CWS/ATR/ID/2022/AU

Annual Technical Report on Industrial Design Information Activities in 2022 submitted by IP Australia

Please provide links to your website where the requested information can be found in English, French, or Spanish. Alternately, you may provide text responses instead of URLs if desired. If the information is not available on your website in an ATR language, then please provide text.

URLs in responses should meet the following requirements:

- Link to pages with information in English, Spanish, or French
- The URL will remain stable over time (at least three years, preferably more)
- Goes to the specific information requested, not to a general homepage
- If the URL goes to a long PDF document such as an annual report, please indicate which sections or pages contain relevant information.
- Provide additional instructions for using the URL if needed. For instance, if the page requires the user to login first, or if the requested information requires selecting certain options or filters on the page that can not be included in the URL.

The term "industrial designs" covers industrial designs and models.

Offices which issue design patents should report their design patent information activities in this series of Annual Technical Reports.

I. GENERAL OVERVIEW OF RECENT DEVELOPMENTS IN INDUSTRIAL DESIGN INFORMATION ACTIVITIES CARRIED OUT BY THE OFFICE

Information on the following topics is desired:

Outline of main policies and plans aimed at development of industrial design information activities and expected time frames for their realization

IP Australia's vision is to deliver world leading IP services that are modern, effective and efficient to ensure all Australians benefit from great ideas, through administration of IP rights including designs.

In 2021, IP Australia carried out research and consultation exploring Australia's design economy, the Designs Review Project (DRP). A significant body of evidence was compiled to inform potential changes to, and surrounding, the design rights system in Australia. Design Initiatives | IP Australia

Based on these findings, in 2022 IP Australia completed a first phase of legislative improvements to the designs system, including introduction of a 12-month grace period. IP Australia is now exploring potential legislative changes to allow a broader section of the designs economy to benefit from registered design protection. Possible changes include protection for virtual designs, designs for parts of products, and more flexible protection for designs as they are incrementally developed.

New projects launched or resumed this year in the context of the policies(plans) mentioned above, short description: aims, partners, tasks

Working with peak industry bodies, tertiary institutions and design businesses, we continue to enhance our educational resources to improve knowledge of design rights, their purpose and how to make use of them. Primarily for designers and SMEs, this suite includes case studies, presentations, short videos, animations and tools. These can assist with collaborations and help businesses make informed decisions about protecting designs as part of a broader commercialisation strategy. https://www.ipaustralia.gov.au/designs/what-are-design-rights

We have also worked to improve and simplify the experience for those deciding whether to register a design:

- Our refreshed website content makes it easier to access essential information about how to manage and protect designs, the basics of design rights and how the application process works.
- Our new online filing system for design applications is helping to make the experience of applying for a design faster and easier. This is part of a comprehensive transformation of IP Australia's online services platform. You can use the feedback tool within the platform to share what's working well and what could be improved.

Customer Value Program (CVP): The CVP program vision is to ensure all Australians benefit from great ideas by providing world-leading IP related digital services that are modern, efficient and effective. The CVP aims to transform IP Australia's internal processes and capabilities and align them to a customer-centric and delivery-focused model. The program has delivered efficiencies for end-to-end IP rights administration and improve engagement and satisfaction for IP Australia's customers.

The Customer Value Program will deliver four key capabilities:

- A modern, practical and informative corporate website

- A modern, effective correspondence and notification platform

- Streamlined and efficient processes and services for customers

- Digital experience personalisation and maturity

Main areas of industrial design information activities and related information and communication technology (ICT) practices which were in the focus of attention last year

No comment provided here.

Statistics: changes in terms of application filings and grants (registrations) with respect to previous year; trends or areas experiencing rapid changes

Year	2022	2021	2020	2019	2018	2017
Applications	7,836	8,110	7,172	7,462	7,838	7,715
Registrations	7,595	8,022	6,321	7,079	7,384	7,330
Certifications	1,242	1,377	998	1,001	1,110	1,288

Other matters and useful links (URLs): annual report of the Office, news page, statistics, etc.

