

# SCIT.ATR.ID.2008.CA

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

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

##### Industrial Design Applications

Year Residents Non-residents Total % change

2004	636	3,488	4,124	
2005	583	3,886	4,469	8.37
2006	640	4,195	4,835	8.19
2007	569	4,500	5,069	9.29
2008	664	4,618	5,282	4.20

##### Industrial Design Registrations

Year Residents Non-residents Total % change

2004	564	2,546	3,110	
2005	530	2,771	3,301	6.14
2006	411	3,043	3,454	10.45
2007	606	4,981	5,587	61.75
2008	613	5,302	5,915	5.87

### 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 Industrial Design Act and Regulations do not prescribe publishing newly registered industrial designs in gazette form but do prescribe the keeping of the Register of Industrial Designs. Registered Industrial Designs are disseminated through a database via CIPO's website ([cipo.ic.gc.ca/iddatabase](http://cipo.ic.gc.ca/iddatabase)). This database has been available to the public since November 2007 and now includes the entire collection of industrial designs registered in Canada since December 1861.

Announcements pertaining to Industrial Design Practice and Policy as well as other information about the Industrial Design Office are communicated via the Canadian Intellectual Property Office website at [cipo.ic.gc.ca](http://cipo.ic.gc.ca). When a new announcement is published, it is noted under the "What's New" section of the CIPO site and is also included under the link to Industrial Design.

"Design Plus," the automated processing system of the Industrial Design Office, includes pending and registered information regarding Industrial Design applications and registrations.

DesignPlus is the main internal tool for maintaining industrial design application and registration information. It is from this system that the database information is supplied.

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

The "What's New" section of the CIPO website is the primary vehicle for making announcements of the Industrial Design Branch of CIPO. The following are highlights of messages announced in 2008:

- Save the paper and file your registration in a secure environment. Visit [www.cipo.ic.gc.ca/id](http://www.cipo.ic.gc.ca/id)
- Amended Industrial Design Regulations will come into force on October 5, 2008.
- Amendments to the Industrial Design Regulations were published in the Canada Gazette, Part II, on September 17, 2008. These amendments will come into force on October 5, 2008. The highlights of the amendments are as follows:
  - o Increased flexibility concerning requirements on the colour, size and quality of a design application.
  - o More clarity with respect to illustrating the design in the drawings and photographs.
  - o Added flexibility related to including an article's environment in a design application.
- Consultations in Part I of the Canada Gazette on amendments to the Industrial Design Regulations

We invite you to read about the proposed Amendments to the Industrial Designs Regulations, which are currently published in the Canada Gazette Part I. Interested parties have until July 7, 2008, to submit their comments by contacting CIPO's Client Service Centre

Pre-publication in Part I of the Canada Gazette gives various interested groups and individuals, as well as Canadians in general, a final opportunity to review and comment on a proposed regulation at the last stages of the regulation-making process, before it is enacted and published in Part II of the Canada Gazette.

- New Industrial Design Tools

CIPO's Industrial Design Office has new working tools to assist you when applying for an industrial design. Visit the Sample Drawings section of the Industrial Design Office Practices to see examples of acceptable and non-acceptable designs to facilitate the submission of a successful application.

You can also take a look at the Common Objections document to gain a better understanding of some of the common objections made by Industrial Design Examiners during the examination process of an ID application. It is also recommended that you read A Guide to Industrial Designs and the Industrial Design Office Practices before submitting your application.

### **Mass storage media and microforms used**

The archival of industrial design documents is done electronically in 'DesignPlus' as well as on paper, microfiche and CD-Roms.

### **Databases and office automation**

Since the launch of 'DesignPlus' in June 2002, applications and requests have been entered, processed and stored electronically in the system. Registrations from 2002 to date are now available online via CIPO's website. A complete database of Industrial Design registrations since inception (December 1861) is available on-line since November 2007

### **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**

<http://strategis.ic.gc.ca/app/cipo/id/displaySearch.do?searchType=design&language=eng>

## **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 documents are classified according to the Canadian Industrial Design Classification Standard.

In 2005, CIPO conducted the second important phase of the Industrial Design re-engineering initiative to address needed improvements to the classification process. Specifically, the Canadian Industrial Design Classification Standard is in need of updating and simplification. CIPO conducted an analysis of the Locarno Classification and a comparison study of other IPO classification standards. Recommendations from this initiative will identify the approach CIPO will take to improve the classification process. Since 2008 CIPO's Industrial Design Division is actively participating, with both member and observer countries, in the LOCARNO pilot group. This Group has the mandate of proposing enhancements to the existing international industrial design classification system. The Group is working to improve searching within the classification system and to produce more effective search results.

### **Bibliographic data and processing**

Designs are searchable by class and are organized according to the Canadian Industrial Design Classification Standard.

Translating:

Since April 1st 2008 registered Industrial Design titles are translated into French or English depending on the language of the application.

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

### **File building**

The Canadian industrial design prior art search file comprises approximately 100,000 registered designs.

All registered designs registered are stored electronically in 'DesignPlus'. Access to these registered designs is available for public search via the CIPO's web site.

