ORGANISATION AFRICAINE DE LA
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OAPI

WIPO Regional Training Workshop on Online Tools and Services for Industrial Property Administration and Automation

TOPIC 17 : OAPI's IMPLEMENTATION OF THE MADRID PROTOCOL IN IPAS

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PLAN

▶ **PREPARATION FOR ACCESSION TO THE MADRID PROTOCOL**

▶ **MANAGEMENT OF TRADEMARKS APPLICATIONS WITH GESTITRE**

▶ **OAPI'S IMPLEMENTATION OF THE MADRID PROTOCOL IN THE IPAS**

▶ **COOPERATION BETWEEN OAPI AND WIPO**

▶ **CHALLENGES AND OPPORTUNITIES**

PREPARATION FOR ACCESSION TO THE MADRID PROTOCOL

1. **IMPACT STUDIES N°1, (1998-2000)**

    - ✧ **ANALYSIS OF THE MADRID SYSTEM (TRADEMARK REGISTRATION PROCEDURE, FINANCIAL RESOURCES, ADVANTAGE AND DISADVANTAGE)**

    - ✧ **COMPATIBILITY ANALYSIS BETWEEN THE OAPI SYSTEM AND THE MADRID SYSTEM (TRAMARK REGISTRATION PROCEDURE, EVOLUTION OF FINANCIAL RESOURCES, EQUILIBRIUM CONDITION, IMPACT ON OAPI HUMAN RESOURCES AND ATTORNEYS, ...)**

PREPARATION FOR ACCESSION TO THE MADRID PROTOCOL

2. FIRST REPORT TO THE ADMINISTRATIVE COUNCIL (40Th session)

- ✧ **SUBMISSION OF THE IMPACT STUDY TO THE ADMINISTRATIVE COUNCIL**

- ✧ **DECISION WAS TO KEEP THE SUBJECT MATTER IN STANDBY FOR BETTER UNDERSTANDING OF THE MADRID SYSTEM AND ITS IMPACT ON THE OAPI SYSTEM**

3. SECOND IMPACT STUDIES (2013)

✧ **ANALYSIS OF THE MADRID SYSTEM (TRADEMARK REGISTRATION PROCEDURES, FINANCIAL RESOURCES, ADVANTAGE AND DISADVANTAGE)**

✧ **COMPATIBILITY ANALYSIS BETWEEN THE OAPI SYSTEM AMENDED AND THE MADRID SYSTEM (TRADEMARK REGISTRATION PROCEDURE REVIEWED, EQUILIBRIUM MEASURES APPLIED TO FINANCIAL RESOURCES, EQUILIBRIUM CONDITIONS WERE SATISFIED, IMPACT ON OAPI HUMAN RESOURCES AND ATTORNEYS WAS WEAK IN VIEW OF THE VOLUME OF ACTIVITIES TO COME)**

PREPARATION FOR ACCESSION TO THE MADRID PROTOCOL

4. **SECOND REPORT TO THE ADMINISTRATIVE COUNCIL (December 2013)**

   ✧ **SUBMISSION OF THE IMPACT STUDY TO THE ADMINISTRATIVE COUNCIL**

   ✧ **CONSIDERING THE SATISFYING CONCLUSIONS, THE ADMINISTRATIVE COUNCIL ALLOWED THE ACCESSION OF OAPI TO THE MADRID PROTOCOL IN DECEMBER 2013**

5. **ACCESSION TO MADRID PROTOCOL (December 2014)**

   ✧ **DEPOSIT OF OAPI INSTRUMENTS OF ACCESSION TO THE MADRID PROTOCOL ON 5 DECEMER 2014**

   ✧ **5 MARCH 2015, OAPI BECAME ACTIVE MEMBER OF THE MADRID PROTOCOL**

MANAGEMENT OF TRADEMARKS APPLICATIONS WITH GESTITRE

DATABASE « GESTITRE »

