03:08:23	Naro	(M) Provisional Refusal (Dept)		Details		
Action	19/05/2023 03:09:36	Naro	(M) Provisional Refusal	Processed: XML Generated (19/05/2023) .	Details	DOC	


MS-Word Template of Notification

ក្រសួងពាណិជ្ជកម្ម
Ministry of Commerce
អគ្គនាយកដ្ឋានសេវាពាណិជ្ជកម្ម
General Directorate of Trade Support Services
នាយកដ្ឋាន កម្មសិទ្ធិបញ្ញា
Department of Intellectual Property

ព្រះរាជាណាចក្រកម្ពុជា
Kingdom of Cambodia
ជាតិ សាសនា ព្រះមហាក្សត្រ
Nation Religion King

Date of Notification	
Document No.	2023/5512



NOTIFICATION OF A PROVISIONAL REFUSAL OF PROTECTION
OF AN INTERNATIONAL REGISTRATION DESIGNATING
CAMBODIA
Rule 17(1)

I. Name of the Office:	Department of Intellectual Property, Ministry of Commerce Lot 19-61, Russian Boulevard, Phum Teuk Thla, Sangkat Teuk Thla, Khan Sen Sok, Phnom Penh, Kingdom of Cambodia.
II. International registration number:	1651247
III. International registration date (Filing Date):	May 21, 2021
IV. Name of the holder:	ROK Stars Limited
V. Mark:	
VI. Goods and Services (Nice Classification)	NCL 32
VII. Information concerning the type of provisional refusal:	Partial provisional refusal based on an ex officio examination.
VIII. Information concerning the scope of the provisional refusal:	Total provisional refusal affects all the goods and/or services.
IX. Grounds for refusal (where applicable, see item X):	Disclaimer The applicant should disclaim the exclusive right to use the term(s) "test" apart from the mark sought to be registered. This is pursuant to the objections concerning the registrability of the mark.

X. Information related to an earlier mark:	Where applicable the details of earlier trademarks are informed as an attachment to this form.
XI. Information relating to the subsequent procedure:	<p>The applicant must respond in writing to this provisional refusal within sixty (60) days from receipt of the notification of this refusal from the International Bureau (IB). The response must be filed by a duly authorized resident representative in Cambodia. The representative must be appointed pursuant to Article 58 of the Law Concerning Marks, Trade Names and Acts of Unfair Competition and Article 28 of the Sub-Decree on the Implementation of the TM Law.</p> <p>Pursuant to Article 17(2) of the Sub-Decree on the Implementation of the Trademark Law, the applicant or holder, through the duly authorized representative, must submit the legal arguments, the required amendments or modifications, disclaimers (on any element(s) of the mark) or limitations required within the prescribed period.</p> <p>In the alternative and in accordance with Article 17(3) of the Sub-Decree on the Implementation of the Trademark Law, the holder, through the duly authorized representative, may submit a written request for a hearing to the Registrar. Upon receiving this request, the Registrar shall notify the applicant, in writing, at least one month before the date on which the applicant will be invited to be heard.</p> <p>Failure to respond to the provisional refusal within the required period will result in the abandonment of the international registration.</p> <p>If, after the holder's written response or hearing, the Registrar accepts the mark according to Article 19(1), the mark will be registered and the statement of grant of protection will be issued. The registered mark will then be published for opposition for a period of 90 days.</p> <p>However, if after considering the applicant's response or hearing, the Registrar still refuses the registration of the mark, the applicant may, pursuant to Article 18(1), within one (1) month from the date of the communication from the Registrar, request the confirmation of the decision and the materials referred to in the decision. Under Article 18(2), the applicant may then appeal the Registrar's decision to the Appeal Board of the Ministry of Commerce or the competent court within three (3) months from the date of the decision.</p> <p>All responses or communication should be addressed to: Department of Intellectual Property, Ministry of Commerce, Lot 19-61 113 B, Sangkat Teuk Thla Khan Sen Sok, Phnom Penh, Cambodia.</p>
XII. Signature of the Office:	Department of Intellectual Property, Ministry of Commerce.

