

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

Country report: IP Office automation – Status
and road map for Kenya Industrial Property
Institute (KIPI).

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1. Office Overview(About KIPI)

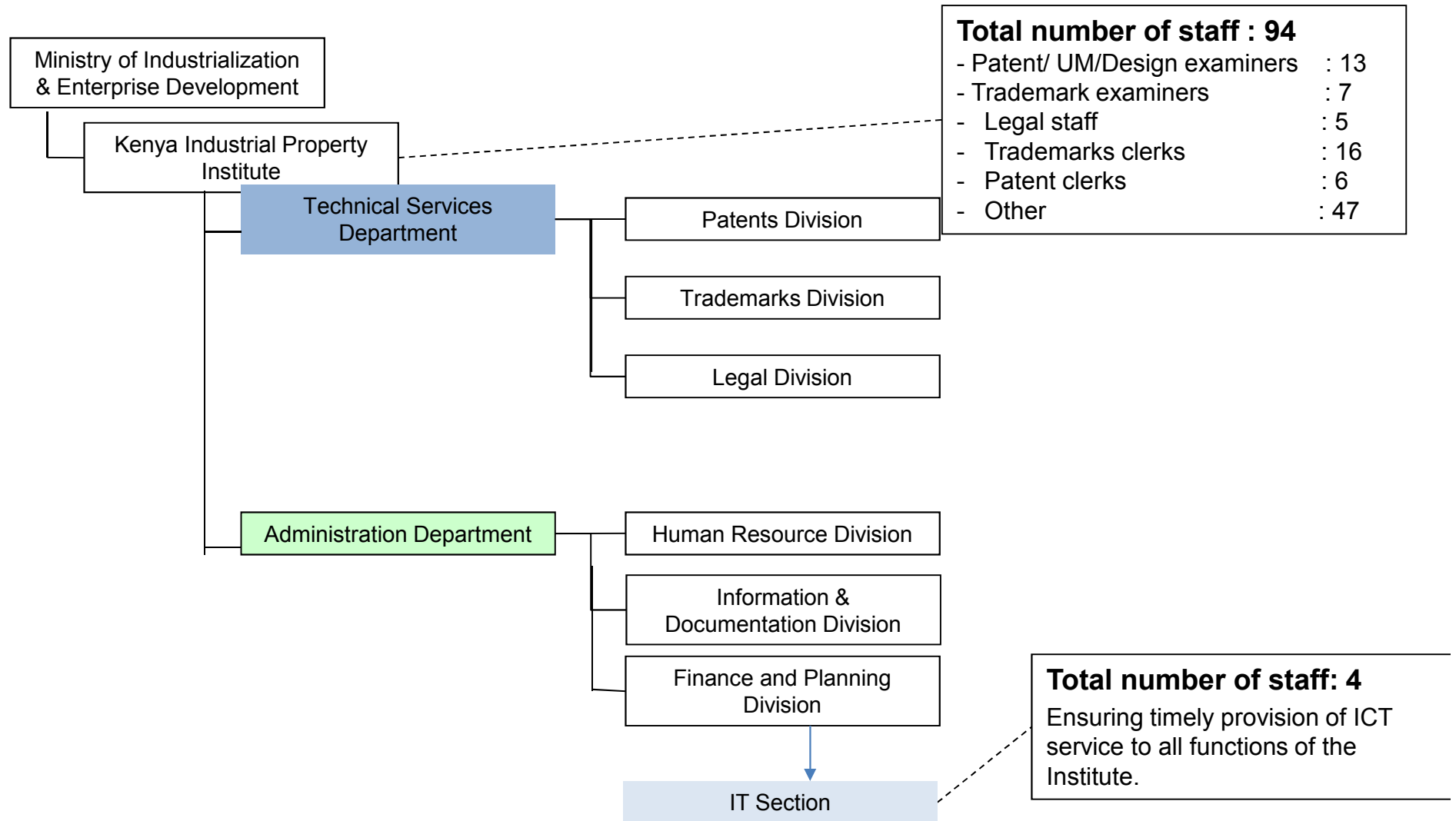
- Kenya Industrial Property Institute is a state corporation under Ministry of Industrialization and Enterprise Development.
- Established on 2nd May 2002 upon coming into force of the Industrial Property Act 2001.
- Previously existed as KIPO, which was established in February 1990 after enactment of the Industrial Property Act, CAP 509 of the Laws of Kenya.

