IPAS Deployment Case Study in Botswana

WIPO IPAS Regional Training Workshop

Harare–Zimbabwe 14th to 18th October 2013

OUTLINE

- INTRODUCTION
- THE ROLE OF IP DIVISION
- THE ROLE OF IT DIVISION
- IP REGISTRATION PROCESS IN BOTSWANA-TRADEMARKS
- IP REGISTRATION PROCESS IN BOTSWANA-PATENTS
- AUTOMATION OF IP PROCESSES IN BOTSWANA
- IPAS SYSTEMS USER INTERFACES
- IPAS INFRASTRUCTURE
- IPAS ARCHITECTURE-BOTSWANA
- IPAS DESIGNER SYSTEM OVERVIEW
- ▶ IPAS CONFIGURATION IN BOTSWANA.....Trademarks Workflow
- IPAS CONFIGURATION IN BOTSWANA.....Madrid Workflow Explained
- IPAS CONFIGURATION IN BOTSWANA.....PATENTS WORKFLOW
- HOW IP WORK WAS DONE BEFORE AUTOMATION
- EXAMPLE: HOW TRADEMARKS USED TO BE EXAMINED
- FXAMPLE: HOW TRADEMARKS ARE NOW EXAMINED.
- HOW AUTOMATION BENEFITED BOTSWANA
- FUTURE PLANS FOR BOTSWANA IPAS
- CONCLUSION

Introduction

The office of Registrar of Companies & Intellectual Property (ROCIP) is a department under the Ministry of Trade and Industry in Botswana and it exists to administer four pieces of legislations being the;

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

The Industrial Property Division is responsible for administering the Industrial Property Act and has improved its operational efficiency and effectiveness through process re-engineering and automation.

THE ROLE OF IP DIVISION

To re-engineer the work processes in order to improve service delivery in accordance with the **Industrial Property Act**, [CAP.68:03].

The act provides for the protection of industrial property rights in relation to patents, trademarks, utility model certificates and industrial designs. The Act was reviewed in 2010 to align it to International Treaties, Agreements and Conventions to which Botswana is a member of. The new Act now includes;

- Geographical Indications
- Trade Secrets and
- Traditional Knowledge

THE ROLE OF IP DIVISION continued...

Industrial Property is part of the wider body of law known as intellectual property. The term <u>intellectual property</u> refers to creations of the human mind. Intellectual Property Laws protect the interests of creators by giving them property rights over their creations. On a daily basis the IP Division;

- Grants Patents
- Registration of Industrial Design
- Registration of Utility Model Certificates
- Grants Protection to Trademarks Relating Goods and Services
- Registrar Hears cases relating to Registration, Opposition matters
- Post Registration matters

THE ROLE OF IT DIVISION

- Making sure that the IPAS System is configured according to the IP Law
- Ensuring that the system is up and running
- Procurement of Equipment(PC's, Printer.etc...
- Installing the IPAS System on Client Computers
- Configuring IPAS Office Templates
- Interfacing with the Companies Registration which has improved financial management as the Companies Registration System is used for payment of applications
- Provision of an up to date search Module on the Website where customers can search for Trademark Names before applying for one
- Weekly downloading of the Madrid Trademarks
- Backups
- Working closely with the WIPO IT Experts to acquire knowledge and skills transfer

IP REGISTRATION PROCESS IN BOTSWANA – TRADEMARKS

- A Trade/Service mark is a word, symbol, logo or combination of both, which distinguishes goods/services of one enterprise from those of the other. e.g. Coca Cola, All Kasi.
- Application for Trademark
- The customer fills Form 7 obtainable from the Office to Registrar of Companies and Intellectual Property in Gaborone(P O Box 102, Gaborone, Plot 181 Kgale Mews) and Francistown (P.O Box 2301, Francistown, Plot 14201 Block 8) and writes a letter to the Registrar attaching the form requesting the registration of a trademark.

IP REGISTRATION PROCESS IN BOTSWANA - TRADEMARKS Conti...

- The customer submits the letter of request to register a trademark to the offices of ROCIP
- When submitting the letter an application fee of BWP 120/BWP 240 is required.
- Check response after 5 working days as to whether the trademark has been accepted or rejected.
- Accepted marks will be published for in the Patents and trademarks journal for a period of three(3) months, to allow third parties to raise objections to registration if any.

IP REGISTRATION PROCESS IN BOTSWANA – PATENTS

A patent is an exclusive right and protection for an invention given for a limited period of time. (In Botswana 20 years are given from the date of filing the application).

Application for a patent

• The customer fills Form 1 obtainable from the Office to Registrar of Companies and Intellectual Property in Gaborone(P O Box 102,Gaborone, Plot 181 Kgale Mews) and Francistown (P.O Box 2301,Francistown,Plot 14201 Block 8) and writes a letter to the Registrar attaching the form requesting the registration of a patent.

IP REGISTRATION PROCESS IN BOTSWANA - PATENTS Conti...

- The customer submits the letter of request to register a patent to the offices of ROCIP
- When submitting the letter an application fee of BWP 100/BWP 200 is required.
- After receiving the application the office checks the application to ensure that it is properly filled(Formal examination).
- The application will then be transmitted to the African Regional Intellectual Property Organization(ARIPO) in Harare, Zimbabwe, to assess whether the patent is registrable (Substantive examination). This can take a period of 18-24

IP REGISTRATION PROCESS IN BOTSWANA - PATENTS Conti...

Patent registration/grant

- After the office receives the examination report from ARIPO indicating the results of whether a patent can be granted or not, the office will communicate the results with the applicant.
- Where a patent can be granted a registration/grant fee of BWP120/BWP 240 will be required.
- After the required fee is paid a certificate of registration/grant of a patent will be issued by the office within 5 working days.

