

# SCIT.ATR.ID.2008.AU

## Annual Technical Report 2008 on Industrial Design Information Activities submitted by Australia (SCIT/ATR/ID/2008/AU)

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.

The expression "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. Evolution of registration activities

#### Changes experienced in terms of application filings and grants (registrations) with respect to the previous year

2007:

Design applications filed = 5796

2008:

Design applications filed = 6078

Difference: + 4.85%

Note: A single application may include a number of designs (multiple). However, each design in the application will be allocated a separate application number even if it is filed as a multiple. The figures above are for the number of designs filed.

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

The market interest in seeking design rights has continued to increase at a rate consistent with general annual increases (based on historical data) of around 3%. However, as new legislation was introduced in June 2004, it may still be too early to confirm trends.

#### URLs of web pages of the Office's website that provide statistics related to industrial designs

<http://www.ipaustralia.gov.au/about/statistics.shtml#Designs>

## II. Matters concerning the generation, reproduction, and distribution of industrial design documents and of secondary sources of industrial design information, i.e., official gazettes

### Publishing, including printing, copying techniques and electronic printing

The Australian Official Journal of Designs is published fortnightly. There are 25 issues per year - the Easter and Christmas weeks being excluded. The Journal is available on-line, free of charge, via the IP Australia internet site and contains both bibliographic text, and images.

Standard Notices and Letters are produced via the Designs mainframe business application as XEROX XICS output.

Examination Reports are generated in Microsoft Word.

### Main types of announcements of the Office in the field of industrial design information

The Official Journal contains the following announcements:

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- Applications Lapsed/Withdrawn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

### Mass storage media and microforms used

The Office's bibliographic data is maintained on an ADABAS Natural (zOS) mainframe. Design images (representations) are stored in a Unix file directory.

Australian registered designs are published in the Australian Official Journal of Designs and on microfiche (historical from 1906 to 30 September 1998).

Bibliographic data and images for registered designs post 1985 are also available on the Australian Designs Data Search (ADDS) system on the internet.

### Databases and office automation

Current standard desktop software includes Microsoft Windows XP SP2 with Microsoft Office 2003.

The Office's publication system is partially mainframe based and produces:

- camera ready copy of the Australian Official Journal of Designs;
- design certificates and original register entries; and
- notices for design applicants or their agents.

### **URLs of web pages of the Office's website that provide access to online industrial design gazettes and to other sources of industrial design information, including download of bulk industrial design data**

General information about the Australian Designs IP system, processes forms and fees can be accessed at the following URL:

<http://www.ipaustralia.gov.au/designs/index.shtml>

The Australian Official Journal of Designs can be accessed at the following URL:

<http://pericles.ipaustralia.gov.au/ols/epublish/content/olsEpublications.jsp>

The Australian Designs Data Searching (ADDS) system can be accessed at the following URL:

[http://pericles.ipaustralia.gov.au/adds2/adds.adds\\_start.intro](http://pericles.ipaustralia.gov.au/adds2/adds.adds_start.intro)

## **III. Matters concerning classifying, reclassifying and indexing of industrial design information according to the classification systems applied**

**Classification and reclassification activities; Classification system used, e.g., International Classification for Industrial Designs (Locarno Classification), other classification (please indicate whether industrial designs are classified by your Office and, if so, which classification is used)**

Industrial Design applications are classified according to the International Designs Classification [Locarno].

Active IDC classes are, in specific instances, further subdivided into internally defined subdivisions.

### **Bibliographic data and processing**

Bibliographic data is maintained on an ADABAS Natural (zOS) mainframe.

## **IV. Search file establishment and upkeep**

### **File building**

The Designs Office maintains and updates a search file system using the abovementioned IDC subdivision of current applications, previously registered designs in Australia and maintains a store of current local and international publications.

### **Updating**

Search files are regularly updated as appropriate

### **Storage, including mass storage media**

n/a

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

n/a

## **V. Activities in the field of computerized search systems for industrial designs**

### **In-house systems (online/offline)**

Designs bibliographic data and representations [images] for registrations from 1985 can be searched through a web browser application (ADDS – Australian Designs Data Searching). The Official Journal of Designs is also searchable over the Internet for data from July 2001.

