

SCIT.ATR.TM.2003.TT

Annual Technical Report 2003 on Trademark Information Activities submitted by Trinidad and Tobago (SCIT/ATR/TM/2003/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 nine hundred and ninety (990) applications filed in the year 2003. This was a slight decrease from 2002 when 1240 applications were filed. This was a small decrease but it follows a decreasing trend since 1997. This can be explained by a 1997 amendment, which allowed for multiple class filings.

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

Trademark applications were received predominantly in the following classes namely classes 3,5,9,25,29,30,42.

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

Publishing, printing, copying techniques

The Intellectual Property Office of Trinidad and Tobago publishes accepted trademarks in a leading national newspaper. The marks are published only upon acceptance by the Office. The advertisement states the limitations and conditions upon which the application was accepted. The Controller however may cause an application to be advertised before its acceptance where it is an application based upon factual distinctiveness or it appears that there may be certain exceptional circumstances.

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

The Office issues announcements in the form of official circulars. There is no official Trademark Gazette. The Office conducts public education exercises with visits to schools, businesses, institutions, and other interest groups in an effort to increase awareness of the value and use of trademarks.

Mass storage media and microforms used

The present intellectual property legislation requires that the main records be submitted and stored on paper. The Trademark records and administration are handled by an automated system and these databases are administered on an internal server with a tape backup.

Word processing and office automation

The Office is fully computerized with nearly every member of the 35 member staff being supplied with a PC. It is a mixed network with Microsoft WindowsNT and 2000 servers with Windows NT, 2000 and XPProfessional clients. The main office productivity software is Microsoft Office2000. The Trademark databases are Oracle based and the automation features are 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 is stored on a trademark database. Information is available through access to the database. Any other information which is not on the database and is manually stored can be photocopied.

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 state 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 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

An electronic classification system is used in respect of the Nice Classification. Manual searches are done with respect to symbols furnished under the Vienna Classification. Attempts are being made to computerise the devices records.

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

The applicant is required to use the wording of the Nice Classification as far as possible so as to simplify the examination process.

Bibliographic data and processing for search purposes

Devices (Vienna) are filed according to classes. Data in respect of the classification of goods and services (NICE) is stored on an electronic database.

Data on trademarks is stored on an electronic database. Physical documents are also stored in a vault area. These are used for the purpose of conducting searches for similar marks. Searches are done manually and electronically.

IV. Trademark manual search file establishment and upkeep

File Building

Presently searches are done on a computer database. Manual searches are also done. This is available only to staff for searching purposes. Searches can be conducted by members of the public on trademark registers and copies of filed documents for granted trademarks can also be subsequently ordered.

Updating

Files are continually updated via the computer database.

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

Documents from other offices do not form part of the available search file.

V. Activities in the field of computerized trademark search systems

In-house systems (online/offline)

The internal trademark database is available to staff only at present.

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

Registers are generated after publication and the trademark is valid as at the date of the application. The registers detail the legal history of the trademark application with respect to ownership, registered users, specifications, conditions or disclaimers, assignments, licences and whether acceptance is granted in Part A or Part B of the Register. Statistics are compiled for the annual report.

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

The equipment used is a mixture of Intel-based brand name and generic machines from 400MHz to 3.02GHz machines running Windows NT, 2000 and XP Professional. The network stems from a group of low-end servers running Windows NT and 2000 Server connected via switches and hubs in a 10/100 Cat.5 network. The network also operates behind a firewall.

VI. Administration of trademark 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 which is backed up on tape drives and stored off-site.

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)

Written brochures are available to members of the public. In addition the attorneys and members of the Trademark Department are available to answer queries from members of the public. Searches of the Registers are conducted by trademark attorneys through their search clerks for a fee. Members of the public also conduct searches.

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 gazette.

Exchange of machine-readable information

There is presently no exchange of machine-readable information.

VIII. Matters concerning education and training including technical assistance to developing countries

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 law of trademarks and intellectual property law as a whole where the staff go out to schools, industry groups and institutions to make presentations. The weeks preceding World Intellectual Property Day are filled with promotional activities when members of the public are invited to view exhibitions in the Office.

Training courses for national and foreign participants

Training courses are available to members of staff and the public through the assistance of WIPO consultants. In addition members of staff and members of the public are encouraged to enroll in the distance learning programmes offered by the WIPO Worldwide Academy.

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

The Trinidad and Tobago Intellectual Property Office hosts many study visits by personnel from other Caribbean countries. Professional and technical staff are also requested by WIPO to undertake missions to other Caribbean countries to deal with assistance in the area of automation of trademark databases.

IX. Other relevant matters