Functions

The functions of the Institute are:-

- To consider applications for and grant, Industrial Property (IP)rights;
- To screen technology transfer agreements and licences;
- To provide to the public IP information for technological and economic development;
- To promote inventiveness and innovativeness in Kenya; and
- To organize and conduct training, competitions and awards relating to IP matters.

1. Office Overview (Organization structure)



2. IT Division Overview (IT division structure)

IT Division

Systems Administration Section

-Responsibility:

- Overseeing analysis, testing and implementation of ICT systems;
 - Overseeing maintenance of IPAS system and IPAS user support and other systems;
 - Maintenance of connectivity on data exchange between external databases and KIPi databases;
 - Maintaining a backup system the Institute;
- Number of staff: 2

Network & Hardware Section

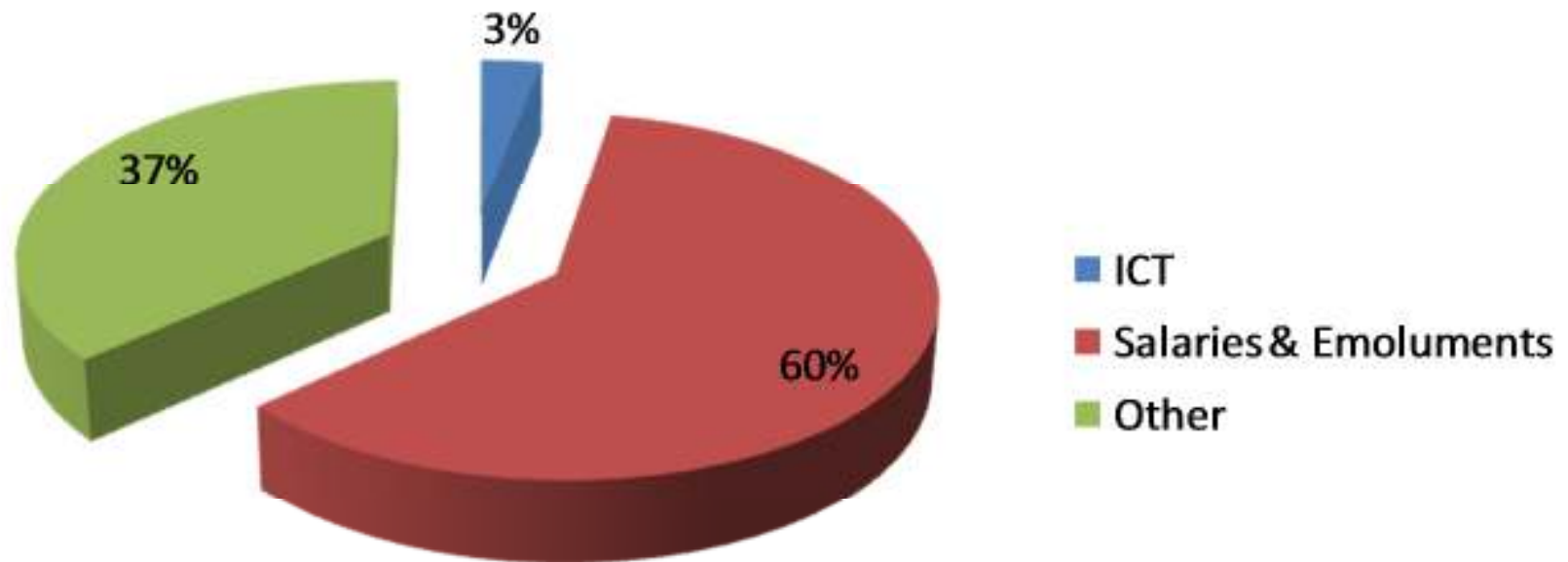
- Responsibility:

- Installation of software and hardware and Liaising with ICT vendors;
 - Maintenance of ICT equipment and related peripherals;
 - Configuration of Local Area Network and Wide Area Network;
 - Provision of technical support and guidance for the ICT infrastructure;
- Number of staff: 2

2. IT Section/Systems Overview

- Initially Institute used IPAS Centura since 2004;
- Upgraded to IPAS Java 2.6 in 2012; upgraded to 2.7 in 2014
- Currently using IPAS Java 3.1.1
- WIPOSCAN/EDMS in use

1. Office Overview (budget)



Total Budget estimate for 215/2016 was about Kshs 238 Million equivalent of US \$ 2.38 Million