AUTOMATION OF IP PROCESSES IN BOTSWANA

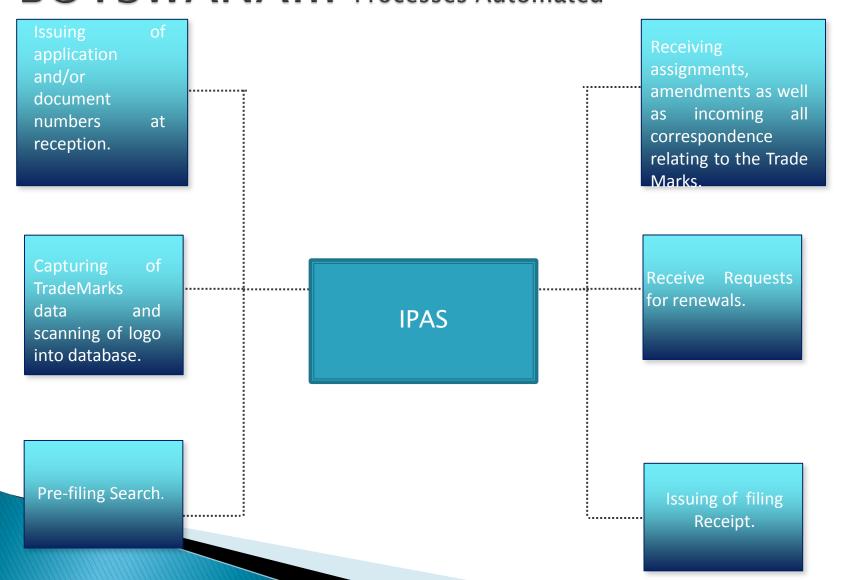
- Automation of the Industrial Property started in 2004.
- The World Intellectual Property Organization Provided the Industrial Property Automated System(IPAS); software and hardware.
- The Project started with the capturing of all trademarks into the database in 2004.
- Patents were captured into IPAS in 2008

AUTOMATION OF IP PROCESSES IN BOTSWANA Conti.....

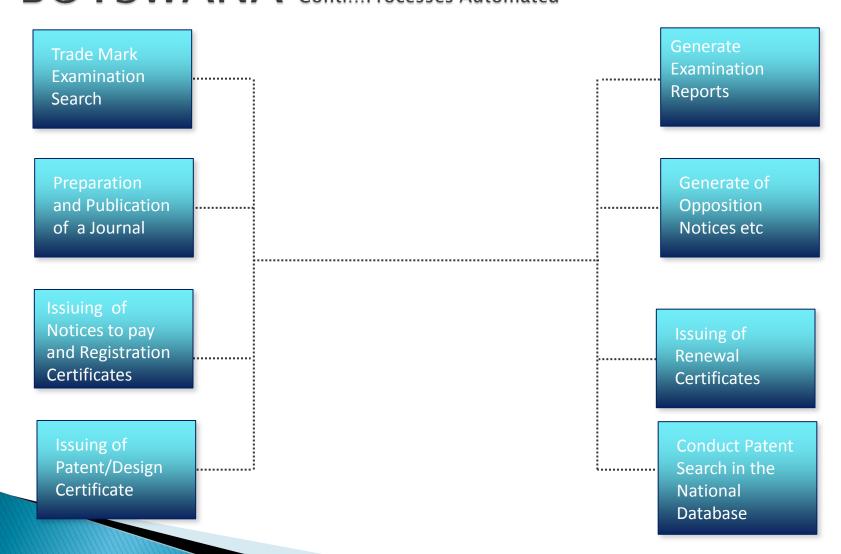
WHAT IS IPAS IN THE FIRST PLACE?

- PAS is a flexible, modular system that has been customized to ROCIP's Industrial Property (IP) division's needs to automate the IP business and administrative processes from application reception to registration, including post-registration actions such as amendments, assignment, renewal and annuities.
- > IPAS is one of the key components of the global IP infrastructure that is used by WIPO along with a set of modernization services, to offer a comprehensive sustainable automation solution to requesting IP offices like Botswana

AUTOMATION OF IP PROCESSES IN BOTSWANA... Processes Automated



AUTOMATION OF IP PROCESSES IN BOTSWANA Conti...Processes Automated



AUTOMATION OF IP PROCESSES IN BOTSWANA conti... Data Capturing Challenges

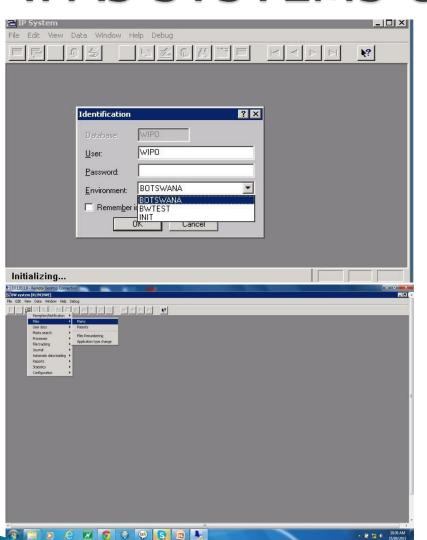
- ROCIP employed temporary staff members who were challenged with understanding the IP Jargon
- Quality Checks were done, however there are still some figurative marks that are still not captured into the system

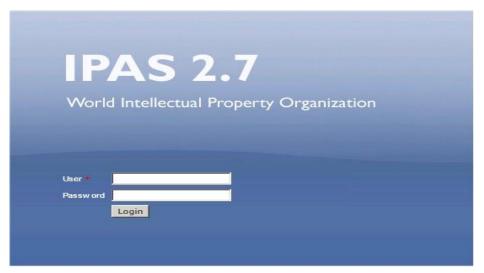
AUTOMATION OF IP PROCESSES IN BOTSWANA CONTI....