Designs examination Timeliness:

IP Australia will issue: 85% of formalities reports on new applications in 8 weeks, and 95% in 9 weeks; 85% of first reports from examination requests in 13 weeks; and 95% in 16 weeks.

https://www.ipaustralia.gov.au/about-us/our-customer-promise/timeliness

Other links:

Latest news: https://www.ipaustralia.gov.au/news-and-community

Statistics: https://www.ipaustralia.gov.au/tools-and-research/professional-resources/data-research-and-reports

Annual Report2022: https://www.ipaustralia.gov.au/tools-and-research/professional-resources/data-research-and-reports/australian-ip-report-2022

Annual Report 2023 (release date 26 April 2023): https://www.ipaustralia.gov.au/tools-and-research/professional-resources/data-research-and-reports

II. SERVICES AND ACTIVITIES RELATED TO INDUSTRIAL DESIGN INFORMATION CARRIED OUT BY THE OFFICE

Information on the following topics is desired:

Information and support provided by the Office to applicants regarding filing on paper and/or e-filing (instructions, seminars, etc.) - URLs

The primary form of publication in the field of industrial design information is via the IP Australia Website. The main page is https://www.ipaustralia.gov.au/designs

In particular, applicants can access the search guide and information via the HELP button located on Australian Design Search:

- https://search.ipaustralia.gov.au/designs/search/quick
- https://search.ipaustralia.gov.au/designs/help

The Designs Examiners' Manual of Practice and Procedure is also available as a resource, which can also be accessed through the Australian Design Search: https://manuals.ipaustralia.gov.au/designs

In part 2.2 of the Designs Examiners' Manual of Practice and Procedure, Registration processes provide applicants with information on filing/submitting applications through Online Services portal, the Business 2 Business interface or in paper form, either by post or in person.

https://manuals.ipaustralia.gov.au/design/registration-process

Applicants for designs are encouraged to apply via electronic means through our Online Services portal, if applicant is unable to access our online services there are other means, including by post. A higher fee structure may apply in these circumstances.

Availability of the application dossier in electronic form

Registration and application bibliographical data is available via the Australian Design Search system.

https://search.ipaustralia.gov.au/designs/search/quick

Classification and reclassification activities; classification system used, e.g., International Classification for Industrial Designs (Locarno Classification), other classification

IP Australia uses a system of classification based on the International Classification for Industrial Designs (known also as the Locarno classification system because it is based on the Locarno Agreement).

Australia is not a party to the Locarno Agreement, but IP Australia still uses the system to classify designs as much as possible within Australian legislative requirements and restrictions.

https://manuals.ipaustralia.gov.au/design/classification-systems

Other activities

IP Australia provides information on the availability of a grace period protection for those who accidentally publish, or those who were unaware they needed to file for protection before disclosure. For example, a designer who unintentionally publishes a design on social media can still seek protection for it within the 12 months period.

https://www.ipaustralia.gov.au/designs/applying-for-a-design/grace-period

III. SOURCES OF INDUSTRIAL DESIGN INFORMATION PROVIDED BY THE OFFICE

Information on the following topics is desired:

Main types of publications in the field of industrial design information, outline of the content (industrial design applications, design patents, registrations, etc.) and medium (on paper, on CDs, online - URLs)

The main source of information on industrial design/ designs available via IP Australia is published on the IP Australia's main website at: https://www.ipaustralia.gov.au/designs

The contents available range from design rights facts, guides and tutorials to Online Services portal.

The *Designs Amendment (Advisory Council on Intellectual Property Response) Act 2021* took place on 10 March 2022 and our website was updated accordingly https://www.ipaustralia.gov.au/about-us/legislation/designs-amendment-acip-response-act-2021

Supporting the change was a well-attended information webinar recorded and made available on the website. Designs Continued | IP Australia

Official Gazettes: main types of announcements, frequency of publication, medium (on paper, on CDs, online - URL), etc.

The Official Journal contains the following announcements:

- Applications Filed
- Applications Registered or Published
- Amendments, Changes and Corrections
- Applications Lapsed/Withdrawn
- Assignment, Transmittals and Transfers
- Cancellation of Entries in Register
- Extensions of Time
- Renewal of Registration
- Official Notices

PDF back copies of The Australian Official Journal of Designs up to March 2016 can be accessed at the following URL:

http://pericles.ipaustralia.gov.au/ols/epublish/content/olsDesignPDFs.jsp

Information products (coverage, medium, etc.) available to examiners, including external documentation and databases

IP Australia's Designs examiners have access to information that are not available to the public, and available to the public, via our Rights in One (RiO), a Pega system, and Oracle database. IP Australia also uses WIPO DAS information.