The Industrial Design Division maintains a searchable record of registered industrial designs as follows:

**On-Line Electronic search file** All designs registered in the 'DesignPlus' system, this search file includes the application as registered (owner name /address, title, description, agent and/or representative for service in Canada), drawings, and bibliographic data (filing date, priority date, registration date, classification). Registrations are searchable by registration number, title, agent name, owner name, and by class.

**Microfiche / CD-rom search file:** For designs registered prior to June 2002, this search file includes microfiche and CD copies of the registration certificate, the application as registered, assignments and maintenance documents. It is maintained in numerical order by registration number.

**Paper correspondence file:** This search file includes a complete file document history including prosecution and correspondence. These files are maintained in numerical order by application number.

**Index cards:** For designs registered prior to June 2002, an alphabetical index card system arranged by owner, assignee and licensee is maintained as a means of obtaining the registration number of a particular design.

## **Updating**

The Canadian industrial design prior art search file is updated on a daily basis.

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

Industrial design documents are currently stored electronically in 'DesignPlus', as well as on paper, microfiche, and CD-Rom.

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

CIPO maintains a collection of WIPO International Design Bulletins and United States patent gazettes.

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

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

In June 2002 the industrial design processes were automated with the implementation of DesignPlus. Today the system contains bibliographic design data dating back to 1861, including pending and registered designs. DesignPlus is used within the office to manage the overall industrial design process, including search, examination, assignments and maintenance. The system supports such specific office processes as preparing correspondence and updating information.

In July 2007 an electronic industrial design filing component was added to allow clients to file their applications electronically over the internet. For all client front-ends, the information is checked for completeness, the information is transferred to the Office via the Internet and the information is automatically loaded into Designplus.

In November 2007 a complete on-line database was launched on the CIPO website allowing clients to search all industrial design registrations dating back to 1861.

## **External databases**

CIPO uses a web based search system "DesignFinder" for Industrial design searches. The Canadian Industrial Design database is available on this database for external client use.

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

The 'DesignPlus' system provides statistics for customized reports, file tracking (location of all paper and electronic application/registration files), and status information.

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

Pentium 3.2 Ghz computers and the Windows XP operating system are used. WordPerfect, Freelance Graphics, Lotus 123, MS Outlook, and Microsoft Word comprise the standard ID desktop software. Industrial design staff are connected via a Novell network. 'DesignPlus' was created using Oracle.

# **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**

The Industrial Design Division within the Copyright and Industrial Design Branch of CIPO manages the industrial design product line. The primary function is the granting of exclusive industrial design rights and the maintenance of the Canadian Register of Industrial Designs. The Division also provides certified documents for use in civil proceedings and criminal investigations, furnishes information to the public by making the registers accessible, answers detailed questions, distributes information materials, advises on appropriate legislative change, and manages new and revised regulations.

The industrial design search files are located in the Client Service Centre search room at CIPO Headquarters at 50 Victoria Street, Gatineau, Québec. K1A 0C9.

### **Collection management, preservation**

The Industrial Design Division maintains a complete historical register in electronic form for designs registered since 1861, as well as on microfiche and CD-Rom. Archival material is disposed of in accordance with National Library and National Archives requirements.

### **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)**

The CIPO Internet website was first established in 1995, and has continued with major enhancements since 1999. These enhancements included the use of the website for major consultations on new intellectual property legislation, the posting of new industrial design regulations and office practice notices and the provision of electronic filing services.

The Guide to Industrial Designs and the Industrial Design Office Practices manual can be found under the Industrial Design link of the CIPO website.

The CIPO Client Service Centre provides general information to clients interested in applying for industrial design registration as well as assisting clients to perform searches in the prior art.

Industrial design examination staff are available to provide additional guidance and assistance to the public interested in searching the prior art.

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

[www.cipo.ic.gc.ca/id](http://www.cipo.ic.gc.ca/id)

### **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.**

[www.cipo.ic.gc.ca/id](http://www.cipo.ic.gc.ca/id)

### **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**

[www.cipo.ic.gc.ca/iddatabase](http://www.cipo.ic.gc.ca/iddatabase)

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

There is no mutual exchange of industrial design documentation and information at this time. However, information exchange with respect to classification issues and other matters of mutual interest continue to be exchanged with counterparts from the United States Patent and Trademark Office (USPTO).

Discussions are continuing with the USPTO with respect to the potential exchange of registered designs between Offices over the Internet.

## **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 Information Branch of CIPO is responsible for coordinating and carrying out activities related to promoting the benefits of intellectual property and disseminating the associated technological and business information to Canadians. Like other product lines of CIPO, the Industrial Design Division provides input on publications (paper or web) destined for clients pertaining to industrial design.

## **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**

<http://laws.justice.gc.ca/en/showtdm/cs/I-9>  
<http://laws.justice.gc.ca/en/showtdm/cr/SOR-99-460>

### **contain the Annual Report of the Office**

[www.cipo.ic.gc.ca](http://www.cipo.ic.gc.ca)

## **X. Other relevant matters**