Introduction of IPAS JAVA & What it meant for BOTSWANA

- > The new system was fresh and more user friendly, however as it is normal with any change there were a few users who had a bit of resistance to the new system
- > IPAS JAVA rolled out to BOTSWANA in August 2012. Since IPAS JAVA is web based (unlike IPAS Centura), this meant that for the first time IPAS could be used in outstations and the new system was rolled out to two of Botswana's outstations in April 2013 (That is Francistown and Maun.

IPAS SYSTEMS User Interfaces







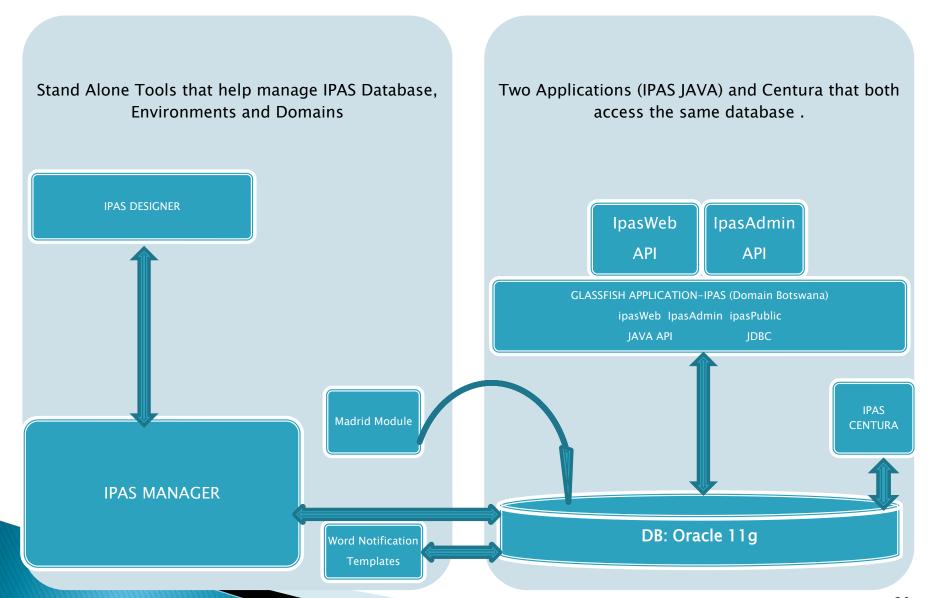
IPAS INFRASTRUCTURE-BOTSWANA

Infrastructure of Botswana IPAS:

- Windows server 2008
- Database: Oracle 11g
- Application Server-Glassfish Version 3.1
- Intelligent UPS
- LAN: 1000 Mbps
- 20 Clients Machines: WinXP, Vista, Windows 7 and 8 connecting to Server

IPAS ARCHITECTURE-BOTSWANA

explanation of this architecture briefly explained......



IPAS ARCHITECTURE-BOTSWANA Conti.....

- The Domain called Botswana is created within the Application Server and it is linked to an environment also called Botswana within the Database.
- The Web Applications being IpasWeb, IpasAdmin and IpasPublic are deployed within the domain.
- These Web Applications also exist externally outside of the server on client machines and are connected through the network and access the Application via IPAS API.
- The Domain Botswana contains a set of programs that manipulate data within the Botswana Environment
- The Botswana Database name is called ROCIPO and it has three Environments being the Production Environment:Botswana and the Test Environment:BW Test and the INIT:INIT
- The IPAS Manager Tool is a stand alone tool that is used for creating and managing an IPAS Environment.
- The IPAS Designer Tool is used for editing the IPAS JAVA Configuration
- IPAS Madrid Module is used to automatically download the electronic notifications and uses the information in those electronic notifications to insert new International Trademark Applications to be processed by the office.

IPAS ARCHITECTURE-BOTSWANA Conti.....

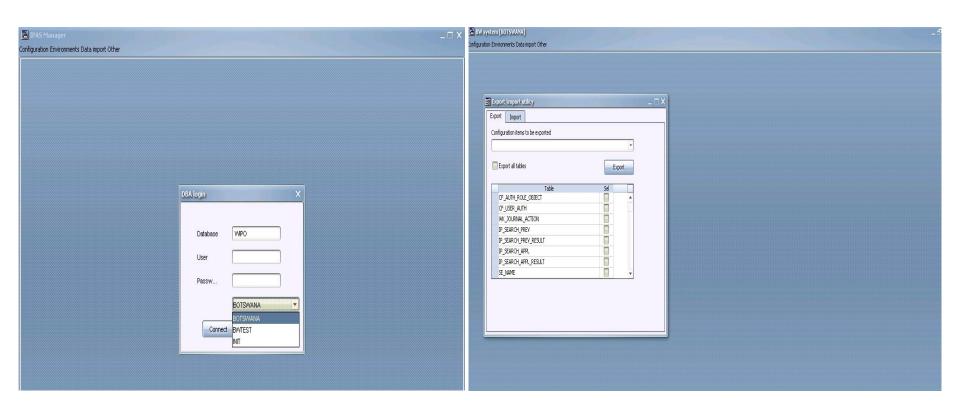
"System Configuration"

Botswana customized its IPAS functionalities according to Botswana Industrial Property Act of 1996 and regulations which was later amended to form Industrial Act 2010.

