

# CWS.ATR.TM.2013.AP

## Annual Technical Report 2013 on Trademark Information Activities submitted by ARIPO (CWS/ATR/TM/2013/AP)

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. GENERAL OVERVIEW OF RECENT DEVELOPMENTS IN TRADEMARK INFORMATION ACTIVITIES CARRIED OUT BY THE OFFICE

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

- The ARIPO policies and plans are based on the Strategic Plan 2011-2015 adopted by the Administrative Council at its 34th Session held in Harare, Zimbabwe in 2010. The Strategic Plan is composed of six strategic goals, and each strategic goal is clustered under 19 programmes
- During the year the ARIPO/WIPO/KOICA Project to Upgrade and Modernize the ICT Systems of the ARIPO Office and those of its Member States was launched on October 7 and the Project Implementation developed.
- The system upgrade is envisaged to be operational by end of 2014 and will allow online filing of TM applications
- With regard to the expansion of the ARIPO headquarters building, computer-aided designs of the proposed extension were developed by a team of architects and construction managers.
- A Working Group on the amendment of the Banjul Protocol composed of Patent Agents, Officers from Member States' IP Offices, ARIPO Officials and the public at large was created to study the Protocol and make recommendations which can make it more attractive to both users and Member States. In view of the recommendations by the Working Group the Secretariat worked on a number of proposals to amend the Banjul Protocol
- The Working Group also looked at the possibility of having the Banjul Protocol linked to the Madrid System

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

ARIPO held joint programmes with the World Intellectual Property Organization (WIPO), United Nations Conference on Trade and Development (UNCTAD), Common Market for Eastern and Southern Africa (COMESA), Southern Africa Development Community (SADC), United States Patent and Trademark Office (USPTO), Mexican Institute of Industrial Property (IMPI-Mexico), IP Australia, State Intellectual Property Office of the Peoples' Republic of China (SIPO), State Administration for Industry and Commerce (SAIC), Office for the Harmonization of Internal Market (OHIM), Korean Intellectual Property Office (KIPO), National IT Industrial Promotion Agency (NIPA).

-ARIPO Office undertook technical missions in the Member States of the Organization with the aim of ensuring that National IP offices understand the deliverables of the organization and to support the development of technical competencies in the administration and processing of trademarks under the Banjul Protocol on Marks.

These were to:

- Botswana Registrar of Companies and Intellectual Property (ROCIP), Gaborone, Botswana
- Technical Mission to Zimbabwe Intellectual Property Office (ZIPO), Harare Zimbabwe,
- Technical Mission to Business Registration and Licensing Agency (BRELA), Dar-es-Salaam, United Republic of Tanzania
- Attachment of Member States Officials at the ARIPO Office
- Commemoration of the World IP Day, Bulawayo, Zimbabwe
- ARIPO Board of Appeal members undertook a study tour to the OHIM Offices in Alicante, Spain.
- Delegations of ARIPO and OHIM met in Geneva, Switzerland, alongside the WIPO Fifty-First Series of Meetings. The parties discussed issues related to training of ARIPO members of staff and those of its Member States by the OHIM Academy, processing and examination of trademarks and industrial designs, classification of trademarks using the new edition of the Nice Classification System and organization of a Regional Conference on Enforcement at ARIPO.

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

- The ARIPO Data Servers continued to be upgraded and serviced to allow users to continue with their work smoothly; to prevent information leakages, preventing disruption of information sharing by managing business programs and materials on a server rather than on individual PCs
- The POLITE Database
- Internal e-mail system

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

In 2013, compared with 2012 the number of trademark applications filed at ARIPO was 5% higher.

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

- Website: [www.aripo.org](http://www.aripo.org)
- Face book account under African Regional Intellectual Property Organization

### II. SERVICES AND ACTIVITIES RELATED TO TRADEMARK INFORMATION CARRIED OUT BY THE OFFICE

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

- Procedural and technical advice on filing, examination, grant, trial, search and use of trademark information, as well as on international trademark applications is provided on the website and brochures
- Consultation through mobile phone, mail, e-mail and website

### **Matters concerning classifying**

- (i) 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**
- (ii) Use of electronic classification systems and pre-defined terms of the classification applied**

Classification of goods and services

For the classification of goods and services, ARIPO accepts applications where the Nice Classification System is used. The 35th Administrative Council approved use of the latest edition of the Nice Classification. The 10th edition of the Nice Classification was put into use in 2012.

### **Matters concerning processing of different types of non-traditional marks (e.g., three-dimensional, motion, hologram, color mark, etc.)**

Non-traditional marks are not provided for in the ARIPO system.