XML Generated

Offidoc:M/2023/62068 - Madrid Grant of Protection - File:1676995 - XML Uploaded to IB

Events	Status	Frozen By	Freezing				
Type	Date	Action By	Description	Notes	Action 1	Action 2	
e-doc	18/10/2023 02:27:01		Madrid Grant of Protection	Content certified on 20/10/2023 by KHDIPMOC			
Action	18/10/2023 02:27:05	Sek Saravuth	(automatic) Generate Document		Details		
Action	20/10/2023 03:19:07	HY DARA	Final Approval		Details		
Action	20/10/2023 03:19:09	KHDIPMOC	(automatic) Prepare for XML Generation		Details		
Action	20/10/2023 03:19:11	KHDIPMOC	(automatic) Identify Madrid Form 4		Details		
Action	20/10/2023 03:19:13	HY DARA	Generate XML for Form 4	Processed: Upload (20/10/2023) .	Details		
Action	20/10/2023 04:55:42	KHDIPMOC	(OD) Stored in EDMS		Details		
Note	21/10/2023 11:52:00	KHDIPMOC	(automatic) XML Uploaded to WIPO FTP*	SUCCESS	Details		
Action	21/10/2023 11:54:55	KHDIPMOC	(OD) XML Uploaded		Details		

XML zip package content XML and LOGO

The screenshot displays a Windows File Explorer window showing the contents of a zip package. The main window is titled "Madrid Form 3A - Provisional Refusal(M_2023_5520)" and shows a folder named "ATTACHMENT". The contents of this folder are listed in a table below.

Name	Date modified	Type	Size
ATTACHMENT	5/19/2023 7:06 PM	File folder	
KH_1447795_M_2023_5517.xml	5/19/2023 7:05 PM	XML Document	8 KB

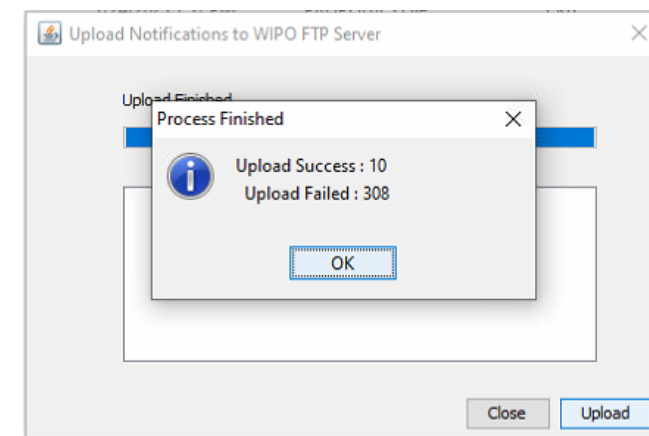
The "ATTACHMENT" folder is open, showing its contents in a smaller window. The contents are listed in a table below.

Name	Date modified	Type	Size
Form3a.locale	5/19/2023 7:05 PM	LOCALE File	746 KI
Form3a.xsl	5/19/2023 7:05 PM	XSL Stylesheet	99 KI
LOGO_KH_M_0_1447795.JPG	5/19/2023 7:05 PM	JPG File	39 KI

Action noted of the uploading to FTP succeed or failed

Offidoc:M/2023/62068 - Madrid Grant of Protection - File:1676995 - XML Uploaded to IB

Events	Status	Frozen By	Freezing			
Type	Date	Action By	Description	Notes	Action 1	Action 2
e-doc	18/10/2023 02:27:01		Madrid Grant of Protection	Content certified on 20/10/2023 by KHDIPMOC		PDF
Action	18/10/2023 02:27:05	Sek Saravuth	(automatic) Generate Document		Details	
Action	20/10/2023 03:19:07	HY DARA	Final Approval		Details	
Action	20/10/2023 03:19:09	KHDIPMOC	(automatic) Prepare for XML Generation		Details	
Action	20/10/2023 03:19:11	KHDIPMOC	(automatic) Identify Madrid Form 4		Details	
Action	20/10/2023 03:19:13	HY DARA	Generate XML for Form 4	Processed: Upload (20/10/2023) .	Details	ZIP
Action	20/10/2023 04:55:42	KHDIPMOC	(OD) Stored in EDMS		Details	
Note	21/10/2023 11:52:00	KHDIPMOC	(automatic) XML Uploaded to WIPO FTP*	SUCCESS	Details	
Action	21/10/2023 11:54:55	KHDIPMOC	(OD) XML Uploaded		Details	



This is to show that we use the Madrid module upload to send to IB. This process in prod. will be schedule.

