



WIPO Regional Training Workshop on Data Quality Management, Exchange and Online services

Ghana's Presentation by:
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Maputo, July 2016

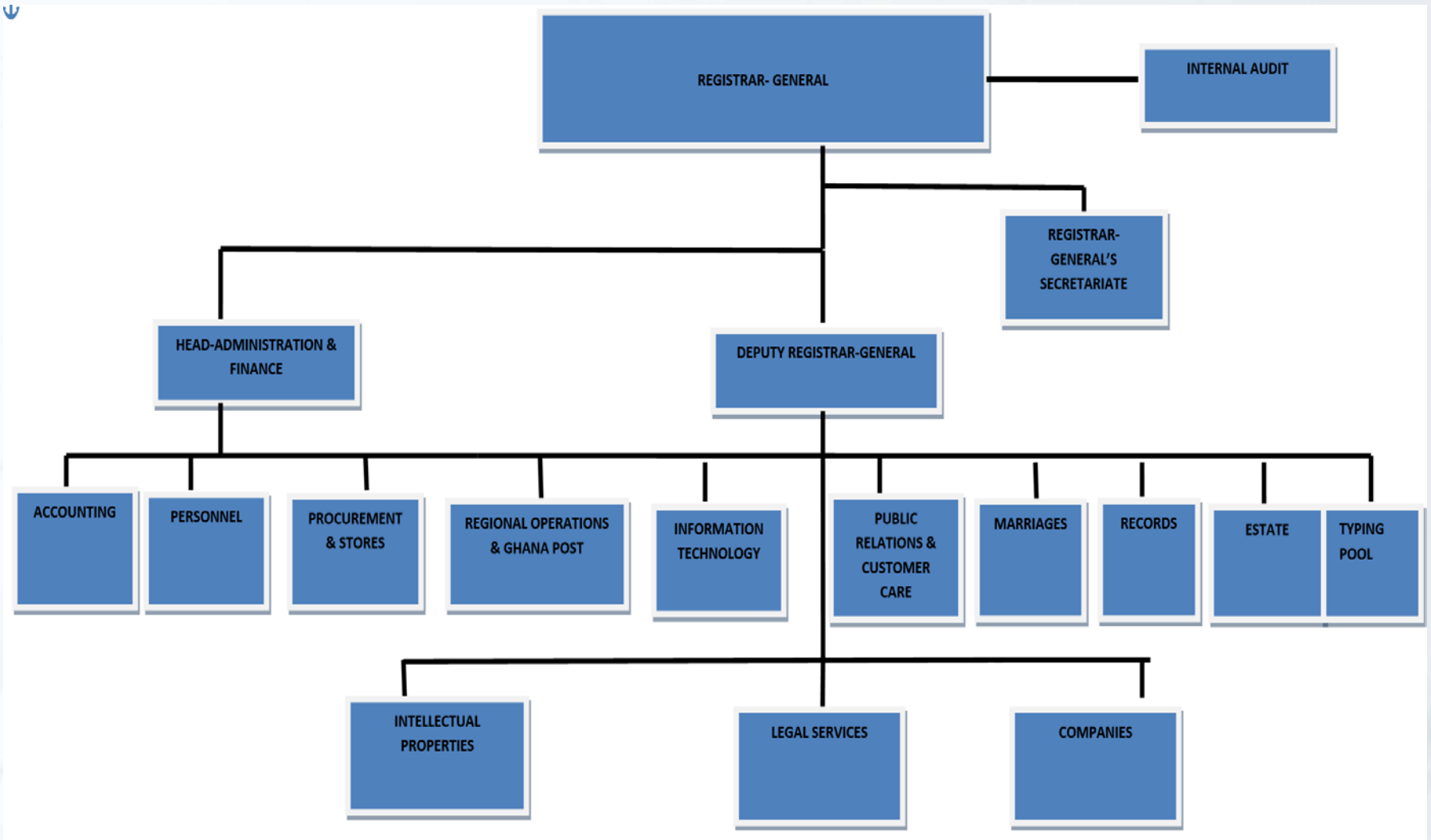


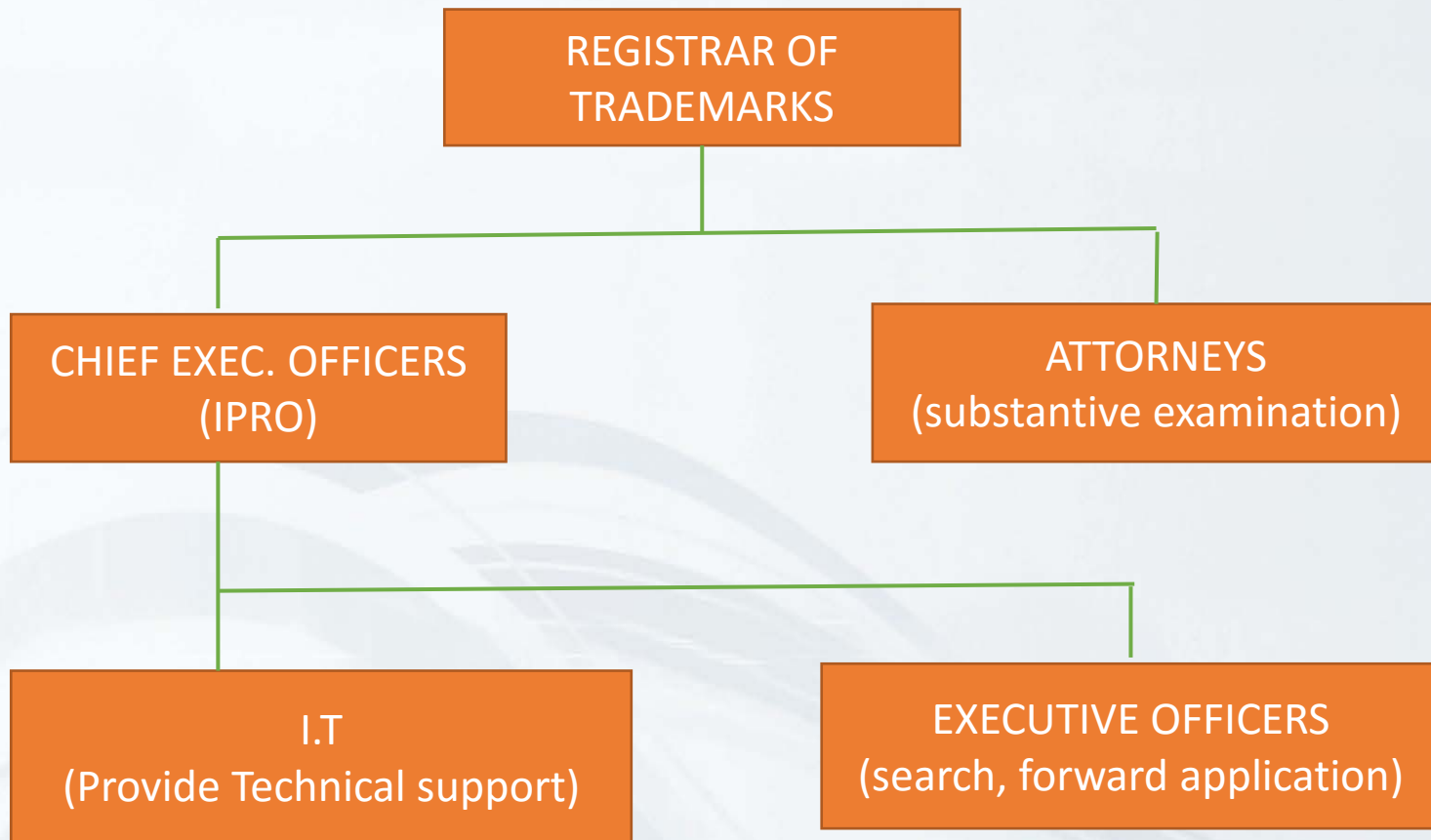
Introduction

- The Industrial Property Office of Ghana is a division under the Registrar General's Department of the Ministry of Justice. Its mandate is to administer Industrial Property Law. i.e. to register Patents, trademarks and Industrial design.



Organizational Chart





Trademark

- The Trademark Act 2004, Act 664 was passed in 2004 and was amended in 2014 called the Trademark Amendment Law 2014 Act 867.
- The amendment was necessary in order to broaden the scope of protection to cover Madrid applications.
- In compliance with Ghana's TRIPS Obligations.



