

# IP statistics at National and International offices statistics

## BOTSWANA

# Outline

- Background
- Structure of IP in Botswana
- IP legislation and relevant national legislation
  - IP STATISTICS
    - Application Statistics(2011-2016)
    - Registration Statistics(2011-2016)
    - Madrid Statistics-BOTSWANA

# Outline Contin...

- Trend in IP filings
- Trend in IP Registrations
- Interventions/ Recommendations

# Background

Companies and Intellectual Property Authority (CIPA) is an autonomous body under Ministry of Investment Trade and Industry (MITI). It exists to administer four pieces of legislations being :

- Companies Act, [CAP. 42:01]
- Registration of Business Names Act, [CAP 42:05]
- Copyright and Neighbouring Rights Act, [CAP.68:02]
- Industrial Property Act, [CAP 68:03]

# Background conti..

- CIPA has staff complement of 81
- In the current CIPA structure, there are 12 staff members who are responsible for implementing the Industrial Property Act.
- CIPA has 3 outstations

# Background conti...

- The Industrial Property Division is responsible for administering the Industrial Property Act; The Botswana Industrial Property Act, [CAP.68:03] provides for the protection of industrial property rights in relation to patents, trademarks, utility models and industrial designs, Integrated Circuits, Geographical Indications, and Traditional Knowledge.

# Infrastructure and Management

- The IP office is committed to provide the environment that will provide a system with high availability and reliability by building a well managed infrastructure that is in progress in the current time.
- A system that has a well planned disaster recovery plan that is in place to manage data and rollback plan if need be for business continuity.