The coverage of information available to examiners includes documents on the file are not publicly available before a design is registered or published. The following information that is publicly available is also available to examiners:

- product name
- status
- priority date (including convention details)
- filing date
- applicant (ownership)
- designer
- any related designs

The following information, which is not publicly available, prior to registration is available to examiners:

- representations
- address for service
- statement of newness and distinctiveness

More information is available at: https://manuals.ipaustralia.gov.au/design/publication-and-file-access--overview

Information products (coverage, medium, etc.) and services available to external users; conditions of access (e.g., free of charge, subscription, etc.)

Bibliographic data and images for registered designs post 1985 are available, free of charge, in Australian Design Search : https://search.ipaustralia.gov.au/designs/search/quick?_gl=1%2a1ivswl9%2a_ga%2aNzI3MDM2OTAzLjE2MTQ4MTk0MzA.%2a_ga_QX1TTWEZ1L%2aMTY1MDQzODE1NC41Mi4xLjE2NTA0MzkyMzguMA..

Bulk data on Designs is made available as part of the Australian Government free data access initiative via IPGOD and IPLORD at data.gov.au https://data.gov.au/organisations/org-dga-04e0bede-450c-49c8-944f-da7f8bee9677

Legal status information (kind of information, coverage, medium, etc.)

The legal status information of designs is available via Australian Design Search or via Australian Design Search API : https://anypoint.mulesoft.com/exchange/portals/ip-australia-3/c754c487-2b4e-4eda-be95-804652b5cea8/australian-design-search-api/

Since Joining DESIGNview in September 2021, Design information from IP Australia including legal status information is also available via EUIPO DESIGNview: https://www.tmdn.org/tmdsview-web/#/dsview/news

Other sources

Noc comment is provided here.

IV. ICT SUPPORT TO SERVICES AND ACTIVITIES RELATED TO INDUSTRIAL DESIGN INFORMATION CARRIED OUT BY THE OFFICE

Information on the following topics is desired:

Specific software tools supporting business procedures within the Office: general description, characteristics, advantages, possible improvements

Online Services portal: Bespoke interactive cloud-based website for self-filers to file applications and mange existing IPRs. https://portal.ipaustralia.gov.au/login

B2B API channel allows professional IP service providers to submit new applications and manage IPRs via APIs https://www.ipaustralia.gov.au/tools-and-research/professional-resources/apis

Order Management Workbench (OMW) is a web-based interface which allows formalities staff to enter paper-based applications and manually correct issues and errors with filings. It is a bespoke java application.

Rights In One (RIO) is the primary business system for design administration and examination. It runs on a PEGA Case Management system.

Hardware used to supporting business processes of the Office

IP Australia uses commercial laptops with Windows 11 Operating systems and MS365 productivity tools that support the running of custom developed workflow and examination tools that enables our examiners to process Design assessment (Rights in One tool). MS Teams and SharePoint have been introduced as our primary collaboration technologies.

Online Services and B2B via API IPR application and management tools are cloud based.

IP Australia's legacy systems have been moved off premises and moved into offsite, commercial shared data centres and high available containerised architecture has been applied to majority of critical business applications.

Work from Home via office issued laptop: IP Australia continues to support remote work post pandemic, with a mix of office and remote work and flexible working arrangements.

Internal databases: coverage, updates, interlinks with external sources

The primary internal database is the Designs Register (contains not publicly available information). The examiners assess newness and distinctiveness against the prior art base, which can include the following:

- designs publicly used in Australia (https://manuals.ipaustralia.gov.au/design/publicly-used-in-australia)
- designs published in a document within or outside of Australia (https://manuals.ipaustralia.gov.au/design/published-in-a-document-within-or-outside-of-australia)
- designs where:
  - the design is disclosed in a design application, and
  - the design has an earlier priority date than the designated design, and
  - the first-time documents disclosing the design are made available for public inspection under s 60 is on or after the priority date of the design (s 15(2)).

https://manuals.ipaustralia.gov.au/design/prior-art-base--overview

Once the design is registered the information is available via Australian Designs Search.