IPAS Designer is used to customize and make changes of these functionalities. The IPAS Designer output (the workflow) is an XML File that is used by the IPAS Manager to Populate the CF_IPAS Tables, which tables determine the behavior of the system

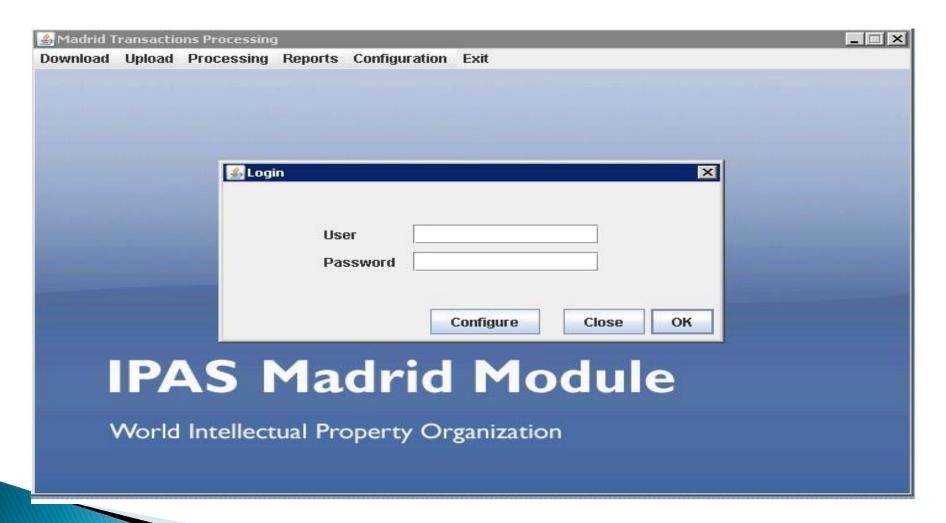
IPAS ARCHITECTURE-BOTSWANA Conti.....

"IPAS MANAGER" a brief explanation by presenter

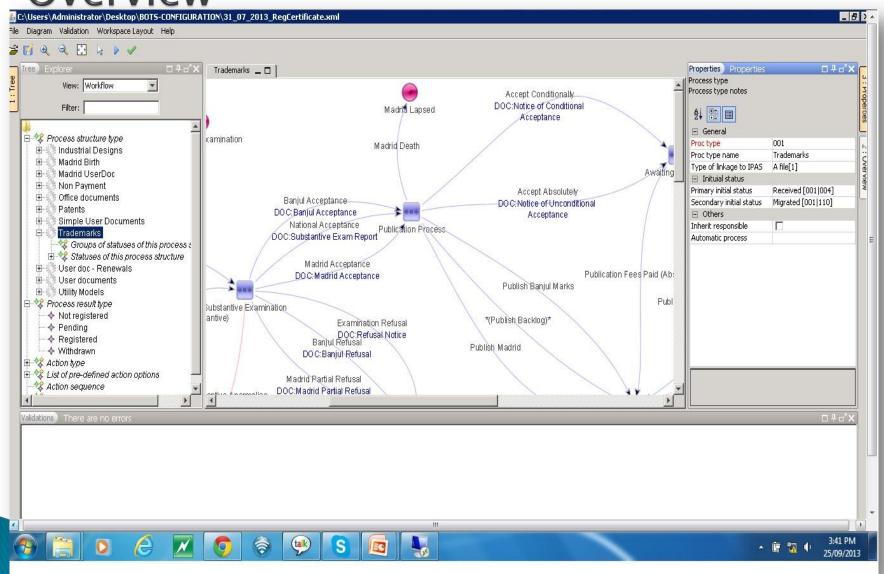


IPAS ARCHITECTURE-BOTSWANA Conti......

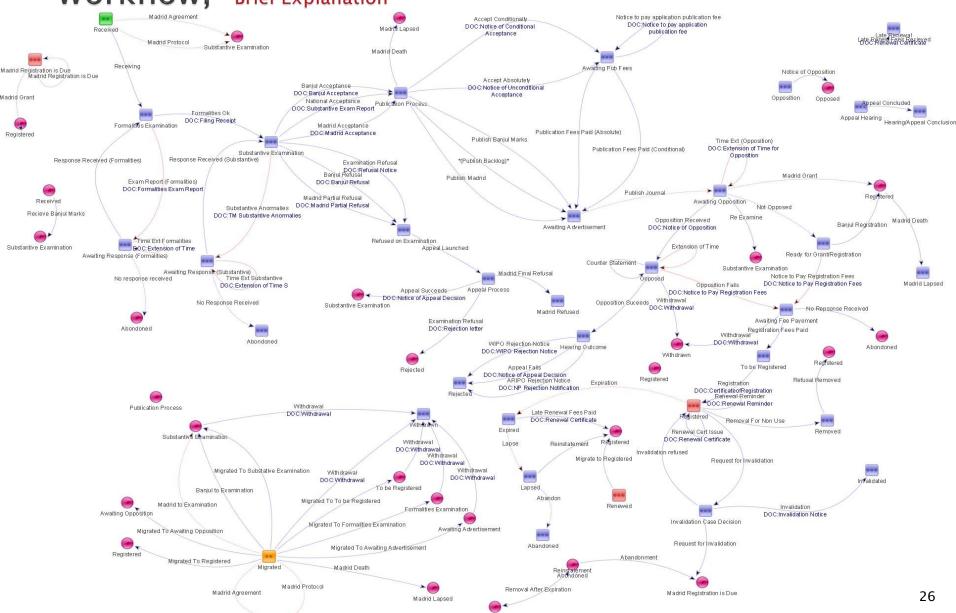
"IPAS MADRID" a brief explanation.....