# IP statistics

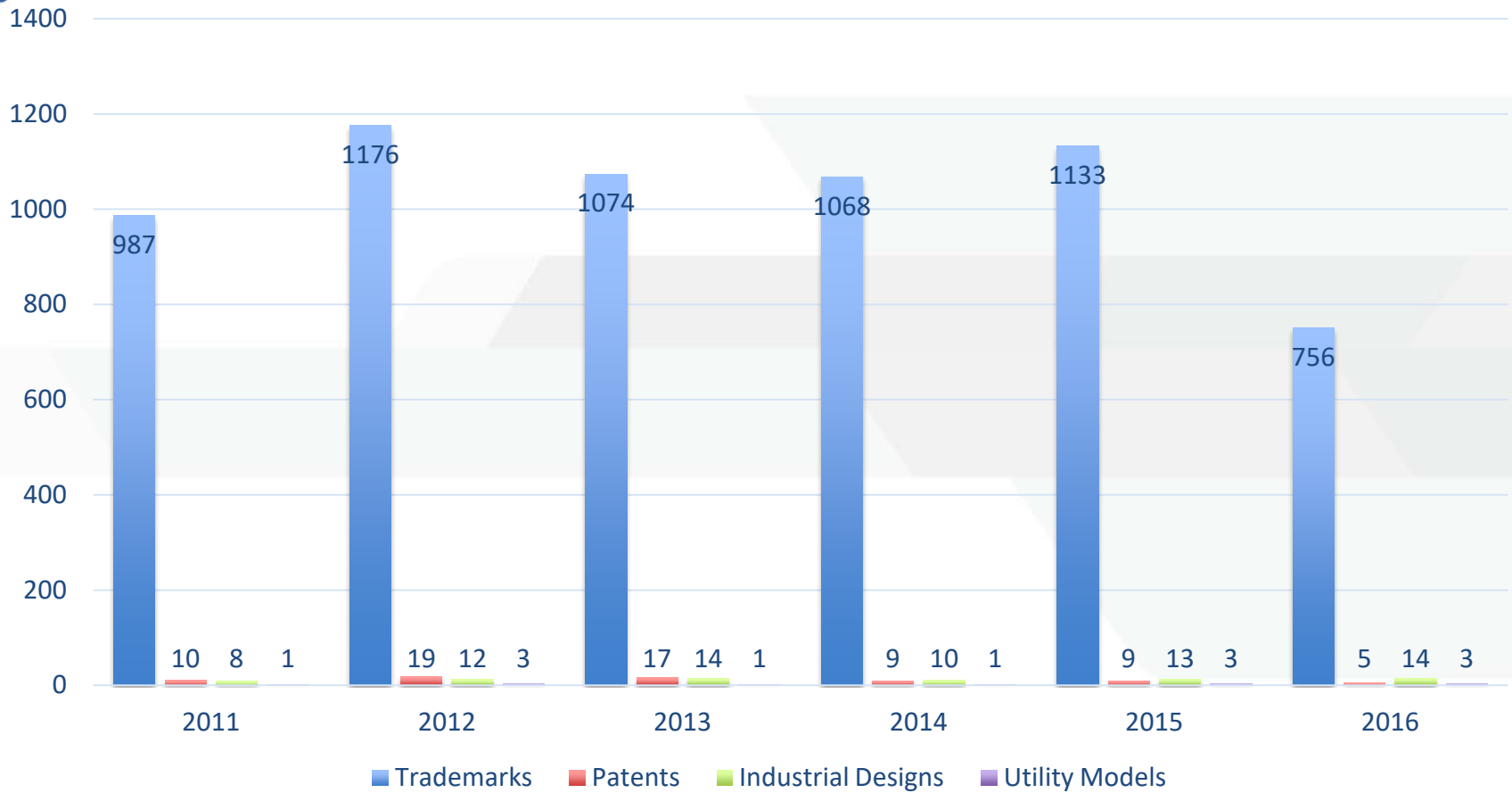
## Application statistics

YEAR	TRADEMARKS	PATENTS	UTILITY MODELS	INDUSTRIAL DESIGNS
2011	987	10	1	8
2012	1176	19	3	12
2013	1074	17	1	14
2014	1068	9	1	10
2015	1133	9	3	13
2016	756	5	3	3