## **III. SOURCES OF TRADEMARK INFORMATION PROVIDED BY THE OFFICE**

### **Main types of publications in the field of trademark information, outline of the content and medium (on paper, on CDs, online – URLs)**

- Notifications issued on CD-rom for all contracting states except Lesotho.
- Also published in the ARIPO Journal published monthly.

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

The ARIPO Journal covering TM Applications received, Accepted, refused registration, Abandonments and Registrations made during that particular period, is published monthly and is available in print and electronic format to cooperating partners and paid subscribers

Website Address: - (<http://www.aripo.org>)

Facebook Account –African Regional Intellectual Property Organization

The ARIPO Magazine is also offered on the ARIPO Website free of charge

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

ARIPO has POLITE database with trademark information filed as far back as the first application to be received by the Office.

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

The ARIPO Journal is published monthly and is available in print and electronic format to cooperating partners and paid subscribers

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## **IV. ICT SUPPORT TO SERVICES AND ACTIVITIES RELATED TO TRADEMARK INFORMATION CARRIED OUT BY THE OFFICE**

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

A number of training activities were undertaken under this programme, namely:

- (i) IPAS Java Training Programme, for the Malawian IP Officials, Harare, Zimbabwe from June 03 to 07;
- (ii) IPAS Proficiency Certification Course, ARIPO Academy, Harare, Zimbabwe from June 3 to 7;
- (iii) WIPO/ARIPO-IPAS Business Processes and Workflow Design Training Workshop for African Member States, Harare, Zimbabwe, October 14 to 18.
- iv) Technical mission to Tanzania and Botswana on the processing of ARIPO trademarks.

### **Hardware used to supporting business processes of the Office**

- Servers, PCs and Laptops, Network printers, Photocopiers, Scanners

### **Internal databases: coverage, updates, interlinks with external sources**

The POLITE database is presently for in-house administration of IP titles but it is being upgraded through a project of Systems Upgrade being implemented in partnership with WIPO and KOICA.

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

File building and updating

Search is done in the POLite system and other online services like espacenet. There is no single search file that is created for the purpose of search only. In the POLite system, data is updated regularly through normal system updates and also when new files are captured.

Foreign data included in the search system

- Publication data: China (2010-), Germany (1988-), Japan (1965-), OHIM (2003-), US (1997- ), WIPO (1999- )
- Others: computer generated graphic designs (2003-), typeface (1999-), catalogues (1999-), two-dimensional designs (2013-)

## **V. PROMOTION ACTIVITIES AIMED TO SUPPORT USERS IN ACCESS AND EFFICIENT USE OF TRADEMARK INFORMATION**

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

The ARZ Library stocks trademark documents from the members states, OAPI, OHIM, Japan, USPTO, KIPO, which are published on CD-ROM or DVD-ROM. The library also possesses volumes of trademark-related journals, magazines and books that were either donated or purchased. The general public is allowed to access this collection for search and copy services.

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

- Trade filing procedures fliers and brochures continue to be published and distributed free of charge

## **VI. INTERNATIONAL COOPERATION ACTIVITIES IN THE FIELD OF TRADEMARK INFORMATION**

### **International exchange of trademark information in machine-readable form (e.g., Official Gazettes)**

ARIPO has provided its official journal for trademarks to member's states offices and cooperating partners including WIPO, EPO, JPO, INPIT and SIPO in print format.

In addition, KIPO has been provided with trademark data from JPO, USPTO, KIPO, and from ROSPATENT on CD-ROM

### **Participation in international or regional activities and projects related to trademark information**

(i) The ARIPO Office embarked on the initiative of sensitizing and attracting more users to file applications through the ARIPO route. To that aim missions and attendance to users meetings were undertaken, namely:

-The 135th Annual Meeting of INTA, Dallas, Texas, USA from 4 to 8 May

(ii) The "Regional Legal Conference" of Novartis, Basel, Switzerland on May 30 to present the activities and services of ARIPO and prospects of patents and trademarks filing through the ARIPO route

(iii) AIPPI Forum and Executive Committee Meeting, Helsinki, Finland from 5 to 11 September

(iv) First Africa IP Forum" in Johannesburg, South Africa from February 25 to 27

(v) 2nd Seminar for IPR Officials from English-Speaking countries from seven African English-Speaking countries, Shenzhen and Beijing, China from May 15 to June 04 to show the participants how an effective trademarks administration system can benefit offices and be a tool for economic development of the countries.

(vi) Zimbabwe International Trade Fair (ZITF 2013), Bulawayo, Zimbabwe from April 23 to 27

(vii) 29th Session of the Standing Committee on the Laws of Trademarks, Industrial Designs & Geographical Indications, Geneva, Switzerland from 27 to 31 May

## **VII. OTHER RELATED MATTERS**