Pre - Automation

- Prior to IPAS the office receive trademark application record them in a register and giving them Application numbers manually.
- After final approval by the legal unit a registration number is assigned to the mark .
- The applications are then compiled and submitted to the national publishing corporation.
- Certificate is issued on expiry of the opposition period.



Example of the old certificate


REPUBLIC OF GHANA
REGISTRAR GENERAL'S DEPARTMENT
TRADE MARKS ACT, 1965
Certificate of Registration of a Trade Mark

The Trade Mark shown below has been registered in Part..... "A"..... of the Register
as of the date..... 30th..... July..... 1999..... 20....., in the name of
Mepha AG
of Dornacherstrasse..... 114..... #187..... Aesch..... Switzerland.....
under No..... 30158..... in Class..... 5..... in respect of Pharmaceutical,
veterinary and sanitary preparations and
substances.

GASTROCAPS

REGISTRAR GENERAL'S DEPARTMENT



IN WITNESS WHEREOF I have caused my
official seal to be hereunto affixed the 23rd
day of May 2005



Automation with IPAS

- With the installation of the WIPO Industrial Property Automation System (IPAS) for the Trademark section in 2005 and provision of technical support for the system, the Trademark section has improved its service delivery and has reduced the time for processing trademarks applications.
- Currently the office uses the IPAS java 2.7 which in addition to helping the office effectively receive and capture applications, conduct Preliminary and substantive examinations it enables us to generate a journal of published marks internally.

