

CWS/ATR/ID/2015/AU

Annual Technical Report on Industrial Design Information Activities in 2015 submitted by IP Australia

I. GENERAL OVERVIEW OF RECENT DEVELOPMENTS IN INDUSTRIAL DESIGN INFORMATION ACTIVITIES CARRIED OUT BY THE OFFICE

Outline of main policies and plans aimed at development of industrial design information activities and expected time frames for their realisation

The designs system protects the visual features of a product - including the shape, configuration, pattern and ornamentation which, when applied to the product, give it a unique appearance. The current designs system has been in operation since the commencement of the Designs Act 2003 on 17 June 2004. The Advisory Council on Intellectual Property (ACIP), an independent body appointed by the Australian Government reviewed the designs system in 2014 to investigate its effectiveness in stimulating innovation. The Government considered the recommendations in 2015 and will respond in 2016.

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

The RIO Program is developing a new IP Rights management system, simplifying and harmonising our processes, developing a new search solution and providing richer and timely business intelligence. Designs will be the first IP Rights area to benefit from this new system. The new system continued to be developed in 2015. It will be implemented for Designs in March 2016.

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

Significant work is underway to modernise and improve IP Australia's business systems and processing environment. This work will progressively deliver a more agile business environment that captures efficiencies and improves customer service delivery. The first of the organisation's four business lines (Designs) has recently gone live with a pilot of the new system which is known as RIO (Rights-In-One).

What is Rights-In-One?

RIO is predominantly an internal administrative system for electronically receiving, processing and monitoring IP right cases and their related customer interactions. The system includes document management, correspondence generation and decision support functionality which span a complex array of quasi-legal business processes unique to the IP system.

Since online transactions now account for more than 98 per cent of IP Australia's approximately 850,000 customer service interactions each year, the RIO Program holds a key to achieving better customer service delivery and improved internal efficiencies.

RIO will eventually enable the decommissioning of more than twenty legacy systems including a thirty year old mainframe with commensurate maintenance and operational savings. The new system is expected to yield benefits over the next decade.

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

Design applications filed

2014: 6,610

2015: 7,024

Percentage difference: Design applications filed increased by 6.5%

Design applications Registered

2014: 6,636

2015: 6,592

Percentage difference: Design applications granted increased by 0.6 %

***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

(No comment is made here – the title above will not appear in the report)

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

<https://www.ipaustralia.gov.au/about-us/economics-ip>

"Australian Intellectual Property Report 2015" - http://www.ipaustralia.gov.au/about-us/what-we-do/reports/ip_report_2015/

II. SERVICES AND ACTIVITIES RELATED TO INDUSTRIAL DESIGN 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

Planning, administration, automation, security

IP Australia's Contact Centre provides a central contact for customers to obtain information about a wide range of Intellectual Property issues. Customers contact the Call Centre via telephone, and online enquiry form with around 95% of matters of a general nature solved at the first point of contact.

Increasingly, IP Australia is using its web site as a means of providing an alternative means of public access to these services. Currently, Designs can be searched via ADDS. A new searching tool will be developed as part of the RIO program

IP Australia has implemented a system to support business-to-customer (eServices) data exchange of patents, industrial designs and trade marks transactions. This system provides a platform for IPA customers to interact electronically with our office. As such traditional modes of filing and communication have been decommissioned such as fax.

IP Australia has recently implemented 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.

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)

Information services are available on the IP Australia website - <http://www.ipaustralia.gov.au/>

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

<http://www.ipaustralia.gov.au/get-the-right-ip/eservices/>

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

<https://www.ipaustralia.gov.au/designs>

Forms and Publications

<https://www.ipaustralia.gov.au/tools-resources/designs-forms>

and

http://pericles.ipaustralia.gov.au/ols/edesign/epublish/search_page.jsp

Examiners Manual

http://manuals.ipaustralia.gov.au/designs/designs_exam_manual.htm

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://pericles.ipaustralia.gov.au/adds2/adds.adds_start.intro

Availability of the application dossier in electronic form

As at 2015 IP Australia does not provide the application dossier in an electronic form.

Classification and reclassification activities; classification system used, e.g., International Classification for Industrial Designs (Locarno Classification), other classification

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.

Other activities

No comment is made here

III. SOURCES OF INDUSTRIAL DESIGN INFORMATION PROVIDED BY THE OFFICE

Main types of publications in the field of industrial design information, outline of the content (industrial design applications, design patents, registrations, etc.) and medium (on paper, on CDs, online – URLs)

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. In 2016 these will be produced by RIO

Examination Reports are generated in Microsoft Word. In 2016 examination reports will be generated using DocGen; a document generation tool developed by Intellidox.