### **External databases**

Disclosures relating to other designs filings/registrations of other countries are accessed via relevant Internet databases and search facilities.

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

The primary business system is the ADABAS Natural mainframe application, DESADMIN, running on IBM zOS. DESADMIN interfaces to a number of satellite applications, eg Word for production of reports, XICS for publishing output and ADDS. Document management is handled via paper casefiles.

All processing relating to the life-cycle of a design (apart from financial processing) is conducted within this environment. The Designs Office, along with the Patent and Trade Mark Offices in IP Australia is in the process of transitioning its business applications from the mainframe to our strategic server infrastructure environment. This environment includes Sun Solaris, Oracle RDBMS, J2EE, BEA Weblogic, and Objective EDMS.

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

The Canberra Office has an ethernet-based LAN providing high speed bandwidth for each user desktop connection. A DMZ-based, DSD approved firewall using IAN ports (Internet IEFT Assigned Numbers) provides the secure means to allow access from internal systems/users to external entities such as the Internet or public/private organisations.

The current SOE includes Windows XP with Office SE 2003, IE 6.0 SP1, and Lotus Notes.

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

### **Planning, administration, automation, security**

Customer Service Delivery (CSD) provides a central contact for customers to obtain information to support their decisions about a wide range of Intellectual Property issues. Customers contact the CSD via telephone, fax and email with around 95% of matters of a general nature solved at the first point of contact. The CSD provides face-to-face, phone, email and web-based assistance through State-based and Canberra Offices as well as general financial receipting and front end processing of attorney and private applicants' lodgements.

The State Offices:

- provide information about patents, trade marks and designs processes;
- maintain search facilities so customers can research Australian patents, trade marks and designs;
- receipt application forms and fees, providing a filing facility for IP documents in each state capital except Darwin;
- raise IP awareness and promote IP Australia's corporate image in their respective communities by providing general IP presentations and information sessions. They also liaise with other government agencies sharing the same customer base to promote our services and publications; and
- act as a referral point for enquiries on other IP areas eg copyright.

IP Australia will begin transitioning away from the use of state offices during the second half of 2009. Increasingly, IP Australia is using its web site as a means of providing an alternative means of public access to these services. Designs can be searched via ADDS.

IP Australia is currently finalising the design of a system to support business-to-business data exchange of patents, industrial designs and trade marks transactions with its high volume clients (Patents and Trade Mark Attorneys). This system will be consistent with WIPO electronic filing and National e-commerce standards.

### **Collection management, preservation**

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

IP Australia's State Offices maintain the following facilities:

- Public Access Work Stations in our State Offices to allow customers to search the on-line collections.
- limited other holdings (generally older Official Journals) are held at some State Offices. Production of the "hard copy" Official Journals ceased in January 2005 and is now only available in electronic form, via the IP Australia web site.

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

Holdings for each State Office are listed at <http://www.ipaustralia.gov.au/resources/contacts.shtml>

### **URLs of web pages of the Office's website for electronic filing of industrial design applications**

n/a

### **URLs of web pages of the Office's website that provide information on business procedures such as: filing, publication, examination and registration procedures related to industrial designs; opposition and appeal procedures related to industrial designs; etc.**

General information

<http://www.ipaustralia.gov.au/designs/index.shtml>

Publications and forms

[http://www.ipaustralia.gov.au/resources/forms\\_designs.shtml](http://www.ipaustralia.gov.au/resources/forms_designs.shtml)

Examiners Manual

[http://www.ipaustralia.gov.au/resources/manuals\\_designs.shtml](http://www.ipaustralia.gov.au/resources/manuals_designs.shtml)

### **URLs of web pages of the Office's website that provide a description of information products and services offered by the Office (e.g., industrial design search service(s) and industrial design databases), as well as information on how to access and utilize them**

<http://www.ipaustralia.gov.au/resources/index.shtml>

## **VII. Matters concerning mutual exchange of industrial design documentation and information**

### **International or regional cooperation in the exchange of industrial design information, e.g., in the form of official gazettes**

Largely restricted to the Official Gazette which is available on-line.