BOTSWANA IPAS Designer System Overview

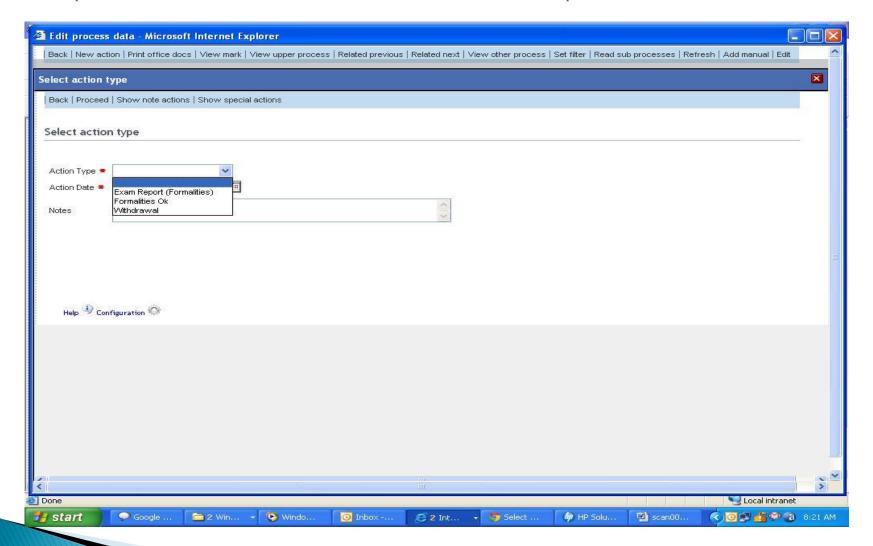


IPAS CONFIGURATION IN BOTSWANA...Trademark Workflow, "Brief Explanation"

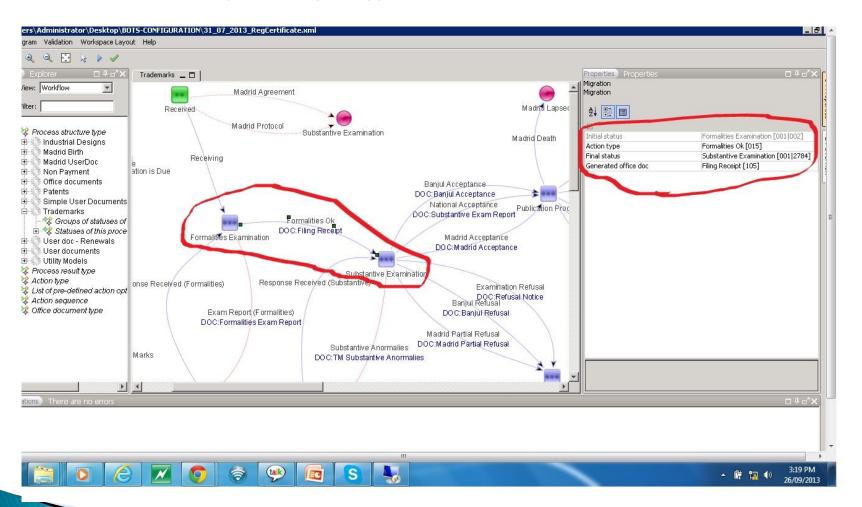


IPAS CONFIGURATION IN BOTSWANA...Trademark Workflow Contin..., "

Output on the User Interface, e.g Formalities Examination" The Actions (The Arrows) are actually on the Dropdown list on the user Interface side where the user has options of which action to take.

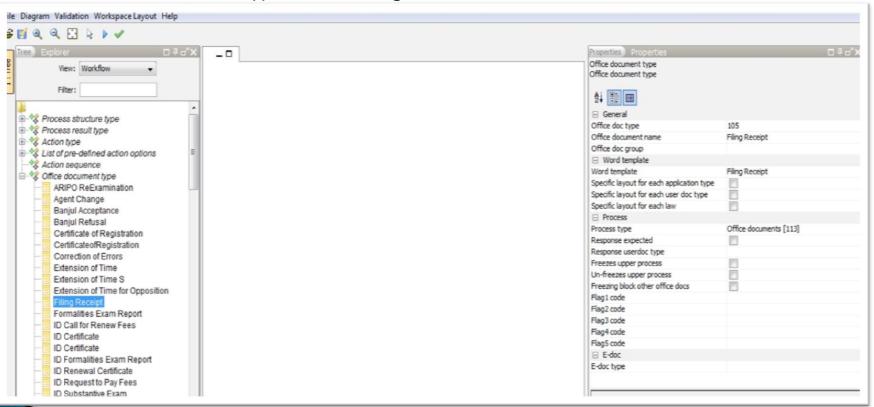


IPAS CONFIGURATION IN BOTSWANA...Trademark Workflow Conti...." Notice that the Formalities ok action has got an office document attached to it (Filing Receipt). This is configured on Designer Properties Pane on the right. So when the user chooses that action, there will automatically be an office Word Document output to notify the applicant of the action taken



IPAS CONFIGURATION IN BOTSWANA...Trademark Workflow Conti...." Filing Receipt OfficeWord Document example