1. Overview (IP legislation and relevant national legislation)

Name of Law/Act	Subjects	Date of entry into force/amendment (day/Month/year)
Industrial Property Act (2001) 2002	Patents/ Utility Models/Designs	Feb 03 1990/ May 02,
Trademark Act (cap 506)	Trademarks	April 13, 1959/1994/2002
Copyright Law	Copyrights	April 01, 1966/Dec 31, 2009
Anti-counterfeit Act	prohibit trade in counterfeit goods	July 01, 2009
Seeds & Plant varieties Act	Plant Variety, Seeds, breeders rights	May 29, 2009/August 01, 20

Patent Applications

Year	2010	2011	2012	2013	2014	2015
Residents	77	135	123	125	132	139
Non-Residents	2	1	8	4	1	4
PCT National phase (Non Residents)	118	121	128	111	75	53
Total National Applications	197	257	259	240	208	196
ARIPO Applications (Non Residents)	354	444	516	575	668	637
Total National + ARIPO)	551	701	775	815	876	833

Utility Model Applications

Year	2010	2011	2012	2013	2014	2015
Residents	28	51	68	78	83	114
Non-Residents	0	0	0	0	0	1
Total National Applications	28	51	68	78	83	115
ARIPO Applications (Non Residents)	0	1	2	3	4	1
Total National + ARIPO)	28	52	70	81	87	116

Patent Granted

Year	2010	2011	2012	2013	2014	2015
Residents	4	4	4	2	4	1
Non-Residents	3	0	0	0	0	0
PCT National phase (Non Residents)	47	55	72	69	49	23
Total National Applications	54	59	76	71	53	24
Grants through ARIPO (Non Residents)	94	128	179	230	210	358
Total National + ARIPO)	148	187	255	301	263	382

Utility Model Registration

Year	2010	2011	2012	2013	2014	2015
Residents	5	1	1	4	31	22
Non-Residents	0	0	0	0	0	0
Total National Applications	5	1	1	4	34	22
Grants through ARIPO (Non Residents)	0	0	0	0	0	3
Total National + ARIPO)	5	1	1	4	34	25

TRADE MARKS APPLICATIONS

Year	2010	2011	2012	2013	2014	2015
a)By Residents	2031	2501	2329	2787	3224	3432
b)By non- Residents	895	1031	1253	1182	1360	1261
c) Total No. Applications (=a +b)	2926	3532	3582	3969	4584	4693

TRADE MARKS REGISTRATIONS

Year	2010	2011	2012	2013	2014	2015
a)By Residents	1360	1586	1924	1883	2123	2350
b)By non- Residents	992	1001	1031	1175	1036	1142
c) Total No. Applications (=a +b)	2352	2588	2955	3058	3159	3492
MADRID SYSTEM						
d) Applications designating KE	1337	1602	1568	1827	1391	1963
Total National + Madrid (= c + d)	3689	4190	4523	4885	4550	5455