- ✧ **AUTOMATION TOOL DEVELOPPED BY OAPI TO MANAGE PATENTS, TRADEMARKS, INDUSTRIAL DESIGNS AND COMMERCIAL NAMES**

- ✧ **ADMINISTRATIVE STEPS MANAGEMENT WEREN'T TAKEN INTO ACCOUNT**

- ✧ **A TOTAL ABSENCE OF CHRONOLOGICAL ORDER IN THE OPERATIONS STORED IN THE DATABASE (e.g. Assignments)**

- ✧ **THE SAME PRINCIPLE WAS APPLIED TO THE OTHER IP RIGHTS STORED IN IT**

- ✧ **ABSENCE OF A TRONG IT TEAM TO SUPPORT "GESTITRE"**

- ✧ **THE DECISION WAS TAKEN TO MIGRATE FROM GESTITRE TO IPAS**

OAPI'S IMPLEMENTATION OF THE MADRID PROTOCOL IN THE IPAS

WHAT IS IPAS MADRID MODULE ?

THE IPAS MADRID MODULE IS A STANDALONE JAVA SWING APPLICATION, SIMILAR TO IPAS MANAGER, WHICH CONTAINS ALL THE INTERFACE ELEMENTS REQUIRED TO IMPORT MADRID NOTIFICATIONS. IT WORKS AS A REMOTE CLIENT OF THE IPAS APPLICATION SERVER. THE IPAS MADRID MODULE RECEIVES INCOMING ELECTRONIC TRANSACTIONS FROM WIPO, TARGETED TO THE IP OFFICE IN ITS ROLE AS DESIGNATED OFFICE.

COOPERATION BETWEEN OAPI, WIPO AND OTHER PARTNERS

✧ **HIGH LEVEL NEGOCIATION BETWEEN WIPO AND OAPI**.

✧ **STUDY VISITS OF OAPI IT EXPERTS AT WIPO, EUIPO, MOROCCO, CHINA ...**

✧ **WORKING SESSIONS BETWEEN OAPI AND WIPO IT EXPERTS AT YAOUNDE AND GENEVA**

✧ **PROCESS ANALYSIS AND CONFIGURATION OF IPAS TO INTEGRATION PROCEDURES OF MADRID PROTOCOL**

✧ **FUNCTIONALITY TESTS AND MIGRATION OF DATA FROM GESTITRE TO IPAS**

✧ **TECHNICAL STAFF TRAINING ON IPAS USE**

✧ **LAUNCH OF IPAS MADRID MODULE IN REAL PRODUCTION**

CHALLENGES

✧ **MIGRATION PROBLEMS (CORRESPONDING FIELDS, CHANGE OF PHILOSOPHIE ...)**

✧ **PARTICULAR WORKFLOW TO FOLLOW (INTRODUCTION OF NEW STEPS)**

✧ **RESISTANCE OF USERS TO CHANGE**

✧ **MIGRATION OF OTHER IP TITLE IN IPAS (e.g. PATENTS. INDUSTRIAL DESIGNS)**

OTHER TECHNICAL CHALLENGES FACED AND BROUGHT SOLUTIONS

- **Main issues :** Old Nice version classification (6, 7), missing Vienna classes, missing country code, few images missing
- **Solution :** Adding missing records in corresponding IPAS Tables
- Choice of changing sign type from *Text only* to *Both Text and logo* and loading corresponding file image
- Problem of creation of dummy records with affected user documents
- **Solution :** running script to delete dummy records
- Problems of sending notifications to the International Bureau
- **Solution**: We use WIPO portal to send Forms MM4 and Office notifications

CHALLENGES AND OPPORTUNITIES

OPPORTUNITIES

- ✧ **TECHNICAL FACILITIES AND INTEGRATION POTENTIAL OF IPAS**

- ✧ **STRONG SUPPORT TEAM**

- ✧ **TECHNICAL FUTURES LIKE WIPO FILE, WIPO PUBLISH ETC**.

- ✧ **DEVELOPMENT IN PROGRESS**

PROPOSALS FOR IMPROVEMENTS

▶ Update of Nice version classification (6, 7), missing Vienna classes, missing country code from wipo notification file

▶ Correction of missing images

▶ Fixing the problem of dummy creation

▶ Solving the problem of automatic download incoming electronic transactions from WIPO via IPAS Madrid Module

▶ Solving the problem of automatic upload notifications to the International Bureau WIPO Madrid

THANK You!

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