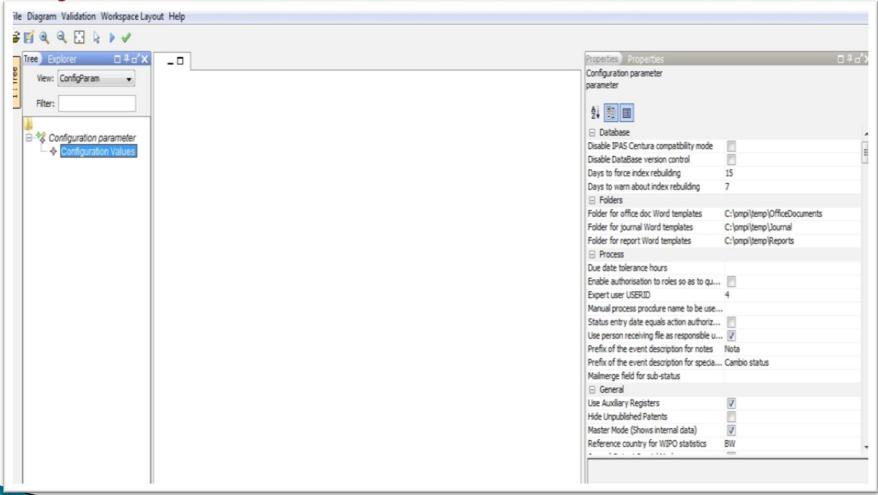
Before an office word document can be available as an option on the drop down list of, "Generate Office Doc" as indicated in the previous slide it has got to be created under the office Document Type on the Designer Workflow as indicated below;



IPAS CONFIGURATION IN BOTSWANA...Trademark

Workflow Conti...." Location of IPAS Output Word Documents Defined on

Designer"

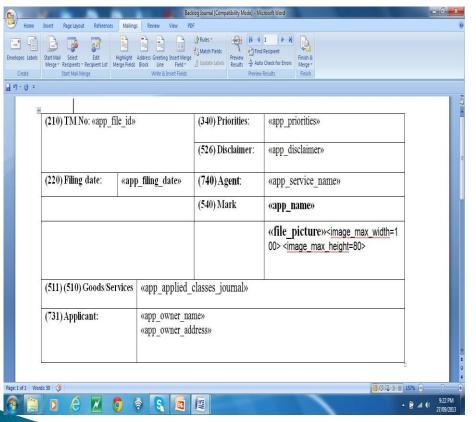


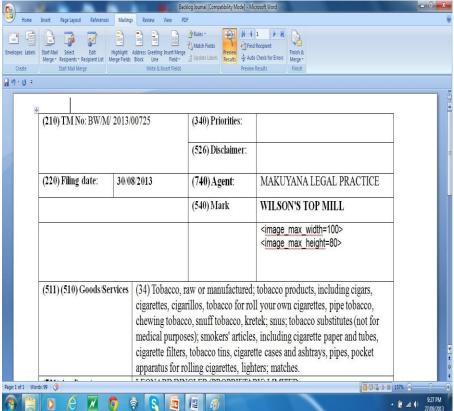
IPAS CONFIGURATION IN BOTSWANA...Trademark Workflow continued Word Documents "Word Document coming out from the system? How come? What Information does it have?

- IpasJava uses Java Library called Aspose. Words (Java Version).
- Developers can programmatically create, modify, extract and replace all document element including sections, headers, footers, images, text, tables, etc...
- The above features are used by IPAS Java to allow not only simple text but more sophisticated processing like inclusion of images and tables in an output field. These features are especially useful for the inclusion of trademark logos in documents like journals
- The data for the Mail Merge fields comes directly from Java Structures
- The generated documents can either be stored locally in the file system in cases of journal generation or the output coming out directly from a client computer, e.g.. In our previous example of formalities ok, a filing receipt word document is generated from the client machine
- Through IPAS Designer, the location of these Mail Merge Word files must be configured so that the IPAS System knows where to get a particular Word output Document and extract data from the database based on the configured Mail Merge Fields C:\ompi\temp\OfficeDocuments

IPAS CONFIGURATION IN BOTSWANA...Trademark Workflow continued Word Documents "Word Document coming out from the system? How come? What Information does it have?

Below is an example of a Word Template with configured Mail Merge Fields and next to it is the extracted data based on the configuration.

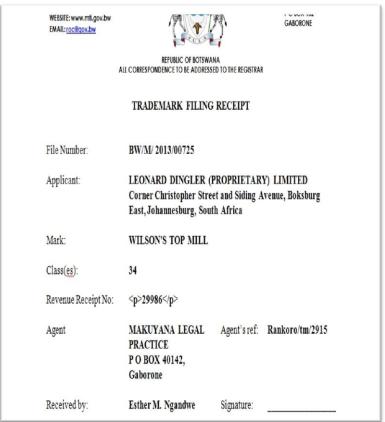




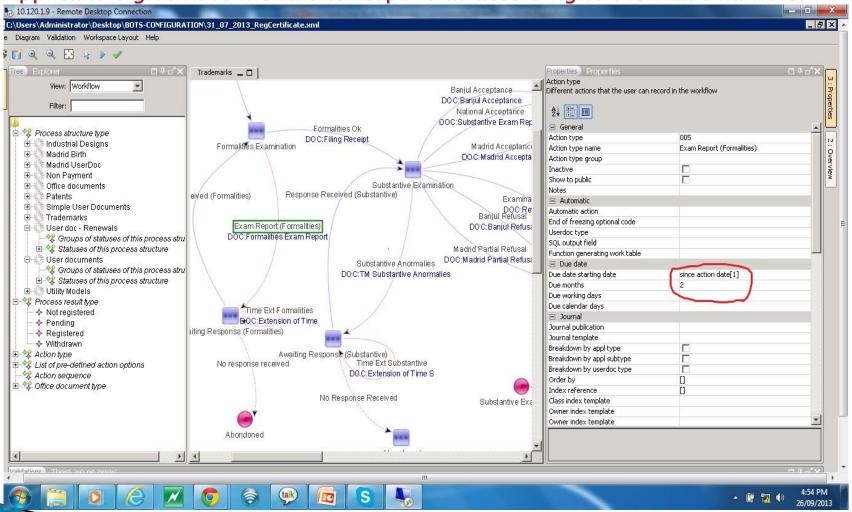
IPAS CONFIGURATION IN BOTSWANA...Trademark Workflow Conti.... Word Documents Conti.... "Word Document coming out from the system? How come? What Information does it have?