TRADE MARKS SEARCHES

Year	2010	2011	2012	2013	2014	2015
NATIONAL	843	1465	1422	1504	1593	1929

3. Current Automation Status (IT related Policies or recent plan)

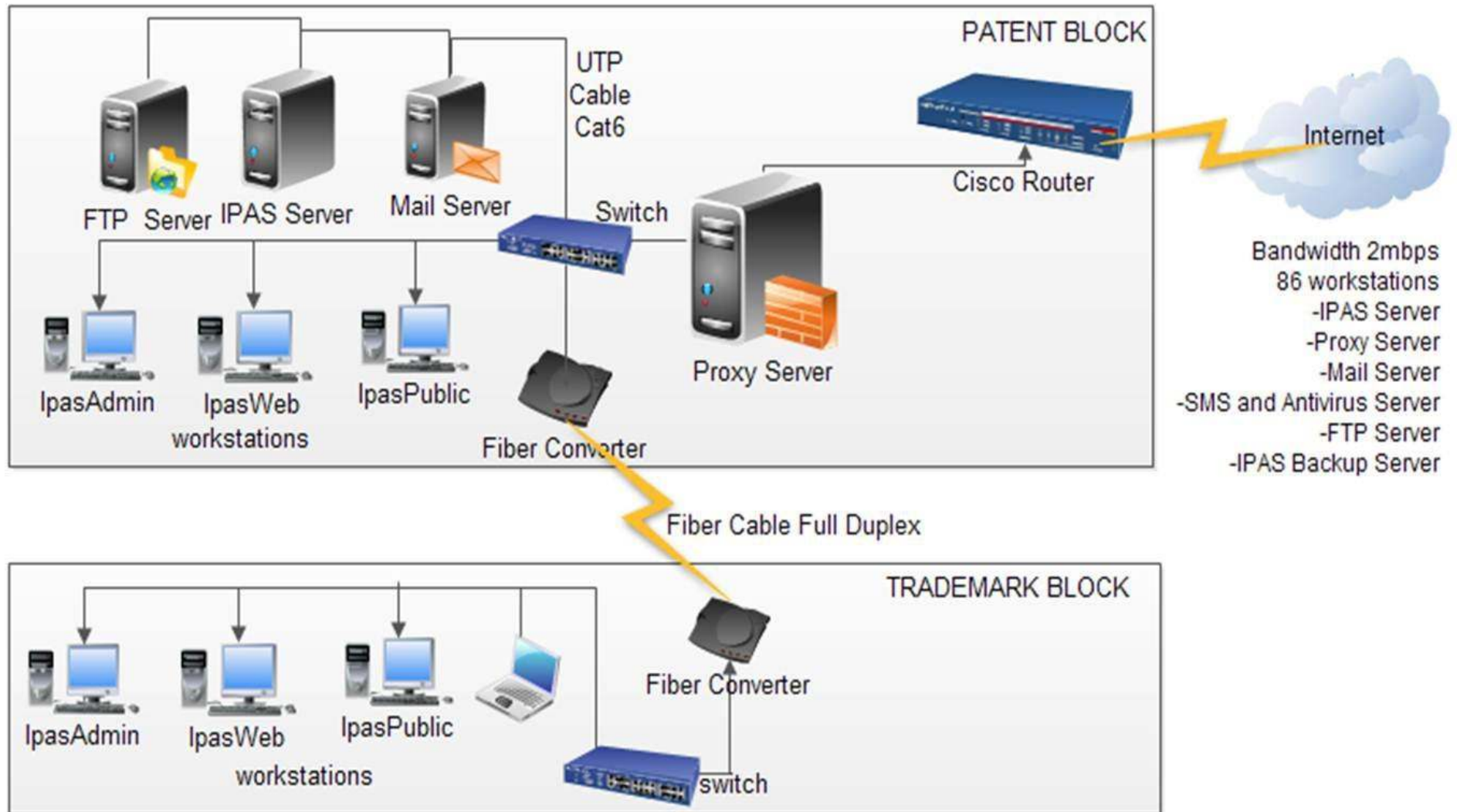
System Optimization plan

OBJECTIVES

- Provision of a regulated ICT infrastructure that delivers appropriate levels of data confidentiality, integrity, availability and ensure timely replacement of ICT equipment and software.
- Positioning ICT as a tool to support strategic functions at the Institute for the enhancement of documentation, processing and dissemination of IP information;
- Changing existing application Software so as to improve Performance management.
- Building Personnel capacity & capability for improved performance.
- Centralization of ICT systems, including training and encourage best use of new opportunities and technologies;
- Development and reviewing of effective information systems, including administrative and content information systems;

3. Current Automation Status

(systems for the administration of processes- Current architecture)



3. Current Automation Status (Data Entry scheme for Applications filed in paper)

Currently all applications are filed on paper.

- File taken to examiner in paper form.
- Recently, installed WIPO EDMS (an electronic document management system, based on the open source Nuxeo platform, that enables offices to create a fully electronic dossier to reduce or eliminate paper-based workflows);
- Paper file is scanned using WIPOScan (tools for automating the digitization workflow, including indexation, quality control, and formatting of electronic documents according to WIPO standards).
- Checks for errors and cleaning
- Data is uploaded into the the main Industrial Property Administration System (IPAS)– a WIPO-developed workflow-based and highly customizable system that supports all the major business processes of an IP office;

3. Current Automation Status (Publications/Gazettes)

- Main publication at the Institute is the IP Journal published monthly.
- Posted on the Institute website. (online since 2012)
- PDF format and downloadable free of charge.

Current Automation Status (Digitization)