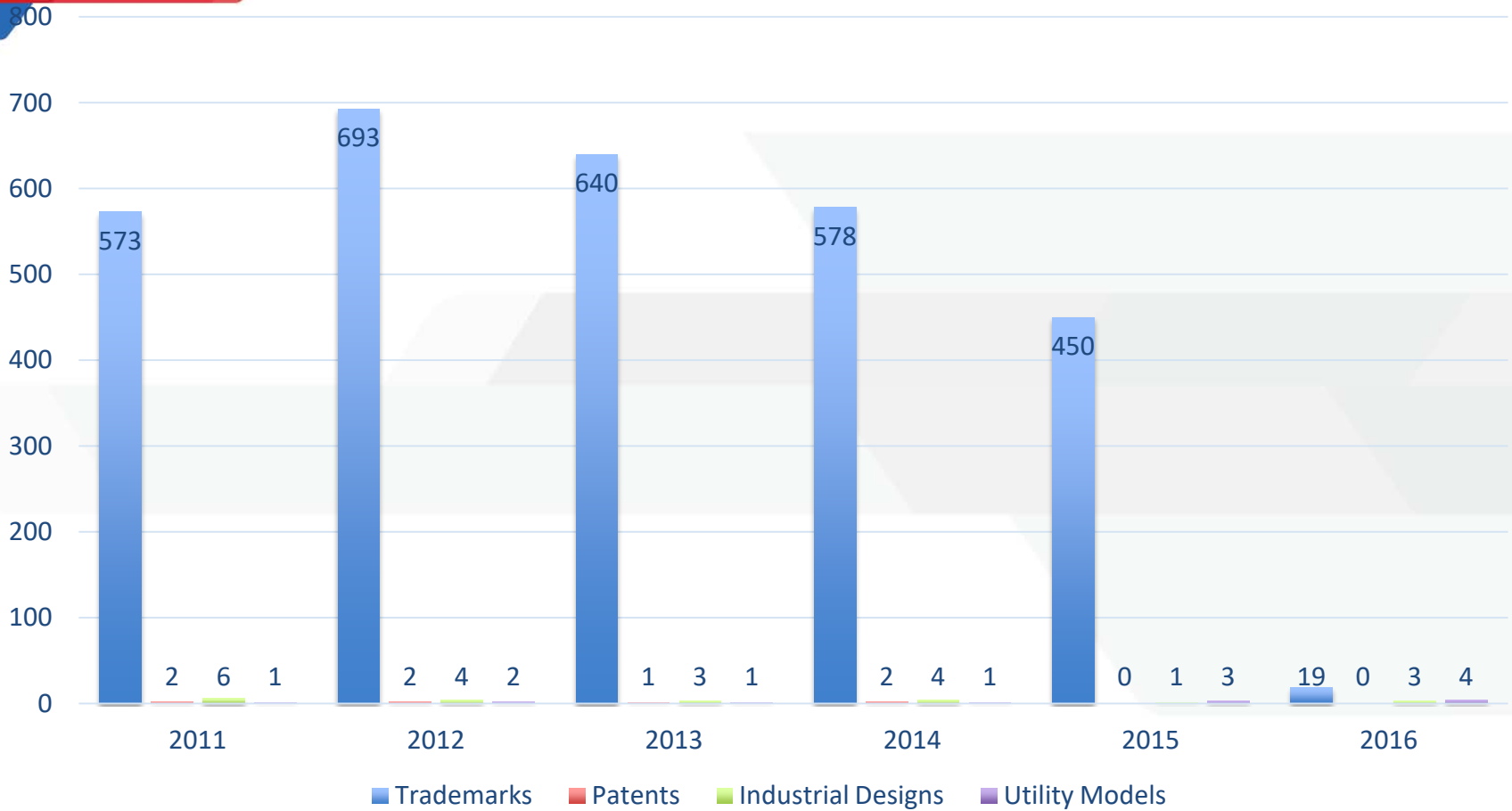


# IP statistics

## IP Filings



# IP Registrations



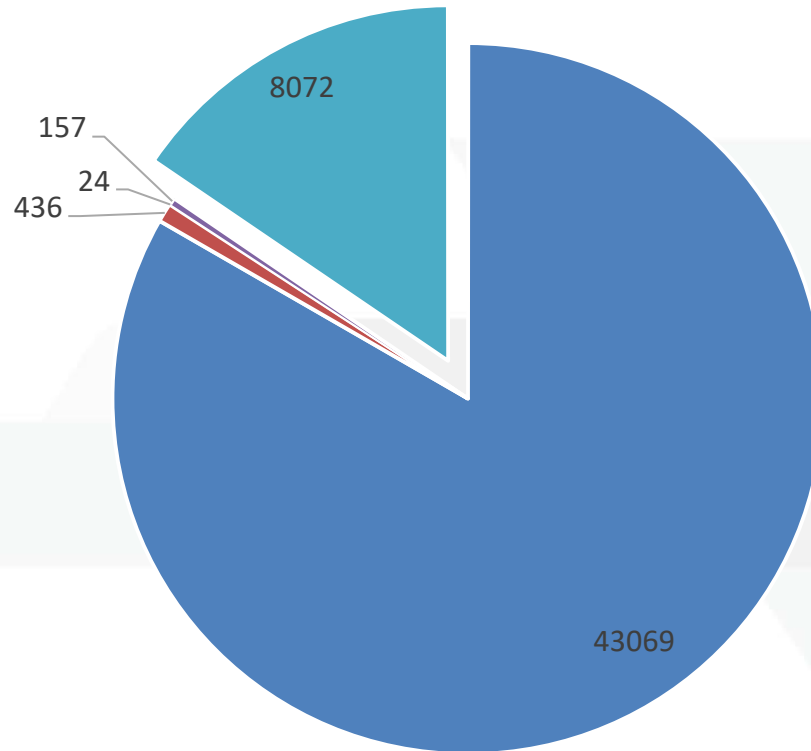
# Statistics on Madrid Applications

- The office started substantive examination of Madrid applications in June 2016
- There are 8,072 Madrid applications designating Botswana
  - 5438 has acquired automatic registration
  - 2550 pending substantive examination
- Since June 2016, 150 applications have been substantively examined
  - 61 are awaiting opposition
  - 41 awaiting publication
  - 6 has been refused

# Statistics for Geographical Indications & Traditional Knowledge

- 1 GI application
- 3 Tk applications

# IP Statistics on IPAS



■ National Marks ■ Patents ■ Utility Models ■ Industrial Designs ■ Madrid

# Trend in IP Filings

- The increase in the number of trademark filings is attributed to more awareness on IP
- New government projects streamlined to boost economy Eg.. Economic Stimulus Package(ESP) hence more people are registering companies therefore they see a need to file trademarks
- Growth in brand investment
- The decrease/decline in patent filings are more attributed to low levels of awareness on drafting patent specifications

# Trend in IP Registrations

- Trademark registrations were declining because of the backlog that has been in existence
- Failure to meet set criteria eg payment of fees
- Lack of response to the past correspondences
- Shortage of manpower
- Missing files
- Non attendance to pending trademarks opposition applications
- IPAS functionality with regards to processing some applications e.g. Resizing of logos

# Trend in IP Registrations Conti..

- In patenting major challenges is poor drafting of patent specifications
- Failure to meet the patentability set criteria for an invention



# Current Status

- Currently WIPO consultants has designed and configured Copyright modules on IPAS
- The office has also requested WIPO to assist in designing and configuration of the below modules on IPAS:

-Traditional Knowledge

-Geographical Indications

-Integrated Circuits

Going forward it would be easy to report office statistics-  
Moving away from manual to computerized System.

# Current Status

- The office has a pending project funded by WIPO to do data validation and verification- This project will see all data captured accurately in IPAS

# Current Status Of Data Exchange With Other Offices

- The Botswana IP office is currently incapacitated with Patent Examiners thus the office is only doing formalities examination and sends the information to ARIPO for substantive examination.
- The office downloads the weekly Madrid marks via the Madrid module

# Challenges faced by offices to create policies relevant to IP statistics and other related issues

- Raising awareness of the importance of IP statistics
- Lack of statistical infrastructure
- Lack of financial resources to sustain systems
- Limited resources

# Interventions

- Recruitment of additional Examiners
- IPAS matters have been escalated to WIPO technical experts to resolve some of the system functionalities challenges
- To conduct workshops, seminars, campaigns to areas outside Gaborone to increase IP Filings
- Meeting with the Legal Advisor and Compliance Manager was held and a strategy developed to address the pending oppositions.
- Provide Infrastructure

*Thank you!!*

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