1809674601	Final decision	TR	14.02.2024	29.02.2024
1802365601	Refusal of protection	TH	23.01.2024	25.01.2024
1800151601	Grant of protection	TM	17.01.2024	18.01.2024
1795804601	Opposition possible after the 18 months time limit	KR	05.01.2024	08.01.2024
1793946701	Ex Officio examination completed but opposition or observations by third parties still possible, under Rule 18bis(1)	SG	02.01.2024	03.01.2024
1778224101	Ex Officio examination completed but opposition or observations by third parties still possible, under Rule 18bis(1)	IL	14.11.2023	15.11.2023
1770056201	Grant of protection	KH	23.10.2023	24.10.2023
1766884401	Secor			
1766884301	Final			
1766390501	Grant			
1759683401	Refus			
1751061401	Final			

1770056201

Statement of grant of protection made under Rule 18ter(1) where no notification of provisional refusal has been communicated

1676995

(833) Interested Contracting Party(ies)
KH (Cambodia)

(732) Name and address of the holder of the registration
HUGO BOSS Trade Mark Management GmbH & Co KG
Dieselstraße 12
Metzingen (DE (Germany))

(812) Contracting State or Contracting Organization in the territory of which the holder has a real and effective industrial or commercial establishment
DE (Germany)

(843) Legal nature of the holder (legal entity) and State, and, where applicable,

documentAccess 1 / 2 90%

ក្រសួងពាណិជ្ជកម្ម
Ministry of Commerce

អគ្គនាយកដ្ឋាន សេវាការពាណិជ្ជកម្ម
General Directorate of Trade Support Services

នាយកដ្ឋាន កម្មសិទ្ធិបញ្ញា
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Kingdom of Cambodia

ជាតិ សាសនា ព្រះមហាក្សត្រ
Nation Religion King

STATEMENT OF TOTAL GRANT OF PROTECTION
(Rule 18ter(1) of the Common Regulations)