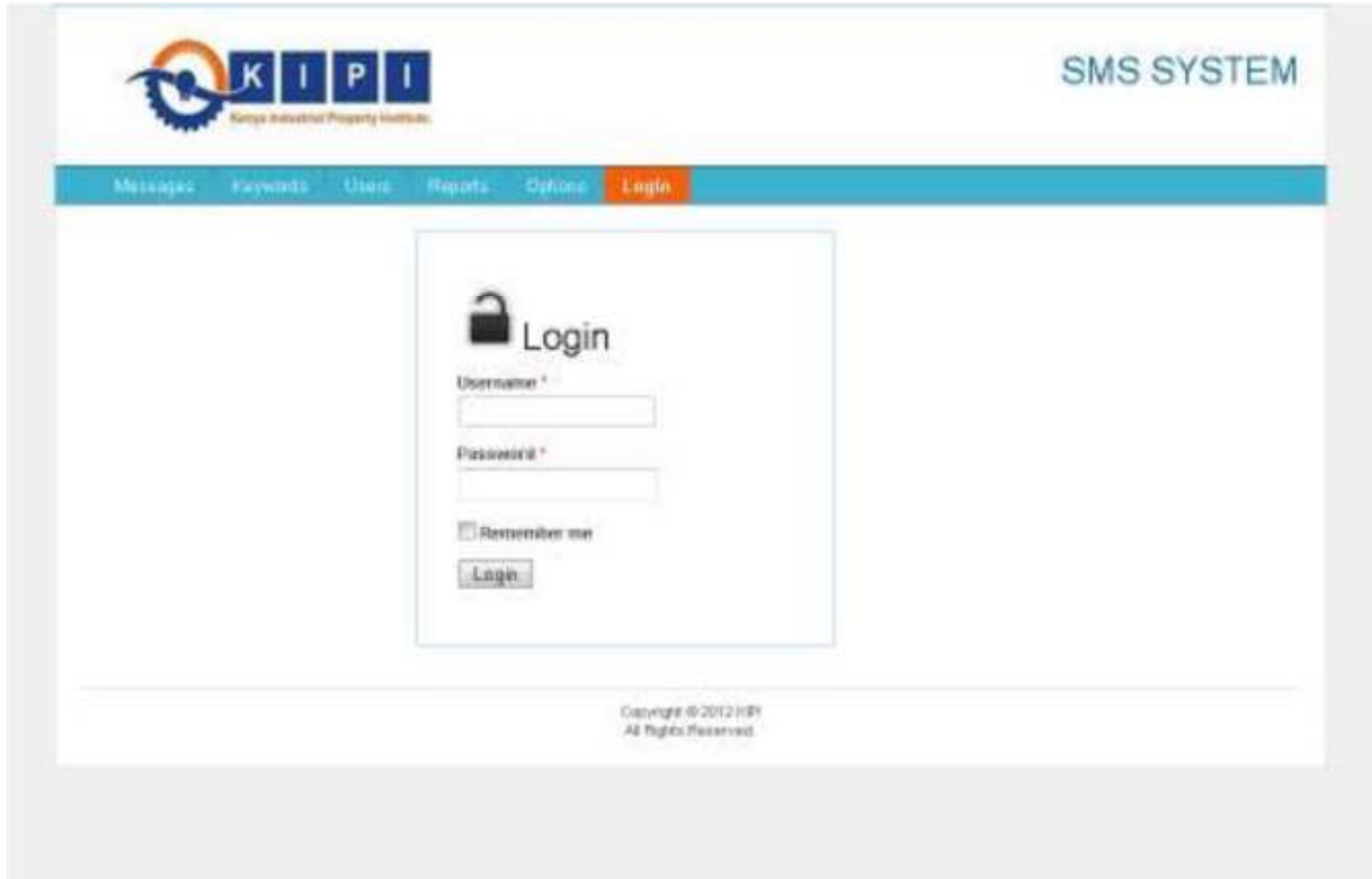
- Currently the institute is undertaking a project to digitize IP documents.
- The project is supported by WIPO IPOBSD
- The work was outsourced to a local firm.
- By the end of June, 1 million documents had been scanned and indexed, and are available on IPAS (ie approx 4800 p/u/id files; 20,000 trademark files).
- After project, KIPI to continue digitization of front files


3. Current Automation Status

(SMS based system for public inquiry of application status)


- Standard SMS system with an auto-response SMS system.
- Designed to accept and respond to structured queries.
- System allows users to query status of their application by use of sms sent to short code.
- The SMS sent by the members of the public are processed by the system automatically and an appropriate response sent to the user based on the sent query.
- The system applies for all the applications i.e. Patents, UM, ID & Trademarks
- Service is charged at USD 0.11 (=KES 10.) per sms

3. Current Automation Status (SMS system ..admin screen)



 SMS SYSTEM

Messages Keywords Users Reports Options **Login**

 Login

Username *

Password *

Remember me

Login

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3. Current Automation Status (SMS system ..Reports)

System generates graphical monthly reports based on the number of SMS received. Reports are categorized as:

- All SMS Reports -shows all monthly reports of received SMS.
- Processed SMS Reports -shows only the monthly Processed SMS .
- Unstructured SMS Reports -shows the monthly unstructured SMS received regardless whether they have been manually responded to.
- Outgoing SMS Reports - shows only the monthly Outgoing SMS.
- Incoming SMS Report -This shows the comparison between the Processed SMS against the Unstructured SMS per month.