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

The Official Journal contains the following announcements:

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

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

<http://pericles.ipaustralia.gov.au/ols/epublish/content/olsDesignPDFs.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

Information on IP Australia's Bulk Data Products can be found at:

<https://www.ipaustralia.gov.au/about-us/doing-business-us/bulk-data-products>

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

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. A new searching tool will be developed as part of the RIO program.

Databases and office automation

Current standard desktop software includes Microsoft Windows 7 with Microsoft Office 2010.

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.

Bibliographic data and processing

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

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

Australian Designs Data Searching (ADDs)

ADDs allows you to search for both design applications and registered designs based on a wide range of data fields. All data published in the Australian Official Journal of Designs can be searched on ADDs.

Representations of registered designs are available online from design registration number 90000 to current. The ADDs data includes all applications and registrations from 1986 and all registrations captured from 1973 to 1985 that were still active in 1985. No information exists prior to June 1972.

Legal status information (kind of information, coverage, medium, etc.)

See "In House Systems" and above.

Other sources

No comment is made here

IV. ICT SUPPORT TO SERVICES AND ACTIVITIES RELATED TO INDUSTRIAL DESIGN INFORMATION CARRIED OUT BY THE OFFICE

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

Hardware used to supporting business processes of the Office

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.

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

IP Australia's head Office has an Ethernet-based LAN providing high speed bandwidth for each user desktop connection. A DMZ-based, ASD 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.

IP Australia's Home Based Workers and Out-posted Workers supplied with IPA hardware connect using Windows machines with Citrix Receiver – they have access to a Virtual Desktop that is supplied using Citrix XenDesktop. They also have the option to use published applications provided by Citrix XenApp. All of the Citrix infrastructure runs on VMWare vSphere sitting on Dell x86 Hardware. Users connecting using their own hardware may use a variety of devices, however, they still have access to a Virtual Desktop that is supplied using Citrix XenDesktop and have the option to use published applications provided by Citrix XenApp.

The current SOE includes Windows 7 with Office 2010 Professional Plus, IE 11 and Microsoft Outlook.

Internal databases: coverage, updates, interlinks with external sources

The primary business system is the ADABAS Natural mainframe application, DESADMIN, running on IBM zOS. DESADMIN interfaces to a number of satellite applications, e.g. Word for production of reports, XICS for publishing output and ADDs. In July 2013 Des-E (Objective instance) was implemented where electronic case files could be created to align with the filing of electronic correspondence through eServices.

All processing relating to the life-cycle of a design (apart from financial processing) is conducted within this environment. This environment includes Sun Solaris, Oracle RDBMS, J2EE, BEA Weblogic, and Objective EDMS. 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.

As at 2014 calendar year IPA has also started transitioning away from BEA Weblogic to JBoss.

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

File building

The Designs Office maintains and updates a search file system using the above mentioned 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

No comment is made here

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

No comment is made here

Administrative management electronic systems (register, legal status, statistics, and administrative support)

See "In-house Systems" and "Information products..."

Other matters

No comment is made here

V. PROMOTION ACTIVITIES AIMED TO SUPPORT USERS IN ACCESS AND EFFICIENT USE OF INDUSTRIAL DESIGN INFORMATION

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

Collecting, acquisitions, preparation

No comment is made here

Collection management, preservation

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

Interlibrary lending, resource sharing, networks of patent libraries in the country

No comment is made here

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

Information services are available on the IP Australia website.

<http://www.ipaustralia.gov.au/>

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

IP Australia provides lots of useful links and topics on a wide range of business procedures and patent information external to IPA through navigation of our website.

<http://www.ipaustralia.gov.au/>

Cooperation with universities, research centres, technology and innovation support centres, etc.

Exporters

To support the relationship with the Export Council of Australia , IP Australia has developed a range of international fact sheets available online to assist Australian businesses when approaching a global market.

The suite currently includes China, Canada, India, Indonesia, Japan, New Zealand, Singapore, South Korea, Thailand, European Union and the USA. We are currently undertaking a review of the fact sheets and will work with our international IP office counterparts to ensure their ongoing value.

For 2015-16 our partnership with the Export Council of Australia continues and our body of work involves collaborating on a range of content including web and various publications and communication activities, cross-promotion through digital channels (in particular social media channels) and support of events, programs and speaking opportunities, to assist Australian businesses when exporting.

Accountants:

IP Australia has continued to team up with CPA Australia, an accounting body with more than 150 000 members, to deliver a long-term, tailored information campaign to help accountants understand the benefits of identifying and protecting IP assets. With an increased understanding of IP and its role in building business value, accountants will be better equipped to ensure their client's IP is properly recognised, protected and managed.

A new Intellectual Property section on the CPA Australia website is now live and consists of a landing page as well as a general technical issues page which contains the reworked Q&As from the two live chats.

Recorded versions of informative webinars have also been published.