 Going back to our previous example of "formalities ok" action where an office document output of "filing receipt" is produced the Mail Merge Configuration is shown below, next to it is the Extracted data document.

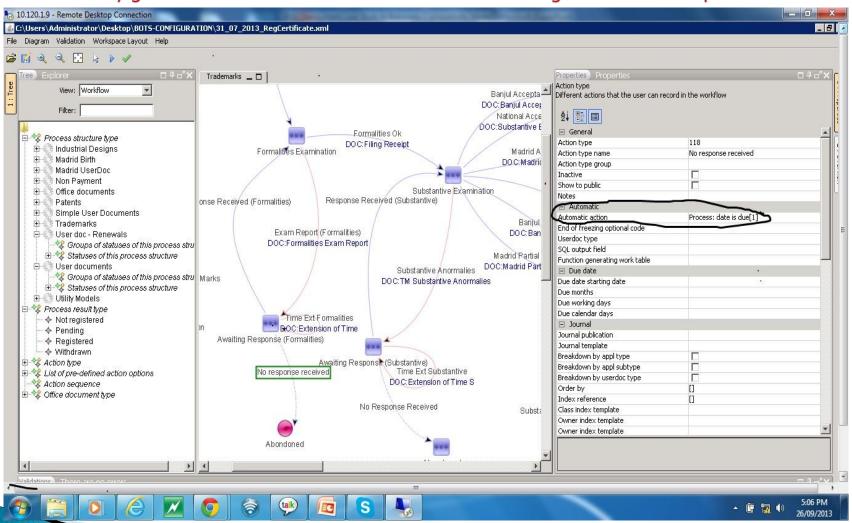




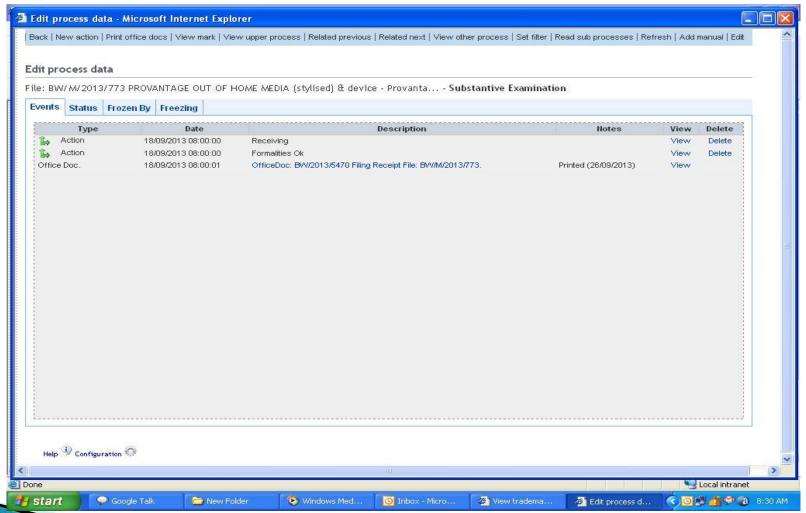
IPAS CONFIGURATION IN BOTSWANA...Trademark Workflow continued "A Condition for an Automatic Action at Formalities Examination status The Applicant is given two months to respond as according to the Trademark Act"



IPAS CONFIGURATION IN BOTSWANA...Trademark Workflow continued "An Automatic Action at Awaiting Response (Formalities) Status). The Application automatically gets Abandoned. Note how the Action is Configured on the Properties Pane

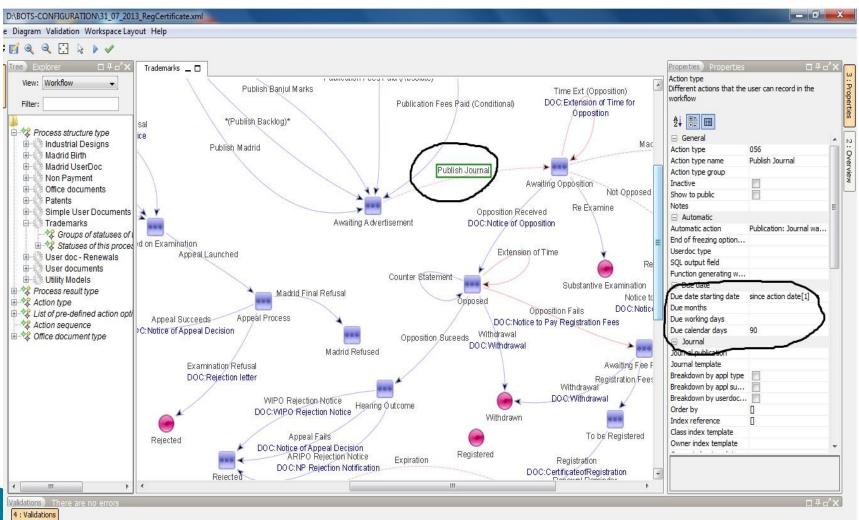


IPAS CONFIGURATION IN BOTSWANA...Trademark Workflow Continued....
If the action of Formalities ok option is taken instead of the Exam Report Formalities then the file status and move to the next stage of Substantive Examination as indicated on the GUI below