3. Current Automation Status (Mobile money payment)

- KIPi has partnered with mobile money service (M-Pesa) for clients to pay the patent/trademark fees using the service.
- M-Pesa is the world's most successful money transfer service that allows users to send and receive money, top-up airtime and make bill payments from their phones.
- Customers register for the service at an authorized agent, often this is a small mobile phone store or retailer, and then deposit cash in exchange for electronic money which they can use for financial Transactions.
- Once they have registered all transactions are completed securely by entering a PIN number and both parties receive an SMS confirming the amount that has been transferred. The recipient receives the electronic money in real-time and can redeem it for cash from an agent.

3. Current Automation Status (Law amendments related to IT system)

- Draft legislation to change the pre-registration of mark search requirement. This will lead to of the IPAS public module and have applicants carry out searches by themselves.
- Legislation on merger of KIPI, Kenya Copyright Board and Anti-Counterfeit Agency (ACA) to bring IP matters under one agency.
- discontinuation of substantive examinations in relation to utility model applications to speed up UM examination.

3. Current Automation Status

(Impact of the deployment of IT solutions on processes and services at the office)

- Introduction of EDMS- particularly for patents- has ensured easy accessibility of documents/ reduced cases of missing/misplaced files.
- The publishing of IP journal on website instead of printing as previously done led to cost reduction in terms of printing and manpower and increased accessibility and distribution.
- Use of M-pesa service has improved efficiency in revenue collection, security, and saved time.
- Improved productivity and Efficiency
- Shorter turnaround time – Application to grant/registration
- Decreased operation cost
- Staff motivation

3. Current Automation Status

➤ **Communication/transmission of data undertaken with IB and/or the other IP offices in regard to international treaties, regional work-sharing and/or bilateral cooperation**

- Our office uses PCT-EDI to send/receive the documents to/from IB and;
- KIPI and ARIPO uses PCT-EDI to exchange documents.
- Granted patents are scanned and uploaded to the EDI for WIPO to put on Patentscope database

3. Current Automation Status (Challenges/ difficulties on IT systems)

- ICT section is under resourced when compared to industry benchmarks, in terms of infrastructure, skilled human resources and finances;
- Not fully automated; paper document is legal document; as we move away from the paper documents there is need for digital signatures used to publish electronic documents.
- Some technical system issues. Eg we had a case of Corrupted database due to frequent power failures as well as Wrongly captured data

To solve the difficulties, we ...

- Attend training sessions/workshops, liaising with WIPO regional experts
- Developed ICT strategy to drive ICT function at the Institute
- Advocate for establishment of ICT policies, legal framework, and standards

4. Current Status of System Management

Manuals for system operation management

- IPAS user manual
- incorporation of ICT training policy in Institute policy
- Clearly outlined backup instructions

Manuals for maintenance

- Manual that outlines system maintenance
- IPAS JAVA - Installation and Administration Guide
- Trouble-shooting eg system architecture manual

Manuals other than the above

- ICT Security policy for office staff
- ICT roadmap document

5. Current status of data exchange with other Offices

	The name of organization from which my office receives the data concerning IPR information, including gazettes and its data format	The name of organization to which my office provides the data concerning IPR information, including gazettes and its data format
Patent/Utility model	ARIPO (patent documents in PDF)	ARIPO (patent documents in PDF)
Design	ARIPO	
Trademark	WIPO(Madrid marks in XML)	
Appeal/Trial		

6. Future Automation Plans

Further IT-related Plans or Strategies

Short Term Plans

We completed development of ICT Strategy to drive ICT direction at KIPI.

- Medium Term Plans

- Liase with WIPO for set up of Online Filing system.

- mobile payment system (M-pesa)

- Long Term Plans

- Incorporation of fee management (e-payment and m-payment) in IPAS.