Engineers:

IP Australia has continued to engage with Engineers Australia; Australia's peak Engineers professional forum. There has been an increased focus on utilising national media channels to disseminate IP educational messages and information.

SMEs:

IP Australia has conducted a number of workshops aimed at start-ups and small businesses understand the basics of IP before starting a business. With content focussing on patents and trade marks, as well as general IP management considerations, twenty workshop sessions were hosted around Australia in capital cities and regional centres. Future program enhancements will include refinements to the content to address specific industries such as digital products, or specific business needs such as expansion into international markets including China.

Vocational Education and Training (VET)

Future managers and leaders look set to be more IP-savvy following IP Australia's successful bid to have IP included in core units in a new Diploma of Leadership and Management in the Vocational Education and Training (VET) sector.

Universities

University IP Seminar Series

The purpose of these seminars is to partner with universities to provide an annual lecture on IP that is entertaining and engaging.

As part of IP Australia's University Research and Commercialisation Plan, a number of initiatives have been identified to increase IP education and awareness within the higher education sector.

One of these initiatives is to deliver a series of TEDx style events with:

- a compelling narrative – a message that people want to share
- well-rehearsed engaging presenters who don't need notes
- minimalist, graphically designed slides
- a live webinar and Q&A Twitter hashtag for the virtual audience
- flexibility to accommodate the needs of the host university

In 2015, IP Australia partnered with the Queensland University of Technology (QUT) to pilot the TEDx format. This event was a success and provided the impetus for IP Australia to formalise a program of TEDx events as part of the agency's University Research and Commercialisation Plan. The first of this was held in partnership with the University of Technology Sydney (UTS).

Titled clever commercialisation: the value of IP in collaboration, the TEDx event held at UTS aimed to attract researchers, entrepreneurs, business leaders, policy makers and investors to join a conversation about innovation, commercialisation and entrepreneurship. This event sought to discuss: What makes collaboration between researchers and businesses successful? How can start-ups use research and technology to grow their business? How can these groups protect and harness intellectual property to innovate together?

The event was very well received, with a lot of delegate and speaker interaction on IP, collaboration and innovation more broadly.

Videos of each presentation are available on IP Australia YouTube Channel.

Secondary Students

IP Australia has partnered with Questacon and the CSIRO to deliver intellectual property workshops to talented and emerging young entrepreneurs.

Education and training: training courses, e-learning modules (URLs), seminars, exhibitions, etc.

IP Stakeholders Forum (IPSF)

This is the principal forum for consultation, discussion and information exchange on IP matters with the attorney profession and industry.

IP Summit

To commence next year, the IP Summit will be an annual event which draws together attendees from industry, academia, the IP profession and government to discuss and share information on IP issues of strategic importance.

Executive Visits Program (EVP)

The EVP was established to provide engagement opportunities between IP Australia's executive and senior representatives from industry associations and private enterprise IP rights filers. By engaging proactively with these stakeholders, through IP Australia initiated consultations, the agency can demonstrate its commitment to seek out views and opinions on IP matters of strategic importance.

Indigenous Stakeholder Engagement

IP Australia has continued to deliver its Indigenous engagement program through the highly successful Dream Shield banner. However, a revised Indigenous engagement plan has been developed during 2015/16 that has resulted in closer cooperative ties with peak Indigenous business support agencies. In addition, increased penetration of IP educative messaging via the increased use of digital media channels has been endorsed for 2016 and beyond.

State-based Events

State-based events targeted a diverse range of business and industry sectors including SMEs, students, researchers and exporters.

Other activities

IP Australia' website

The IP Australia website (www.ipaustralia.gov.au) has 2 million visits per annum and is the front door to IP Australia's digital information and service transactions. It plays a critical role in educating and supporting our customers and facilitating transactions with the agency. In April 2016 the website was redeveloped and relaunched featuring a new information architecture (structure), design, content and user tools. Extensive user research and feedback informed the redevelopment process to ensure the site continues to serve customer needs.

IP Toolkit

The IP Toolkit was launched in September 2015 to provide information and resources to help establish the terms for managing and using IP in collaborative activities. The Department of Industry, Innovation and Science (DIIS) and IP Australia jointly developed the IP Toolkit.

The IP Toolkit has three parts – (1) guides with important information such as tips and case studies, (2) tools such as checklists and a term sheet, and (3) model contracts. This information is packaged into PDF documents and hosted on Business.gov.au.

To better meet the needs of the user, IP Australia has been working with DIIS to enhance the content and usability of the toolkit.

IP Australia expects these changes to be completed early in the 2016 financial year.

Social Media

Social media allows IP Australia to enhance our corporate reputation and interact with our key stakeholders and react to situations in a timely and transparent manner.

As part of our continued efforts to improve and increase IP Australia's presence on social media channels, consistent with the IP Australia External Communication Strategy 2015-2018, we are undertaking a series of online advertising campaigns through the Government's dedicated media and advertising agency, Mitchell AdCorp to help educate the public on awareness of IP rights.