IP Australia also has access to the WIPO Digital Access Services to supplement the information available for internal use.

Establishment and maintenance of electronic search file: file building, updating, storage, documents from other offices included in the search file

Designs examiners at IP Australia generate search files from a variety of internally and externally available sources of data. Search information are recorded and stored via Rights in One system referred to above.

The Rights in One system conducts regular automatic updates that will update and sync the search files generated by examiners.

Design examiners search the following databases and resources external to records generated by IP Australia:

- The Owner's website(s) (if applicable);
- Social media platforms, where appropriate and particularly the Owner's own social media profiles;
- Google, and if appropriate other Internet search engines; and
- Where priority is claimed, the local IP office register, where practical. The Global Design Database or DESIGNview provides results across multiple IP office registers.

Administrative management electronic systems (register, legal status, statistics, and administrative support)

The administrative team at IP Australia also use the same Rights In One system for management of electronic records, administrative support and workflow.

Other matters

No comment is provided here.

V. PROMOTION ACTIVITIES AIMED TO SUPPORT USERS IN ACCESS AND EFFICIENT USE OF INDUSTRIAL DESIGN INFORMATION

Information on the following topics is desired:

Office's library (if deals with industrial design information): equipment, collection management, network of libraries in the country, cooperation with foreign libraries

All Australian Designs records/documents are handled in accordance with Office procedures set down under Australian Law and archiving practices.

IP Australia's internal library service does not manage IP rights data that are used for search and examination purposes. The library service does provide a curation of IP Australia's historical publications, documents and ephemera including digitising this material to make it easily accessible to the organisation and the wider community.

Publications related to different business procedures and industrial design information sources available to users, for example, books, brochures, Internet publications, etc.

Publications related to different business procedures and industrial design information sources are available to users, for example, books, brochures, Internet publications, etc.

IP Australia provides useful links and information on a wide range of information related to intellectual property via IP Australia's website.

Cooperation with universities, technology and innovation support centers, etc.

Small business Outreach: IP Australia takes a strategic approach to engagement with small business by establishing a partnership network across Government, Universities and Industry Associations, leveraging their networks and the credibility they have in our target audience of start-ups and small to medium enterprises.

We have identified and are targeting our engagement activities into the following groups:

- Government departments and agencies – Commonwealth and State based programs that engage with our target audience. Often utilising a Business Advisor network.
- Universities – early career researchers, undergraduate and industry collaborations
- Peak Industry bodies – industry associations that represent small and medium enterprises; providing objective information that can be channelled through the associations, leveraging any Business Advisor network they have,
- Direct – we provide webinars and resources designed for self-service on our website and promoted through social media and newsletters, aimed at the end-user/self-filer.
- Indigenous – we have a dedicated set of resources including videos, fact sheets and a call back service – 'Yarnline' – to support Indigenous business owners engaging with the IP system.

Overview of primary engagement activities:

Train the Trainer Program

Piloted in 2022, this program is designed for Business Growth / Accelerator Mentors in Government funded programs. It aims to uplift the fundamental intellectual property (IP) knowledge and the capability to have meaningful conversations on IP with their cohorts.

Hybrid Presentations and Workshops (30-45 minutes)

Live sessions hosted by IP Australia Public Education staff which include;

- Pre-sessions survey (to understand audience profile)
- Welcome and introduction
- Short, pre-recorded presentation by a subject matter expert (experienced IP examiner)
- Q&A
- Links to relevant online education resources
- Post sessions survey (to understand attendee satisfaction and areas for improvement)

Social media and newsletter

We engage with our audiences via digital platforms to support IP Australia policy and consultation activities, IP trends and analysis report publications, to highlight and correct misconceptions and to educate. Platforms include LinkedIn, Facebook, Twitter, Instagram and email newsletter (monthly).

Event attendance

Participation at relevant industry and government events for face-to-face engagement with small business owners and professional services individuals supporting small businesses.

- Trade stand / booth
- A5 and business card size collateral with QR codes linking to online education resources
- Presentations and panel participation to demonstrate relevance of IP for business, IP within the innovation ecosystem, IP analytics for Government policy development, IP trends to support small business growth (success)
- Working with incubation hubs, accelerator programs and relevant conferences/expos, IP Australia provides information and demonstrates relevance of IP for start-ups and early-stage businesses.
- Developing new content targeted at educating start-ups and early-stage business on commercialisation, exporting and IP protection for digital innovations/inventions.