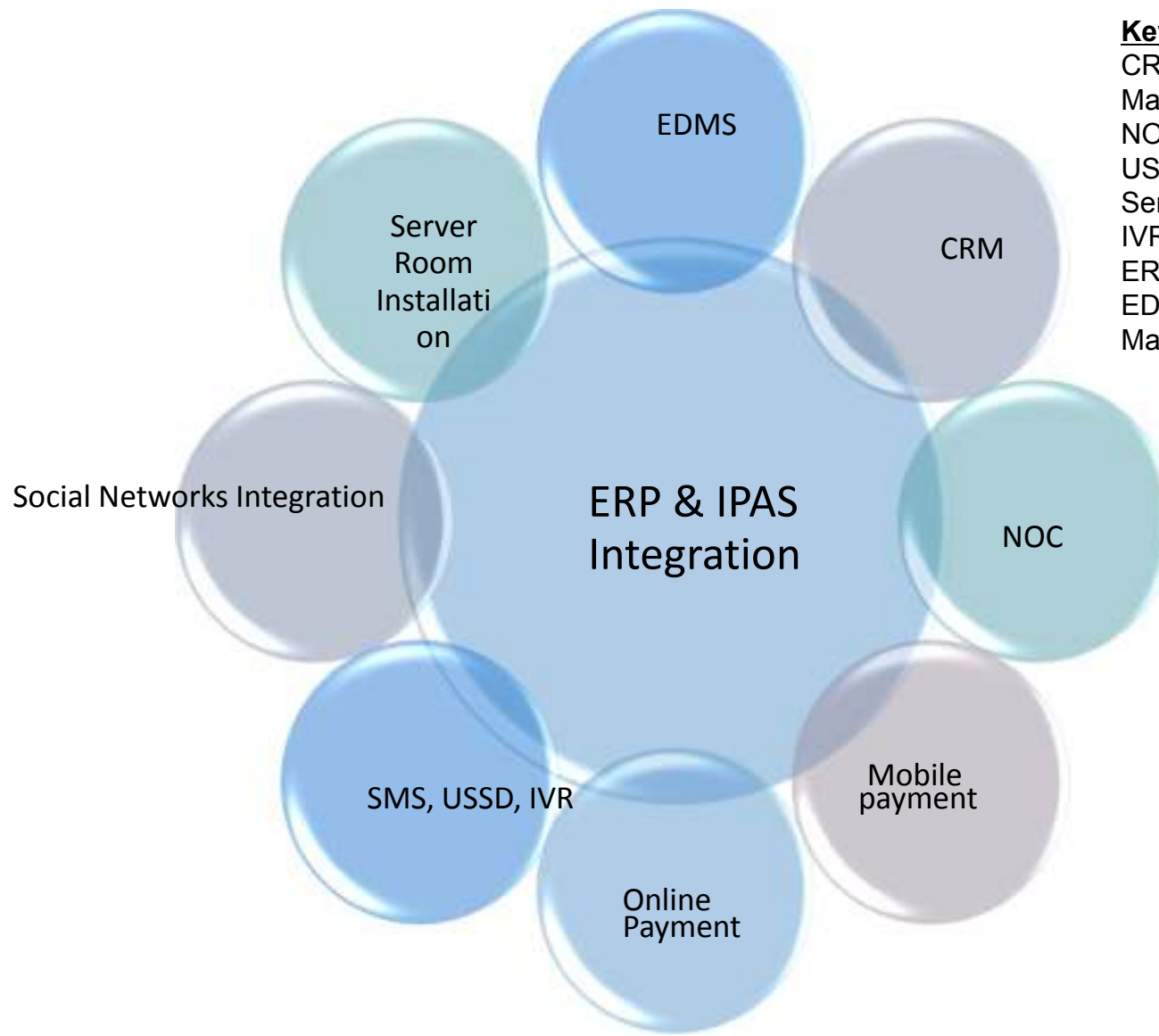
- Setting up an Enterprise Resource Planning with back end compatibility to IPAS

- Develop a disaster recovery plan.

➤ Further improvement of IT system/efficient utilization at KIPI

- investment in and upgrading of technology platforms;
- Strengthen the engagement mechanisms between the public and the private sectors in policy and strategy development as well as in monitoring and progress.
- Mobilize additional resources for investment in priority areas of the IP sector, including developing viable financing options, legal and regulatory provisions for private sector participation;
- Leverage the private sector contribution to national IP goals to improve the delivery of IPR services.