**Exchange of machine-readable information, e.g., data contained on CD-ROM or magnetic tape**

n/a

**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.)**

Key promotional activities in 2008:

- IP Australia ran an Australia-wide seminar series focussing on SMEs, IP and exporting. The seminar series focussed on educating SMEs on intellectual property issues associated with exporting with particular emphasis on a number of exporting destinations. These countries were chosen based on current export value and differences in their IP system to the system in Australia were explained. <http://www.ipaustralia.gov.au/ippassport/index.shtml>
- IP Australia issued a media release for World IP Day and organised a number of initiatives for World IP Day, including: promotional activities on major national television and radio networks; an on-line forum; and events at all State Offices.
- IP Australia produced two IP "How to" kits targeting the Australian Graphic Design and Industrial Design sectors. The kits were produced in partnership with the Victorian State Government and are titled "Protect your Creative and Make your Mark". Through industry consultations and research, the information in each publication was tailored specifically to each audience, ensuring the product was well received by these audiences. [http://www.ipaustralia.gov.au/resources/forms\\_general.shtml](http://www.ipaustralia.gov.au/resources/forms_general.shtml)
- IP Australia developed an advocacy program to assist Australian traders more confidently protect their IP in Japan which included a series of fact sheets and website content dedicated to providing tailored information on trade issues. [http://www.ipaustralia.gov.au/resources/japan\\_casestudy\\_turningjapanese.shtml](http://www.ipaustralia.gov.au/resources/japan_casestudy_turningjapanese.shtml)

**Training courses for national and foreign participants**

IP Australia conducted a seminar in Beijing to inform business, IP professionals and government about the Australian IP system and how it works. Three hundred people attended the seminar.

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

IP Australia hosted a three month leadership training program, the Australian Leadership Awards (ALA) Fellowship Program for six developing nation IP officials. Its objectives were to enhance the management and leadership capability in IP offices in the region through the provision of training and mentoring for mid to senior level overseas IP officials.

IP Australia hosted a three month placement by the IPOPNG Legal officer.

IP Australia provided library resources for the National Office of IP of Vietnam.

IP Australia conducted an advanced IP public education and awareness course for in Thailand for Department of Intellectual Property (DIP) staff and staff from other Thai Government Agencies.

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

**provide information on legislation related to industrial designs**

Designs Legislation:  
[http://www.austlii.edu.au/au/legis/cth/consol\\_act/da200391/](http://www.austlii.edu.au/au/legis/cth/consol_act/da200391/)

**contain the Annual Report of the Office**

Annual Report:  
[http://www.innovation.gov.au/Section/AboutDIISR/Documents/AR0708\\_chapter8.pdf](http://www.innovation.gov.au/Section/AboutDIISR/Documents/AR0708_chapter8.pdf)

**if necessary, provide further information related to the topics referred to in the current ATR**

n/a

**provide open source codes related to industrial design information systems**

n/a

**contain industrial design-related news regarding the Office**

Latest news:

Latest news is featured on the home page of IP Australia's website:  
<http://www.ipaustralia.gov.au/>

Subscription-based mailing lists  
[http://www.ipaustralia.gov.au/resources/lists\\_index.shtml#](http://www.ipaustralia.gov.au/resources/lists_index.shtml#)

## **X. Other relevant matters**

The Australian Design IP system

The Australian Design IP system provides for 2 types of applications:

- Application for registration to obtain rights in the design
- Application for publication which provides no rights except to exclude others from obtaining a valid registration as subsequent designs would not be new.

All applications are assessed against a Formality check prior to Registration or Publication.

Once registered, the owner has a range of rights including the right to use, license and assign the design. However, the right to enforce and prevent others from using, selling or importing the design can only be commenced once the design has been examined and a certificate of examination has issued.