

SCIT.ATR.TM.2007.TT

Annual Technical Report 2007 on Trademark Information Activities submitted by Trinidad and Tobago (SCIT/ATR/TM/2007/TT)

Where URLs are requested below, it is preferred that either URLs which are likely to remain stable over time (three years or more) are provided, or home (main) page URLs are provided with a short explanation of how to access the corresponding information.

I. Evolution of registration activities

Changes experienced in terms of application filings and registrations with respect to the previous year

There were approximately one thousand two hundred and forty one (1241) applications filed in the year 2006 and one thousand six hundred and eighty-four (1684) applications filed in 2007.

The number of registration in 2006 and 2007 were one thousand one hundred and twenty six (1126) and one thousand four hundred and sixty four (1464) respectively.

Trends or areas experiencing rapid changes with respect to the previous year

The increase in the number of applications and subsequently registration was noticed in the Groups: Pharmaceuticals, Agric-chemicals, Medical devices; Food, Drink, Raw agric-products; Chemicals (household and industrial) and Paper/leather/rubber products.

Local entities (companies and individuals) applied for 17.08% of the 2007 applications to register a trademark. The majority of the applications and subsequent registrations in 2006 and 2007 were from foreign sources.

II. Matters concerning the generation, reproduction, and distribution of secondary sources of trademark information, i.e., trademark gazettes

Publishing, printing, copying techniques

There are no downstream industries involved in the offering of trademark information services in the country. The Intellectual Property Office is providing trademark information. Clients and the general public have access to the office's information resources. Facilities are available to extract photocopies of documents and data items. Indexes can be viewed and draft and certified copies of granted trademarks can be provided.

Main types of announcements of the Office in the field of trademark information

The main announcement of the Intellectual Property Office is the publication of bibliographic data of applications that have met the Office's criteria for grant. The publication is once per week in a daily newspaper. It invites interested parties to file oppositions with respect to the applications being considered by the office for registration within three months of the date of publications.

Modifications to legislation, rules, practices, policies and procedures and improvements to the computer infrastructure and services are communicated by the office to agents directly via its scheduled monthly meetings with them. Communications relating to other types of trademark issues that have an impact on applicants, business, government offices and the general public are done through seminars/workshops and the office's public education and awareness programs and publications.

Mass storage media and microforms used

Trademark information resources: applications, representations of marks, results of examination, decisions relating to grant/refusal, payment of fees, registration and renewals are stored in hard copy format in manual files.

In-addition, bibliographic data are stored in an electronic database equipped with routines that provide for searching and reporting of information.

The office provides help desk services to assist the public in searching and retrieving information.

Word processing and office automation

The Office is fully computerised with nearly every member of the 46-member staff having access to PCs. It is a mixed network with Microsoft Windows™ NT and 2000 servers with Microsoft Windows™ 2000 and XP Professional clients. The main office productivity software is Microsoft Office™ 2000. The trademark and patent databases are Oracle™ based and the automation features accessible by members of staff but not the public as yet.

Techniques used for the generation of trademark information (printing, recording, photocomposing, etc.)

Trademark information held in the electronic database is accessible to members of staff only. Data items can be viewed and printed via the computer system.

Information in hard copy format can be copied manually or by photocopying. This service is available to the public.

III. Matters concerning classifying, reclassifying and indexing of trademark information

Classification and reclassification activities; Classification systems used, e.g., International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification), International Classification of the Figurative Elements of Marks (Vienna Classification), other classification (please indicate

whether goods and services for the registration of marks and whether the figurative elements of marks are classified by your Office and, if so, which classification(s) is (are) used)

The classification systems used by the office are the International Classification of Goods and Services for the purposes of the Registration of Marks (Nice Classification) and The International Classification of the Figurative Elements of Marks (Vienna Classification).

Use of electronic classification systems to check the classification symbols furnished by an applicant and which are contained in the lists of goods and/or services

Classifications recorded on applications are checked and validated manually. Agents readily cooperate with the office in accomplishing this task.

Obligation for applicants to use pre-defined terms of the classification applied

Applicants are required to classify the use of the proposed marked and to use the pre-defined terms in the classification to indicate the class. However the office provides services to assist applicants and clients in classification.

Bibliographic data and processing

Bibliographic data on trademarks can be access by members of staff from the electronic database. In-addition information can also be extracted from the manual files kept at the office. The office provides assistance in searching, accessing and extracting copies of information required from the manual files held at the office and from external sources.

IV. Trademark manual search file establishment and upkeep

File Building

Manual files are constructed at the time of application. They are given a label and unique identifier. They contain source documents, decisions and post-registration transactions.

In addition the office maintains a collection of registers. A register is provided for each trademark registration. They contain a display of the mark registered, details of the applicant and his agent and authorized users of the mark, limitations and other relevant information. These are updated as changes to the data items occur. Registers are available for searching by members of the public.

Updating

The digital and manual database, the manual files and the registers are updated as routine management and administrative tasks in managing the trademark are performed.

Storage, including mass storage media

Manual files and registers are indexed and stored in the vault in an arrangement that provides for easy access.

A document management system is being pilot tested to provide for digital storage, indexing and searching of source documents in digital formats.