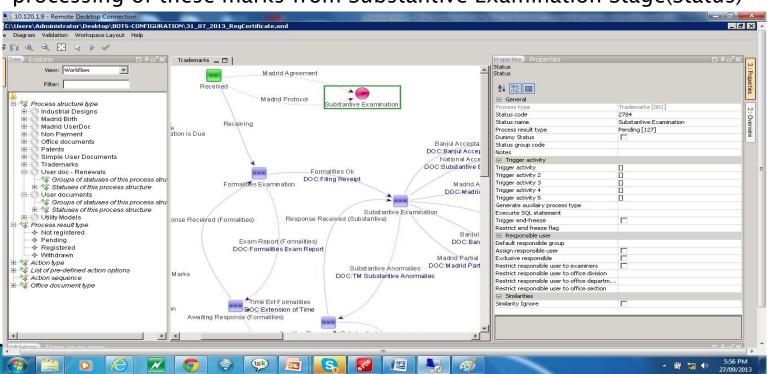
PUBLICATION IN THE JOURNAL- BOTSWANA

Time Carrying Action.. According to our law as already mention above...Trademarks that have gone through the process will end up being published in the Journal. Once again this is configured in the workflow as shown and the file will Await Opposition for 3 Months

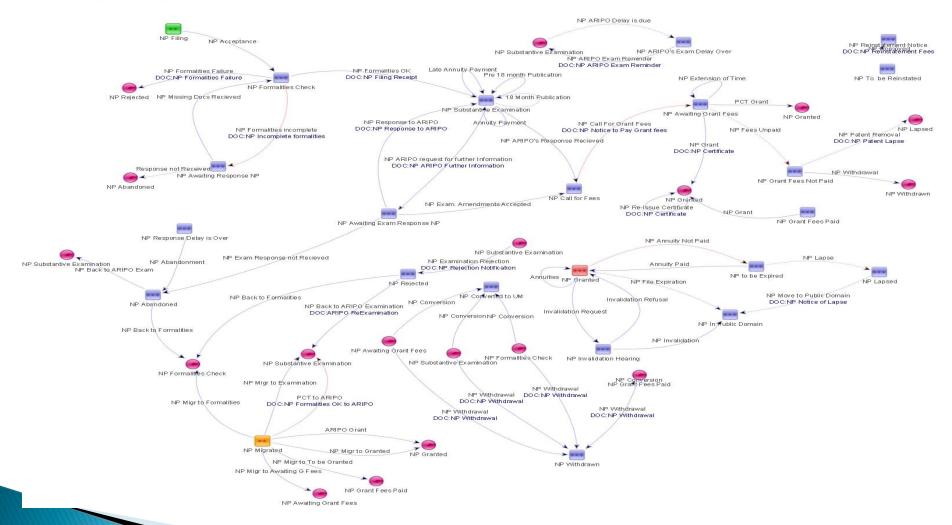


IPAS CONFIGURATION IN BOTSWANA...Madrid Workflow explained...

- As already explained above, IPAS Madrid Module is used to download the weekly notification files affecting Botswana and are downloaded using the Madrid module from the WIPO FTP Server.
- The Botswana IPAS Workflow for Madrid Applications use the same Workflow structure as regular national applications.
- Automatic actions have been configured in the workflow so as to start processing of these marks from Substantive Examination Stage(Status)



IPAS CONFIGURATION IN BOTSWANA...Patents Workflow



HOW IP WORK WAS DONE BEFORE AUTOMATION

The Office created alphabetical index and pasted all figurative marks into huge notebooks and for all new applications received for trademarks examination purposes.

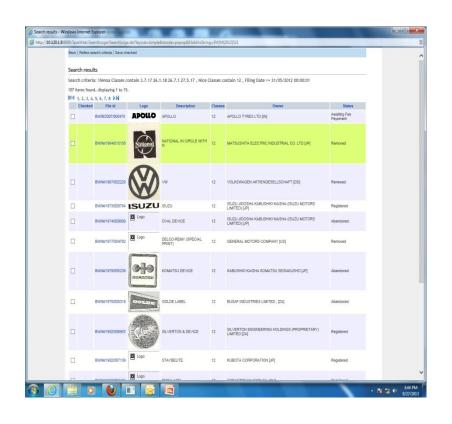
- Trademarks examination therefore took a longer period
- Trademarks searches took longer
- Journal was published every six(6) months
- Registration took nine months(9) months

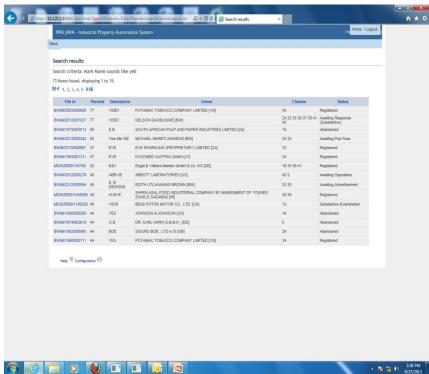
EXAMPLE: HOW TRADEMARKS USED TO BE EXAMINED

User had to go through page by page of the Index Book Below to compare trademarks



EXAMPLE: HOW TRADEMARKS ARE NOW EXAMINED





HOW AUTOMATION BENEFITED BOTSWANA

- Trademarks examinations are done faster.
- We are able to publish the trademarks journal on a monthly basis
- Pre-filing Search for word marks
- Trademarks are now registered in less than 5 months.
- Grant of Patents is done within 5days of receipt of Patent examination report.
- Easy preparation of statistical data
- Efficient management of employee productivity
- Linkage with the Companies database

FUTURE PLANS FOR BOTSWANA IPAS

- EDMS
- Online Registration' (on condition that the e-legislation is approved by parliament
- Capturing all patents and designs into IPAS
- Incorporation of Traditional Knowledge, Geographical Indication and Trade Secrets into IPAS
- Rolling out IPAS Java System to Serowe Regional Office

Conclusion

- Automation has brought a great improvement in service delivery.
- Knowledge transfer on IPAS from WIPO Experts to national IT Officers has had a great improvement.
- In-house training cafes preferably on a monthly basis for the staff using IPAS is also necessary.

THANK YOU