MALAWI COUNTRY REPORT

PRESENTED BY CHIFWAYI M.K. CHIRAMBO, PRINCIPAL ASSIATNT REGITRAR GENERAL, AT THE WIPO REGIONAL TRAINING WORKSHOP ON INDUSTRIAL PROPERTY ADMINISTRATION SYSTEM (IPAS) FOR TRADEMARK EXAMINERS, GABORONE, BOTSWANA, JULY 10 TO 14, 2017.

WHO ARE WE?

o A Government Department in the Ministry of Justice and Constitutional Affairs responsible for, among other mandates, the administration of Industrial Property Rights (IPRs)

o Headed by The Registrar General, who is assisted by a Deputy and a team of Assistant Registrars General

o We have three regional offices in Blantyre, Lilongwe and Mzuzu

o www.registrargeneral.gov.mw

WHAT IS OUR MANDATE?

■To administer, amongst other laws, the following Industrial Property legislation:

✓The Trademarks Act (Cap. 49:01);

✓The Patents Act (Cap.49:02); and

✓The Registered Designs Act (Cap.49:05)

ALL OF 1958 (with several amendments)

■New Trademarks Bill before parliament, Zero Draft Patents Bill currently undergoing expert consultations phase

STATUS OF AUTOMATION

❖The office is currently using IPAS Java Version 2.70 for Trademark and Patents only

❖80% of the Trademark workflow executed on IPAS, we are working on reviewing this and upscaling to 100%

❖Approximately 76% (23,000 out of 30,000) TM records available on the database

❖No IPAS usage for Industrial Design applications- Industrial Design applications still being processed manually

❖Journal still being published by the Government Press – awaiting on-going legal reform and facilitating provision of electronic copies on our website and through ARIPO.

STATISTICS

Approx. 35% of trademark records digitized, but not validated or verified

Approx. 65% of the records remain undigitised, largely comprising of dormant files

CHALLANGES

➢Very slow change in office culture (from manual to automated) affecting some critical back-end office processes on Trademarks which are still being done manually

➢Extremely low IPAS usage for Patents

➢High vacancy rates and staff turnovers

FUTURE PLANS

IPAS AUTOMIZATION PROJECT

i. DATA VALIDATION AND VERIFICATION EXERCISE

Implementation Period: July, 2017 – February, 2018

Phase 1: **11,488** (verified as uncaptured) records (1958 – 1984)

Phase 2: (approx.) **9,000** records (1984 – 2005)

Phase 3: (approx.) **6,000** records (2005 – 2017)

ii. DIGITISE ALL RECORDS -WIPO SCAN

digitize IP paper documents in the **IPAS EDMS** and capture Patents and Industrial Design records as well.

iii. CREATE AND MAINTAIN A PAPERLESS WORK FLOW – IPAS EDMS

iv. ONLINE SERVICES

Provide an outward facing window for online survives, starting with search and journal publication

THANK YOU