Our agency has added value to customer communication with its active social media presence. With more than 5 social media accounts and over 9,500 followers collectively, our agency is seeing an increase in online engagement and building more meaningful relationships with customers, influencers and other relevant stakeholders.

eServices and B2B

IP Australia's eServices and B2B channels are the agency's customer electronic lodgement platforms:

- eServices is IP Australia's web-based self-service portal that is widely used by private applicants and attorney firms. This portal caters for every service request type available across Trade Marks, Designs, Patents and Plant Breeder's Rights.

There are currently over 125,000 registered eServices users.

- B2B (business-to-business) is an MFT file transfer product IP Australia supports for high-volume customers; enabling the direct transmission of large numbers of service requests directly into IP Australia's internal systems. B2B caters for the majority of service request types available across Trade Marks, Designs, Patents and Plant Breeder's Rights.

There are currently 14 customers that have integrated the B2B software into their case management network.

Since the release of these platforms in 2011, IP Australia's customer base has significantly changed its lodgement behaviour. There is currently a 98% uptake of the electronic platforms. During the concept and build of these platforms, the agency had envisaged an 80% take-up in the two-three years succeeding their release. These aims have been well exceeded as of early 2016.

Electronic Correspondence

In September 2014, IP Australia introduced electronic patent correspondence for eServices and B2B customers. This major release represented a first for the agency and assisted us to further streamline our processes and reduce our reliance on physical resources such as paper. Subsequent releases in 2015 has seen the vast majority of Patent, Trade Mark and Design correspondence (including IP Right certificates) transition into electronic formats and submitted to customers by way of either the Online Service or B2B channel. Customer feedback has been quite positive about this improved functionality.

Additionally, the agency is currently trialing the inclusion of 'meta-data' within the individual correspondence files. This initiative was developed from customer feedback (specifically from IP Professionals) as a response to their requests with efforts to completely streamline electronic correspondence concerning their IP Rights.

VI. INTERNATIONAL COOPERATION ACTIVITIES IN THE FIELD OF INDUSTRIAL DESIGN INFORMATION

International exchange of industrial design information in machine-readable form (e.g., Official Gazettes)

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

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

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

(No comment is made here – the title above will not appear in the report)

Participation in international or regional activities and projects related to industrial design information

IP Australia presented at the following seminars and workshops in 2015

- IP Statistics for Decision Makers (Austria, November 2015), this annual event is the peak conference on the use of data, statistics and economic evidence in IP policy.

Assistance to developing countries

Through the WIPO Funds-in-Trust theme of developing the IP system, IP Australia has supported the following activities in 2015:

- WIPO Australia Advanced IP Marketing and Valuation Training Program (Philippines June 2015)
- National Workshop on Copyright and Related Rights (Cook Islands April 2015)
- Sub-regional workshop on Copyright and Development for Decision Makers (Fiji, Niue, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu January 2015)
- National Seminar on Copyright and Related Rights (January 2015)
- Development of national IP Strategies – Cook Islands, Solomon Islands, Myanmar
- Capacity building – Bangladesh, Sri Lanka and Nepal (through a Memorandum of Understanding) and India (DAISY Starter Kit)

Other activities

No comment is made here

VII. OTHER RELATED MATTERS

URLs of web pages of the Office's website that:

Provide information on legislation related to industrial designs

Designs Act: <http://www.comlaw.gov.au/comlaw/management.nsf/lookupindexpagesbyid/IP200401901?OpenDocument>

Designs Regulations: <http://www.comlaw.gov.au/ComLaw/Management.nsf/current/bytitle/5654A5E61547B81BCA256F710006C911?OpenDocument&mostrecent=1>

Intellectual Property Laws Amendment (Raising the Bar) Act 2012
<http://www.comlaw.gov.au/Details/C2012A00035>

Contain the Annual Report of the Office

Annual Report

"Australian Intellectual Property Report 2015" - http://www.ipaustralia.gov.au/about-us/what-we-do/reports/ip_report_2015/

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

<https://www.ipaustralia.gov.au/about-us/news-and-community/stay-informed>

Other relevant matters

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.

URLs of web pages of the Office's website that:

Provide information on legislation related to industrial designs

Designs Act: <http://www.comlaw.gov.au/comlaw/management.nsf/lookupindexpagesbyid/IP200401901?OpenDocument>

Designs Regulations: <http://www.comlaw.gov.au/ComLaw/Management.nsf/current/bytitle/5654A5E61547B81BCA256F710006C911?OpenDocument&mostrecent=1>

Intellectual Property Laws Amendment (Raising the Bar) Act 2012
<http://www.comlaw.gov.au/Details/C2012A00035>

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1.	-	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.