Ongoing promotion is conducted via social media, email subscription newsletters and proactive message multiplier networks such as peak industry bodies and other government organisations.

Digital experience: Using a human centred design approach, the new IP Australia website was launched late 2022 following customer feedback on the beta website launched earlier that year. The Digital Services Team is leading a continuous improvement program, listening to customers as they tell us what is working and where we can improve, as we undertake a further six months of continuous improvement to refine the website in response to customer feedback.

We continue to strengthen our relationship with the Export Council of Australia, leveraging their membership and promoting engagement with IP materials that assist Australian businesses when exporting, such as case studies and website articles. Cross-promotion through digital channels (in particular social media channels) and support of events, programs and speaking opportunities provides a breadth of information across a selection of media. We have partnered with universities, supporting exporting programs with virtual presentations, and showcased relevant material available on our website.

Education and training: training courses, e learning modules (URLs), seminars, exhibitions, etc.

Design is a key right for Indigenous business, and IP Australia has developed customised products and an Indigenous Knowledge IP Hub – specifically designed to provide information to Aboriginal and Torres Strait Island business owners, and any other business that wants to engage with Indigenous Knowledge in their business – including guidance on how to navigate sensitivities and work respectfully. We have launched 'Yarnline' a call back enquiry service for Indigenous business owners, and those who wish to engage with Indigenous knowledge in their business. We have trained examiners, some Indigenous, some non- Indigenous, to engage appropriately with this key audience.

Instagram continues to be an effective channel in reaching indigenous business communities in urban, rural and remote areas. By partnering with Aboriginal Arts foundations, other government agencies and university programs, IP Australia leverages networks to share the content that is available via multimedia (videos and animations) and fact sheets etc.

Webinars:

We rolled out our suite of designs video products including case studies here: https://www.youtube.com/playlist?list=PLFkPefP3FacHm2b-unOmu9fsOaceRUWj9 and animated information videos here: https://www.youtube.com/playlist?list=PLFkPefP3FacFUD8yPN-LYOhI4eszGAg_I

We increased our social media presence by launching an Instagram account (https://www.instagram.com/ipaustraliaofficial/) and highlighting designs information across all of our social media platforms.

Webinar links on new website:

https://www.ipaustralia.gov.au/news-and-community/webinars/2022/09/13/23/29/Intellectual-property-101

https://www.ipaustralia.gov.au/news-and-community/webinars/2022/09/15/23/26/Understanding-designs

https://www.ipaustralia.gov.au/news-and-community/webinars/2022/09/16/00/29/Designs-continued

https://www.ipaustralia.gov.au/news-and-community/webinars/2022/09/16/01/57/Developing-your-unique-brand-first-nations-language-and-art-in-trade-marks

Please also refer to comments in previous section.

Other activities

No comment is provided here.

VI.INTERNATIONAL COOPERATION ACTIVITIES IN THE FIELD OF INDUSTRIAL DESIGN INFORMATION

Information on the following topics is desired:

International exchange of industrial design information in machine-readable form (e.g., Official Gazettes)

International exchange of IP rights information is publicly available using IP Australia's bulk data products: https://www.ipaustralia.gov.au/about-us/doing-business-us/bulk-data-products

IP Australia is engaged with the Committee of WIPO Standards (CWS) and participates in the development and application of standards for IP Offices to exchange data in automated, machine-readable ways.

Participation in international or regional activities and projects related to industrial design information

In September 2021, IP Australia in support of the EUIPO initiative joined DESIGNview. Since the introduction of DESIGNview on 19 November 2012, the tool has served more than 6.7 million searches from 163 different countries, with the UK, Germany, and China among the most frequent users.

Joining DESIGNview gives Australian designers and businesses another avenue for exposure to the global marketplace.

https://www.ipaustralia.gov.au/about-us/news-and-community/news/ip-australia-joins-designview

Assistance to developing countries

No comment provided here.

Other activities

No comment is provided here.

VII. OTHER RELATED MATTERS

No comment provided here.