6. Future Automation Plans (Proposed system integration implementation model)



Key

CRM – Customer Relationship Management

NOC – Network operation center

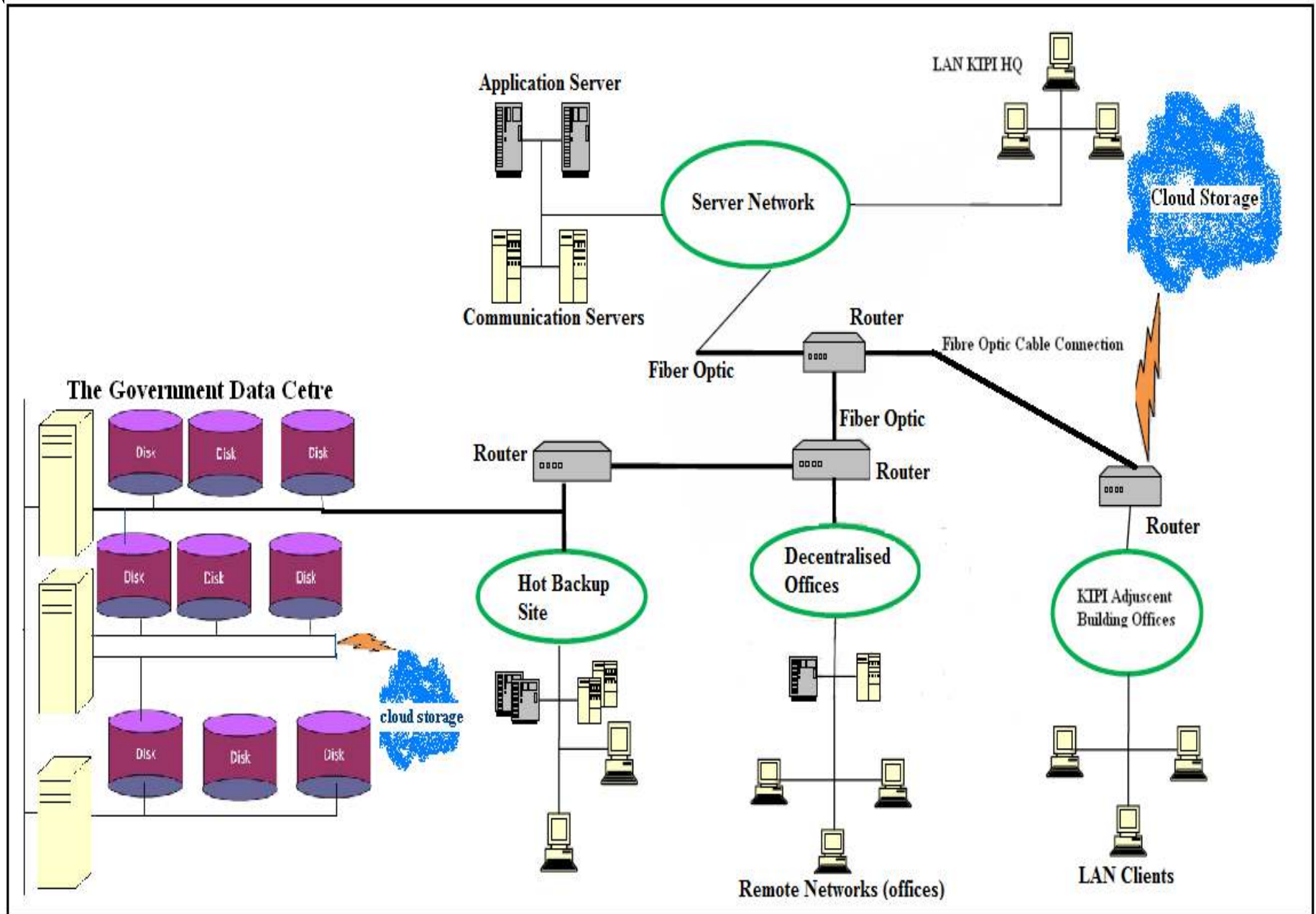
USSD – Unstructured Supplementary Service Data

IVR – Interactive Voice Response

ERP – Enterprise Resource Planning

EDMS – Electronic Document Management System

6. Future Automation Plans (Proposed Technical Architecture)



6. Future Automation Plans

- Digitization of Patent and Trademark registries for faster delivery of information to users.
- Establish IP information kiosks for public use at the Institute, to provide access to IP information, personal searches, education, advice and increasing recognition of IP.
- Integration of e-filing into the system.
- Increase IT performance tools and infrastructure to support IP administration.
- Automation of Human resources linking other departments using ERP solutions.
- Online publication of applications
- Fee management system linked to IPAS
- Patent agents admission and management system

7. Benefits from Previous WIPO Training Courses related to IT system

- Gained knowledge and deeper understanding of use of IT in modern IPR administration.
- Fostered cooperation between Kenya and WIPO, JPO and other participating states.
- Acquired information about best practices .
- Learnt challenges encountered in using IT for the administration of IP.
- Digitization of existing paper-documents;

8. Technical assistance desired by the Office from WIPO

- Setting up a fully functional and integrated online filing (e-filing) and Payment System ie WIPO FILE module;
- Assistance with regards to setting up of public search module in IPAS;
- Launch/set up of WIPO Publish and WIPO CASE
- Data verification exercise

Our Contacts

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Q & A

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