Date of Notification	2023-10-20
Document No.	M/2023/62068

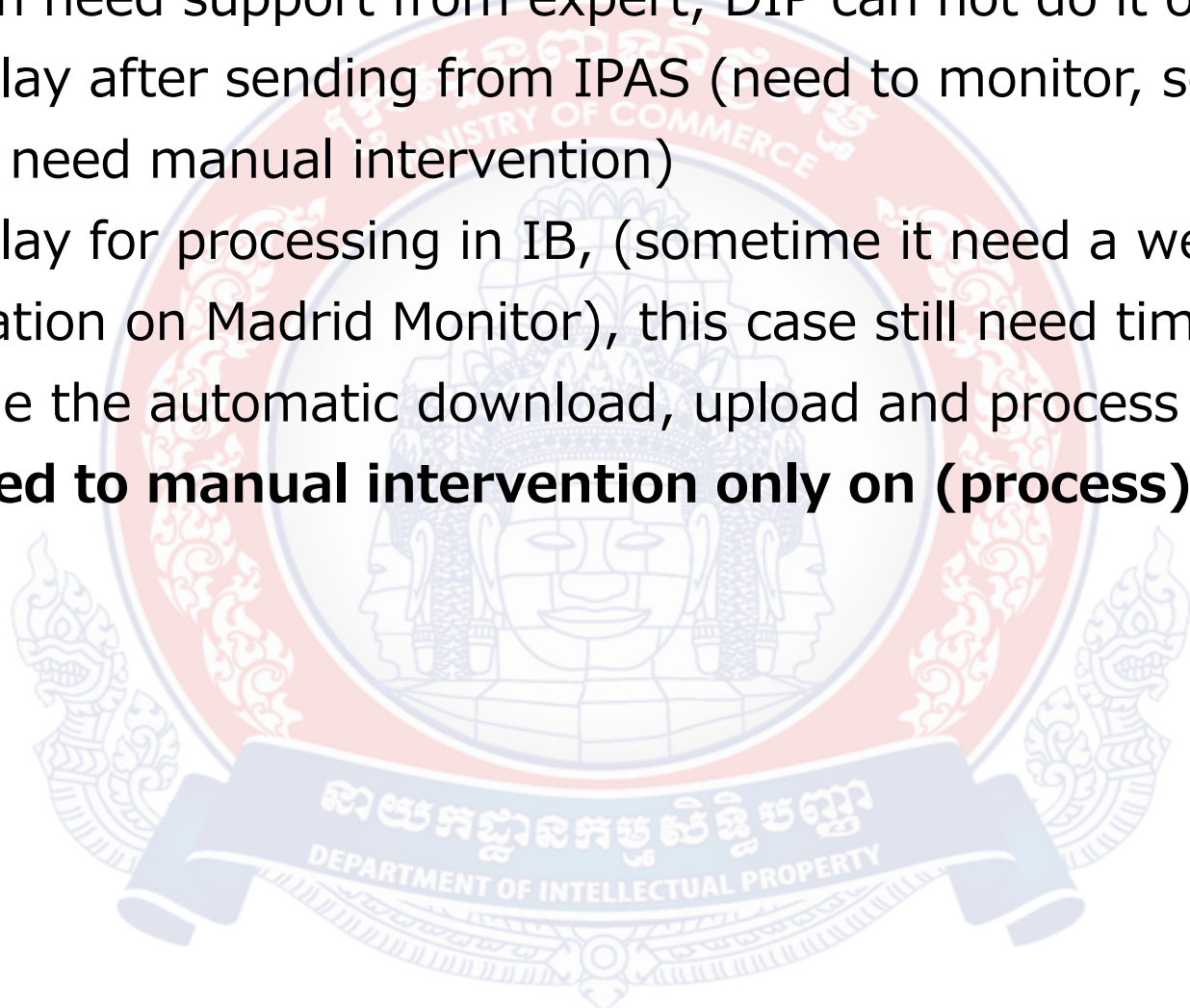
I. Name of the Office:
Department of Intellectual Property Ministry of Commerce
Lot 19-61, MOC Road (113B Road), Phum Teuk Thla Sangkat Teuk Thla, Khan Sen Sok Phnom Penh Cambodia

II. International registration number:
1676995


III. International registration date (Filing Date):
2021-12-08

Challenges


- New form need support from expert, DIP can not do it own
- Some delay after sending from IPAS (need to monitor, some case stuck need manual intervention)
- Some delay for processing in IB, (sometime it need a week, to see the notification on Madrid Monitor), this case still need time to investigate.
- Sometime the automatic download, upload and process is not work working, so **DIP need to manual intervention only on (process) step.**





National Route Notification


នាយកដ្ឋានសម្របសម្រួលសិទ្ធិបញ្ញា
The Department of Intellectual Property


English - | Bend |


















ក្រសួងព្រះបរមរាជវាំង |
 
នាយកដ្ឋានសម្របសម្រួលសិទ្ធិបញ្ញា

- Trademark Search
- Nice Classification
- My Trademark
- Favorite Trademark

MOC | My Trademark


នាយកដ្ឋានសម្របសម្រួលសិទ្ធិបញ្ញា
The Department of Intellectual Property

English - | Bend |

 18-04-2024 TM Provisional Refusal	KH/108775/23	
 17-04-2024 TM Provisional Refusal	KH/108802/23	
 11-04-2024 TM Provisional Refusal	KH/108993/23	
 11-04-2024 UD Acknowledge Affidavit	KH/71884/16 [KH/66721/18]	
 11-04-2024 UD Acknowledge Affidavit	KH/57208/14 [KH/54540/15]	
 11-04-2024 TM Provisional Refusal	KH/108956/23	
 11-04-2024 TM Provisional Refusal	KH/100543/21	