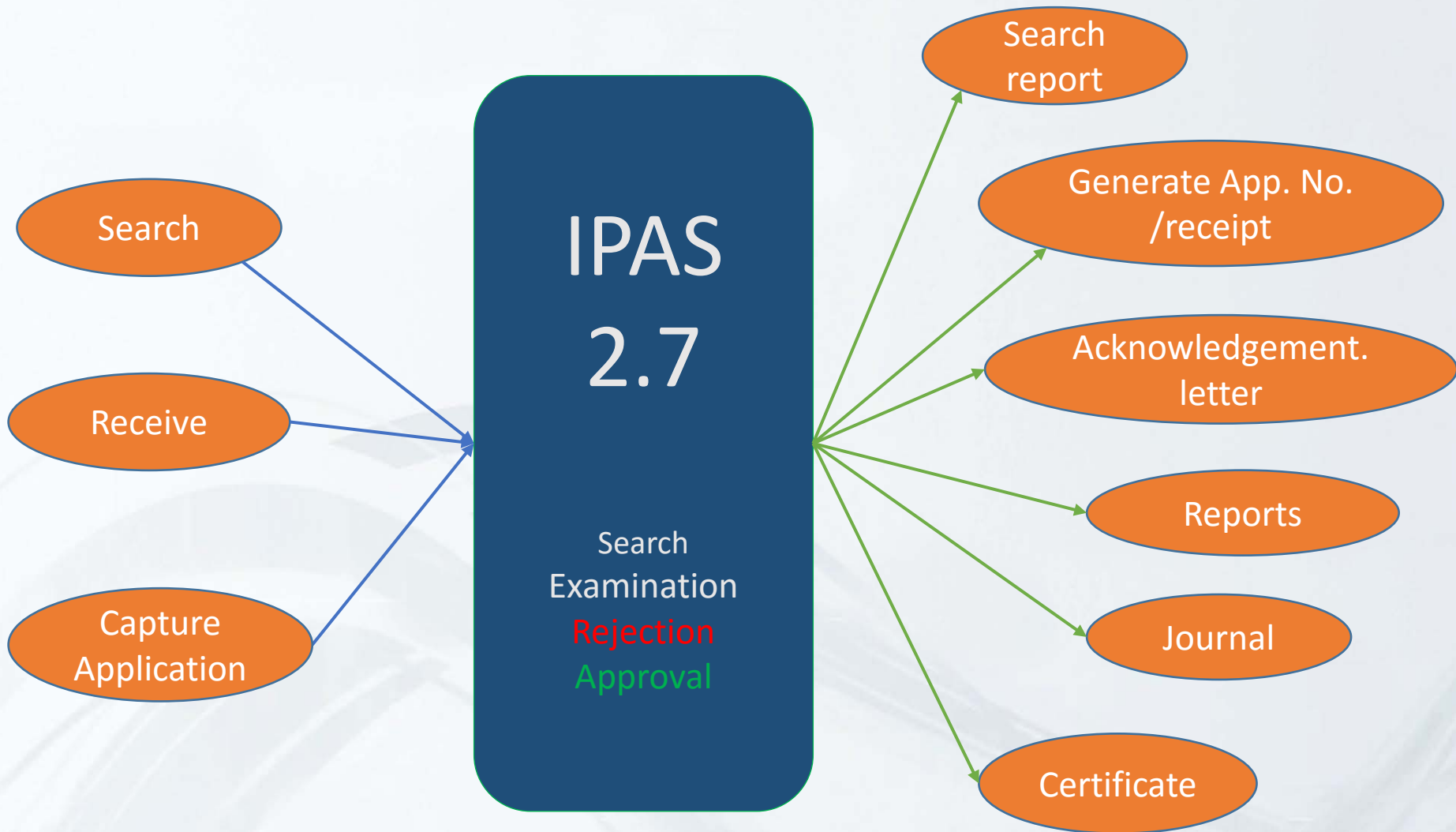


IPAS cont...

- The journal is however made available to the public at a fee.
- Reducing the cost employing the services of the National Publishing Corporation which requires resources



IPAS Operation in RGD



IPAS Generated Certificate



Republic of Ghana

TRADE MARKS ACT, 2004

CERTIFICATE OF REGISTRATION OF A TRADE MARK

The Trade Mark shown below has been registered in the Register as of June 17, 2013 in the name of THE SECOND CUP COFFEE COMPANY INC of 6303 AIRPORT ROAD, SUITE 103, MISSISSAUGA, ONTARIO L4V 1R8, CANADA under No. 45083 in respect of Coffee and tea shop services for consumption on or off the premises; cafe and restaurant services in International class 43



IN WITNESS WHEREOF I have caused my official
Seal to be hereunto affixed the June 17, 2016

[Handwritten Signature]
For: Registrar of Trade Marks

Registrar General's Department
P. O. Box 118
Accra
Ghana



Patent

- Patents are granted for a period of 20 years. The office also grants utility models for inventions or creations that are less skilful and technical in nature which does not satisfy the criteria for patentability for a period of 7 years.
- The office Receives the application
 - ◇ Check for legal formalities compliance i.e whether
 - the application is on the right sized paper
 - typed with prescribed margins
 - contain prescribed elements, example the request, the description and the claims
 - ◇ Prescribed fees are payed
- Forwards the application to ARIPO for search and substantive examination due to lack examiners



Industrial Design

- ❑ Established by the Industrial Design Act of 2003 which repealed the Textile Design Law.
- ❑ To allow for the protection of Textiles and Design, Configurations and Shapes.
- ❑ A manual system is used in the administration of industrial designs. These mean the applications and of various forms of designs are done physically through physical searches, physical examinations and then issuance of certificates physically. Constraints identified include inefficiency, delays and loss of files.
- ❑ Currently the Textiles are captured on an excel spread sheet.



Statistics

YEAR	TRADEMARK		PATENT		INDUSTRIAL DESIGN/ TEXTILE	
	APP. FILED	REGISTERED	APP. FILED	REGISTERED	APP. FILED	REGISTERED
2012	2559	1,629	32		7/353	
2013	2867	1,058	31		4/219	
2014	3034	855	26		7/447	
2015	2283	1,021	18		6/689	



Challenges

- The Trademark, Patent and Industrial Design Offices are understaffed and need human resource and adequate infrastructure to work effectively.
- There's also inefficient digitization of records and lack of ICT infrastructure.



Human Resource

Lawyers	12
Supporting Staff	10
Stenographer secretaries	2
Data entry clerks	5
I.T.	2



Funding

- The Registrar- General's Department is under the Civil Service and funded solely by the Government although the Department generate some revenue.
- The funding of the department should be reviewed, since current trends suggest that the funding received from government goes to pay salaries of staff and very little goes into investment in equipment and system.



Benefits of Automation (IPAS)

- Trademarks examinations are done faster
- We are able to publish the trademarks journal faster
- Easy preparation of statistical data
- Increase number of filings
- Increase in revenue



Future Plan

- Capturing all applications into IPAS and process them
- On-line filing of IP application to improve accessibility
- Providing for on-line payment systems



Conclusion

Automation has brought a great improvement in service delivery and can still be leveraged to increase customer satisfaction.



Thank You