Documentation from other offices maintained and/or considered part of the available search file

There is no integration of documents from the office with those of other offices. Where necessary, information from other offices are accessed, processed and stored separately.

V. Activities in the field of computerized trademark search systems

In-house systems (online/offline)

The internal electronic bibliographic trademark database is available on-line on the local network to only members of staff. Later this service will be refined and extended to members of the public.

External databases

The office does not have electronic linkages using information and communication technology with external systems and databases.

Administrative management systems (e.g., register, legal status, statistics and administrative support)

The management and administration of the trademark registration system and information services involves the management of applications, examinations, opposition hearings, publications, fee collections, issuance of certificates, customer relation-ship, education, information and training programs.

The Deputy Controller of the Intellectual Property Office is managing the trademark registration system; a Senior Attorney, Trademark Examiners, Technicians, Clerical Officers and Data-entry Clerks assist her. .

A Client-Server Information Technology and Communication Infrastructure and Services provide database and other support services to enable the registration and management functions.

Equipment used (hardware, including the types of terminal and network used, and software), carriers used

The equipment used is a Client-Server network. The Operating software is Windows NT, 2000 and XP Professional and Windows 2003 Server. The software used is Oracle 9i, Microsoft Office, Domain Controllers, Microsoft Exchange 5.5, and Electronic Policy Orchestrator.

WIPO's Industrial Property Automated System (IPAS) electronic database system is being used to manage the trademark bibliographic database activities and services.

Some of the services provided are database services including accessing, processing and reporting data and information; tracking routine task and application status, e-mail, word processing, spreadsheet and access to the Internet to mention a few.

VI. Administration of trademark information products and services available to the public (relating to facilities, e.g., for lodging applications, registering trademarks, assisting clients with search procedures, obtaining official publications and registry extracts)

Planning, administration, automation, security

The Intellectual Property Office is located on an entire floor within a building housing other departments of the Ministry. The vault is situated on the ground floor. There is a receiving office where applications are lodged and queries made. The staff directs the queries to relevant personnel. Materials from the vault are requested by members of staff for the use of members of the public. There are security personnel in the ground lobby and on the floor of the Intellectual Property Office.

Collection management, preservation

Physical documents are stored in an air-conditioned vault. There is also an electronic database and indexing system.

Information services available to the public (including computerized services and search files contained in libraries remote from your Office and trademark information posted by your Office on the World Wide Web)

The office provides information on all forms of IP for both internal and external sources to a wide range of customers: attorneys, school children, scientists, creators/inventors etc. It utilizes its expertise to access remote databases, journals and other information products, and to retrieve, process, report and share value added information to support these clients programs. It also utilizes the information services offered by WIPO and other external agencies and in addition partner with external IP Offices to provide this service on a regular basis.

In-addition, written brochures are made available to members of the public. The office provides advisories on general matters. Its Attorneys and other officers of the Trademark Department are available to answer queries from members of the public on office days and on request by external bodies.

A web site is used to broadcast educational digital information and to interact with the public.

VII. Matters concerning mutual exchange of trademark documentation and information

International or regional cooperation in the exchange of trademark information, e.g., in the form of official gazettes

There is no official trademark information exchange program. However, each country in the Caribbean Region sources trademark information independently to satisfy their individual needs.

Exchange of machine-readable information

Presently there are no programs to share digital trademark related information.

VIII. Matters concerning education and training, including technical assistance to developing countries (please indicate URLs of web pages of the Office's website wherever appropriate)

Promotional activities (seminars, exhibitions, visits, advertising, etc.)

The Office conducts training seminars for the benefit of members of the public and attorneys. There is also a public education programme to raise the level of awareness of the intellectual property regimes as a whole. Universities, schools, businesses, government offices, interest groups and the general public are visited on a regular basis and messages relating to relevant current issues, events and awareness of IP are communicated. The electronic and print media is also used to communicate these messages.

Training courses for national and foreign participants

The IPO in cooperation with WIPO's Training Academy and its Technical Assistance Programs provides education, information and training to members of staff and to stakeholders: Magistrates, Judges, Police Officials, Customs, Officials, Creators and Inventors and Educational Institutions to strengthen the intellectual property system within the country and in the Region.

In-addition the office through study visits and expert mission provide education, information and training services to countries in the Region to assist them in strengthening their capability to manage and execute IP related programs.

Assistance to developing countries (sending consultants and experts, receiving trainees from developing countries, etc.)

The Trinidad and Tobago Intellectual Property Office has developed a degree of expertise that enables it to provide assistance through study visits and expert missions to other IP Offices in the Region.

Also its professional and technical staff are frequently asked by WIPO to conduct missions to the other countries in the Caribbean to deal with needs assessment, trademarks and automation issues.

IX. Other general information related to the Office that is available on the Internet -- URLs of web pages of the Office's website that:

X. Other relevant matters

The office is in the process of amending its trademark legislation to enable its system to be in harmony with those of developed countries. Provisions for the registration of new forms of trademarks; on-line services to facilitate electronic filings and processing of application and submission of documents; use of modern classification systems and a friendly user interface is being addressed.