ក្រសួងពាណិជ្ជកម្ម

Ministry of Commerce

អគ្គនាយកដ្ឋាន សេវាពាណិជ្ជកម្ម

General Directorate of Trade Support Services

នាយកដ្ឋាន កម្មសិទ្ធិបញ្ញា

Department of Intellectual Property

ព្រះរាជាណាចក្រកម្ពុជា

Kingdom of Cambodia


ជាតិ សាសនា ព្រះមហាក្សត្រ

Nation Religion King

No.11454/R/DIP

NOTIFICATION OF A PROVISIONAL REFUSAL OF MARK REGISTRATION

We regret to inform you that the following mark have been refused for the registration because of not capable of distinguishing (Art. 4 of TM Law).

Application Number:	108802	Mark Name:  RAFFLES
Filing Date:	August 3, 2023	
Class(es):	36 and 43	
Applicant Name and Address:	Raffles International Limited (whose legal address is 1 Wallich Street #17-01 Guoco Tower, Singapore 078881)	

Grounds for the Provisional Refusal:

Disclaimer

The applicant should disclaim the exclusive right to use the term(s) "Raffles" apart from the mark sought to be registered. This is pursuant to the objections concerning the registrability of the mark.

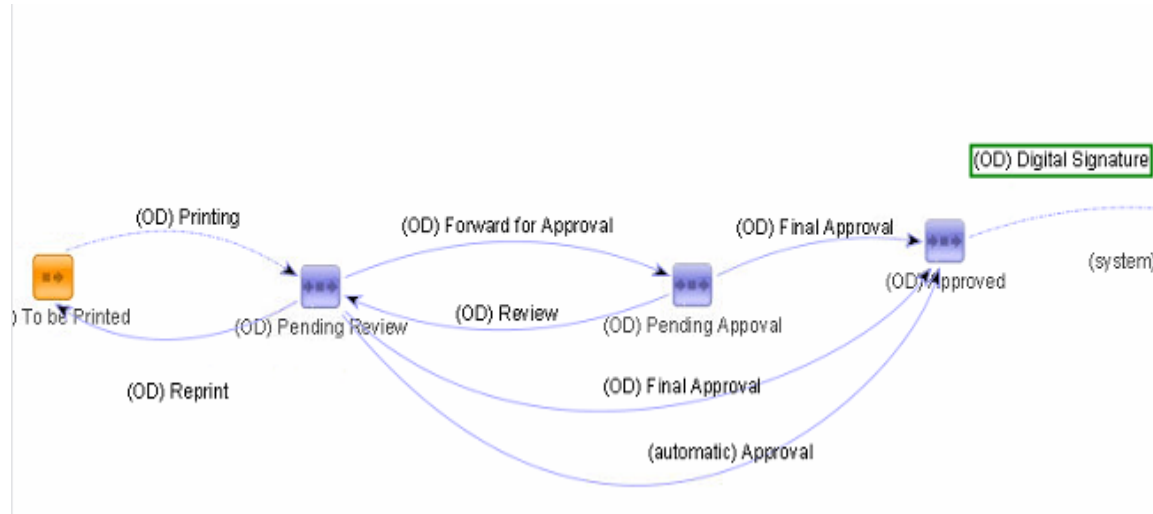
Please be informed that your legal arguments, amendments, modifications, conditions, disclaimers (on any element(s) of the mark), limitation must be reached our Department within sixty (60) days (Article 17-2 of Sub-Decree for Implementing TM law). Otherwise, your applied mark(s) will be rejected.



Sincerely yours,
Phnom Penh, 12/04/2024
F-Director
Department of Intellectual Property

Local Address for Service:
LPN IP AGENCY
#62, St. 598, Sangkat Beoung Kak II,
Khan Toul Kork, Phnom Penh, Cambodia.


Mr. Chhom Thavina



THANK YOU FOR YOUR ATTENTION